

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

JANUARY 12, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Catherine Redd, Graham Stallings, Marvin Roberts, Leelan Woodlief and Joseph Johnson. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker, Town Attorney Pete Tomlinson, and Chief Daren Kirts. Representatives from The Franklin Times and The Wake Weekly were also present.

The first item on the agenda was citizen's comments. Al Wojtalik wanted to thank Amidon for inviting the community to view their presentation about their proposal. He stated that he did notice a single Commissioner at the presentation. Commissioners Johnson, Woodlief and Roberts stated that they went at a later point in time for a presentation, Commissioners Redd and Stallings both stated that they did not visit the facility for any of the demonstrations. Mr. Wojtalik stated that the Board in whole needed to see the demonstrations and the facility in order to make informed decisions. He urged Commissioners Stallings and Redd to go out and take a look. He stated that he appreciated the effort that Amidon put forth; he felt as if they went above and beyond what was asked of them by the Board. Mayor Hardwick stated that questions can be asked during the "Hearing" later in the agenda.

The next item on the agenda was the financial report. Tatum stated that the Town was at the six month mark and was in fairly good shape. He stated that if all expenses are paid up to date by June 30th, the Town would be \$25,000 overdrawn. He stated that this would be an improvement over the end of the last fiscal year. Tatum stated that the Town had collected 89% of the 2011 taxes to date. He explained that the Town needed to hold flat and tread water. He also stated that overtime had been eliminated except in emergency situations. Tatum also advised that the Board go ahead and start with the budgeting process and wanted to meet with the finance committee. Mayor Hardwick stated that going line by line would be a good idea and Tatum stated that the Town had a good accounting system to help.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Roberts and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was Janis Cyrus from the Youngsville Area Business Association. She was unable to attend so Mayor Hardwick gave the update on the Christmas Care Program. He stated that it had grown significantly over the years. He stated that we helped over 50 families, 150 plus children and 25 senior citizens. Mayor Hardwick stated that there were a lot of volunteers for food, gifts, wrapping and shopping. He stated that there was a huge amount of donations this year as well. Mayor Hardwick wanted to thank the people that participated for a stellar year and help for the needy children will continue for years to come.

The next item on the agenda was Old Business. The first item under Old Business was to continue the discussion of the Special Use Application by Amidon for 409 Northbrook Drive. Mayor Hardwick stated that everyone had the opportunity to see the site. He stated that revisions had been made to the Special Use Permit, which he read aloud. He stated that Amidon has tried to accommodate the requests of both citizens and the Board and had made a good effort. He thanked them for the demonstration that they had provided for the community. Attorney Tomlinson stated that a Petition for a Special Use Permit meant that a "Hearing" would need to take place. Amidon would present the information required by the Youngsville Zoning Ordinance. Each issue would need to be considered by the Board and afterwards comments or questions can be made by the citizens. Questions will need to be stated, then after all of the questions have been asked, they will be presented to Amidon like a trial. Attorney Tomlinson stated that this is a quasi-judicial procedure that will be conducted orderly. He stated that he understood that this was an emotional situation. After the public speaks, then Amidon will be able to answer the questions and make a closing statement. Once this has been completed the Board would then be able to ask their questions then proceed to a vote based on the evidence presented today. Attorney Tomlinson stated that this would take some time and hearsay would not be allowable. Anyone wishing to speak would need to be sworn in by the Town Clerk.

Amidon spokesman, Clay Davidson was sworn in by Hurd. He thanked the Board for the opportunity to speak and stated that he would make this quick. Mr. Davidson presented a booklet into evidence containing the original Special Use Permit Application, additional materials submitted to address concerns, the open house invitation along with the mailing list for those who were mailed invitations, the PowerPoint Presentation from the demonstration, Mark Hindman's resume, the final revised Special Use Permit Application with the conditions address concerns raised at the various meetings and also at the demonstration, map of the Ballistic Testing Bunker and its location, and the Statement of Justification for Findings. Mr. Davidson apologized for the disruption that testing had caused and stated that it would not happen again. Once they were informed by the Town of Youngsville that they needed a Special Use Permit, they ceased firing and applied. Once they started the application process other concerns were expressed and Amidon has attempted to meet all of the concerns. Mr. Davidson stated that the two primary concerns were noise and safety. He stated that they have tried to meet these concerns. They have purchased noise suppressors and had suggested an Angle of Fire Limiter but there were additional concerns about these as well. He stated that all of the concerns at the Public Hearing were taken into account and a demonstration was planned to show everyone how it would work. A new plan for an underground testing range was submitted that would negate the noise and safety issues. Members of the Community and

Board were able to garner an idea of how the underground bunker would work. Mr. Davidson stated that they were located in a Medium Industrial area and felt that their business fit in with the rest of the industries along Northbrook Drive. He stated that they would comply with the uses of Medium Industrial areas. Mr. Davidson stated that Amidon has agreed to help mitigate the noise and safety issues by going underground so that the surrounding residents would feel safe. Mr. Davidson presented the conditions that had been added to the revised Special Use Permit Application. All firing would be done in the enclosed sunken bunker testing facility that would face south. This bunker would be surrounded by both an earthen berm and a fence. All firing would be done with suppressors with only weapons that were commercially available to civilians. There will be a spotter outside the bunker at all times when during firing. The testing facility will not create peak decibel levels over 65db at the eastern property line. Mr. Davidson explained that the decibels should be far less than 65db. He stated that he would test the sound at Ms. Robinson's house just to make sure that firing could not be heard at nearby residences. Firing would be done Tuesday through Thursday during the hours of 9am to 5pm although they reserve the rights to fire, if Amidon produces evidence that the firing does not produce decibel levels that exceed normal noise levels for medium industrial use facilities after the testing facility has been installed. Mr. Davidson stated that they would post a schedule for firing on the company website. Firing will be conducted only by trained professional personnel with a designation of marksmen and only for the purpose of testing their ballistic concrete blocks that are produced on the premises. Once the bunker has been completed, another tour will be set up for the residents and the Board to assure compliance. A meeting will be called one year from the date of issuance of the permit for residents and town officials to voice any additional concerns that may have arisen during the previous year. If for any reason Amidon ceases to use the testing facility, they will remove the facility and fill in the resulting hole with earth sufficient to bring it to even grade with the surrounding ground. Mr. Davidson stated that he felt that Amidon had met the findings for the first condition which were that the use or development is located, designed, and proposed to be operated in a way so as to maintain or promote the public health, safety and general welfare. Mr. Davidson stated that the second condition stated that the use or development complies with all regulations of the Youngsville Zoning Ordinance and all applicable specific standards and regulations. He explained that there was no ordinance in Franklin County or the Town of Youngsville that prohibits the discharge of firearms. He stated that even without an ordinance, Amidon is willing to enclose the testing facility and add a berm and fence for further protection. He explained the procedure that they would follow during testing. First there will be a safety spotter that would make sure no one enters the bunker or the area of the bunker during firing, second they will display signs that announce live firing is in process and finally, a range flag will also show that live firing is occurring. Firing inside of the sunken bunker eliminates the chance for any stray bullets and they believe this exceeds normal requirements. Mr. Davidson stated that this would not be a public firing range; this firing range is for the testing of their products only. He stated that they were a supplier for the US Military and credentials for both Mr. and Mrs. Amidon were included in the booklet presented as evidence. He explained that the product is a ballistics concrete that would absorb bullets. This would help with the safety of our troops by allowing them to train in live fire exercises with no ricochet. The third condition was that the use or development be located, designed and proposed to be operated so as to maintain and enhance the value of contiguous property, or that use and development is a public necessity. Mr. Davidson stated that the business would have no greater impact

than the Medium Industrial park that it is located in. He stated that they would create no more noise or safety issues than their neighboring industries. The fourth condition states that the use or development conforms to general plans for the physical development of the Town of Youngsville's planning justification as embodied in the Land Use Plan and other development policies as adopted by the Board of Commissioners. Mr. Davidson explained again that it was a Medium Industrial park and that the manufacturing of concrete is consistent with the area and would not have an adverse effect. He stated that Amidon has shown that they are willing to minimize any adverse impacts to the area. The fifth condition asks that the location and arrangement of the use on the site, screening, buffering, landscaping and pedestrian way harmonize with adjoining properties and the general area and minimize adverse impacts. Mr. Davidson stated that the location and use of the property met with the requirements of Medium Industrial. The sixth condition was that the size, type and intensity of the proposed use, including such considerations as the hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties of the neighborhood. Mr. Davidson explained that the size, type of business, hours and employees do not create a significant impact that exceeds the Medium Industrial park. He stated that he felt that they exceeded this requirement by using a sunken bunker that will have no impact. He stated that this bunker would only be used for the testing of their product. The seventh condition concerns Utilities, schools, fire, police, and other necessary public and private facilities and services being adequate to handle the proposed use and Mr. Davidson stated that there would not be an increase on any of these services as their building was a concrete producing facility before they started their business there. Condition eight stated that all applicable specific conditions pertaining to the proposed use have been or will be satisfied. Mr. Davidson stated that a schedule has been agreed to the help satisfy this requirement. The ninth condition as that the access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive safety and convenience traffic flow and control and access in case of fire or other emergency. Mr. Davidson stated that the roads are already sufficient and there would not be an increase in traffic from the previous business in this location. He stated that there was access on existing roads and on the property. The tenth condition was off street parking, loading, refuse, and other services areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic glare, odor, and other impacts on adjoining properties and properties in the general neighborhood. Mr. Davidson stated that there were no problems with these conditions. Condition eleven asked if the utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use. Mr. Davidson stated that this would not be applicable for their business as there would not be an increase in any of these conditions. Mr. Davidson stated that he felt Amidon had met all of the criteria under the Zoning Ordinance and Statutes and requested that the revised Special Use Permit be approved with the added conditions.

Mayor Hardwick stated that now was the time for the public to make any comments or propose any questions that they may have. Fletcher Palmer was sworn in by Hurd and asked if there would be any extra equity for Youngsville and Mayor Hardwick stated that there would not be any tax money since Amidon is located outside of Town Limits. There were no other comments.

Attorney Tomlinson stated that all of the evidence was in and everyone has had the opportunity to speak. He stated that there was no need for a rebuttal but Amidon could make a closing statement if they wanted to.

Mr. Davidson stated that he felt Amidon had answered all of the concerns expressed by both the community and the Board to make this safe and to avoid any adverse impact to the community. He stated that they have tried to meet all of the objections and concerns expressed and will try to address any others if possible that come up after approval as outlined.

Mayor Hardwick stated that it was now up to the Board and asked if anyone had any questions. Commissioner Redd asked if there were any existing decibel and why would Amidon choose to go above and beyond as opposed to moving the business. She stated that because there was such a great opposition, wouldn't it be better to just move the business. Mr. Davidson stated that the site was owned by common owners and they are co-developers with Amidon on the ballistics concrete. The existing site was already established and set up for concrete production of blocks. He stated that they also like it here. Mr. Davidson stated that the Amidon's wanted to stay in the area. The business has already started to grow. They have increased from 5 employees to 32 and are still in the process of adding more. He explained that they wanted to stay and grow with the Youngsville community. Mr. Davidson stated that it was a good idea to also stay where their co-developers owned the building. He stated that they did measure the cost of moving, but even though putting in the bunker would cost just a little bit more, they liked the community that they were already established in and had good relationships with the local suppliers. He stated that they spent over a million dollars in this community and are invested here. Commissioner Woodlief asked what the value of the business was and Mr. Davidson stated that the building was valued at around \$800,000. Commissioner Stallings asked who the co-developers were and Mr. Davidson stated that it was a family LLC that was owned by Mark and Wayne Siver along with another brother. Commissioner Stallings asked where they lived and Mr. Davidson stated that they were from the Youngsville area. He stated that the length of the lease for the building was originally one year to see if the business would get off the ground but the lease did have an extension clause. Mr. Davidson stated that originally the business was being run out of the basement of the Amidon's house until it grew to the point they needed office space. He explained that few businesses are growing during these economic times but Amidon is one of the few that is growing. He stated that they have done great things and would like to keep that going and be good neighbors as well. Commissioner Redd asked what the other employees did since there was only one or two shooters. Mr. Davidson stated that some went to Fort Bragg, some worked on the general contracting portion of the business. He stated that Amidon also supplied range services by Federal Government contracts. Mr. Davidson explained that they maintained the ranges and helped run the units. He stated that they have added people outside of North Carolina for special projects that send people offsite. Other employees help produce the ballistics concrete blocks. Mr. Davidson stated that the Youngsville area was ideal to service North Carolina projects. He stated that the employees of Triangle Precast, their co-developers employees, also depended on work that Amidon created as they help with the casting of the blocks. Commissioner Redd asked if Youngsville was where the head of their operation was located and Mr. Davidson answered yes. Commissioner Woodlief asked if they would consider a 2 – 3 year lease and Mr. Davidson stated yes, if they receive

approval for the Special Use Permit, they were planning to extend their lease. He explained that they were committed to growing the Youngsville facility. Commissioner Johnson stated that at the Public Hearing, Amidon was testing 300 panels a day and Mr. Davidson stated that they were at the Youngsville facility. Once the testing bunker gets installed, they will only be able to test 100 – 200 panels instead. Commissioner Johnson stated that it did not seem like a lot of time requested for testing and Mr. Davidson stated that it was done that way to satisfy the residents. He explained that it was the reason that in the conditions attached to the revised Special Use Permit application that at a later point Amidon could request to up the hours of testing once the facility has proven itself to be safe and quiet. Commissioner Stallings stated that Exhibit Four showed a list of all of the people that were invited to the demonstration and that he felt it telling that no one had spoken up tonight against Amidon. He stated that he hoped that meant that everyone was fine with the improvements that Amidon was making. Mr. Davidson stated that he understood that Amidon had messed up when they first started testing but they are making a real effort to address all of the concerns. Mayor Hardwick stated to the citizens that the Board would make sure that all of the conditions of the Special Use Permit would be enforced and Mr. Davidson stated that there would be no enforcement problems, Amidon would meet the requirements. Commissioner Woodlief stated that it was a good presentation. Attorney Tomlinson stated that the Board needed to go through each line item on the Statement of Justification with Regard to Required Findings (the conditions that Mr. Davidson answered in earlier testimony). Mayor Hardwick read each condition and the Board voted Aye or Nay to each condition. See attached worksheet for Board Actions taken. Attorney Tomlinson stated that a motion to approve that the Special Use Permit application was granted with the conditions set forth in the additional entry.

MOTION: TO APPROVE THE SPECIAL USE PERMIT APPLICATION FOR AMIDON AT 409 NORTH BROOK DRIVE WITH THE CONDITIONS SET FORTH IN THE ADDITIONAL ENTRY

The motion was made by Commissioner Woodlief and was seconded by Commissioner Redd. It passed unanimously.

Attorney Tomlinson stated the process worked for all the parties involved. Mr. Davidson thanked all of the citizens and the Board for the opportunity to present their case. Commissioner Redd stated that it was a hard decision but the Board did do what it legally had to do. Mayor Hardwick stated that they had come a long way to make a good compromise between the citizens and Amidon.

The next item on the agenda was Closed Session (if necessary). Mayor Hardwick asked the Board for a motion to go into Closed Session to discuss personnel issues.

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL

The motion was made by Commissioner Johnson and was seconded by Commissioner Redd. It passed unanimously.

The Board went into Closed Session at 8:05pm and came out at 8:48pm. Mayor Hardwick stated that no action was taken.

The next item on the agenda was Reports and Other Business. Mayor Hardwick stated that he had received several phone calls and emails about the Christmas decorations on Main Street. He stated that they were purchased in 2003 with donated money, costing around \$4,000. He stated that he knew some of them were not working and explained that there were some electrical issues that have persisted over several years and that the decorations on the west side of the tracks were not put up since the poles that were replaced when building the Wilco knocked out some of the brackets and electrical connections. He asked the community to help develop a plan to raise money to get new decorations. He stated that the ones that Town had now costs around \$375 and up. Hurd stated that the wires also needed to be replaced on E. Main Street near the Shops on Main. Mayor Hardwick stated that the Town had 12 months to work on getting new ones. Cathy Oakley stated that the wreaths needed to be thrown away and just use the banners.

Mayor Hardwick stated that he and Tatum had met with a local citizen about the sidewalks not being ADA compliant. He stated that there was a list of items that needed to be seen to and that would probably take up the sidewalk budget. He stated that this gentleman would work closely with the Town employees to get the sidewalks in town brought up to ADA standards. Mayor Hardwick stated that this gentleman was knowledgeable about ADA rules and standards and has had a lot of training. This gentleman was in charge of Wake Forest's ADA compliance and has volunteered his expertise and the Town employees will do the work. Mayor Hardwick stated that there were 5 or 6 immediate problems and Mr. Faircloth was working on the specifics.

Commissioner Stallings wanted to make sure that the Town had a leash law and when answered yes, he suggested that a flyer be sent to the residents of Youngsville. He stated that there were three dogs that would come into his yard. Commissioner Redd asked if they could be sent to the specific person instead of paying to mail them to everyone and Hurd stated yes.

Commissioner Redd stated that she and Hurd were working on getting the information ready for the NC STEP Grant Program. She stated that this grant helps support economically distressed towns. She explained that this was a huge application and that it also needed a leadership team.

Commissioner Johnson stated that he is part of the US #1 Corridor Study. He stated that they would be doing a study on Highway #1 from Burt Winston Street to the Vance County line. He explained that they would be doing field studies about possible widening. NCDOT has an engineering company involved to do the studies on the environment including widening greenways and set ups. Commissioner Johnson stated that all of this would be about 25 to 30 years out for any actual work to be done. He stated that NCDOT is looking at making this a major thoroughfare like a freeway which will mean no turns, only on and off ramps. This will be a 12 month study including 8 meetings that are normally located in Franklinton. Commissioner Johnson stated that CAMPO is the force behind this study but that Franklin County is rarely mentioned at any of the meetings. Mayor Hardwick mentioned that Youngsville needed the 96 Bypass.

Commissioner Woodlief stated that each Commissioner was assigned a section of town and that all of the Commissioners needed to keep an eye on their sections. He stated that there were some ugly messes including the Boondocks building and Woodlief Supply.

Tucker mentioned that the Franklin County Chamber of Commerce was holding a banquet at Greenhill Country Club for \$25.00 each attendee to recognize elected officials. Please get with her so that she can RSVP any of the Board that wish to attend.

The meeting adjourned at 9:03 pm.

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FEBRUARY 9, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Catherine Redd, Graham Stallings, Marvin Roberts, Leelan Woodlief and Joseph Johnson. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker, and Town Attorney Pete Tomlinson. A representative from the Wake Weekly was also present.

The first item on the agenda was citizen's comments. There were no comments.

