

TOWN OF BROADWAY
BOARD OF COMMISSIONERS
MEETING
MINUTES
SEPTEMBER 28, 2015

A scheduled meeting of the Board of Commissioners was held on Monday, September 28, 2015 at 7:00 p.m. at the Council Chamber, 102 East Lake Drive, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, Woody Beale, Jim Davis, Lynne Green, and Janet Harrington. Also, Town Attorney Jimmy Love, Town Manager Dustin Kornegay, and Town Clerk Laura Duval were present.

The meeting was called to order by Mayor Andrews. Mayor Pro Tem Beal gave the invocation, which was followed by the Pledge of Allegiance.

Mayor Pro Tem Beal made the motion to accept the Agenda as presented. The motion was seconded by Commissioner Woody Beale. Motion carried unanimously.

Consent Agenda – Approval of Minutes from August 24 meeting and August Financial Statements. Commissioner Harrington made the motion to accept the Consent Agenda as submitted. The motion was seconded by Commissioner Green. Motion carried unanimously.

Town Manager Kornegay reviewed an amendment to the Planning Board Ordinance. This amendment will allow the appointment of alternates to ensure there will be a quorum at future meetings. The Town Manager stated that the Town Board is very pleased with the current Planning Board and appreciates their service. They understand someone may have to miss an occasional meeting due to a conflict. Alternates would be able to serve in that instance. Mayor Andrews opened the public hearing for discussion. No one spoke in favor of or against the amendment. Mayor Andrews closed the public hearing.

Commissioner Green made the motion to approve the amendment to the Planning Board Ordinance, allowing for appointment of alternates. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Commissioner Harrington made the motion to appoint Tommy Rosser and Wendy Bryan as alternates to the Planning Board. The motion was seconded by Commissioner Davis. Motion carried unanimously.

Marshall Downey, Director of Planning and Development, presented three proposed amendments to the UDO, which will allow travel trailers and similar recreational type vehicles to be occupied as a temporary residence while a permanent residence is being constructed. The proposed amendments will require changes to three sections of the UDO: (1) Article 4, Table 4.6-1 Permitted Use Matrix, to allow the land use category "Travel Trailer/Recreational Vehicle/Motor Home/Camper" as a temporary residence with supplemental development regulations in the RA, RR and R-20 zoning districts in Lee County and in the extraterritorial (ETJ) jurisdictions of Sanford and Broadway, (2) to Article 5, Section 5.34 Temporary Uses, to create a new Subsection and supplemental development regulations for the Temporary Residence Use, and (3) Appendix A Definitions, to revise the definition of Residence. These amendments are restricted to new construction and there must be an active building permit. The permit will be good for 12 months, but it can be re-issued for an additional 12 months. However, 24 months is the maximum amount of time allowed for a temporary residence. An active permit requires activity. The average amount of time for a home to be built is three to six months. The Planning Board will make their recommendation at the October Board Meeting.

Mayor Andrews opened the public hearing for discussion of the three text amendments to the UDO. No one spoke in favor of or against the amendments. Mayor Andrews closed the public hearing.

Mr. Downey presented changes to the UDO amendments in two sections: (1) Article 4 Permitted Use Matrix and (2) Article 5 – add a new section to address supplemental standards for Oil and Gas Mining. Amendment 1 – changes to Article 4 – Revisions to the Permitted Use Matrix include creating a new "oil and gas extraction" land use category and revising/updating the existing "mining and quarries" land use category. Currently, the UDO allows mining and quarrying in ALL zoning districts subject to the issuance of a Special Use Permit (as reviewed and approved by the respective Board of Adjustment). Staff recommends that with the creation of a new category to address oil and gas extraction, that the existing mining and quarries category be updated to reflect a similar set of standards. As such, both categories are recommended to be limited to the RA and LI zoning districts as a Special Use Permit and permitted by right (staff approval) in the HI district (See Attachment I). This approach revises and greatly reduces the land use districts that allow existing mining and quarries as a SUP, while creating the new oil and gas category that mirrors the same districts.

