

**Town of Angier  
Board of Commissioners  
Work Session  
Tuesday, June 16, 2020, 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, June 16, 2020, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

**Members Present:** Mayor Bob Smith  
Mayor Pro-Tem Craig Honeycutt  
Commissioner Loru Boyer Hawley  
Commissioner Alan Coats  
Commissioner Mike Hill

**Staff Present:** Town Manager Gerry Vincent  
Town Clerk Veronica Hardaway  
Downtown Manager Christy Adkins  
Planning Director Sean Johnson  
Chief of Police Arthur Yarbrough  
Public Works Director Jimmy Cook  
Library Director Katy Warren  
Parks & Recreation Director Derek McLean  
Finance Director Hans Kalwitz  
Town Attorney Dan Hartzog Jr.

**Others Present:**

**Call to Order:** Mayor Smith presided, calling the Board of Commissioners Work Session 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 June 16, 2020 meeting agenda:** The Town Board unanimously approved the agenda with the following amendment: add a Closed Session pursuant to 143-318.11 (a) (3) to discuss Gregory Inc. vs. Town of Angier.

**Board Action:** The Town Board unanimously approved the June 16, 2020 meeting agenda as amended.

**Motion:** Commissioner Coats

**Vote:** Unanimous, 4-0

## **Old Business**

### **1. Adoption of the FY21 General & Utility Fund Budgets**

Town Manager Gerry Vincent explained the Budget Public Hearing was held June 2<sup>nd</sup> for anyone wishing to speak and then presented to the Board the following items: Budget Ordinance for both the General and Utility funds; Rate & Fee Schedule, and a Resolution to amend the Fiscal Year Fund Balance Policy.

Mayor Smith stated that a member from the Planning Board brought up that while employees and the Town Board received a 4% increase in salary; the members of the Planning Board did not. Mayor Smith asked the Board if they would like to take any action regarding this matter.

**Board Action:** The Town Board unanimously voted to approve an amendment of the General Fund to include a 4% increase to the Planning Board member's stipend. It was also requested to include the two Board of Adjustment members only if they are currently receiving a stipend.

**Motion:** Mayor Pro-tem Honeycutt

**Vote:** 4-0, unanimous

There was discussion on how COVID-19 will affect the Budget. Mr. Vincent explained that throughout the last 90 days, weekly conference calls held between Harnett and Wake Counties to keep everyone informed. Every town will be affected differently, however Angier's budget has been prepared forecasting possible hardships.

**Board Action:** The Town Board unanimously voted to approve the Budget as amended as well as the Budget Ordinance, Rate & Fee Schedule, and Fund Balance Policy.

**Motion:** Mayor Pro-tem Honeycutt

**For:** Craig Honeycutt, Mike Hill

**Opposed:** Alan Coats, Loru Hawley

**Vote:** 2-2; Mayor Smith voted to break tie

**Final Vote:** 3-2, motion carries to approve Budget

### **2. Town of Angier Facility Rental Draft Policy**

Mr. Vincent stated the policy has been revised as requested by the Board.

**Board Action:** The Town Board unanimously voted to approve the Town of Angier Facility Rental Policy as amended.

**Motion:** Mayor Pro-tem Honeycutt

**Vote:** 4-0, unanimous

### **3. Utility Fund Revenue/Customers-COVID-19 Update – Executive Order extended to July 29th**

Mr. Vincent gave an update on the Governor's Executive Order 142. The Order extends the utility shutoff moratorium until July 29, 2020.

The Order's utility shutoff moratorium:

- Continues effective immediately and lasts 60 days;
- Prohibits utility disconnections for all customers;
- Prohibits billing or collection of late fees, penalties, and other charges for failure to pay;
- Continues to provide that once the executive order ends, utilities must give customers the chance to set up a repayment plan for charges that became due during the effective period of the Order, and sets the default term to six months for cases when the utility and customer cannot agree on the terms of a repayment plan; and
- States explicitly that customers are ultimately responsible for the cost of utilities that they use.