The next item on the agenda was the financial report. Tatum stated that there was excellent collection of taxes so far at ninety six percent. He stated that the Town would still run out of money around May or June. Tatum explained that there were no more consistent monies coming in except the state distributions each month. He stated that there were no reserves and the best the Town could do was to remain with tight spending.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was a presentation from the Franklin County Volunteers in Medicine. Beverly Keagley, the Executive Director, wanted to update the Board as a lot had happened since last year. She stated that she understood that Youngsville was in financial distress as was the Franklin County Volunteers in Medicine. She stated that for the first time in seven years, they had almost not been able to meet three payrolls. She explained that they had just received grant money that has helped to keep them practicing but there is still no operating costs. Mrs. Keagley explained that they had relocated to the Franklin County Health Department so that they were located in a building with heating and lights. Mrs. Keagley stated that when they first started doing this, they were only able to do nights but now with the help of grants, they have been able to be open 5 days a week. There are three doctors, a nurses and a medical director. She stated that they were paid for with a grant through the Health Department. Mrs. Keagley stated that what the Volunteers in Medicine are doing is being looked at nationwide and with help from the 2014 health reform the patients will be able to maintain seeing the same doctors who will already have access to their medical histories. Mrs. Keagley stated that they had 5,111 visits in

2011. She explained that the organization has had a lot of ups and downs but are now finally starting to level out. Mrs. Keagley stated that they were in the position of having to cancel the food bank but the administrative assistant was able to find the funding to be able to open that back up as there were enough donations to cover the expenses for it. She stated that they still needed more volunteers to help run the food bank as well. Mrs. Keagley stated that the Franklin County Volunteers in Medicine needed both financial support as well as community support such as volunteers

The second item under New Business was a presentation from Brian Garff concerning upcoming events on Cedar Creek Road. He explained that he and his partner would be moving forward after their success at Halloween last year. He stated that he anticipated being able to continue doing the Halloween event each year but also doing other uses on that property. He stated that the property was zoned RA (Residential / Agricultural) but needed to be rezoned to Commercial to do the other uses that he had in mind. Mr. Garff stated that this would affect the taxes on the property as well as land use issues. He stated that he did not want to rezone Mr. Moss's property if they would not be able to use it for the events that he had in mind and was coming to the Board for some kind of provisional approval. He stated they wished to do laser tag, go carts and things of that nature. He explained that it would all be done under the Panic Point umbrella. Mr. Garff stated that they were looking at a long term lease for the Haunted Forest at minimum and are negotiating for the other uses. He explained that they would also be leasing the home on the property which would probably house a Panic Point employee. Mr. Garff stated that they had based their ideas on the go cart track on the Malibu Grand Prix from the 1980's. These will not be racing or bumping type of cars. They will use buggies that will run on a 30 turn track. They will use the time of the runs compared to other buggies but they will not actually race each other. Mr. Garff stated that their biggest concern is noise and what that means to homes and businesses. He stated that they did some research on the noise level and did a field test with a decibel meter using a generator that is louder than the buggies. 100 feet from the property, the noise level was 100 decibels, then another 100 feet and another up to 350 feet from the property. The further they got from the property they found that the noise was negligible. He stated that the cars on the road were louder than the noise coming from their property. Mr. Garff stated that they would do demonstrations if necessary. He explained that they would also need county and state approval as well. Commissioner Woodlief asked about liability insurance and Mr. Garff stated that they would be insured for one million per occasion and two million aggressive. He stated that he has spoken with other owners of similar types of amusements and this was the amounts recommended. When Commissioner Woodlief asked if this amount would be enough, Mr. Garff stated that it was the industry standard and that customers would also have to sign a waiver of liability. He explained that the carts would have a 72" wheel base making them safer since they are wider than other carts. He stated that this kind of cart would be hard to roll and with the course being all curves, speed could not get high enough for them to flip the cart. Mr. Garff explained that anyone without a driver's license would have to drive the course 20 times to earn a course license. Commissioner Woodlief asked if there would be liability for the town and Mr. Garff said no. Commissioner Redd asked if they had spoken with the neighbors and Mr. Garff stated that they had not. He stated that there was only one house within 350 feet of them and they knew them. The next house was over 1,000 feet away. Commissioner Stallings asked Attorney Tomlinson if the owner was supposed to be requesting this and Mr. Garff stated that they were only bringing this before the Board to

make sure that it would be allowed before the owner came before the Board to rezone. Commissioner Stallings asked if there was anything like this in the area and Mr. Garff stated that he wasn't sure if there was anything like this in America. He stated that the carts would be set off at intervals and would also have kill switches to keep them from being unsafe. Commissioner Johnson asked if this would be indoor and the answer was no. When asked if people would be allowed to bring their own carts, the answer was also no. Mr. Garff stated that they were basically copying the idea from pavement tracks in warm cities. Commissioner Redd asked where they would be pulling their customers from and Mr. Garff stated that he expected to get people from over an hour away. He stated that he didn't think all of his customers would be only from Franklin County. Commissioner Woodlief asked why they chose Youngsville, Mr. Garff explained that they had tried several different locations and Youngsville was the easiest place to work with. He stated that they lived in Wake Forest and that Mr. Moss was receptive to their ideas. Geoff Huguely, Mr. Garff's partner, stated that the two events would feed off of each other, for example as people come to play laser tag, they will stay and do the go carts and then maybe come back around Halloween for the Haunted Forest. The demographic age group they are looking for 7/8th graders and up. They are expecting to have college students from the local universities as well. They will be promoting all of the events and reaching further out to grab a hold of their demographic. Commissioner Redd stated that she was happy to have people brought to Youngsville and Mayor Hardwick agreed. Mr. Huguely stated that they would tap into the universities more this coming year for the Haunted Forest. He stated that the Wake Forest – Rolesville area was growing and they wanted to bring more people into the area. Mayor Hardwick stated that he had met with both of these gentlemen in January. He stated that this would bring in more patrons to other businesses as well. Commissioner Redd stated that she felt they should double check with the other neighbors. Mr. Huguely stated that it would only create a low level white noise and Mr. Garff stated that they would add mufflers if the noise became really offensive. Mr. Garff also stated that they might build a barrier as well. He explained that if you went north of the property, the woods would help block the sound. He stated that they wanted to err on the side of caution. They wanted to test with noise that was higher than the decibel of the carts. Commissioner Redd asked about the signage and Mr. Huguely stated that they would have a nice formal sign done professionally. He explained that if they went year round, they would have a sign that shows the types of events under the Panic Point name. Commissioner Redd stated that she wanted to make sure they looked nice and professional. Mr. Huguely explained that they could hold up to 240 cars with the possibility of using the other side of the driveway for overflow, but there will also be a pattern to the flow of parking. He stated that the parking lot help up great during the rainy season they had at Halloween. He also stated that there had not been a lot of trash. He explained that they cleaned the area nightly. Mayor Hardwick asked what their time frame was and Mr. Garff stated that they wanted to open ASAP. He stated that if he got positive feedback from the Board, then they would go to Franklin County, then the state to get approval. Commissioner Woodlief asked about dividing the receipts between the state, county and town. Mr. Huguely stated that they paid the taxes on income to Franklin County based on a percentage of money taken in. Commissioner Stallings stated that he feared that Franklin County would not allow such a thing since there had been a death at a mud track event. Mr. Garff stated that anyone wishing to watch this event would not be right at the fencing. He stated that if it was raining they wouldn't run the carts. He explained that this was not really a spectator sport but speeds could be governed if there were a lot of people around. Mr.

Garff reiterated that he was wishing for pre-approval from the Board concerning the possibility of allowing the events. Mayor Hardwick stated that there was no formal pre-approval but that Mr. Garff and Mr. Huguely had both heard the comments from the Board and could base their decision on that. Mr. Garff stated that they would pursue this vigorously then. When Mr. Roberts asked what they needed from the Board, Mayor Hardwick stated nothing at this time; Mr. Moss would have to come before the Board to petition to have the property rezone to Commercial. Mayor Hardwick stated that this is an authorized use for Commercial so there would not be a need for a Special Use Permit Application. He also stated that Franklin County may not be able to say no since this parcel was inside of the Youngsville ETJ. Mr. Garff stated that he would get with the tract owner and do some research on that. Attorney Tomlinson stated that he didn't think that they would probably not need anything from Franklin County. Mr. Garff stated that they would be back in a month.

The third item under New Business a Resolution Approving the use of Govdeals.com for Electronic Auctions of Surplus Equipment. Tatum stated that the Town had listed surplus property in the local papers but were not having any success in getting them sold. He explained that Govdeals.com was authorized by the NCLM and works like Ebay. He stated that can have the purchaser pay for the sales commission fees. Tatum stated that this could be advertised at fair market value and pass the fees on to the buyer. He stated that he just needed Board approval to use Govdeals.com.

MOTION: TO ADOPT THE RESOLUTION APPROVING USE OF GOVDEALS.COM FOR ELECTRONIC AUCTIONS OF SURPLUS EQUIPMENT

The motion was made by Commissioner Johnson and was seconded by Commissioner Stallings. It passed unanimously.

The fourth item under New Business was a Renewal of the Resolution of Intent for the Youngsville ETJ. Hurd explained that this was just a formality that needed to be done every two years for annexations. Mayor Hardwick clarified that the Town was not in the process of annexing anyone at this time.

MOTION: TO ADOPT THE RESOLUTION OF INTENT FOR THE YOUNGSVILLE ETJ

The motion was made by Commissioner Woodlief and was seconded by Commissioner Roberts. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). Mayor Hardwick asked the Board for a motion to go into Closed Session to discuss personnel issues.

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL

The motion was made by Commissioner Woodlief and was seconded by Commissioner Johnson. It passed unanimously.

The Board went into Closed Session at 7:43pm and came out at 8:22pm. Mayor Hardwick stated that the Closed Session was in regards to the Town Attorney. He stated that Attorney Tomlinson had been hired as the Franklin County Attorney and so he would have to resign as the Town Attorney. He stated that Commissioner Redd and Johnson had formed a committee to start advertising for a new attorney. Mayor Hardwick wanted to thank Tomlinson for his service to the Town and the Youngsville Community. He and Commissioner Roberts wished Tomlinson the best in his new venture.

The next item on the agenda was Reports and Other Business. Attorney Tomlinson stated that he would be sending a formal letter of resignation to the Town stated that he had accepted the position as the Franklin County Attorney. He stated that this had created a conflict of interest so he has to leave the service of Youngsville. He stated that he has enjoyed working with Youngsville, the people have become family. Tomlinson stated that he would still be available if he was needed.

Tomlinson stated that there was one more thing that needed to be voted on concerning the Amidon Special Use Application from last month. He stated that there needed to be a vote that approved the granting of the Special Use Permit. He explained that the Board needed to approve the Permit and mail a signed letter to Amidon as well as all of the people who would want all of the information concerning Amidon. He stated that there would be a 30 day appeal period.

**MOTION: TO APPROVE THE SPECIAL USE PERMIT APPLICATION
FROM AMIDON FOR 409 NORTHBROOK DRIVE**

The motion was made by Commissioner Woodlief and was seconded by Commissioner Roberts. It passed unanimously.

Mayor Hardwick wanted to mention that former Town Administrator Brenda Robbins' husband had passed away today and that she and her family was in our hearts and prayers.

Commissioner Redd stated that last month, Tatum had mentioned that the Finance Committee was going to meet to start the budgeting process early and she wanted to know if that had happened yet. Tatum stated that Commissioners Roberts and Johnson were on that committee but they have not yet had a meeting. Tatum stated that he had contacted the insurance company to get an early bid on the Blue Cross Blue Shield increases but was informed that he could not get that information until 90 before the term was up, meaning around the first of April. Tatum stated that they needed to start looking at wages and insurance first as that was the bulk of the money. He stated that he recommended that the Commissioners look into the salary structure. Mayor Hardwick stated that they needed to look hard at the line items and Tatum stated that the majority of the money was budgeted to salary and benefits meaning that the money was not in the overhead expenses. Tatum stated that they needed to schedule out and compare to the Franklin County Salary ranks. He stated that the bottom line is to decide what to do with the wages, such as leave them flat or increase. The rest of the budget was operating overhead and would fall into place.

The meeting adjourned at 8:30 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

MARCH 8, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Catherine Redd, Graham Stallings, Marvin Roberts, Leelan Woodlief and Joseph Johnson. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, and Administrative Assistant Kathryn Tucker. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Fletcher Palmer stated that he had a few things he wished to discuss. First, was that the Police Department was doing an outstanding job, especially with the new Traffic Officer. Second, Mr. Palmer requested a copy of the Town Ordinances. Third, he asked when the next election was going to be held and Mayor Hardwick stated that it would be in 2013. Mayor Hardwick also told Mr. Palmer to get with Town Staff in order to get his copy of the Town Ordinances.

Al Wojtalik was curious to see if any of the Town Board had attended the meeting with the Franklin County Tax Assessors Office concerning the revaluations. None of the Board member had been able to attend the 5:00pm meeting. He stated that quite a few of Youngsville properties had been hit hard. Mayor Hardwick stated that the time of the meeting made it hard for working people to attend. Commissioner Redd stated that citizens had stopped by her home to discuss the tax assessments.

The next item on the agenda was the financial report. Tatum stated that 100% of budgeted taxes have been collected which he felt was pretty good collections. He also stated that the F750 dump truck was for sell online on Govdeals.com. Tatum stated that it had already received \$26,000 in bids but he felt that it would sell for more than that since there was such a good response to it. Tatum also stated that the Governor's Highway Safety Grant claim had been lost in cyberspace. He submitted it on February 6th. He stated that it was in the system but not sure when the reimbursement would come in. Tatum stated that he was talking to the NCLM about health insurance. He explained that it was not a group plan but pooled resources. Tatum stated that health insurance was a major factor in the budget. Tatum stated that as long as we kept spending low we should hopefully be fine. He stated that we were better off than at this point last year.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Roberts and was seconded by Commissioner Johnson. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was a discussion of Late Fees. Hurd stated that a complaint had come in about the Late Fees. She reminded the Board that they had started doing Late Fees due to the amount of people, 30%, that were paying past the due date. She explained that a gentleman had stated that he felt the Late Fees were excessive and came too soon. Hurd stated that she had explained that the Late Fees were applied to an account when they became past due. Hurd explained that after the gentleman had left Town Hall, she and Tatum had discussed that the 10% did get some late fees higher than others, some of which were over \$100.00. She stated that she and Tatum had come up with 10% Late Fee with a maximum of \$10.00 so that it would not harm the customers since the economy still has not picked back up in this area. Tatum stated that the Late Fees were not there to gouge the customers, just an incentive to get them to pay on time. Hurd stated that if the new system started being taken advantage of, the Board could change it back if they wanted to.

MOTION: TO ADOPT THE NEW BILLING RULES REVISION OF ORDINANCE 4.301

The motion was made by Commissioner Woodlief and was seconded by Commissioner Johnson. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). There was no cause to go into Closed Session.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Roberts and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was Reports and Other Business. Mayor Hardwick stated that there was a US1 Corridor meeting coming up. He stated it was a chance for the CAMPO to get feedback on any changes they want to make to US #1 from Hwy 96 northward. He stated that these changes would not happen soon but people did need to get involved.

Chief Kirts wanted to give the Board an update on some of the statistics from the Police Department. He stated that these statistics were from 2009 to 2011. He stated that they went from 636 calls for service to 976, tickets written went from 276 to 740, arrests went from 85 to 182, charges went from 353 to 1146 and DWI's went from 19 to 52. Chief Kirts stated that they had been busy. He stated that speeding tickets had gone from 373 from 415. He also stated that there had been 12 felony charges with 9 felony arrests. Chief Kirts stated that they had been proactive on traffic. He explained that the Governor's Highway Safety Grant car was finished and in service. He also stated that they would be given four new radars and flashlights for participating. Chief Kirts stated that this would put radar in all of the cars. He wanted to remind the Board that he had two cars with over 200,000 miles on it. Mayor Hardwick stated that he agreed with

Fletcher Palmer in that the Police Department was doing an excellent job. Chief Kirts stated that they were short staffed but everyone had pitched in and they were able to do it with low overtime.

Hurd stated that there would be a meeting held on March 14th and 15th to help people with foreclosure trouble. She stated that she had fliers and would get them posted on the webpage as well as Town Hall. She just wanted to make people aware that there was help out there if needed.

The meeting adjourned at 7:13 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

APRIL 12, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief and Joseph Johnson. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker and Police Chief Daren Kirts. Commissioner Catherine Redd was not in attendance. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. There was no comment.

The next item on the agenda was the financial report. Tatum announced that Town Staff had sold the 2007 F750 dump truck. He stated that this did not really help the financial situation other than allowing the June payroll to be met. Tatum stated that he was still expecting cash flow difficulties and suggested that the next year's budget reflect those difficulties. He suggesting holding the figures where they are because as of right now the Town was doing good staying in budget; but keep in mind that we were using the money from this year to help pay last year's debts. He explained that the Board couldn't control the incoming revenue but could control the outgoing expenses. He stated that the employees had stepped up and were not wasting any money and would need to continue that for at least another year. Tatum stated that the Town was improving, just slowly.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Roberts and was seconded by Commissioner Stallings. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was an Audit report from Jim Winston for the FY 2010/2011. Mr. Winston stated that he wanted to reinforce what Tatum had explained about how tenuous the financial situation was. He gave a handout to the Board to help him explained the Town's finances. He stated that the first sheet was for the Fund Balance Analysis starting from 2009 forward, since 2009 had a positive Fund Balance. Mr. Winston stated that even though it was a positive balance, it was still below the Local Government Commission's (LGC) minimum which is 8%. He explained that the Town had a \$31,000 deficit from meeting that minimum. He stated that he has added a column that shows the goal of where the Town needs to be and that is at 30%. This means for 2009 the Town would have needed \$404,514 in Unreserved Funds, which means money that is available for appropriation.