Amendment 2 – changes to Article 5. This set of changes adds additional regulations that are specific to oil and gas extraction. This new set of rules will make a distinction from the existing supplemental regulation for traditional mining and

quarries as found in UDO Section 5.23 (see Attachments 2 and 3). The supplemental design standards as referenced in 5.23 and 5.41, respectively, reinforce the need for having separate land use categories.

Mayor Andrews opened the public hearing for discussion of the two amendments to mining and oil extraction. No one spoke in favor of or against the amendments. Mayor Andrews closed the public hearing. The Mayor thanked the Planning Board for attending and asked them to reconvene at the community building for their meeting.

Town Manager Kornegay reviewed the Resolution for Participation in the State Health Plan. In July of this year, the state passed legislation that would allow municipalities with less than 1,000 employees to apply for participation in the State Health Plan. The plan is capped at 10,000 local government employees. The state plan will save the Town approximately \$16,000 per year. It will also help two staff save \$4,000-\$5,000 per year in dependent coverage. The insurance is with Blue Cross/Blue Shield and will be a plan like state teachers have. This resolution authorizes the Town Manager to get rates and be considered for participation in the state plan. It is based on a first come first serve basis. The Town provides insurance coverage to all full-time employees. Ancillary benefits will remain with the NCLM. Mr. Kornegay has been in contact with the League and will keep them informed of the process and progress with the state insurance plan.

Commissioner Harrington made the motion to approve the Resolution for Participation in the State Health Plan. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Town Manager Kornegay presented a Fund Balance Policy for Town Board approval. Beth Kelly, with the City of Sanford, assisted Mr. Kornegay with the policy. Most of the policy is already practiced, but the Town Manager would like it in writing. The Town's Fund Balance has gone up to 76%. The target minimum for Fund Balance is 70%. This policy would allow excess Fund Balance to be used for capital projects. Future expenditures of this nature could be purchased from the excess since the budget is so extremely tight.

Commissioner Green made the motion to adopt the Fund Balance Policy. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Town Manager Kornegay advised the Town Board that one bid was received for the resurfacing and drainage project on J.R Holt and Church Streets plus restriping of Beale, Forest, and Smith. The total bid by Sandhills Contractors was over \$90,000. Commissioner Davis made the motion to reject the bid by Sandhills Contractors and rebid the project in the spring of 2016. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Mayor Andrews welcomed Lee County Commissioner Tim Sloan to the meeting.

Under Manager's Report, Mr. Kornegay reported that he met with representatives of Withers & Ravenel about the prospect of putting water and sewer lines in digital format. Their quote was a little under \$10,000. This project is something to consider in the future. GPS format would make it much easier to locate the lines. There may also be funding available for mapping.

The Town Manager and Mayor received a letter from Wendy Bryant Motley, art teacher, at Broadway Elementary. She requested that the Town participate in a tree sweater program for Christmas as a fundraiser. Ms. Motley wants Town Hall staff to collect monetary donations and issue the check to the beneficiary of the fundraiser. The Town Board agreed it is not feasible for the Town to participate.

The downtown Christmas lights will be converted to photo cell. The light poles have been replaced, so wiring would have to be moved from the old poles to the new ones. This change will get rid of unsightly wires and will be more uniform since the other Christmas wreaths throughout Town are on photo cell. The Woman's Club has volunteered to change the bulbs and fluff the bows on the wreaths.

Under Commissioner Comments, Commissioner Woody Beale stated the mowing along the bank above the lake and the recently painted fire hydrants look very good. He's glad these projects have been done. Commissioner Beale reported there are a few streetlights that have been shot out. The Town Manager will report those to Duke Energy.