### **New Business**

#### **1. New Policy: New Employee Wellness Screening (COVID-19)**

Mr. Vincent presented a draft Employee Wellness Screening Policy regarding COVID-19. The purpose of this policy is to provide guidelines on limiting exposure and spread of COVID-19 by conducting daily temperature checks. Any employee with a temperature of 100.4 or greater will be considered as having a fever per CDC guidelines. Any employee with a fever must not enter their work area and will be given a recheck after 15 minutes. After the recheck, if the employee's temperature is 100.4 or above, the supervisor and employee will follow Human Resources policies regarding sending the employee home.

Mr. Vincent stated policies like this are being adopted by many employers across the United States.

**Board Action:** The Town Board unanimously voted to the new Employee Wellness Screening Policy (COVID-19).

**Motion:** Commissioner Hill

**Vote:** 4-0, unanimous

#### **2. Economic Development Draft Policy**

Mr. Vincent stated the Town of Angier encourages and supports new business development and the expansion of its business base through retention, recruitment and entrepreneurial endeavors. The incentive grant program is designed to promote significant capital investment and job creation in the Town of Angier.

- Diversifying the local business and manufacturing base by encouraging existing businesses to reinvest and to help attract new business to the Town

- Supporting new business that provides a complementary element to the existing local economy
- Increasing the ad valorem tax base
- Increasing quality employment opportunities within the Town of Angier

Incentive grants are offered over a period of time (1-5 years) and vary in amount. The amount of a grant is dependent upon the amount of investment, job creation, wages, whether it's an existing business or new, whether it is a headquarters, and if the business is complementary to existing businesses. Other factors such as industry sector, long-term growth potential and indirect economic impact may be considered.

### **Incentive Grant Eligibility**

- Businesses applying for grants must make a net new taxable investment in the Town of Angier. Taxable investment includes real and personal property (i.e. machinery and equipment). The current value of real and personal property will be deducted to calculate net new investment. New equipment will be depreciated on a standard schedule to calculate taxable investment. The minimum net new taxable investment shall be at least \$250,000.
- Businesses accepting this incentive grant shall create at least five (5) full-time new jobs, defined as 35 hours or more per week, within the agreed upon grant period. Employees classified as temporary do not qualify.
- The company must, consistent with the state and federal law, have a written policy on workplace diversity that ensures commitment to anti-discriminatory practices and fosters equal opportunity in accessing the company's resources and/or opportunities.
- Companies must commit to maintaining operations, and the minimum number of jobs required, for at least the duration of the incentive agreement.

Eligibility does not guarantee the offer of an incentive grant. All grants are approved on a case by case basis and require a public hearing meeting under NC General Statute 158-7.1. Businesses accepting an incentive grant shall be required to performance agreement that specifies the grant's terms, conditions and compliance requirements.

### **Types of Incentives**

#### **Ad Valorem Rebate**

The Town of Angier may consider, on a case by case basis, reimbursement of the Ad Valorem taxes paid for the property on which the investment is made. The reimbursement may be offered up to a maximum of five (5) years by the Governing Body.

#### **Fee Reduction**

A reduction in certain Town fees related to development may be considered for both commercial and industrial investments, provided that the investment meets the goals and objectives of the Governing Body's overall vision of the Town.

## **State Incentives**

Job Development Investment Grant Program (JDIG) is a performance-based discretionary incentive program that may provide cash directly to a company, when the company creates jobs and invests in the state.

JDIG awards are calculated by several factors, including:

- Location of the project
- County tier designation
- Number of net new jobs created in the state
- Wages of the jobs
- Level of investment made in the state
- Company's industry sector, and the industry's alignment with the state's targeted industry sectors

One North Carolina Fund Grant Program (One NC) is discretionary cash-grant that allows the Governor to respond quickly to competitive job-creation projects.