Mr. Winston explained that there was some Fund Balance but it was in receivables and not in cash on hand which means it can't be appropriated since it's not yet received. In 2010 the Unreserved Fund Balance went negative and was a minus \$30,425 which made a deficit of \$136,085. In 2011, he stated that the Town was still negative at \$29,628 which was a little bit better than the year before but left a deficit of \$131,939. Mr. Winston explained that the LGC set the 8% minimum is for cash flow. He stated that since taxes come in to the Town in spurts, you need operating cash still left in the bank. The remaining portion of State Shared Income is money that the Town has no control over when and how much comes in. Mr. Winston stated that he looked at the State Wide Average of towns with populations between 500 and 999. Their Fund Balance average was \$636,103 compared to Youngsville's \$29,628. Mr. Winston wanted to again reiterate what Tatum said about the upcoming budget and keeping the expenses as low as possible. Mr. Winston stated that cash at the end of 2010 was \$31,120 and went up to \$53,519 at the end of 2011. He stated that he would like to see it up to \$100,000 by the end of this fiscal year. Mr. Winston also explained that a lack of Fund Balance does mean that the Town cannot take advantage of opportunities or will be unable to make the repairs necessary to function if something major happened. Mr. Winston then directed the Board to the second page for Proprietary Funds which is Water and Sewer. He stated that the Fund Balance for Water and Sewer was made up of Invested in Capital Assets, Net of Related Debt and Unrestricted Funds. Unfortunately, the Invested in Capital Assets looks real good but that is unusable monies as it is tied into the values of the Water and Sewer System. The Unrestricted Fund Balance, which is money available for cash, it's a negative \$143,226. He stated that it was not as bad the year before but it was still negative. Mr. Winston stated that on a positive note, the Tax Collection rate was doing great as it was above the state average. He explained that the collection of Vehicle Taxes was a little bit lower than the state average and Mr. Roberts stated that Franklin County collected the Town's Vehicle Taxes. Mr. Winston stated that the first page really summed it all up, the Town needed to get that Fund Balance up. He stated that he knew Tatum had been doing a good job of staying in communication with the Town's LGC representative and trying to work on getting this where it needs to be. Commissioner Woodlief asked how many years did Mr. Winston expect this to take to straighten out and Mr. Winston stated that if the Town could increase by \$50,000 a year, it would take about 5 years to be at the goal of 30% Fund Balance. He explained that the Town did not get in this situation overnight and it wouldn't be fixed overnight. Mayor Hardwick stated that if a major water break happened, the Town would be in big trouble and Mr. Winston agreed. Mr. Winston stated that people didn't like to pay increasing water rates until they end up having no water due to the inability to make repairs. Commissioner Graham asked Mr. Winston how did the Town get into this mess and Mr. Winston stated that part of the problem was the monthly reporting was on the cash basis and that did not give a good picture of the immediate situation. If the payables were being recorded like they should have been, then the Board would have known that there were some issues going on. Commissioner Stallings asked if that meant that the auditors, including Mr. Winston, didn't know that and Mr. Winston stated that they knew and wrote it up for the last several years and it's been in the Management Letter that was sent to both the LGC and the Board every year. Mr. Winston stated that the Town is now in a good position to be able to see what the cash flow is and Tatum is making sure that everyone on the Board understands that there may be problems later on if we don't keep expenses lower. Mr. Winston stated that the communications he keeps open with the LGC is a good thing and will help in the long run. Mayor Hardwick stated that he thinks we've finally got our

bookkeeping system open so that everyone understands where the Town is financially. Mr. Winston stated that the Town was addressing the problem and it would turn around for us but it just won't be a quick fix. Mayor Hardwick stated that the goal was to get it a little bit better each year. He thanked Mr. Winston for all of the help he's been over the past year.

The second item under New Business was a Request to Rezone by James T. Moss Jr. for property located at 2808 Cedar Creek Road. He wishes to rezone this property from Residential Agricultural to Commercial. Mayor Hardwick stated that the Board should be familiar with this project. Commissioner Roberts asked about the Special Use Permit that they received last year for the event at Halloween and Mayor Hardwick explained that to rezone would cover all of the events that they wish to now have at that property.

MOTION: TO APPROVE THE REQUEST TO REZONE PROPERTY LOCATED AT 2808 CEDAR CREEK ROAD, OWNED BY JAMES T. MOSS JR., FROM RESIDENTIAL AGRICULTURAL TO COMMERCIAL.

The motion was made by Commissioner Johnson and was seconded by Commissioner Woodlief. It passed unanimously.

The third item under New Business was to update Ordinances 5.512, 5.514 and 5.515. Hurd explained that while she was putting together the Town Ordinance for one of the residents, she noticed that there were some ordinances pertaining to parking in the Town that needed to be updated. The first one stated that it was illegal to park across traffic in only the Downtown Business section of Town but Hurd stated that this was a traffic hazard all over town. In order for someone to park like this, they would have to go into the oncoming lane of traffic to park and again to leave. Hurd explained that the other two ordinances pertained to diagonal parking and they just needed to be rescinded as there was nowhere in town to park like that.

MOTION: TO ADOPT THE UPDATED ORDINANCE 5.512

The motion was made by Commissioner Woodlief and was seconded by Commissioner Johnson. It passed unanimously.

MOTION: TO ADOPT THE UPDATED ORDINANCE 5.514

The motion was made by Commissioner Woodlief and was seconded by Commissioner Johnson. It passed unanimously.

MOTION: TO ADOPT THE UPDATED ORDINANCE 5.515

The motion was made by Commissioner Woodlief and was seconded by Commissioner Johnson. It passed unanimously.

The fourth item under New Business was a discussion of moving the location of the Board Meetings to the Youngsville Community House. Mayor Hardwick stated that the Board had a couple of meetings there recently and it had so much more room. Hurd

interrupted and stated that there has become a problem with that as the air conditioning has broken down and needs to be replaced. Hurd stated that Tatum was in talks about getting a quote but it is not going to be cheap. She explained that two coils that are leaking Freon. They have been patched so many times that they just cannot be patched any more. The heating unit has broken repeatedly and needs to be replaced as well. Hurd explained that the heating unit is under the building and it does get flooded out every once in a while. Since the codes have been changed since that unit was put in, they won't be able to replace the heating unit under the building so it will have to go into the attic which means there will have to be work on strengthening the attic and installing a drop down ladder. Mayor Hardwick stated that it would be best to get multiple quotes and bring them to the Board and they can go from there. He stated that the meetings would continue at Town Hall.

The fifth item under New Business was a discussion of the possibility of selling surplus property. Tucker explained that the Town owned a piece of property at the corner of SW Railroad Street and West Main Street. She stated that the owners of the corner lot were interested in buying that property for potential ventures. Tucker explained that the Town only used that building for storage in an old garage. She stated that they had expressed interest in that lot years ago but the Board had not been interested in selling at that time because there was nowhere else to store the items. Tucker stated that it was a substandard lot that would have to be added to another lot in order for anything to be build upon it. The building is falling apart and has holes in the roof. Tatum stated that if the property sold, it would help pay off the land behind Town Hall and would also buy a storage building for the items that we keep in the old shed. Commissioner Roberts stated that he thought it would be good to sell that property.

MOTION: TO ACCEPT BIDS ON THE PROPERTY LOCATED ON SW RAILROAD STREET NEAR WEST MAIN STREET

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). Mayor Hardwick requested a motion to go into Closed Session for Personnel reasons.

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL

The motion was made by Commissioner Johnson and was seconded by Commissioner Woodlief. It passed unanimously. The Board entered Closed Session at 7:27pm and exited at 8:31pm. Mayor Hardwick stated that no action was taken.

The next item on the agenda was Reports and Other Business. Mayor Hardwick stated that several new businesses have come into Youngsville and it was a sign that Youngsville was starting to grow again. He stated that other things were coming and it shows that the Gateway to Franklin County is back open for business. He stated that Lake Donna was on May 19th.

Tucker stated that she had been working on areas in town that needed to clean up and all are now clean. She stated that there was one more issue on the store but they are working

on it and it is getting better. She stated that she was pleased with the response time by the residents.

Commissioner Stallings wanted to mention that the house at the corner of W. Franklin Street and NW Railroad Street had a pile of shrubbery that needs to be picked up, there was a concern of rats nesting in that area.

Commissioner Roberts mentioned the Evans house on N. College Street needed to have the ditch bank near the mailbox mowed. The grass in that area was getting really high. Mayor Hardwick stated that it was the homeowner's responsibility and he urged the citizens to help out by cleaning up their yards.

Commissioner Johnson stated that Tatum had sent out the reports on this last cycle and he starting comparing for the upcoming year and had a discussion with Tatum about the expectations for the upcoming budget. He stated that he was looking to keep the expenses the same with a flat budget. Commissioner Johnson stated that Tatum and the ladies at Town Hall were a good place to get information for decisions.

Commissioner Johnson also wanted to mention that there was still speeding on East Winston Street. He stated that it comes up about every 2 to 3 months and since there are no sidewalks, it creates a hazard. He explained that the railroad was no longer much of a deterrent. Commissioner Johnson requested that the speed tracker be posted back on East Winston Street as that did help to slow some people down. He also stated that there had been some license checks that also help keep the speed down on that road. Chief Kirts stated that his officers did spend a lot of time in that area and did hand out tickets but can't be there all the time. He stated that he would get the portable radar out there to help.

Chief Kirts stated that he did have good news. He explained that the Police Department had received 8 used Dell laptop computers, about \$2,400 worth, from the ALC, all from the Governors Highway Safety Grant (GHSG), along with brand new printers, worth about \$4,000. They even gave them paper to go along with them. He stated that they ended up with about \$8,000 worth of donated items. Tatum stated that all of this was connected with that GHSG and Chief Kirts stated that this was due to his guys going out and meeting with these people and finding this stuff. He stated that on the down side they still needed the air cards and stands for them and he's working on that. Chief Kirts stated that he's getting as much free stuff as they can find. He stated that he knew the Board was talking about a flat budget and he's working within his budget but he's going to need things in the upcoming year. Commissioner Johnson stated that he did have a meeting with Kirts the next day and they would speak about the air cards. Chief Kirts stated that he needed at least 3 or 4 of them. Chief Kirts stated that this would allow them to go to the E-Citations and E-Wreck Reports which would save money and paper. He stated that these computers were useless without the cards. Tatum stated that the Town had cut out overtime and that had helped to save some money. Mayor Hardwick noticed that everyone was working within their budgets. Chief Kirts stated that he had been working within Tatum's guidelines and Tatum agreed that everyone here made a good team in this effort.

The meeting adjourned at 8:40 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

MAY 10, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, Catherine Redd and Joseph Johnson. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker and Police Chief Daren Kirts. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Jeff Myers, who lives on Holden Road across from Faith Baptist Church, stated that he felt it was time for the Noise Ordinance to be revisited. He stated that it was done in 2009 and felt that the need to update was due to a continuation of problems with sound amplified from parties, in particular at the National Guard Armory. He stated that he felt the Town should look into how late parties can run and maybe finding a new decibel level. Currently the Noise Ordinance has decibel levels that you can use during 9am – 9pm and a lower level from 9pm – 9am but it does not have a cut off time or any time limits on parties. Mayor Hardwick stated that the Policy Ordinance Committee would take a look at the Noise Ordinance.

Carolyn Palmer asked if the Town planned to prosecute the individuals that put the Town in the financial situation that it was in and Mayor Hardwick stated that he could not comment on ongoing investigations.

The next item on the agenda was the financial report. Tatum stated that the financial situation was looking good for May and June. July and August is where we may run into some financial problems until the tax monies come in around the end of August. He stated that we can certainly make it through this year. Things are definitely better than last year. Tatum stated that the second packet that he gave the Board was a budget worksheet for next year's figures. He stated that a Budget would have to be adopted at the next month's Board meeting. He stated that there was still a lot of work to do. Tatum explained that there was nothing new concerning personnel or their benefits. He stated that he tried to keep the same numbers and carry them into the next year. Tatum stated that there was really no benefit from the tax revaluations. He stated that only increased the revenue by around \$3,000.00. Tatum told the Board that there were hard decisions that would need to be made to balance the budget. He suggested a budget workshop to help work out the problems, but that it would need to be scheduled soon since the figures were needed to be published by May 30th for the Public Hearing in June. Tatum stated that Andy McGhee was still working on the Luddy Park budget. He stated that the General Fund is where most of the Town's money is spent. Mayor Hardwick stated that

the Finance Committee was working on it with Tatum. Commissioner Redd stated that she could meet the following Saturday, but Mayor Hardwick stated that he would not be available. Tatum stated that an evening meeting might be best due to work schedules. Mayor Hardwick suggested that everyone get with Tatum with dates they would be available and he would get the meeting scheduled.

Tatum also wanted to mention that the Budget Amendments in the Consent Agenda were a bookkeeping procedure. He stated that he thought when he first came in that he would only need to do them once or twice a year but has found that the Local Government Commission (LGC) wants them done more often. He stated that one of those is an amendment that gives Tatum the authority to make minor adjustments without Board approval. For example, if office supplies go over or under the budgeted amount by less than \$1,000.00, he would be able to make those changes without a Budget Amendment. Anything over \$1,000.00 would still need Board approval. He stated that this was more of a “house cleaning” solution. He also stated that he would not be able to adjust salaries or move between recurring expenses. Tatum stated that this was so that changes could be made to minor expenses so as not to have to wait until the next Board meeting. Commissioner Woodlief clarified that minor would be below \$1,000.00 and Tatum stated yes, and that it would only be within the same department.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Woodlief and was seconded by Commissioner Roberts. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was the Franklin County Arts Council, spokesman Charles Powell, about the Quilt Trail of the Tar River. He presented a printout of the proposed project. He stated that he was asking for Board approval and an endorsement. He stated that this project was patterned after the one in Western North Carolina and that other trails have been successful in bringing in tourist dollars. The Tar River goes through several counties but they are starting with Franklin County and will expand as they can. Mr. Powell stated that their mission is to get the Committee to put Quilt Blocks in each town. So far they have approval from Bunn, Centerville and Franklinton. These Quilt Blocks will hang from a building or structure, preferable a location that has history behind the building that they can incorporate into the Quilt Block. For example, Centerville wants gold mining on their Quilt Block since they were the state’s first mine. Mr. Powell stated that they were asking for approval to place a Quilt Block in Youngsville for no charge. He stated that they were raising money and working on grants to help pay for these Blocks. The only things that Youngsville would need to provide is a location and hopefully help in getting the Quilt Block hung on the side of the building. After reading the hand out, he explained that they would be handing out or selling maps and guide booklets. This would help increase the tax revenues for the county and the revenues that local businesses would be bringing in. He stated that this had the possibility of creating jobs and pride in Franklin County. Mr. Powell stated that their goal was to get a Quilt Block in each town and one at the Franklin County Airport. They are hoping this will bring in outside visitors to our area. Once they have the donated Quilt Blocks displayed, they will start

selling Quilt Blocks, the first ten customers would get a ten percent discount, to other businesses to help make the chain for tourists. Pictures, maps and stores can be sold in booklets for each Quilt Block. Mr. Powell stated that the local press has been helping them get the word out about the project. He stated that they have touched base with the Franklin County Schools and the students are willing to do the prep work as a school project. The Franklin County Co-op is also helping. They are hoping that the students can get started on the work in August when school starts. The final painting will be done by Kim Young who has done murals for the Town. Mayor Hardwick stated that he would love to have one in Youngsville but was unsure of where to place it. Hurd suggested the Youngsville Museum that is owned by the Youngsville Woman's Club. Mayor Hardwick stated that it was a great idea and asked Town staff to look into it.

MOTION: TO SUPPORT THE QUILT TRAIL OF THE TAR RIVER

The motion was made by Commissioner Redd and it was seconded by Commissioner Stallings. It passed unanimously.

The second item under New Business was Michelle Price from Building a Better Youngsville (BABY) concerning a new sign for in front of Town Hall. She stated that BABY would like to donate a sign for in front of the Town Hall building that would be similar in design to the Youngsville sign at 5-Points. Mayor Hardwick stated that he felt the Board would have no problem with them giving the Town a new and improved sign. Mrs. Price stated that she would contact the vendor that they had chosen and get the project started.

Janice Cyrus, Youngsville Area Business Association (YABA) wanted to mention that there was a grand opening for two of the new businesses on East Main Street. The Full Circle where Gigi's used to be located and the Youngsville Wine and Beer next door would have the opening on May 18th with all day events. There would be a free tasting at the Youngsville Wine and Beer along with some snacks. The ribbon cutting would be at 11:30am. Mayor Hardwick urged the Board to attend as he would be out of town on that day. Commissioner Redd stated that she could be there.

The third item under New Business was to discuss the proposed Water and Sewer Plan. Mayor Hardwick stated that the Board has been looking at ways to cut expenses and improve the situation of the Town. He stated that about a year ago, he had spoken to the Franklin County Manager, Angela Harris, about working with them to find better ways to serve the citizens of this area. He and Ms. Harris had occasional phone calls for ideas about how to help the Town and also forge a better relationship between the Town and the County. He stated that they had an agreement to pitch ideas to both Boards. Franklin County came up with the idea or intent to take over the water and sewer system from the Town of Youngsville. He explained that they have some ideas along with a proposal. Mayor Hardwick stated that the best part of this would be the elimination of a liability for the Town. He pointed out that the Town's auditor stated last month that the Town could go bankrupt if there were any type of major breakdown in our system. He stated that it would be beneficial to transfer the water and sewer system to Franklin County since we already buy the water from them as is. Mayor Hardwick stated that there would not be much of a change for the citizens. He stated that they have come to him with proposals but there would need to be contract/agreement negotiations. They proposed offer is

\$150,000 to take over all assets including the water tank, lines, and pump stations. They have also offered to hold the Town rates steady for 3 years with a 10% discount. Mayor Hardwick stated that they are also interested in offering employment to one of the Town staff members. He stated that the agreement has some changes that need to be worked out but there is not a contract yet. He stated that if the Board wanted to move forward with this option, they would have a transfer date of June 30th, with Franklin County Public Utilities (FCPU) taking over July 1st. Mayor Hardwick stated that he felt this was a win-win situation for everyone involved. He asked that the Board consider approving this with the idea of bringing a contract that is acceptable to our Board then transferring the system over to FCPU. He stated that Franklin County Manager's office had issued a press release about the preliminary discussions being ready to move into contract negotiations. He stated that he has had mostly phone calls but met with Mrs. Harris and Bryce Mendenhall (director of FCPU). Mayor Hardwick stated that this was the opportunity for the Board to discuss or ask any questions. Commissioner Roberts stated that he was ready for it. Mayor Hardwick stated that this was probably something that should have been done before but at the time he was advised that it was not a good idea. When asked wouldn't the Town lose control of development because of this, Mayor Hardwick responded that FCPU has always had control over it since we purchase our water from them and have to get our allocations for new development approved by them first. Commissioner Roberts stated that the Town could no longer maintain it and Commissioner Woodlief felt it was a good offer. Mayor Hardwick stated that our financial situation was dire even though we have solved some of the infiltration problems. Tatum stated that he felt this was in the best interest of the Town. He stated that Youngsville was just not large enough to maintain or manage a water system at this point. Commissioner Roberts agreed that there were not enough customers to make keeping it viable. Tatum stated that there was also the issue of not having enough experience in some areas and the Town could not continue to operate as things stand now. He stated that it was good for them as well as us. Commissioner Roberts stated that FCPU had the equipment to keep the system running and Tatum agreed. Mayor Hardwick stated that he had spoken with the Town Auditor and Mr. Winston stated that it would be good to move forward with this proposal since the Town was a fine line away from a major issue. Commissioner Johnson stated that the people didn't realize how far behind the Town would be if a major issue arose. He stated that the Town would have to raise the water and sewer rates to cover any problems. FCPU is willing to accept an old system that has had some upgrades due to a recent grant. This would put the Town in a better financial situation. Mayor Hardwick stated that this proposal would get the Town's funds back in the good graces with the Local Government Commission. This proposal would get the General Fund back in order as well as getting rid of a liability.

MOTION: TO ADOPT A RESOLUTION/AGREEMENT TO ACCEPT THE OFFER BASED ON APPROVAL OF CONTINUED SATISFACTION TO THE BOARD OF COMMISSIONERS OF THE TOWN OF YOUNGSVILLE

The motion was made by Commissioner Woodlief and was seconded by Commissioner Redd. It passed unanimously. Mayor Hardwick stated that he would notify Franklin County of the Town's intention. He stated that there would probably be a joint session between the two Boards. Commissioner Woodlief stated that the Board would help if

needed. Mayor Hardwick stated that now the staff would be working on getting all of the information that was requested of them.