Commissioner Harrington thanked Lee County Commissioner Tim Sloan for attending the Town Board meeting. She mentioned that the new windows and doors at the Community Building look very nice.

Mayor Pro Tem Beal also thanked Commissioner Sloan for attending the meeting. The Mayor Pro Tem has heard good comments about the improvements at the Community Building.

Commissioner Green expressed her appreciation to Commissioner Sloan for being in attendance and thanked Betty Davis for always attending the meetings. Commissioner Green commended the Town Manager and staff for their hard work that keeps the Town fiscally responsible.

Under Mayor Comments, Mayor Andrews reported that he and the Town Manager attended the first annual SAGA banquet held at Carolina Trace. It was very well attended, and updates were given by the SAGA participants. Congresswoman Ellmers was there, but the state legislators could not attend because they were in Raleigh trying to pass the budget.

The Lions Club and Woman's Club have agreed to contribute towards the installation of two aluminum benches at the quadrant next to Turner's Carpet. Some stepping stones will also be put down as well as additional landscaping.

On October 23 the American Legion and the Lee County Veterans Council will hold a fundraiser to raise money for a facility to house restrooms at the NCVM. They will sell barbecue plates at the American Legion building from 11:00 a.m. – 3:00 p.m.

Mayor Andrews attended a TARPO meeting last Thursday on highway projects. (TARPO)Triangle Regional Planning Organization is made up of Moore, Lee, Chatham and part of Orange counties. TARPO is allowed 12 highway projects and 12 bicycle/pedestrian projects, aviation and rail. The Mayor wanted to make the Town Board aware of upcoming projects. One project is the realignment of Kelly Drive from Nash Street to the other side of the Wicker Center beside Magnetti Marelli. This plan will move Kelly Drive out of the middle of the CCCC campus and move traffic a little farther away from the high school. Another project recommended is the widening of Highway 78 from Lemon Springs Road to US 1. The modernization of Colon Road from US 1 to the industrial park makes up the third project Lee County requested. A pedestrian project affecting Broadway is the addition of sidewalks from Mansfield Drive to Claude's. This addition would prevent students from having to cross the street since there will be sidewalks on both sides. These projects will not be started until 2018 and beyond.

Chairwoman Amy Dalrymple invited the Mayor and Town Manager to the Joint Interlocal Commission meeting. They were very appreciative of the invitation, so they will be aware of what is happening in the county and can communicate that information to the Town Board. A range of topics were discussed. Lee County is discussing the prospect of W.B. Wicker School becoming a new elementary school. They hope fiber optics will be extended to the airport and industrial park. SAGA, Lee County Planning and Zoning Departments, and Building and Inspections plan to relocate to the Buggy Factory by the end of the year.

Mayor Andrews announced Manufacturing Day will be held on October 2, and the Chamber of Commerce Clay Championship will be held October 16.

Mayor Andrews requested a closed session to establish or instruct public body staff or agents regarding negotiating position per G.S. 143-318.11(a)(5). Commissioner Green made the motion to go into closed session. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

After returning to regular session, the Town Board discussed the deterioration of the Town Hall. Mayor Andrews and Town Manager Kornegay met with Tim Sherman, registered architect, and explained the Town's needs. The Town Board instructed the Mayor and Town Manager to request a set of plans from Mr.

Sherman, including demolition and construction of a Town Hall and Police Department.

Mayor Andrews and Town Manager Kornegay will meet with a USDA representative on October 5 to process information and applications to determine whether the Town would qualify for a grant or loan.

Mayor Pro Tem Beal made the motion to authorize the Town Manager and Mayor to pursue options on the library with Lee County. The motion was seconded by Commissioner Davis. Motion carried unanimously.

With no further business to come before the Town Board, Commissioner Woody Beale made the motion to adjourn the meeting. The motion was seconded by Commissioner Davis. Motion carried unanimously to adjourn.

Donald F. Andrews, Mayor

Laura K. Duval, Town Clerk