OneNC awards are based on:

- Number of jobs created
- Level of investment
- Location of the project
- Economic impact of the project
- Importance of the project in the state and region
- Availability of local match

Town Attorney Dan Hartzog Jr. stated that statutorily the Town needs to have a policy in place to the extent we want to offer these types of incentives.

**Board Action:** The Town Board unanimously voted adopt the Economic Development Policy.

**Motion:** Commissioner Hill

**Vote:** 4-0, unanimous

## **3. FY 20 Budget Amendments**

Finance Director Hans Kalwitz stated that as discussed during the June Regular Board Meeting, intentions were to assess revenues and whether they have met expectations or exceeded them. Such revenue adjustments have been made. Although the approach was moderate, revenues have exceeded overall expenditures in each respective Fund, resulting in appropriation increases. The increases to expenditure lines will assist with potential FY 2021 expenses that will accrue back to FY 2020. During the October 1, 2019 Regular Board meeting a budget amendment was adopted to transfer \$212,572; which was added to the FY 2020 adopted Budget amount of \$365,100 (total transfer \$577,672). Understanding that the Water & Sewer Capital Reserve Fund has \$555,922; the full request could not be transferred. Regardless, this does not place the Water & Sewer Fund in a poor position as the overall spread is in good shape. The General Fund budget will increase by \$112,986; Water & Sewer Fund budget will increase by \$36,335; and the Water & Sewer Capital Reserve Fund will increase by \$555,992.

**Board Action:** The Town Board unanimously voted to adopt Budget Amendment #9.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

#### **4. Unity Walk Scheduled for June 20<sup>th</sup> at 9am (Jack Marley Park to Depot Square)**

Mr. Vincent stated an application has been submitted for a Unity Walk scheduled for June 20<sup>th</sup> from 9am-11am starting at Jack Marley Park and ending at Depot Square.

#### **5. Planning Board Appointments**

Mr. Vincent stated this item was brought to his attention based on a recent Planning Board meeting last Tuesday regarding a Planning Board member.

Commissioner Hill stated he and another Commissioner sat in on the meeting last Tuesday when this planning board member in question made a statement that the Board of Commissioners and Planning Board were “on the take”. He explained there was another incident prior to this that there was discussion regarding the consumption of alcohol prior to attending meetings. This particular individual assumed the discussion was about him, however it was a different Planning Board member. This led to an altercation following the meeting where the individual in question was very belligerent to where it almost led to a physical altercation.

Commissioner Hill stated it was also brought to his attention by Town employees that the individual in question went into Town Hall to get some copies and it didn’t meet his satisfaction and then made a rude comment saying “they were fxxxxxx brain dead”. We do not need this person representing the Town.

Commissioner Hawley explained the meeting Commissioner Hill referred to regarding alcohol was not pertaining to the planning board member in question but a different member of the board.

Christina Kazakavage, Planning Board Chairman, stated that her goal this year was to work cohesively together as a board as they are all on the same mission. In light of this individual, it is not an easy decision however, at the same time this individual has been warned prior to the incident last Tuesday. He is consistently berating and being disrespectful towards Town Staff. The other issue with this individual is that he either doesn’t come to the meetings or when he does, he shows up 30-45mins late and then wants a review. This is not cohesive to the agenda the Planning Director puts together for the board. Last Tuesday’s meeting he became very loud, abrasive and accusatory toward Commissioners and fellow board members. He is never pleased with decisions made by Commissioners or planning board members. Ms. Kazakavage requested the Board to consider removing the individual in question from the Planning Board.

Town Attorney Dan Hartzog Jr. explained that all members on the planning board serve at the pleasure of the Town Board; therefore, a member can be removed for any reason at any time. In this particular situation there is cause.

Junior Price clarified that the night in question regarding alcohol was directed toward a different member of the Planning Board. There have been times where this member would come in and smell of alcohol. The gentleman that is being considered for removal approached Mr. Price after the meeting that night and was very hostile because he thought the discussion was referring to him. Mr. Price stated he could be a potential liability to the Town.