The next item on the agenda was Closed Session (if necessary). As there was no business to discuss, Mayor Hardwick requested a motion to go bypass Closed Session.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Woodlief and was seconded by Commissioner Roberts. It passed unanimously.

The next item on the agenda was Reports and Other Business. Commissioner Stallings noticed that there was another Sweepstakes moving into the Youngsville area. He asked if the Board had made a decision to no longer allow them in our jurisdiction. Tucker stated that it had been talked about but no restrictions had been passed. She stated that they qualified under the existing rules of our Zoning Ordinance. Tucker explained that state statutes still allowed them and they are taxable under the Town's privilege licenses. She stated that no special permits were needed at this time. When asked about the Special Use Permit that the Sweepstakes applied for in the Youngsville Commons Shopping Center, Tucker explained that it was for having dual businesses in one location, not for the sweepstakes alone. Once they decided to not include the second business, they withdrew their application. Tucker stated that there are a few already located in the area and more keep calling in looking for new locations and we are running out of room for them.

Kirts reminded the Board that they had received computers for the police cars and wanted to let them know that they had managed to obtain four air cards so that they could have internet access. This makes the computers up and running for next month. He stated that the Police Department was getting close to going paperless for tickets and accidents.

The meeting adjourned at 7:37 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

JUNE 14, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:09 pm, immediately following the Public Hearing. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, Catherine Redd and Joseph Johnson. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, and Administrative Assistant Kathryn Tucker. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Cathy Oakley wanted to talk about the lot beside the Post Office. She stated that she felt the Town was not enforcing the Grass / Obnoxious Weeds ordinance pertaining to that lot. She stated that when they mowed their grass, the clippings got washed down into the ditch then into the pipes under the street when it rained. She stated that she cleaned out those pipes so that they did not flood during rains. She requested that a letter be sent to the property owner about the grass not being cut. Mrs. Oakley explained that there were actually two lots, one with the Post Office on it and one vacant one. She stated that it looked like the lot with the Post Office got mowed more often than the vacant lot. She explained that the grass clippings and limbs pile up and she's had to get town staff to help her unclog those pipes. Tucker stated that she had not yet written a letter to the owner of the lot. Mrs. Oakley stated that this has happened in previous years as well. She stated that on Memorial Day, one of the lawn maintenance men was mowing the right of way when another employee came up to him and told him not to cut the right of way. She stated that this left the town employees to mow the right of way and to clean out the ditches. Mayor Hardwick stated that he did notice that the lot did look high. He stated that it seemed to be a conflict in scheduling.

Cassandra Greene stated that she had a problem with sewage backing up in her yard and house. She stated that she had two plumbers had come out and both of them had told her it was the Town's problem. She stated that they told her that the problem was not from the house to the cleanout. Mrs. Greene stated that the first time that it happened, the Town paid for it since it was stopped from the mainline direction and not hers. She stated that this last time the plumber told her that it was not her problem and for her to call the Town. He explained to her that it was clogged between the manhole and her yard, somewhere under the road. Mrs. Greene stated that Hurd told her that the Town did not go into people's yards but she stated that is not what she asked for. She asked to have the sewer fixed. She explained that the plumber that she got went in the manhole to fix the clog. Mrs. Greene stated that when she called, Hurd started talking about something Robbins had done and that was the Town's problem and had nothing to do with it. Mrs. Greene stated that her problem was that two plumbers told her it was a Town problem and the Town was not willing to fix it for her. She stated that it felt like South Nassau

Street did not get anything from the Town of Youngsville even though they pay the same taxes as everyone else. She stated that the Police Department no longer rides down that road as often as they used to. Mrs. Greene also stated that she had her water hose turned on giving her a water bill of over \$500.00 and she stated that Hurd was able to give her a credit and help her out with payments. She stated that she felt that they had no protection on South Nassau Street. Mrs. Greene stated that they pay their money and nothing ever seems to happen and now the garbage bills are going up again. She stated that she doesn't have to take her garbage out every week but she has to pay the same thing as everyone else and feels like she doesn't get anything for her money. She stated that it felt like South Nassau Street did not get anything from the Town of Youngsville even though they pay the same taxes as everyone else. She stated that the Police Department no longer rides down that road as often as they used to. Mayor Hardwick stated that he wanted to touch on all of her complaints. First he asked if there had been any problems on that main line and Hurd stated no. She explained that when Brown went to check the main line was flowing free and the connection was open. Hurd stated that the problem from her understanding was between where it connects to the main line and the first cleanout. Hurd explained that the Town was only responsible for the main line and the property owners were responsible for where the line connects to the main line and the house. She explained that the problem for that property was past the connection and was towards the house. Mrs. Greene stated that the plumber told her it was blocked at the connection and Mayor Hardwick clarified that the plumber checked the lines and the cleanouts. Mrs. Greene reiterated that two plumbers told her that it was not her problem. Hurd stated that the town employees went out there three times to double check. She stated that she could not help that the plumbers gave her bad information; the Town is not responsible for lines past the main lines. Hurd stated that the Town was only responsible for the main line and where the connection tap is made. Mrs. Greene stated that one of the town employees stated that it was the town's problem as well. Mayor Hardwick double checked that it was one of ours on the day they went out to check the problem and Mrs. Greene stated yes. Mayor Hardwick stated that he would get with Brown and get back with her. He then asked about her second complaint concerning the Police Department patrols declining in the area. Mrs. Greene stated that they had issues with speeders on that road. He stated that he would get with the Police Chief and get that taken care of. Hurd stated that she had spoken with one of the trucking companies about getting the bigger trucks off of South Nassau Street. Cathy Oakley stated that they were also coming down Pine Street as well. Mayor Hardwick stated that he would look into all of her concerns.

The next item on the agenda was the financial report. Tatum stated that he wanted to publicly apologize to the Board. He stated that his understanding of the North Carolina Public Meeting Law was that during the negotiations for the purchase or sell of real estate could be done in closed session. He has done some research and found that he was wrong; it is only for the purchase of real estate that you can go into closed session. Tatum stated that to the extent that he let the Board have inappropriate discussions during closed session on April 12th, he apologized to the Board and to the Citizens of Youngsville. However, he still contends that the meetings that were held, those that were held between him and the Mayor, between Youngsville staff and FCPU staff, and with members of Franklin County, were not official meetings of a public body as defined in NCGS 143-318-10 and are not subject to any provisions of that law and are not in violation of that law. Tatum stated that to characterize those meetings as secret meeting

for some clandestine purpose is inaccurate and despicable. He stated that he personally resented that the honor of the members of this Board being questioned over such an accusation.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Redd and was seconded by Commissioner Roberts. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was to adopt the Budget for the FY 2012 – 2013 with a tax rate of \$.59. Mayor Hardwick stated that the Board had been over this budget and had a workshop to help discuss it. He stated that the tax rate would be kept level and that it seemed to be a good budget.

MOTION: TO ADOPT THE PRESENTED BUDGET FOR FY 2012 – 2013 WITH A TAX RATE OF \$.59

The motion was made by Commissioner Stallings and it was seconded by Commissioner Roberts. It passed unanimously.

The second item under New Business was to adopt the Contract to audit accounts with Winston, Williams, Creech, Evans and Company LLC. Tatum stated that this was the standard government contract and it would have to be approved by the Local Government Commission (LGC). Tatum stated that this auditing of government funds was routine. Commissioner Roberts asked Tatum if he thought that they did a good job and Tatum stated yes.

MOTION: TO ADOPT THE CONTRACT TO AUDIT ACCOUNTS WITH WINSTON, WILLIAMS, CREECH, EVANS AND COMPANY LLC

The motion was made by Commissioner Roberts and was seconded by Commissioner Johnson. It passed unanimously.

The third item under New Business was to adopt a Personnel Policy for the Town of Youngsville. Hurd explained that she and Tatum had met with the insurance agent a couple months ago and his biggest concern was that the Town did not have a harassment policy in our current Personnel Policy. Hurd stated that he also stated that other parts needed to be updated as well. She explained that she got a template of a Personnel Policy from the NC League of Municipalities and fitted for Youngsville. She stated that there needed to be a signature page that everyone needed to sign stating that they have read the harassment portion of the policy and kept in their file. Mayor Hardwick stated that this would basically get the Town inline and update the old policy that is in place. He stated that one thing that is required is the harassment portion so that the Town could apply for cheaper rates on insurance.

MOTION: TO ADOPT THE HARASSMENT PORTION OF THE PRESENTED PERSONNEL POLICY BUT REVIEW THE REMAINING PORTIONS

The motion was made by Commissioner Stallings and was seconded by Commissioner Woodlief. It passed unanimously.

The fourth item under New Business was the Report from the Tax Collector concerning 2011 unpaid real property taxes. Hurd stated that this was for real property only, but that there were still some personal property taxes due as well. She stated that she felt that the town was doing well to get it this low considering the economy. Hurd stated that normally this was done in March but with so many people making payment arrangements, she decided to wait until June.

The fifth item under New Business was the Order of Advertisement of 2011 unpaid real property tax.

MOTION: TO ORDER THE ADVERTISEMENT OF 2011 UNPAID REAL PROPERTY TAXES

The motion was made by Commissioner Johnson and was seconded by Commissioner Roberts. It passed unanimously.

The sixth item under New Business was to adopt a resolution accepting and endorsing the Solid Waste Management Plan of 2011-2012 for Franklin County. Mayor Hardwick stated that this needed to be updated every three years for the 10 Year Plan.

MOTION: TO ADOPT THE RESOLUTION ACCEPTING AND ENDORSING THE SOLID WASTE MANAGEMENT PLAN OF 2011-2012 FOR FRANKLIN COUNTY SOLID WASTE.

The motion was made by Commissioner Stallings and was seconded by Commissioners Roberts. It passed unanimously.

The seventh item under New Business was to appoint Janice Pearce to the Youngsville Planning Board. Tucker explained that several people were leaving the Planning Board and that she needed to replace them. She stated that not only did Janice Pearce wish to serve but Al Wojtalik also agreed to serve a three year term.

MOTION: TO APPOINT JANICE PEARCE AND AL WOJTALIK TO THE YOUNGSVILLE PLANNING BOARD

The motion was made by Commissioner Redd and was seconded by Commissioner Johnson. It passed unanimously.

The next item on the agenda was Old Business. The only item under Old Business was to continue discussion of the sale of the water and sewer system to FCPU. Mayor Hardwick stated that this was discussed last month and the Board agreed to go forward with this depending on an acceptable contract. He stated that the contract was close, it was just a

matter of some wording issues that need to be clarified. Mayor Hardwick stated that he and Tatum had met with Hurd and Brown as well as Joe Olivieri. He stated that an attorney's review of the contract was in the best interest of the Town. He explained that Mr. Olivieri had made some suggestions though overall everything looked good. Mayor Hardwick stated that it has gone back to the County. The goal now is to push the transfer date to July 15th due to meter readings and make it more of a clean break as well as give both Board time to finalize and vote on the contract. Mayor Hardwick stated that he was hoping to get the contracts back soon at which time he will be giving the Board a copy of that contract so that the Board can vote on it, even if a special meeting is called.

The next item on the agenda was Closed Session (if necessary). Mayor Hardwick asked to go into Closed Session to discuss personnel.

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL

The motion was made by Commissioner Woodlief and was seconded by Commissioner Johnson. It passed unanimously. The Board went into Closed Session at 7:30pm and came out at 8:29pm. Mayor Hardwick stated that the Closed Session concerned hiring a new attorney. He explained that they had an opportunity to interview some attorneys and they interviewed one that worked out well. He stated that Joe Olivieri has some experience in this area and has been a big help in the sale of the water and sewer system.

MOTION: TO RETAIN JOE OLIVIERI AS THE ATTORNEY FOR THE TOWN OF YOUNGSVILLE

The motion was made by Commissioner Johnson and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was Reports and Other Business. Hurd stated that a notice had been presented to the Board when they came in about garbage increasing. She stated that notices would go out to the customers this month along with the Water Quality Report. Hurd stated that the increases were only as much as Waste Industries increased.

Commissioner Stallings wanted to mention that the pine straw that was piled up on NE Railroad Street had been cleaned up and wanted to thank the responsible party for cleaning that up. He also wanted to mention turning over the animal control to Franklin County since the Town had limited resources. He stated that it was being done in the rest of the county and with the Town's financial situation being what it is, this would be a good idea. He stated that it would take approximately two hours for one of the Town employees to catch an animal and take it to Animal Control in Louisburg. Mayor Hardwick stated that he remembered talking about this before and it didn't happen. Hurd stated that it was due to the concern of how long it would take someone from Franklin County Animal Control to get to Youngsville to take care of the problem. Our employees were already in town and could get there quicker. Mayor Hardwick stated that one of the problems that the Town was having was that by the time a Police Officer got to the scene of a stray dog, that dog has already wandered off. His concern was if the County has to come from Louisburg, wouldn't it take longer. Commissioner Stallings stated that Animal Control was on call 24/7. Mrs. Oakley asked if they patrolled the areas and Commissioner Stallings stated that there was one officer that would be responsible for

this area though they don't really patrol. He explained that they just responded to each incident. Mrs. Oakley asked about the pit bull that comes into her yard. She asked if she called the Police Department, they normally take around 15 minutes and by then the dog is gone. Her concern was the time it would take for someone else to get to her house to get a dog that she was scared of. Hurd stated that verbal warnings could be given but actual citations that take people to court can only be given if the Police Officer catches the dog off the property. Mayor Hardwick stated that it was something to take into consideration, whichever would be best for the citizens. Commissioner Stallings stated that he was just thinking about the lack of resources the Town has. Commissioner Redd stated that the Board needed to take a look at what is currently in place and then look at the County and see what they have. Commissioner Stallings asked Tatum to look into this and bring it back to the Board. Mrs. Oakley asked about her situation, she wanted to know if the Police Department couldn't just go over to the owner's house and just talk to them about it and Hurd stated that they have already talked to the owners. Commissioner Stallings stated that it was different for the County; they have tickets that they can write. Mrs. Narron stated that the dog was tied out all of the time on West Pine Street and Commissioner Redd stated that the new Animal Ordinance did forbid that. Hurd stated that she would let the Police Department know about it.

The meeting adjourned at 8:38 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

JULY 12, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:02 pm, immediately following the Public Hearing. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, and Catherine Redd. Commissioner Joseph Johnson was not in attendance. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker, Attorney Joseph Olivieri and Police Chief Daren Kirts. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Al Wojtalik asked Chief Kirts about parking regulations in cul de sacs in East Woods of Patterson. He wanted to know if he had about 6-7 cars for bible study, did he have to get a permit for them to park on the other side of the street. Chief Kirts stated that per the Ordinance, there was not parking on side streets, the cars would have to pull completely off of the roadway. Mr. Wojtalik asked if there was a limit to the amount of cars and Chief Kirts stated no limit.

The next item on the agenda was the financial report. Tatum reminded the Board that this was his one year anniversary of being with the Town of Youngsville. He stated that the Town was out of the most pressing problems but still needed to be careful. Tatum recommended that the Board and staff keep doing the same things that they did last time to help get the Town in a good position.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was a Request to Rezone by Double Dimension, LLC for property located on Tarboro Road. Mayor Hardwick stated that the Board has heard from the public and the report from the Planning Board was in their packet. He asked if there were any questions. Commissioner Stallings wanted clarification about how the cemetery fit in the Request to Rezone. Tucker stated that it did not, it is located on a different piece of property and that a citizen was concerned about getting an easement to access the cemetery. Commissioner Stallings asked who was responsible for the access and Tucker responded that owners of the property. Commissioner Stallings asked who the owner of the property was and Tucker stated that she would have to research who owned the cemetery

property. Attorney Olivieri stated that it would be the responsibility of the relatives or descendants to gain the easement to the cemetery. He stated that as long as the owners of the commercial property are aware that it is there and that it may or may not affect their business, it does not affect the Town. Commissioner Roberts stated that he felt it should be commercial anyway as there is already commercial property in the area. Mayor Hardwick stated that he agreed as there was the Dollar General, Citgo station and the Gatekeeper Storage facility.

MOTION: TO APPROVE THE REQUEST TO REZONE BY DOUBLE DIMENSION, LLC THE PROPERTY LOCATED ON TARBORO ROAD FROM RESIDENTIAL/AGRICULTURAL TO COMMERCIAL

The motion was made by Commissioner Stallings and it was seconded by Commissioner Redd. It passed unanimously.

The second item under New Business was a discussion of Privilege License fees for Sweepstakes style businesses. Tatum stated that he contacted the School of Government's expert on the issues of sweepstakes businesses in North Carolina. He stated that basically as far as Privilege Licenses were concerned, the Town can charge anything as long as it does not prohibit profits. He stated that he compared rates with the other towns in the area. Tatum stated Oxford charges \$500.00 per location plus \$1,000.00 per machine; Creedmoor charges \$2,000.00 per location and \$750.00 per machine; and Durham charges a percentage of gross receipts which Tatum stated he felt was not practical for a Town of our size. He stated that he felt Oxford's fees were the best for Youngsville. Tatum stated that most of the Sweepstakes type businesses were outside of Town Limits and could not be charged Privilege Licenses. Commissioner Redd asked if the businesses in Town would be grandfathered and Tatum explained that he was told it could be retroactive; however, he felt that the ones that have already purchased their Privilege Licenses for this year should not be charged the new fees. He stated that he did feel if they added any machines, the new fees would apply to them. Tatum stated that these places were always packed and Chief Kirts agreed. Tatum explained that the businesses would have to prove that these fees are keeping them from making a profit in order for them to be considered excessive based on the most recent court cases. Commissioner Redd stated that it was not to make them leave town but to make money off of them since they are making a lot of money themselves. Mayor Hardwick stated that they were a growing business. He stated that when he attended the Council of Government meeting, other Towns were talking about how they had also changed their rates for those types of businesses and had received no complaints from the business owners. Commissioner Woodlief asked what Oxford was charging and Tatum stated \$1,000 per machine and Mayor Hardwick stated that Youngsville was only charging \$5.00 per machine. Commissioner Stallings asked why the Town's was so low and Hurd explained that the most recent Privilege License book only allowed for that. She stated that when she had done research previously, there were no statutes that she could find to back up the higher fees. Tatum stated that the most recent court case that was quoted to him was on May 3, 2012 in the Court of Appeals. Mayor Hardwick stated that when they first came, he remembered there were questions on what to charge and there was also pending litigation about possibly shutting these businesses down. Commissioner Stallings asked what Tatum's recommendation was and Tatum stated he

recommended amending the Privilege License Fee Schedule for Sweepstakes Operations/Internet Cafes/Computer Access equipment to a new fee of \$500.00 per location plus \$1,000.00 per machine effective July 13, 2012. Commissioner Stallings asked if the business owners would be notified and Tatum stated that it was not required but that we would send out letters to notify them of the changes.

MOTION: TO ADOPT THE NEW FEES OF \$500.00 PER LOCATION PLUS \$1,000.00 PER MACHINE FOR THE SWEEPSTAKES/INTERNET CAFÉ STYLE BUSINESSES

The motion was made by Commissioner Stallings and was seconded by Commissioner Redd. It passed unanimously.

The third item under New Business was to discuss outdoor sales in the Main Street Business District (MSBD). Tucker stated that it had been brought to the Town's attention that we were not enforcing an Ordinance about the outdoors sales located in the MSBD. She stated that she was not sure why it had not been enforced but according to the Zoning Ordinance, businesses in the MSBD needed to get a Conditional Use Permit in order to have the outdoor sales. Tucker stated that there were three businesses at this point that would need to apply for the Conditional Use Permit. Once the application was submitted to the Board, then conditions could be made on these businesses about how much room and where it could be located. Tucker stated that there was a \$250.00 filing fee and she felt that since it was the Town's fault for not enforcing these rules there should be a reduction in that fee. Tucker explained that she had spoken with the School of Government and they stated that this was not unusual and that the Town could go back and make all of those businesses apply for the Conditional Use Permit. She stated that she was warned to make sure that it was the same for everyone and not just one or two of the businesses. Commissioner Stallings stated that in 2008, a letter was sent to the Red Barn, that stated that they could display their merchandise inside the facility and now it looks like the Town is going to stay with getting a special permit, the business could store their wares outside their business. Tucker stated that with the Conditional Use Permit, the Board can give the businesses conditions stating what they can and can't do regarding the sales outdoors. Commissioner Stallings asked if the Town was going to have to change the Ordinance and Tucker stated that it could be changed and Commissioner Stallings stated that the Town would not be in compliance unless it was changed and Tucker answered that the solution was having the businesses apply for the Conditional Use Permit according to the School of Government. Tucker stated that it would be up to the Board to approve that Permit or the Board can change the Ordinance to do away with the outdoor sales. Commissioner Stallings stated that he felt it wasn't about going back and making the businesses do anything, he felt that it was about getting it right for going forward. Tucker explained that it was brought to our attention due to complaints. Commissioner Stallings asked how did the Board make it right and Commissioner Redd stated that the only two ways to make it right was to make the businesses apply for their Conditional Use Permits or to change the Ordinance. Mayor Hardwick stated that he felt the businesses would apply for the Permit and he asked about the fee being reduced or negated since the Town neglected to enforce the Ordinance. Commissioner Redd stated that she understood both sides and even though the Town did not enforce it, it was however written in the Zoning Ordinance. She stated that she knew that the businesses probably didn't have the \$250.00 for the fee but on the other hand, the Ordinance

shouldn't be changed for just one occurrence, the Board either follows the Ordinance or they don't. Commissioner Stallings stated that he felt it was more about compliance with the Ordinance than the fee. Commissioner Redd showed him the part in the Zoning Ordinance that dealt with the outdoor sales. Tatum stated that it basically meant that the business owner needed to get permission from the Board to put the merchandise outside and the Board can then tell them how much of the yard can be used for this purpose. Commissioner Redd stated that her concern was to charge the businesses and any other one coming into Town. She stated that she was into economic development and \$250.00 was not that much and it was stated in the Zoning Ordinance. Commissioner Redd did state that she was concerned that it may run some of the businesses out of town or maybe make some not want to come in. Mayor Hardwick stated that one of the problems was also where outdoor sales started blocking the sidewalks and becoming a hazard. Commissioner Redd also stated that it needed to be kept in mind that opinions do vary on what looks bad concerning outdoor sales as well. Tatum stated that was what the Conditional Use Permit was for, to help decide what looked best all around concerning these outdoor sales. Mayor Hardwick stated that this helped to keep the town from looking bad and Commissioner Redd agreed that was what the Board was here for.

MOTION: TO ENFORCE THE OUTDOOR SALES SECTION OF THE ZONING ORDINANCE FOR THE BUSINESSES WITH OUTDOOR SALES IN THE MSBD TO INCLUDE THE \$250.00 FILING FEE

The motion was made by Commissioner Redd and was seconded by Commissioner Stallings. Commissioner Roberts asked if this was to enforce the Ordinance and Mayor Hardwick stated yes. Commissioner Redd explained the process and stated that it was what the Board was there for, to help make sure things looked good and ran well. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was to continue discussion of the sale of the water and sewer system to FCPU. Mayor Hardwick stated that over the last month, he, Tatum and Olivieri had been working on the contract. He stated that there were still a few items that they were working on and a there was not a completed contract. Olivieri stated that there had been a lot of document exchanges to help with the framework of transferring rights to FCPU. So far there were no major questions, only small details that are being worked out. There were some issues with documentation of easements as well as questions on some of the pump stations and who owns the property they are located on. Commissioner Woodlief stated that there was a good article in the Franklin Times and Mayor Hardwick stated that once the contract was looking good, it would be presented to the Board members to get them up to date, then a Public Hearing would be held followed by a Special Called Meeting to approve the contract.

The second item under Old Business was to continue discussion of the Personnel Policy. Mayor Hardwick stated that the Board had discussed this last month and adopted the Harassment portion of the Policy and asked if any other changes needed to be made. Commissioner Redd asked if the probationary period for employees had been changed and Hurd stated that she had kept the same information from the old policy into the new one. Commissioner Redd stated that she felt that the probationary period was a little bit

too long and Hurd explained that the Police Department was one year and Chief Kirts explained that the one year period was mandated by the State. Hurd stated that there was a clause that it could be extended for another six months if necessary. She also stated that everything seemed to be in line with the template that she received from the NCLM. Commissioner Stallings asked if this was based on guidelines from another town and Hurd stated that she received a generic template from the NCLM and she made sure that it matched the information in the old policy. Hurd stated that she did add a section for the Harassment Policy since the original one in the template was really small and limited so she copied the one from the City of Wilson since theirs had more information and was very detailed. Commissioner Stallings asked about the job specifications and stated that he felt it would be confusing and misleading. Hurd stated that it was what the Board had adopted 2009. Commissioner Stallings stated that he didn't think it needed to be left in the Policy as it was public information and Hurd stated that all of it was public information anyway. Mayor Hardwick clarified that they were already a part of it but changes could be made to it if need be. He stated that last month, only a portion had been adopted, this month the decision to either adopt the policy or make changes needed to be made. Hurd stated that changes could be made at any point by Board action.

MOTION: TO ADOPT THE YOUNGSMVILLE PERSONNEL POLICY AS PRESENTED

The motion was made by Commissioner Woodlief and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). There was no business to discuss.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was Reports and Other Business. Mayor Hardwick wanted to thank YABA for the new sign in front of Town Hall. He stated that it looked great.

Tatum stated that Fletcher Palmer had come by Town Hall because he wanted to have something read into the record since he would be unable to attend tonight's meeting. Mr. Palmer witnessed a wreck in front of the Youngsville Baptist Church a couple of weeks ago involving a moped. He stated that two of the new police officers responded and did an excellent job. He stated that one started working on traffic while the other handled the accident victim. He stated that he appreciated the officers and the training that they had received from the senior officers. Mr. Palmer stated that the actions of the Youngsville Police Department saved that man's life.

Commissioner Stallings stated that he walked around town often and he knew that Commissioner Redd still jogged and there were areas in town where the right of way and grass still needed to be mowed. Tatum stated that he knew that they had mowed some that day. Commissioner Stallings stated that there were places in the sidewalk where grass was growing in the cracks and it has become ugly. Mayor Hardwick stated that the

new part time employee had just started on Monday and he felt this would help get the maintenance crew caught back up.

Commissioner Stallings also wanted to mention the article in the Franklin Times. He stated that they have done a wonderful job with the Recreation Department in Youngsville. He stated that it was a good article about the volunteers such as Larry and Judy Daniels, and how Andy McGhee has done a good job. He stated that he planned on meeting with Mr. McGhee to discuss the upcoming year and maybe some fundraising. Mayor Hardwick stated that he and Tatum were also going to meet with the Advisory Board to discuss fundraising as well. He stated that they have done a terrific job, Mr. McGhee works hard, sometimes using his own equipment at all hours, to make sure that the kids have a safe and enjoyable place to play ball. He stated that Mr. and Mrs. Daniel have done a wonderful job with the concessions.

Mayor Hardwick introduced the new attorney, Joe Olivieri. Olivieri wanted to thank the Board for giving him the opportunity and he looks forward to working with Youngsville. He stated that he hoped he was considered a hard worker and Commissioner Stallings joke that he hoped he was not as slow as the previous attorney. Tatum advised that Olivieri did bill by the hour so make the conversations quick. He stated that he felt Olivieri was a good attorney. Mayor Hardwick welcomed Olivieri aboard.

The meeting adjourned at 7:39 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

AUGUST 9, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, Joseph Johnson, and Catherine Redd. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker, Attorney Joseph Olivieri and Police Chief Daren Kirts. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Trey Watkins wanted to talk about the increase in the Privilege License fees for Internet Cafes. He stated that he owned three businesses in the area, Heritage Cleaners, Rosemart, and Fortune Business Center. He stated that he spent over \$100,000 on equipment, leased a building that had been vacant for three years and only had to pay a small Privilege License when he started the business. Mr. Watkins stated that last month the Board raised the Privilege License which would cost him around \$80,000. He suggested a cap on the fee such as Raleigh's \$20,000 cap. He stated that he would be unable to operate with those kinds of fees each year. He explained that he employees over 40 people throughout his three businesses and pays his taxes. Mr. Watkins stated that he would like to stay in Youngsville but he can't afford the \$80,000. He admitted that he was sent a letter that he did not read at first. He explained that he now owes \$6,000 for the six machines that he did not pay for in his original Privilege License. Mr. Watkins asked the Board to consider negating that fee if he removed the machines and he could pay a prorated fee for them. Mayor Hardwick asked if he would leave a copy of the letter he was reading from with Hurd and explained that during citizens comments, no decisions could be made but the Board would take a look at it and get back with him.

Al Wojtalik stated that he had a question to the Board. He explained that businesses have short range goals, midrange goals, and long term goals. He wanted to know what plans and goals have been established in writing, and if not, why? Mr. Wojtalik stated that most businesses have these goals and plans already set out. He understood that there were immediate goals that needed to be met but it was time to move forward which means objectives and goals need to be developed. Mayor Hardwick stated that the town was growing and discussions on both long and short range goals had been taking place. He stated that the Town had plans that had been established years before. Mayor Hardwick explained that the Town had been working mostly with the immediate future of getting the financial situation straightened out and things are getting better. He stated that the Town had not gone forward on more long range plans in the past year since the main goal was to secure the financial safety of the Town. Mr. Wojtalik encouraged the Board to get long range plans in motion that will help the Town grow.

Mr. Wojtalik also wanted to mention that Tatum, Tucker, and Hurd did something unique and beyond the call of duty in helping to find extra funds for the Town. He felt that the Board should give them special recognition if the revenues materialized to show appreciation for what they did. Mr. Wojtalik stated that he understood what Mr. Watkins was saying about it making a huge impact on the businesses but agreed with the suggestion of finding the funds. He felt that small things like that should be appreciated. Mayor Hardwick stated that they had done a good job and that the entire staff works hard to save money and he wanted to commend all of them for their efforts. Mr. Wojtalik stated that he felt these three needed to be recognized. Mayor Hardwick agreed that all of the employees were working hard. Mr. Wojtalik stated that the Board needed to let the citizens know what's going on and how the staff is working for the citizens of Youngsville.

The next item on the agenda was the financial report. Tatum stated that July was tough but he knew that it was going to be that way. August is looking better. Hurd stated that tax bills went out today and money should be coming in from them soon. Tatum stated that this time last year, the Town had \$80,000 more in bills than they had in cash and the Town does not have that problem this year.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Roberts and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was a Resolution approving the 2007 Local Water Supply Plan for the Town of Youngsville, NC. Hurd explained that originally the reports had to be done in five year intervals that needed a Resolution that the Board approved the report but the reports were now being done every year. She stated that she was informed that 2006, 2007, 2008, 2009, 2010, and 2011 reports were approved by the State but that since the 2007 report fell on a year that needed a resolution to go with it, the Board needed to adopt the presented resolution.

MOTION: TO ADOPT THE RESOLUTION APPROVING THE 2007 LOCAL WATER SUPPLY PLAN FOR THE TOWN OF YOUNGSVILLE, NC

The motion was made by Commissioner Redd and it was seconded by Commissioner Stallings. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was to continue discussion of the sale of the water and sewer system to FCPU. Mayor Hardwick stated that they were still working on the contract but there were some minor easement and encroachment problems that needed to be taken care of. He stated that once the contract was ready, he would get it out for everyone to take a look at it and there may be a Special Called Meeting to adopt the contract.

The second item under Old Business was to continue discussion of the Personnel Policy. Mayor Hardwick stated that the Board had discussed this last month and adopted the Harassment portion of the Policy and asked if any other changes needed to be made. Commissioner Redd asked if the probationary period for employees had been changed and Hurd stated that she had kept the same information from the old policy into the new one. Commissioner Redd stated that she felt that the probationary period was a little bit too long and Hurd explained that the Police Department was one year and Chief Kirts explained that the one year period was mandated by the State. Hurd stated that there was a clause that it could be extended for another six months if necessary. She also stated that everything seemed to be in line with the template that she received from the NCLM. Commissioner Stallings asked if this was based on guidelines from another town and Hurd stated that she received a generic template from the NCLM and she made sure that it matched the information in the old policy. Hurd stated that she did add a section for the Harassment Policy since the original one in the template was really small and limited so she copied the one from the City of Wilson since theirs had more information and was very detailed. Commissioner Stallings asked about the job specifications and stated that he felt it would be confusing and misleading. Hurd stated that it was what the Board had adopted 2009. Commissioner Stallings stated that he didn't think it needed to be left in the Policy as it was public information and Hurd stated that all of it was public information anyway. Mayor Hardwick clarified that they were already a part of it but changes could be made to it if need be. He stated that last month, only a portion had been adopted, this month the decision to either adopt the policy or make changes needed to be made. Hurd stated that changes could be made at any point by Board action.

MOTION: TO ADOPT THE YOUNGSMVILLE PERSONNEL POLICY AS PRESENTED

The motion was made by Commissioner Woodlief and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). There was no business to discuss so Mayor Hardwick asked for a motion to bypass Closed Session.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was Reports and Other Business. Tatum stated that the roof had been replaced on the Community House. He stated that Kirts, since he used to be in construction, had inspected and it looked good. Tatum stated that the roof should last another 20 years. He also stated that the next project would be to replace the heating and air, but that he was waiting as long as possible as that would cost around \$13,000.

Hurd wanted to mention again that tax bills had been mailed out today and there was a 2% discount for any taxes paid by August 31st. She also stated that last year, there had been complaints about the Christmas decorations. Hurd explained that they are old and faded. She explained that new ones had been picked out and that donations of about \$3,500 were needed to purchase the different types of alternating snowflakes. A

minimum of \$2,500 was needed to get just the one kind of snowflake. These snowflakes would alternate with the red banners that the Town already owns as they are still in good condition. Hurd explained that Town Hall would start working on some fundraising and that Janis with YABA would also help by sending out emails to the businesses. Mayor Hardwick stated that he heard a lot of complaints about the Christmas decorations last year.

Commissioner Redd wanted to mention that she and Michelle Price had met with Brian Garth about the Zombie Mudrun that will take place at Panic Point on Cedar Creek Road. She stated that they are estimating about 1,500 – 2,000 people will attend the race. Commissioner Redd stated that this would help increase the notice of Youngsville. She mentioned getting the local businesses involved, maybe with prizes. The mudrun will start at 10:30am and will run until 4:00pm. She stated that the YAKS program will also be running that same day so there will be a lot of traffic coming through Youngsville. She is hoping that some of those people will stop and walk through downtown. Commissioner Redd stated that this would bring people do the downtown area and help out some of the local businesses. She stated that Mr. Garth is very into helping promote Youngsville. Mayor Hardwick agreed that Mr. Garth has tried to promote Youngsville very well. Commissioner Redd stated that he has been very proactive promoting this run with different strategies. She stated that the race would be on Saturday, September 8th and that the people coming through would need to eat lunch and maybe want to do something afterwards and hopefully they will do all of that in Youngsville. She explained that the races would be going on throughout the day, starting in increments.

Commissioner Stallings asked about the Personnel Policy and what was expected of the Board at this point. Hurd stated the employees that have received them didn't seem to have any problems with any of the policies included. She stated that if any changes needed to be made, they needed to be brought to her attention so that she can get them on an agenda but as of right now it has been adopted in full last month. Commissioner Stallings stated that he thought that only the one policy had been adopted but the rest still needed to be looked at for improvements. Hurd explained that the Harassment Policy had been adopting June and the remaining portions of the Personnel Policy in July. Mayor Hardwick stated that like all policies, they can be changed anytime as they are an ongoing process. Commissioner Redd stated that when she changed the committees, there were committees for things like this but once the Town Administrator left; nothing has been accomplished with these committees. She stated that it's time to go ahead and get back on track with these committees. Commissioner Stallings stated that there was a paragraph on demotions that he felt needed to be discussed by the Board. Hurd stated that any changes that need to be made need to be sent to her so that she can get them on the agenda for discussion. Commissioner Stallings stated that he would get her the information for these changes.

Commissioner Stallings asked about the progress of the Quilt Trail and Hurd stated that the Board had agreed that the Youngsville Museum would be a good place for the Quilt Square to go. She explained that the committee is working on getting the pattern designed for Youngsville. She stated that they were looking at having the designs done around the beginning of the school year so that the art students could help with getting the Quilt Squares painted. Mayor Hardwick stated that he had been told that there was a

delay and Hurd stated that she felt it was because of the patterns. Since they were specific to the area and the building, it was taking them longer to get the patterns done.

Olivieri wanted to touch base on the FC Water and Sewer contract. He stated that it was just a small number of issues that needed to be taken care of and should be ready to go soon

The meeting adjourned at 7:25 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

SEPTEMBER 13, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, Joseph Johnson, and Catherine Redd. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker, Attorney Joseph Olivieri and Police Chief Daren Kirts. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Al Wojtalik wanted to mention that there was a new track developer in East Woods of Patterson (EWP). He stated that there were eleven residences currently in EWP and he wanted to invite the Commissioners to look at the new construction. He stated that he knew the Board couldn't get involved in the covenants but there were ordinances that were being violated in the subdivision. Mr. Wojtalik stated that the grass and weeds in the right of way were not being cut. He stated that he would give the Board a tour of EWP because he felt it was important for the Board to see what a tract builder does to a beautiful, pristine forest. Mr. Wojtalik stated that the residents have been trying to get the developer to mow the right of way and have been unsuccessful. He stated that a drive-by didn't count, the Board needed to go down there and see for themselves. He stated that any resident could show them the before and after of how the area looked. Mr. Wojtalik stated that it was important that everyone in Youngsville follow the ordinances. He stated that would like to see the Board down there soon. Commissioner Roberts asked if there was a Home Owners Association (HOA) and Mr. Wojtalik said yes but they were not getting a response from them. Mayor Hardwick stated that he has been down there since the developer started clearing. He stated that there are ordinances that the builder will have to follow but the town had to give them time to meet them. He stated that he's looked into the tree ordinance and those trees will have to be replaced by a certain type of tree. Mayor Hardwick stated that if they didn't meet those ordinances then the Board could act upon them. Mr. Wojtalik stated that it looked like the border along US #1A seemed to be the only safe tree area and everything else is wiped out to bare red clay. He stated that the other homes have safe tree areas in the front, sides and back. He stated that this was why it was important for the Board to go down there and see what has been done and why they are concerned. Mayor Hardwick urged the Board to go out to EWP and take a look around. He stated that there were six new houses going up. Tatum asked if the residents of EWP would contact Town Hall when the ordinance violations were happening so that they could be taken care of quickly and Mr. Wojtalik stated yes. Mr. Wojtalik stated that sometimes certain areas are taken for granted that they will take care of themselves and forget them.