Mr. Vincent recommended to remove the individual planning board member in question effective immediately and advertise for the vacancy.

**Board Action:** The Town Board voted to remove the member in question from the planning board effective immediately and advertise for the vacancy.

**Motion:** Commissioner Hill

Dan Hartzog Jr. stated that for purposes of clarifying the motion the board needs to name the individual.

**Amended Board Action:** The Town Board voted to remove Ted Lumbrazo from the planning board effective immediately and advertise for the vacancy.

**Motion:** Commissioner Hill

**For:** Mike Hill, Craig Honeycutt, Alan Coats

**Opposed:** Loru Hawley

**Vote:** 3-1; motion carries

Commissioner Hawley questioned what consequences will there be for the other board member that attends intoxicated. Mr. Lumbrazo is being made an example of but the other member needs to be held accountable for their actions as well.

Chairman Kazakavage stated she agreed with Commissioner Hawley however, she requested to collectively work together with the Town Board with the other individual in question but not at this point in time.

Dan Hartzog Jr. informed the Board that having a policy about intoxication in public facilities would be hard to enforce because there is a lot of public facilities, however a policy stating members cannot attend meetings intoxicated to serve on a board or volunteer board can be placed. If a member is intoxicated to the point its interfering with their ability to serve as a board member that can be something their fellow board members can bring to the Commissioner's attention.

It was the consensus of the Board to allow the Chairman of the Planning Board monitor the individual in question and report back to the Board if another occurrence transpires.

## **6. Resolutions #R012-2020 and #R013-2020 Authorizing Wake and Harnett Counties to Levy and Collect Property Taxes for the Town of Angier**

Mayor Smith explained a Resolution needs to be adopted in order for Harnett and Wake Counties to collect Angier taxes.



**Board Action:** The Town Board unanimously voted to adopt Resolution #R012-2020 and #R013-2020 to allow Harnett and Wake Counties to collect Angier taxes.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

## 7. 2020-2021 Annual Agreement for NC Main Street Designation

Downtown Manager Christy Adkins stated the Town has received a grant through the Main Street Program for a free website by a professional company who specializes in websites. This particular website also has the ability to help small businesses in Town by linking items to the site. This will be available to all businesses in Angier. The grant was a nationwide contest and Angier was the only Town that was selected in North Carolina.

Ms. Adkins stated the courtyard has been well received as well as the tables in front of Town Hall. Pepsi has donated all 8 umbrellas for the tables in the courtyard. To date, a total of \$4,735 has been donated by private parties to this project.

Mayor Smith stated a Resolution was needed to continue to be a part of the NC Main Street Program.

**Board Action:** The Town Board unanimously voted to adopt a Resolution to continue the NC Main Street Program for 2020-2021.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

**Board Action:** The Town Board unanimously voted to go into Closed Session pursuant to NCGS 143-318.11 (a)(3) to discuss Gregory Inc. vs. Town of Angier at approximately 7:40pm.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

**Board Action:** The Town Board unanimously voted to reconvene in open session at approximately 8:25pm.

**Motion:** Commissioner Hawley

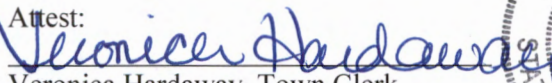
**Vote:** 4-0, unanimous

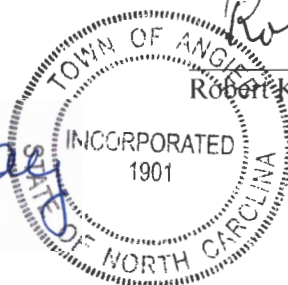
**Adjournment:** There being no further business, the Town Board voted unanimously to adjourn the meeting at 8:25pm.

**Motion:** Commissioner Hill

**Vote:** Unanimous, 4-0

Attest:

  
Veronica Hardaway, Town Clerk



  
Robert K. Smith, Mayor