The next item on the agenda was the financial report. Tatum stated that through September 10th, the Town had collected about half of the property taxes. He stated that this was way ahead of last year but it does mean that the Town has collected the majority of the money it is going to until around January. He stated that he was pleased that people took advantage of the discount period, saving them some money as well. Tatum stated that all in all, everything was in good shape through December.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was a request from Doug Jackson to relocate the meter at 205 Pearce Street. Hurd stated that Mr. Jackson could not be here and that she was not exactly sure why he wanted to have the meter relocated. She explained that Pearce Street is a dirt road that is public until it curves and becomes private property. She explained that she understood the meters to be located at the end of the public portion of the street and not actually on the property lines of the homes. Hurd stated that Mr. Jackson wanted the meter moved from their current location to the property line of his home. Mayor Hardwick asked how far of a distance that was and Hurd stated that she wasn't sure. She explained that Brown had stated that it would take a couple of hours to complete the work. She also stated that some of the pipes would need to be replaced as they are 25 years old. Commissioner Woodlief stated that he had gone out to the property and felt that the Town should move it. Mayor Hardwick asked what the condition of the pipe was on the back side of the meter and Hurd stated that they had just repaired a leak so she didn't think the pipes were in good condition. Hurd explained that the homeowner is responsible for the pipe from the meter connection to the home and it was a lot of pipe to try and find the leak they had. Since some of the lines that he's responsible for are not on his property, he wants to relocate the meter and let the Town become responsible for them. Commissioner Woodlief stated that he felt this would be a good move.

MOTION: TO RELOCATE THE METER AT 205 PEARCE STREET

The motion was made by Commissioner Woodlief and it was seconded by Commissioner Roberts. Commissioner Stallings asked if it would be possible to wait until the Board knew what would happen about the water system with Franklin County and Hurd stated that she had explained that the Town was in the process of trying to sell the water and sewer system to Franklin County Public Utilities (FCPU) and he could ask them about moving it but he seems to want to go head and get it moved as soon as possible. Hurd stated that if the Town moved the meter it would be at the Town expense. Mayor Hardwick asked what kind of money this would cost and Hurd stated that she was not sure until the work started and lines could be uncovered and checked out. She stated that it was at least two hours work of work for two employees plus equipment. The water would have to be turned off to that area for a period of time as well. Tatum asked why

the meters were put that far away to begin with and Hurd stated that it was 25 years ago and no one really remembers why at this point. Commissioner Redd asked if we knew why he wanted to move it all of a sudden and Hurd explained that his leak seemed to be the cause of it. Once he discovered how much line he was responsible for he requested to have the meter moved.

The motion failed to pass with two ayes (Woodlief, Roberts) and three nays (Redd, Johnson, Stallings). Commissioner Johnson stated that he felt this should wait until the Board had an idea of if and when the water and sewer system could switch over to FCPU. Hurd stated that there were a lot of areas in town similar to this.

The second item under New Business was to go into Closed Session to discuss legal matters with the Town Attorney concerning easements.

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS LEGAL MATTERS WITH THE ATTORNEY CONCERNING EASEMENTS

The motion was made by Commissioner Stallings and it was seconded by Commissioner Redd. It passed unanimously. The Board entered Closed Session at 7:13pm and came back into session at 7:45pm. Mayor Hardwick read into record a Resolution authorizing Interim Town Administrator Bill Tatum and Town Attorney Joe Olivieri to negotiate for the transfer of easements or ownership of plots by purchase or gift of land parcels where the pump stations are located in order to facilitate the transfer of Youngsville's water and sewer system to Franklin County. Final transfer of any interest in land shall need further approval by the Board of Commissioners once negotiations have been concluded.

MOTION: TO APPROVE THE RESOLUTION APPROVING EASEMENT NEGOTIATION BY INTERIM TOWN ADMINISTRATOR BILL TATUM AND TOWN ATTORNEY JOSEPH OLIVIERI

The motion was made by Commissioner Johnson and was seconded by Commissioner Woodlief. It passed unanimously.

The third item under New Business was the renewal of the North Carolina Governor's Highway Safety Program with the Local Government Resolution. Tatum explained that that this renewed the grant that the Police Department had received last year. He stated that it has worked real well for them as it has also lead to contacts as well as free items including computers for the police cars. Chief Kirts stated that it was hard work. Both he and Tatum stated that this grant has helped get a lot of items as well as saving the Town quite a bit in funds.

MOTION: TO APPROVE THE RENEWING RESOLUTION FOR THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM

The motion was made by Commissioner Redd and was seconded by Commissioner Johnson. It passed unanimously.

The fourth item under New Business to accept into Town Policy the Safety Recommendations brought forth by Selective Insurance. Tatum explained that a representative from the insurance company has come by for a safety inspection and had made some recommendations by letter. Once the recommendations have been made, there was a slip that needed to be returned to them stating the changes that have been made. Tatum stated that the Board needed to adopt the recommendations as policy then notify them. Mayor Hardwick asked if there were any major problems and Tatum stated that they were minor and reasonable. Mayor Hardwick asked if this would help our rates down the road and Tatum stated yes. Commissioner Redd asked if it would cost any money and Tatum stated no, that most of it was just paperwork to set up the system. Tatum gave an example that when the Town did the repairs on the roof of the Community House, we should have gotten a Certificate of Insurance. We will need to do this every time we hire a contractor to do work for us. Chief Kirts asked if any of them would affect the Police Department and Tatum handed him the form so that he could read the requests. Mayor Hardwick asked if any steps had been made to implement these yet and Tatum stated no, that he was waiting for them to be voted on. Tatum stated that they could be implemented as early as the next day. Commissioner Roberts stated that this was routine for insurance companies. Chief Kirts stated that he had questions, specifically about driving safety courses. He stated that his officers had taken driving courses that were more detailed than a basic driving safety class and he wanted to know if this meant his officers had to take these yearly classes as well. Mayor Hardwick asked how soon this needed to be in place and Tatum stated within the next 30 days. Chief Kirts asked for more time to look over before the Board voted and Tatum stated that was fine.

MOTION: TO TABLE THE ADOPTION OF THE RECOMMENDATIONS FROM SELECTIVE INSURANCE

The motion was made by Commissioner Roberts and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was the property transfer with James Moss. Mayor Hardwick stated that this transfer had been discussed about a year and a half ago and the Board voted to make this transfer pending receipt of information from James Moss. This property owned by him was located near the pump station on S.W. Railroad Street. This would allow for the switch of property the Town owned on S. College Street. Mayor Hardwick explained that switching this property would allow for the expansion of the sewer pump station which would be helpful for the Town and FCPU and would benefit Mr. Moss as it would also enlarge property for him on S. College Street. Mr. Moss explained that he had been waiting on an easement for the acquired property. Mayor Hardwick asked if that had been taken care of and Mr. Moss stated yes. Mayor Hardwick reminded the Board that they had already approved this transfer once before.

MOTION: TO APPROVE THE PRESENTED TRANSFER OF PROPERTY WITH JAMES MOSS

The motion was made by Commissioner Woodlief and was seconded by Commissioner Roberts. It passed unanimously.

The second item under Old Business was to continue the discussion of the sale of the water and sewer system to Franklin County Public Utilities (FCPU). Mayor Hardwick stated that the attorney was still working on getting the easements straightened out. He stated that he appreciated the patience as he knew it was taking a long time but it was getting there. When asked, Mayor Hardwick stated that the public would have the ability to view the contract and there would also be a Special Called Meeting for the public to give their input.

The third item under Old Business was to continue discussion of the Personnel Policy. Hurd explained that Commissioner Stallings had requested to change a portion of the Personnel Policy concerning demotion pay. She stated that it would change the wording to state that a person demoted would have their pay scale changed to the new rank in which they were employed. Hurd stated that the concern the attorney had asked about was if someone was demoted not because they were a bad employee but simply because their position had been done away with. Commissioner Stallings stated that was addressed in the updated version that the Town Administrator could make that call if warranted.

MOTION: TO ADOPT THE PRESENTED CHANGES TO THE YOUNGSVILLE PERSONNEL POLICY

The motion was made by Commissioner Redd and was seconded by Commissioner Woodlief. It passed unanimously.

The fourth item under Old Business was to continue the discussion of the Privilege License fee for Sweepstakes, Internet Cafes, and Business Centers. Mayor Hardwick explained that the fees had been changed but there were some concerns and complaints about them. He stated that the Board was still working for a plan that will work for everyone involved. Hurd explained that the new proposed fees constituted a compromise between what the Town had approved and what the business owners were requesting. The new rates she presented were \$500.00 for the business plus \$1,000 per machine for the first 25 machines, then \$250.00 per machine after that. Hurd explained that she felt there shouldn't be a cap on the fees as each machine was doing business and other businesses had to pay their Privilege Licenses based on their business with no exceptions. Tatum also wanted to include that any machine that was found to have been installed without first having procured a proper Privilege License would be billed at the full \$1,000 fee. He explained that violation of the Privilege License Ordinance was considered a misdemeanor which includes a penalty after 10 days. Also, each day is considered a separate offense.

MOTION: TO MAKE THE PROPOSED CHANGES IN PRIVILEGE LICENSE FEES FOR SWEEPSTAKES, INTERNET CAFES AND BUSINESS CENTERS

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. Chief Kirts asked what the fine was and Tatum stated that it was not listed in the Ordinance. Chief Kirts stated that a fine would need to be on the books to be able to put it on a Citation. He explained that the Ordinance should state the fine and also the cost of court should be included in the fees. Commissioner Johnson asked if the businesses would be notified and Mayor Hardwick stated yes. The motion passed unanimously.

The next item on the agenda was Closed Session (if necessary). There was no business to discuss so Mayor Hardwick asked for a motion to bypass Closed Session.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Redd and was seconded by Commissioner Johnson. It passed unanimously.

The next item on the agenda was Reports and Other Business. Mayor Hardwick stated that the Zombie Mudrun had taken place earlier in the month. He stated that there had been over 1400 runners, everyone had a good time. He stated that he felt it was a good thing for Youngsville. Next, Mayor Hardwick wanted to mention the fund raising going on for the Christmas decorations. He stated that donations were coming in and businesses were able to “purchase” a decoration for \$440.00. He stated that civic organizations like the Kiwanis Club were getting involved. Mayor Hardwick also wanted to remind everyone that the Fall Festival was September 22nd. He stated that it was a big day for Youngsville.

Hurd stated that it had been mentioned at the Planning Session about doing another one. She recommended that having one once a quarter would give the Board time to implement and research anything that had been brought up at previous sessions. Commissioner Redd stated that she thought this was a good idea. Also, Hurd stated that she could add a section to the agenda for Committee updates so that anything that had happened between Planning Sessions could be discussed and help could be asked for. She suggested that the next quarters Planning Session be done in November since December was normally a very busy month with the Christmas Holiday. Commissioner Redd stated that she felt the public should be involved in these sessions. She stated that this would help with the development of the Comprehensive Development Plan. She explained that first the Town needed to work on its Vision and Mission Statement. Commissioner Redd explained that she had some old emails that had suggestions from Robbins and Mayor Hardwick for the Mission Statement as well as the Vision Statement. She stated that she would bring them to the next Board Meeting. Mayor Hardwick suggested that the Planning Session be immediately after the November Board Meeting to help with the busy Holiday season.

Commissioner Stallings asked about the heating and air conditioning situation at the Community House. Tatum stated that he’s been putting off the updates as long as possible. He explained that it was only the air conditioning unit that was having problems and as the summer is now over, there was still time to get it fixed.

Commissioner Stallings asked where we stood with the applications for the Conditional Use Permits and their \$250.00 fees. Tucker stated that the Board had voted to uphold the \$250.00 fee and the deadline for the applications was the next day. Tucker explained that this was all new territory. She stated that she could contact the business owners and see if they were going to apply or if they needed help filling out the applications. She stated that there had been no enforcement for things like this previously. Commissioner Stallings asked about the \$250.00 fee and Tucker explained that it was a filing fee to cover costs of the Public Hearing and the advertising fees. She explained that the process would be for a business to file the application with the \$250.00 fee then the process included going before the Planning Board, a Public Hearing, then the Town Board where conditions could be set on the outdoor sales. Commissioner Johnson clarified that no one had brought in an application and Tucker stated yes. Commissioner Redd stated that one of the businesses had moved. Mayor Hardwick reminded the Board that they had voted to enforce these ordinances. He asked Tucker if the businesses could go together and pay one fee and Tucker stated yes. Commissioner Stallings asked about the different businesses at the Flea Market and Tucker stated that they fell under the umbrella of the Flea Market; only one application would be needed for that. Tucker reiterated that she had not heard from any of the business owners. Terry Phillips asked if she could speak and Mayor Hardwick stated yes. She asked why the Board voted on the \$250.00 fee. Commissioner Redd stated that the fee was already on the books, the Board had voted just to enforce it. Ms. Phillips stated that the ordinances dated back to 1995 and since the economy was in a recession, shouldn't the Board take another look at the situation. She stated that she felt the goal should be to help the businesses. Tucker clarified that the ordinances were updated as needed and that the Board had voted to enforce the violations that had happened on Main Street. Ms. Phillips stated that people come into town and see what is outside and want to shop. She stated that businesses were moving out of the as they didn't want to deal with Youngsville. Commissioner Redd stated that these ordinances were already on the books and the Board has to enforce them once they were made aware of the violations. Ms. Phillips wanted to know how long the violations had been going on and Tucker stated not that long for some of them. Commissioner Redd stated that the Board had to consider several things such as the complaints and violations as well as the needs of the business owner. Ms. Phillips stated that the businesses were concerned about spending money and the Board saying no once they got their application turned in. Commissioner Redd stated that one of her thoughts on the situation was to allow now and maybe change the ordinances back later once the economy gets better. Mayor Hardwick stated that as of right now, with the ordinances on the books, there was a procedure that needs to be followed. He stated that it was hard to change the whole book at one time, but the Board was trying to update the ordinances as they can. Tatum explained that it wasn't that the violations were ignored; it was that the application process did not ask if a business was going to have outdoor storage so that they could be informed of the process. He stated that the businesses would have to go through the process. Tatum stated that there have been changes made to the Zoning Applications as well as the Privilege License Applications that will help Town employees to know if a business will need to fill out the Conditional Use Application. When asked if Farmer's Markets would have to fill out these applications, it was explained that they were not located inside of Town limits and did not need to file for a Conditional Use Permit. Ms.

Phillips asked who letters were sent to and Tucker responded that they were sent to Woodlief's Supply Company, Old May Store Antiques and the Youngsville Flea Market. Tatum stated that Woodlief's Supply Company wasn't open at this point and they had not yet purchased their Privilege License for this Fiscal Year. Ms. Phillips stated that businesses were closing all over. Mayor Hardwick stated that the Board had made concessions and Commissioner Redd agreed that the fee was a bit high at this point in the economy. Mayor Hardwick reiterated that the ordinances were in place and the businesses would have to go through the process. He stated that there had not been a problem like this before. Ms. Phillips stated that the Board made concessions for the Privilege Licenses for the Sweepstakes businesses and Mayor Hardwick stated that they came to the Board and asked for them to take a look at the fees they were being charged. No one on Main Street had come to the Board as of yet about their Conditional Use Application and fee. When asked, he stated that this ordinance had not been on the books for that long and explained that there was an Ordinance Committee that was working on updating the Ordinances. Commissioner Redd stated that if someone wants something changed, then they need to ask to have it put on the agenda. She stated that she agreed with Ms. Phillips that the Board needs to work with the businesses in Youngsville. She stated that the businesses did need to come in talk to the Board members, no one has yet. Commissioner Redd stated that the business owners also needed to get involved instead of ignoring it until a problem arises for them. She stated she would like to reduce the fee but they have to come to the Board. Commissioner Redd stated that if this process is already on the approved books then it needs to be enforced. She suggested putting a discussion about lowering the fee on the next Board Meeting's Agenda. Commissioner Redd asked what happens after tomorrow if no one files their application. Mayor Hardwick stated that he felt Tucker should contact the business owners. He stated that ultimately it was the business owner's decision if they wanted to apply for the Conditional Use Permit to continue selling outdoors. He stated that the procedure dictates that the owners have to make the first step by coming in and applying.

Terry Phillips stated that she also wanted to discuss public parking and Mayor Hardwick clarified that she was speaking about Main Street. She stated that there were no parking lots and wanted to know what the Town was going to do about it. Mayor Hardwick stated that there was nothing the Town could do about it at this point. The only way the Town could afford to purchase a piece of property to make a parking lot would be to raise the taxes to get the money. Ms. Phillips stated that wasn't necessary, couldn't someone donate land and Mayor Hardwick stated that would be great if someone would but at this point no one has. She stated that there was only on street parking at this point and Mayor Hardwick explained that there was nothing that could be done at this point.

The meeting adjourned at 8:33 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

OCTOBER 11, 2012

REGULAR MEETING

YOUNGSVILLE TOWN HALL

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, Joseph Johnson, and Catherine Redd. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Attorney Joseph Olivieri and Police Chief Daren Kirts. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. William Jackson wanted to speak about the \$250.00 fee for the Main Street Business District's (MSBD) Conditional Use Applications. He stated that he was not sure what area this encompassed but he has surveyed other businesses that have items outside including Toney Ace Hardware, Food Lion, and Sheetz. He stated that these businesses sold items outside such as propane, ice and gas. He also noted that ATM's for banks are also located outside. Mr. Jackson referred to the application fee as being a fine. He also referred to the Duncan Donuts inside of the Wilco as well as mentioning them selling propane outside of the building. He stated that Strickland's sold cars outside and the Post Office had mailboxes outside. Mr. Williams felt that if the Town was making the current businesses apply for a Conditional Use Permit for outdoor sales that all of the above circumstances should also have to apply for a Conditional Use Permit. He felt that the Town should look at all of the businesses and not just one or two.

Twig Wiggins also wanted to talk about the Conditional Use Permit application process. He wanted to thank the Board for all of the work that they did. He stated that he understood that the Board sometimes got abused and kicked around and he appreciated their service. Mr. Wiggins wanted to know if they could get the natural gas down South Cross Street and Hurd stated that the more people that called PSNC the more likely it was that they would attempt to put natural gas on the other side of Main Street. Mr. Wiggins stated that he didn't like politicking but he wanted to mention to the Board that Youngsville was lucky that there were businesses still located here in this economy and he felt that the Board was nitpicking things like the signs and outdoor sales. He stated that he rents six buildings in town and has himself been harassed in the past by Youngsville. He stated that it was the reason that he left town at one point. Mr. Wiggins stated that he felt this was harassment of the businesses and felt that Youngsville was beginning to be anti-business. He explained that he was outright told by a potential tenant that Youngsville was anti-business. He stated that Rolesville was growing and Youngsville was not and he felt that it was because of things like this. He stated that he was not being critical of anyone in this room but he wanted the Board to become more

business friendly. Mr. Wiggins stated that the Board shouldn't worry too much about nitpicking the small things and start stimulating businesses which were beneficial to the town.

Oscar Barham from East Woods of Patterson stated that he wanted to thank the Police Department for the wonderful job that they were doing but he wanted help in getting more street lights in East Woods of Patterson. He stated that it was very dark at night and the residents couldn't walk at night because of concerns about snakes. Mr. Barham just wanted the Board to take a look at that.

The next item on the agenda was the Financial Report. There were no comments.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Redd and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was Mike Fendrick and Ray Magsanoc with the US #1 Corridor Study update. They informed the Board that Phase 2 was now almost complete and it covered the area from Youngsville to just past Franklinton. This carried the work from 2006 forward. They had spent the past 12 months focusing on this section of the study and its impact on the US #1 Corridor. The study looked at the benefits of having off highway use. They stated that they wanted to brief the Board on the conclusion of the study. They understood that there would be a few adjustments before the final plan was approved. Mike Fendrick showed the Board some maps of the current plans and stated that they had used information gathered from two public hearings to help tweak the plans. They had also had six community meetings along with help from the local agencies. Mr. Fendrick stated that the information could be found on their webpage, us-1corridornorth.com. He explained that the final recommendations were for US #1 to become a freeway but the businesses would still need access. He stated that they wanted to avoid too many signals and driveways. This would entail having a local street system to be developed. He also stated that there would be bike and walking paths included in these plans. Mr. Fendrick stated that they would also be looking at long-term transit ideas. He stated that the local street system would be a key element in making this plan work. One of the long-term goals is to connect 1A in Youngsville to 1A in Franklinton so that there would be connecting local streets between both towns. He also stated that as developers built in the area, having them build the section of local streets would be helpful to the long range plan. There would be a new alignment of Burt Winston Road that will hook up with Martin Marietta and become a hub for local traffic. This would help to manage some of the truck traffic that comes through the area. Franklinton's existing Highway 56 interchange will be improved. He did remind the Board that all of this is future planning, for the next 30 years. Mr. Fendrick stated that all of the stop signs would be replaced so that there would be no stops on the freeway. There would be a Highway 56 Bypass where signals would be allowed. He stated that this would be the hub for the Franklinton

area. He explained that there would be future interchanges and overpasses some of which were dependant on the Highspeed Rail. This Phase of the Corridor Study ends at the Tar River / Vance County line. Mr. Fendrick summed up that they wanted to make US #1 a freeway with local street systems as well as bike and pedestrian pathways. He did state that by the end, this would be a greenway all the way to Maine. The long range plan was for 2035 which include express buses. He stated that the need was recognized and they were trying to account for that. He reminded the Board that this was all long range plans and the cost was around \$360 million. This plan was being developed for 2040-2050 and beyond. Mr. Fendrick stated that there was a need to improve the freeway. The three major costs were the Highway 56 bypass, the freeway itself including the local street systems which would account for over 100 miles with the hope that developers would build a good portion of that, and the US #1 superstreet that would account for the 10-15 year growth capacity. Mayor Hardwick thanked the gentlemen for coming and keeping the Board informed on the progress of the US #1 Corridor Study. He did want to mention that Youngsville still need their bypass for Highway 96 as well. Mr. Fendrick explained that sometime soon, CAMPO would be requesting a Memorandum of Understanding from the Board that would include changes to the cities involved with CAMPO. They would be adding Franklinton as well as the updated study results.

The second item under New Business was the presentation of a Plaque of Appreciation to Wade Brown. Mayor Hardwick stated that Mr. Brown was retiring after 27 years of service to the Town of Youngsville. He stated that Mr. Brown was the epitome of a true dedicated, loyal public servant. He stated that Mr. Brown was always available to help everyone in town regardless of the weather. Mayor Hardwick stated that everyone should strive to be like Mr. Brown and that he was appreciated for everything that he has done for the town over the years.

The third item under New Business was Al Wojtalik, who wanted to discuss the current Tree Ordinance as well as the Board of Commissioners. He first wanted to thank Tatum and Tucker for helping to get the right of way cleaned. He explained that it needed cleaning up and mowed and wanted to make sure the town was thanked for their help. He stated that he wanted to make sure it stayed that way and Tatum stated that Patterson would make sure of it. Mr. Wojtalik stated that the first thing he wanted to talk about was the Zoning Ordinance regarding trees. Mr. Campbell passed out a handout with the details that Mr. Wojtalik was mentioning. Mr. Wojtalik wanted to go over the current ordinance for the citizens attending the meeting. He stated that Zoning Ordinances are designed to establish physically defined areas where certain uses are encouraged and certain uses restricted. It is the toll most commonly used to implement the goals stated in the Comprehensive Plan. He asked if the town had a Comprehensive Plan and the Board stated that they were working on one. He stated that it was important that the ordinances relate to the Comprehensive Plan. Mr. Wojtalik stated that the Zoning Ordinances are intended to protect the rights and investments of the property owners by making more predictable what may happen on neighboring property. It ensures that public investment by the taxpayers results in an efficient and attractive community. It should protect against negative environmental impacts and set minimum aesthetic and functional standards for development. Mr. Wojtalik stated that they wanted to makes sure that they

had a nice area that had trees and greenery. He stated that this next part was important; No matter what we call these ordinances, there must be uniformity of application (all development is treated alike). If this does not occur, the Zoning Ordinance may be challenged in court as being arbitrary. Equal protection must be offered to all property owners and treated similarly with fair procedures. Mr. Wojtalik stated that the response he received from Town Hall was that Tatum asked for him to list out the certain items that he felt needed to be looked at. Mr. Wojtalik stated that the response he received from the township was on the Tree Ordinance was that it has been determined after reviewing the section of the Zoning Ordinance and it was their understanding that the developer can plant or leave existing trees and clear cutting is not prohibited. Mr. Wojtalik explained that he has now explained what the Tree Ordinance is and what the position of the township is. He stated that he wants to protect the environment and keep some trees around but yet the Town allows clear cutting. He stated that he didn't understand that. Mr. Wojtalik stated that he went through the Tree Ordinance section and wanted to touch base on some of it. It states that the purpose was to protect and preserve planting along with some other stuff. The intent is to minimize potential problems and when people clear cut you have mud and red clay. He stated that anyone can walk over to East Woods of Patterson and see that acres of trees are gone in a matter of days. He stated that you can now hear traffic on the road that goes by East Woods of Patterson. Mr. Wojtalik stated that was the reason that trees were needed. He stated that this was having a negative impact on the township. He stated that he didn't believe that was the intention of the Tree Ordinance. Mr. Wojtalik read from the Tree Ordinance again, stating that use of existing landscape enhances the aesthetic appearance of new development and help it blend with existing development. The use of native evergreen and deciduous plant materials blend with built environment and new construction while maintaining the aesthetic character of the town. He stated that there was a lot of interpretation in that phrase. He stated that this covered already developed area and it wasn't applied uniformly. Mr. Wojtalik stated that the term "newly developed" leaves room for interpretation as it does not specify if this is for one, two, three or more homes or different phases of a development. He stated that it seems a lot of cases come down to interpretation. Mr. Wojtalik stated that what he was proposing to the Board was to try to treat this thing as fairly as possible for the developer, the builder, and the property owners. He felt that the property owners should have a say in the building of the property around them, if they really want clear cutting in their neighborhood and wipe the trees away. Mr. Wojtalik went on to read another section of the Tree Ordinance that stated it is further the intent of this section to promote the preservation of trees which are of significant size and/or of such historic nature as to be an asset to the community as a whole. He stated that was a lot about applicability and a section that applied to all newly developed property as well as expansion which he feels again leads to interpretation. He stated that he felt it needed to be clearer on what newly developed meant so that everyone can understand. Mr. Wojtalik wanted to ask the Board to change some things and he had a proposal to make amendments to the Tree Ordinance. He stated that the Board of Commissioners would need to submit their changes to the Planning Board for review. He explained to the citizens in the audience the reason that they would have to go through the Planning Board is because the Planning Board establishes the Zoning Ordinances. He stated that they look at the developments and buildings that come into town. Mr. Wojtalik stated that he submits the following change to the Tree Ordinance under

purpose and intent; it is further the intent of this section to promote the preservation of trees which are of significant size. He stated that safe tree areas will be identified to promote the preservation of trees within this section. He stated that this clarifies what we want to happen. The other stated that we wanted to preserve trees. Mr. Wojtalik stated that he submits changes to section 2.11.2 for Applicability that should state that this section shall apply to undeveloped as well as newly developed properties as well as expansion or changes in use. He stated that to make it more clear about clear cutting, he submitted that the following be added to the Tree Ordinance. No clear-cutting be permitted and approved until a full review by the Planning Board and input by the impacted property owners. He stated that the problem that they were having was that no one was listening to the current property owners. He stated that they have talked over and over again and no one wants to hear them. Mr. Wojtalik stated that the people in the audience knew what he was talking about since they lived out there. He stated that they were dealing with this on a regular basis. He stated that what he was trying to do was to get the Commissioners to listen to them and that he would get into that in more detail later. The Planning Board would submit their decisions to the Board of Commissioners. After scheduling a Public Hearing on the Planning Board decision, the Commissioners would review and then a vote will be taken. He stated that a Public Hearing would give everyone an opportunity to be heard. He stated that he would give the Board credit that they do give people the opportunity to speak but the problem is that people don't know what they can do. A lady in the crowd asked what he had been reading from and Mr. Wojtalik stated that he had been reading from both his handout and the current Tree Ordinance. He stated that what he was proposing helped to give the citizens a voice to be heard. Another citizen asked what was a historical tree and Mayor Hardwick explained that it was based on size. He explained that the Board had voted on the original Tree Ordinance a few years back and Mr. Wojtalik read from the Ordinance that where there exists one or more designated Historical Trees on property subject to the regulations of this section, every effort shall be made to preserve and protect that tree or trees, according to the methods outlined in this section. Mr. Wojtalik stated that he felt that there were good intentions behind the original Tree Ordinance. He stated that no matter what ordinance that gets approved by the Planning Board or the Board of Commissioners, it will need to be tweaked over the years. He stated that since things change, it was time to take a look at it. He stated that the economy had been dead for a long time then all of a sudden it picked back up. He explained that sometimes the Board needed to update, modify, and amend the Ordinances. Mr. Wojtalik stated that was his proposal. He stated that he did feel that there needed to be some input by the citizens. Mayor Hardwick explained that any Ordinance change that gets made does have a Public Hearing and that is made open to anyone that wishes to attend. Mr. Wojtalik stated that he knew that. Mayor Hardwick stated that they do bring in the Planning Board when needed and there is an Ordinance Committee that is always trying to update the Ordinances as they can. Mr. Wojtalik stated that he was aware of that as well and Mayor Hardwick stated that he just wanted to make sure that everyone in the audience knew this as well. He stated that we are working on the Ordinances. He stated that the Tree Ordinance did go through several stages before the Board voted to pass it but he stated that he knew things do change. Mr. Wojtalik stated that he knew that and didn't want the Board to think he was throwing them entirely under the bus and Mayor Hardwick stated that he understood. His suggestion was that the Ordinance Committee, which is comprised of Commissioners

Redd and Stallings take a look at his proposal and check with the attorney to get the legalities of it in hand and bring back a recommendation. Mr. Wojtalik just wanted everyone to know that the people living in Patterson Woods and East Woods of Patterson have been enduring the pain. He stated that what happens in Patterson Woods and East Woods of Patterson can happen anywhere in the town of Youngsville.

Mr. Wojtalik wanted to know how many of the Board went to see what was going on at East Woods of Patterson. Mayor Hardwick stated that he thought everyone had. When asked to raise hands, the entire Board raised their hands. Commissioner Redd stated that she ran through but did not talk to anyone. Mayor Hardwick stated that he has walked the lots that are being torn down as well as checking on it during rains to see how the run off was going. He stated that he and the Board know what he's going through, in fact he had mentioned it at last month's Board Meeting. He stated that Mr. Wojtalik had made requests at that Board Meeting and this Board had handled those requests. Mr. Wojtalik stated that the Board had not talked to the citizens though. Mayor Hardwick stated that he had not talked to anyone but Mr. Wojtalik. Mr. Wojtalik stated that he knew it takes time, but the Board was elected, they accepted the responsibilities and the obligations associated with it. Mr. Wojtalik stated that he understood that the Board did not get a lot of money for doing this job and Mayor Hardwick stated that no one on the Board did this for the money. Mr. Wojtalik stated that his point was that the Board needed to get involved and talk to the people and understand what their feelings were. He stated that he knew it was tough but his point again was to take the time to talk to the people. He stated that the situation in East Woods of Patterson did not happen overnight. He also stated that it not properly being taken care of didn't happen overnight either. Mr. Wojtalik stated that the Board needed to check on their areas of responsibilities and know what the people are saying. Commissioner Johnson stated that last month he had come into Town Hall and he was told by Tucker and Hurd about the concerns. He stated that he had made approximately six phone calls to Peachtree Development and Mr. Gould as well as several of the real estate companies over there. He stated that he understood where the citizens were coming from because he couldn't get a straight answer from anyone. Commissioner Johnson stated that he goes through both sides of Patterson Woods at least three times a week. He stated that he is responsible for that side of town and it was a concern to him when he saw the signs go up for Peachtree Development. He stated that it was issue when he could not find out who was pulling the strings for the current development of these new homes. Unfortunately, the situation at East Woods of Patterson was that when the economy slowed down, everyone pulled out of building new homes there and now there is construction of new homes starting. He stated that it is a beautiful neighborhood and there are things that the Board can do to move forward to help and Mr. Wojtalik stated that was what he was trying to do by asking for the amendment. Mr. Wojtalik stated that fixing it to make it a little bit better legally so that everyone can follow the rules and to do it properly with public input.

Damon Jones, Patterson Woods, wanted to know what the Board's perspective was when he went through the neighborhood. Mr. Jones stated that Patterson Woods was built first, then East Woods of Patterson was started next but then the economy went downhill. He stated that then this new builder has come in and he clearly clear cut the lots and is putting in slab construction which is going to make these new houses different from the

ones already established across the street. He wanted to know what the Board's thoughts were on that. Commissioner Johnson stated that his own personal thoughts were that when he did research on Peachtree Development's website and he stated that he felt that the quality of the homes won't be the same as the ones out there now. Mayor Hardwick agreed with Commissioner Johnson but the problem is since the economy the way it is, we are now going to start seeing larger builders with tract developments that can buy the vacant lots cheap since the original developers are trying to get their money back. Mayor Hardwick stated that he has talked with the original developer. Mr. Jones interrupted and stated that they are not real happy with the developers and the building that is going on there. He stated that they are part of this community and pay their taxes as well. He stated that he was upset about the entire section of new homes that is going up. He stated that they can't get a meeting with Mr. Gould and they also wanted to restructure their HOA so that they can have more control. Mayor Hardwick stated that the Board would do what they can do on the legal side of it. Attorney Olivieri stated that the residents out there may want to see what they can do legally regarding the covenants and Mr. Wojtalik stated that they are taking all lawful actions. Mayor Hardwick stated that the Board at this time can only follow the Ordinances that are on record but will do what they can to help. He stated that they are not trying to stop the development from growing, not trying to stop anything from growing; the Board just wants to make sure it's controlled. He explained that the Board can only do so much as allotted by the Ordinances and since some of them are old, they may need to be updated. He stated that as things change the Board would address those changes but this is not an overnight process. He stated that the changes are made one step at a time and as issues are brought forth, the Board addresses. Mayor Hardwick told Mr. Wojtalik he appreciated him bringing this up to the Board.

The fourth item under New Business was to discuss a guardrail at East Woods of Patterson. Tatum explained that a resident in East Woods of Patterson had requested that a guardrail be installed where the main entrance comes to a stop near the pool. He stated that we had met with the Town Engineer out at the property and he sent a letter to the Town explaining that there are no NC DOT standards for guardrails in subdivisions. Tatum explained that the letter informed him that if that road had been a highway with a 60 MPH speed limit or more with a traffic count of 300 cars or more, it would still not warrant a guardrail. He explained that the engineer had mentioned that the guardrail itself is a danger as people can get trapped between the guardrail and oncoming vehicle. Tatum stated that the engineer's suggestion was to fill in more hardwood trees with the existing ones that are planted. This would help protect anyone from going down the ravine as well as looking better than the guardrail. Mayor Hardwick asked if the Board had any questions concerning the report from the engineer. Commissioner Johnson asked if the land was a buildable piece of land and Hurd stated no, that it was considered open space.

MOTION: TO PUT IN A GUARDRAIL AT EAST WOODS OF PATTERSON

The motion was made by Commissioner Woodlief and was seconded by Commissioner Roberts. Commissioner Stallings asked how much it was going to cost and Tatum stated that the money would come out of the Powell Bill funds which are limited in how much

the Town gets yearly. Tatum stated that we could hire the engineer to draw the plan so that the Town could get quotes for cost but it is not going to be cheap. The motion did not pass with Commissioners Woodlief and Roberts voting aye and Commissioners Redd, Stallings, and Johnson voting nay. Mayor Hardwick suggested getting prices before making this decision.

MOTION: TO GET QUOTES ON INSTALLING THE GUARDRAIL AT EAST WOODS OF PATTERSON

The motion was made by Commissioner Johnson and was seconded by Commissioner Stallings. It passed unanimously. Tatum asked if there was a maximum amount they wanted him to spend on getting this quote as the Board would need to have the engineer draw up that plans and that could get expensive.

MOTION: TO GET AN ESTIMATE BEFORE SETTING THE LIMIT ON GETTING THE QUOTE

The motion was made by Commissioner Stallings and it was seconded by Commissioner Redd. It passed unanimously. Mayor Hardwick told Tatum to go ahead and call the engineer. Tatum explained that the engineer is going to charge for drawing up the plans and he wanted a dollar limit to get the estimate.

AMENDED MOTION: TO SPEND \$1,600 MAXIMUM ON AN ENGINEER TO GET QUOTES FOR A GUARDRAIL AT EAST WOODS OF PATTERSON

The motion was amended by Commissioner Stallings, Commissioner Redd amended her second. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was Doug Jackson, 205 Pearce Street, for a second request to move his meter. Mayor Hardwick stated that at the last Board Meeting, this request had been denied. Mr. Jackson apologized for not being able to attend last month's meeting and he appreciated this extra opportunity to present his request. He explained that his meter was 1200 feet from his property line. He stated that he was willing to do whatever it takes to get it moved. He stated that it was 15 acres of property at the end of Pearce Street. He stated that the property backs up to Country Brook and East Woods of Patterson and the property is for sale. He stated that he's not trying to cause any hardship on the Town but he wanted to have his meter relocated to his property line. Commissioner Stallings stated that he voted against it the previous month but he now feels like the Board should help him. Commissioner Stallings felt that since the sale with Franklin County Public Utilities doesn't seem to be happening too soon, he feels that we should go forward with helping Mr. Jackson. Hurd stated that since the meter would be on private property, there would several legal issues that will need to be handled first such as getting easements and right of ways for at least three pieces of property. She explained that the Town couldn't just go onto private property to work on water lines. Commissioner Stallings stated that it was not mentioned at last month's meeting. Hurd explained that Pearce Street is a dirt

road that has a curve and at the beginning of that curve is the end of the public portion of that road which means that it ends the legal right of way. That is where the meters are currently located at the right of way. She stated that like she mentioned last month, there would be expenses to moving the meter and taking over the water line for future repairs. Hurd stated that at this point the Town had no legal way to take over the line that is currently located on private property. She explained again that the Town would be responsible for the 1,200 feet of line that would now be in front of this meter. She stated that easements would be needed in order for the Town to maintain these lines. Hurd explained that as of right now the meters were located in the public right of way and Mr. Jackson was wanting the Town to move it off of the public right of way onto private property. She explained that once the meter was moved to the private property, the Town would be responsible for the 1,200 feet of line up to that meter. The Town would need these easements to be able to go onto these private properties to make any repairs or upgrades that need to be made. Hurd stated that at this point in time those meters are in the correct legal spot on the public right of ways. Commissioner Stallings asked if the property was located within town limits and Hurd stated yes. Commissioner Stallings asked if there were other residents inside of town limits that the Town did not provide water to and Hurd stated that there are several residents that we provide water to but their meters are also not located on their properties either, in some cases they are located on the other side of the street. Commissioner Redd asked if there were meters that were on private property and Hurd stated that there were some that were located closer to the homes as some of the older houses in Youngsville were built before these regulations were put in place. Commissioner Stallings asked what Mr. Jackson needed to do to get water to his home and Hurd stated that he already has water services, the request was just to move his water meter closer to his home by moving it onto private property. Commissioner Stallings then asked what the Town had to do to move the meter onto his property and Mayor Hardwick clarified that easements would be needed. Hurd stated that it would probably take three easements as his house was 205 and that the water lines looked to cross two other properties before coming to his home. Commissioner Redd asked why he wanted to move the meter and Mr. Jackson stated that he's trying to sell the property. He stated that this was family property at the moment and he would be willing to pay to have the meter moved. He stated that he understood the meter was owned by the Town of Youngsville. Mr. Jackson stated that he would pay to have that meter moved from where it is at now, and moved onto his property. Commissioner Redd stated that she understood what he wanted but she didn't understand why it was necessary. Mr. Jackson stated that it was 1,200 feet from the property and he didn't think he would be able to sell the property with the property owner being responsible for that much water line. Mayor Hardwick asked if the Town moved the meter and took over the water line, would the line need to be fixed. Hurd stated that the line was 25 years old, she was unsure of what condition the line was in but that there had been a recent leak on that line. Mayor Hardwick asked Attorney Olivieri what requirements would be needed to cross this family property. Chief Kirts stated that if it was for sale, it would not stay family property. Mayor Hardwick asked Mr. Jackson for clarification if the property was already on the market and he stated not yet. Attorney Olivieri stated that it didn't matter if it was family property or not, if there were identifiable plots of land, if this water line crossed any of those other properties, easements would be needed for each property that this water line crossed from each of the current land owners in order for the Town to have

access to the water lines for repairs. Mr. Jackson stated that these were public utilities but Mayor Hardwick explained to him that portion was not on public right of way, they were on private property. Attorney Olivieri explained that easements and right of ways were the only way utilities have access to individual properties to fix their lines. He explained that easements would be like deeds to property and would need to be filed with the Register of Deeds. He stated that these recorded easements would give permission to come on the property in the area of the water lines but would not give ownership of the land to the utility company. He explained that easements were not automatic, for example if the Town did take over the lines to his home, the Town would not get automatic rights to be on his property to make those repairs. Commissioner Redd asked why the meter would need to be moved to sell the property since there was already water service to the home. Mr. Jackson stated that he was told the meter needed to be moved from where it was located by a Town employee and now he's being told by Hurd that the meter does not need to be on private property. Commissioner Roberts stated that the line was already going across these properties and Mayor Hardwick explained that as of right now those lines were not the Town's responsibility but if the meter was moved then the Town would be responsible for any repairs that they would need. Attorney Olivieri explained that the difference is that it would now be the Town's responsibility to fix any leaks if the meter was moved to the other end of the personal lines and this would create a smaller section that would be the responsibility of the homeowner leaving the bulk of the repair costs for the Town. Mayor Hardwick wanted to clarify where the Town portion of Pearce Street ends and Hurd explained that the Town portion ended right at the curve and the meters were located right before the road became private property where the houses were located. Hurd referenced the Youngsville Elementary School ballfield ended near the tree lines and that was about where the public portion of Pearce Street ended. Hurd stated that anything past that was considered private property / driveway. She stated that you would have to go past two houses to get to Mr. Jackson's house. Commissioner Stallings asked for Attorney Olivieri to give the Board some advise and Attorney Olivieri stated that since he didn't understand why the property was unsellable due to the location of the meter, he wasn't sure how to advise the Board. He explained that his personal experience with his water meter was that it was located where the town staff had access to it easily as well as having an easement which would not prevent the sale of the house. He stated that if he could understand why this was keeping the house from being sold he might be able to understand the situation better and offer better advise. Attorney Olivieri stated at this point he didn't see a reason why the house would not sell based solely on the location of the meter. Commissioner Redd stated that she was glad he came back before the Board but she agreed that she felt the property could still be sold as is. Commissioner Johnson stated that he was glad he came back as well and felt that Mr. Jackson was given some bad information. When asked where the information came from Mr. Jackson stated that a Town employee had told him this. He stated that there seemed to be some confusion. He stated that he was willing to work with the Town in getting the meter moved and he wanted to know if the Town was willing to work with him, specifically Hurd. Hurd stated that she would within legal reason. Mr. Jackson asked yes or no and Hurd stated yes but within reason. Mr. Jackson stated that he wanted that in the record and Mayor Hardwick stated that it was in the record. Commissioner Redd stated that she felt the Board was willing to work with him but she felt that it was something that the Town didn't want to since there is no need for it at this point in time. Mr.

Jackson asked if she would buy a piece of property that had a water line that was that long and Commissioner Redd stated that she is neither a buyer or seller of land, but that she was a Commissioner that was elected and at this time she didn't see the need to move the meter. Mr. Jackson stated that he's lived there for 25 years and he's paid his bills as well as his taxes and he wants the Town to work with him and for the record he stated that he was willing to pay to have the meter box moved onto his property. A citizen asked Mr. Jackson if the Town was able to read the meter where it was currently located and Mr. Jackson stated yes. She asked if moving it would make a difference in reading the meter and Mr. Jackson stated no but Mayor Hardwick stated that the Town doesn't have legal access at this time. She asked why the Town should incur the extra expense to move a meter that they can already read and that he would incur expenses as well if he wants to pay to have the meter moved. Mr. Jackson stated that reading the meter was not the problem; he just wanted the meter moved to his property. Mayor Hardwick stated that the offer had been made now what did the Board want to do about it? He reminded the Board that they had denied the move last month and asked if the Board wanted to accept the offer of Mr. Jackson paying to move the meter or continue to hold true and not move it. Tatum objected stating that the Board could not vote on something that was illegal. He explained to move that meter without the proper easements would be considered illegal. Mayor Hardwick stated that he understood but wanted to clarify with Mr. Jackson that he would be willing to pay for the movement of the meter as well as getting the proper easements needed and Mr. Jackson stated that he would get them. Mayor Hardwick stated that he would need to get the easements from all of the property owners and then bring it back to the Board and they could take it from there. Mr. Jackson stated that he wasn't asking for the Board to do anything illegal or unethical. Mayor Hardwick stated at this point, the Town has the meter located in the proper right of way. He explained that we had checked with Franklin County Public Utilities and they had stated that the right of way was the proper place to locate meters. Commissioner Roberts asked who ran the line and Mayor Hardwick stated that since the lines were 25 years old, he wasn't sure. Commissioner Roberts asked if the Town ran the lines and Mayor Hardwick stated that he doubted that the Town had run them. Attorney Olivieri stated that Mayor Hardwick was correct in that easements needed from all property owners to exist especially if he was trying to sell the property. He stated that was the first step then once those easements were established then the property can be sold and the meter could be relocated if the Town wanted to. Attorney Olivieri stated that the first step for Mr. Jackson was to retain a lawyer to discuss the easements needed. Commissioner Roberts stated that the Town didn't need an easement for something that is already there and Mayor Hardwick explained that the problem was that those lines are not public at this point and to make them public lines that the Town was responsible for, easements were needed for the Town to have access to them. Mayor Hardwick explained that what Mr. Jackson wanted was for the Town to move his meter so that the Town would be responsible for the water line instead of Mr. Jackson. He stated that if that 25 year old line were to break if the Town took it over, the people of Youngsville would be the ones paying to have it repaired. Mayor Hardwick stated that the Board needed to keep in mind as they are responsible for everyone. Mr. Jackson asked if he sold the house without any easements and the water line broke how the Town would repair the lines. Hurd stated that if it broke as everything is located now; it would be the homeowner's responsibility to repair those lines. Mayor Hardwick stated that anything from the meter box to the

house is the homeowner's responsibility. Mr. Jackson asked what he needed to do and Attorney Olivieri stated that he would need to talk to a real estate attorney to ensure the rights of the different plots of land in a way that if the properties are sold individually or all together so that easements will persist through those sales. Mr. Jackson stated that he would try to get that taken care of and if he couldn't then he would not come back before the Board. Mayor Hardwick agreed and Mr. Jackson thanked the Board.

The second item under Old Business was to continue the discussion of the sale of the Water and Sewer System to Franklin County Public Utilities (FCPU). Attorney Olivieri stated that he has made progress with the attorney for Franklin County and hope to have an agreement shortly. There is still some paperwork that needs to be finalized but he hopes to have it quickly. Mayor Hardwick stated that once we had the documents we could get it to the Board and have one at Town Hall for the citizens and then hope to have a Public Hearing at the November Board meeting. This will give the citizens an opportunity to look over the contract and ask any questions. Attorney Olivieri stated that he had been informed of some timing issues by Tatum concerning billing cycles. Mayor Hardwick asked if it looked like we were getting close and Attorney Olivieri stated that the impediments that aren't totally out of the way do not look to stop the sale of the Water and Sewer System.

The third item under Old Business was to continue discussion on the fee for the Conditional Use Permit for current businesses in the Main Street Business District (MSBD). Hurd reminded the Board that they had discussed reducing the fee at last month's Board Meeting but had tabled it so that everyone could take some time to think about what direction they wanted to go. She explained that the current fee is \$250.00 and it covered the cost of advertising and the Public Hearing. She stated that one suggestion had been to lower it to just the cost of advertising which would be approximately \$100.00 and since you can advertise both businesses at the same time, further reducing the cost to \$50.00 each. Hurd stated that both businesses have turned in their applications and will be ready for their Public Hearing once the Town gets it advertised. Mayor Hardwick asked the pleasure of the Board. Commissioner Redd asked if they could reduce it for just this occasion and Hurd stated yes. She stated that the Board would be having a Planning Session next month and maybe changing the fees could be something they could look at then.

MOTION: TO REDUCE THE CONDITIONAL USE PERMIT FEE TO \$100.00 FOR THE TWO BUSINESSES THAT HAVE APPLIED

The motion was made by Commissioner Redd and it was seconded by Commissioner Stallings. The motion passed unanimously.

The fourth item under Old Business was to continue the discussion on the safety recommendations from Selective Insurance. Tatum stated that last month he had presented recommendations from the insurance company's Safety Inspection and Chief Kirts stated that he would like to go over them in more detail. Tatum stated that since law enforcement officers have to go through rigorous driving training, the insurance company was ok with them not having to do yearly safety training. He stated that he has

been asked about adopting the recommendations. Tatum stated that he felt that if we did not adopt their recommendations, it may affect the rate at a later point in time. He explained that their recommendations are helpful and this would benefit the Town in the long term anyway.

MOTION: TO ADOPT THE RECOMMENDATIONS MADE BY SELECTIVE INSURANCE INTO POLICY

The motion was made by Commissioner Redd and it was seconded by Commissioner Stallings. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). There was no business to discuss so Mayor Hardwick asked for a motion to bypass Closed Session.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Stallings and was seconded by Commissioner Roberts. It passed unanimously.

The next item on the agenda was Committee Updates.

Policy Committee – There were no updates.

Ordinance Committee – Commissioner Redd stated that they will try to meet to discuss the Tree Ordinance

Finance Committee – Commissioner Johnson stated that they will need to meet to discuss funding issues on the possible guardrail at East Woods of Patterson

Capital Improvement Committee – Commissioner Stallings stated that they were at a standstill. He stated that they are waiting to see how much money they are going to get before they discuss it further. Commissioner Johnson asked when the next Powell Bill distribution was coming out and Hurd stated January.

Comprehensive Development Committee – Commissioner Redd stated that in April of 2011 when the Board created these committees, she had mentioned that the Comprehensive Development Committee needed to start with a Mission and Vision Statements so that the Town could define its core values. Commissioner Redd stated that she had come up with both Statements and stated that it was a hard job for just one person and she would love to have any input on them. Commissioner Redd read her Mission Statement, which is where the Town is at now. “The Town of Youngsville is dedicated to enhancing the quality of life for our residents by balancing the preservation of our small town character with the promotion of responsible growth. The collective vision of its residents and businesses is realized through a proactive government that supports quality services, collaboration, innovative leadership and a well-planned future.” Commissioner Redd then read her Vision Statement, which is the future of Youngsville. “Through a collective community partnership, the Town of Youngsville will seek to

improve the quality of life for future generations; protect the health, welfare and safety of its residents through guided growth, innovation, and the efficient use of resources; create a pedestrian friendly downtown with integrated and appealing infrastructure; involve leaders with vision, attentive to the needs of citizens; provide effective and efficient public services; promote policies and programs that encourage public involvement and assure the vitality of the community; deliver consistent enforcement of all ordinances and laws; and respond to the ever changing needs of our community and its residents.” Commissioner Redd stated that she felt it summed up everything that had been said earlier in the evening. Mayor Hardwick stated that if anyone had any feedback to get with Commissioner Redd and these will be on the Agenda for November.

The next item on the agenda was Reports and Other Business. Mayor Hardwick stated that the Fall Festival last month was a huge success with a large turnout. He stated that the weather was beautiful which brought out more people. Mayor Hardwick stated that another thing that he looked forward to was the huge celebration the Town has the first of December. He reminded people that he had brought up the need for new Christmas Decorations. He stated that several groups such as the Youngsville Woman’s Club, Youngsville Area Business Association, Youngsville ECA and the Kiwanis Club have all stepped up. He explained that the Town was looking to purchase 10 snowflakes and as of right now, they had the money, between promises and cash in hand, to purchase seven of them. Mayor Hardwick stated that he’s spoken to other people that are willing to come by and donate some money. He asked that the word be spread so that hopefully more donations can come in. He explained that it will be snowflake, banner, snowflake, banner, ect. down Main Street. Mayor Hardwick stated that this will look better than last year.

Mayor Hardwick stated that it has been brought to his attention that the Town did not have a current Zoning Administrator. He stated that the Town needed to have someone in that capacity especially for legality issues. He stated that he has spoken with Tatum and Tatum has agreed to hold that office until the Town can find someone that would want to do that. Mayor Hardwick asked the Board if they had any other ideas or suggestions.

MOTION: TO APPOINT WILLIAM TATUM AS ZONING ADMINISTRATOR

The motion was made by Commissioner Stallings and it was seconded by Commissioner Redd. It passed unanimously.

Tatum stated that the Town needed to keep on doing like we were doing. He stated that the information that Mr. Wojtalik gave the employees about the right of way needing to be maintained amplifies the point that the office personnel don’t get out but with the input from the citizens, it helps Town Hall get things done. Tatum stated that for the overall viewpoint, the Town has turned the corner and things are looking up.

Commissioner Redd thanked Tatum for the Financial Statements from the ABC Board Audit, stated that it looked great. Tatum stated that it was all a team effort. Commissioner Redd also wanted to thank the citizens for coming out.

Commissioner Stallings wanted to ask who owned the piece of property beside the Masonic Lodge. Mayor Hardwick clarified that he was talking about the parking lot and Commissioner Stallings stated yes. He wanted to know if it was Town property and Mayor Hardwick stated no. Hurd stated that she thought it belonged to the Youngsville EMS. Mayor Hardwick stated that he thought they had set that up as a kind of public parking and Hurd agreed. Commissioner Stallings stated that if it had been the Town's property, he had wanted to have public parking signs put up. Mayor Hardwick stated that he thought the EMS had been approached years earlier about putting up signs and they did not want to. Hurd stated that she thinks that EMS let people park there without saying anything but she would double check.

Commissioner Stallings stated that he had met with the Parks and Rec Committee and that it had been a good meeting. He stated that they had talked about fund raising, wanted to talk about having a 5K next spring to raise money, which he hoped Commissioner Redd would help with. Commissioner Stallings stated that Wayne Champion is chairman of the Parks and Rec Committee. Mayor Hardwick stated that it was a great part of the community. Commissioner Stallings stated that they needed to get some good fundraising going and for the community to get involved.

Commissioner Johnson stated that he also appreciated everyone coming out tonight. He stated that there normally wasn't a turnout like this.

The meeting adjourned at 8:34 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

NOVEMBER 8, 2012

REGULAR MEETING

YOUNGSVILLE COMMUNITY HOUSE

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, Joseph Johnson, and Catherine Redd. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker, Attorney Joseph Olivieri and Police Chief Daren Kirts. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Mayor Hardwick stated even though less people were here this month than last month, more people were coming to the Board Meetings. He wanted to ask that people keep their comments to less than 3 minutes so that others will have the opportunity to speak as well. He explained that this was the opportunity to bring something before the Board. When someone wished to speak, they should state their name and the Board will then take the information from there and go into their regular meeting. Mayor Hardwick explained that this was the opportunity to make comments to the Board, not during the regular meeting.

Terry Hedlund stated that he wished to present a formal complaint about the construction in East Woods of Patterson. He explained that his complaint was based on the Nuisance Ordinance of the Town of Youngsville. Mr. Hedlund explained that he was requesting that the construction companies stop working on the weekends. He stated the company is already working approximately 55 hours during the week, starting around 7-8am and going until 6pm. He stated that the residents just need a reprieve from all of the construction. Mr. Hedlund explained that his mother-in-law was unable to get her rest even on weekends now. He explained that one of the new builders at the end lot is not working weekends and has been easy to work with. The other builders are not easy to work with as they are mass producers of homes. Mayor Hardwick asked that his formal complaint be handed to Town Staff and Mr. Hedlund turned it in to Hurd. Tatum explained that under this particular Ordinance, the complaint is made to the Town Board, and then the Board will hold a Show Cause Hearing. Town Staff will then notify the people that are being complained about and they will need to show cause what they are doing is not a nuisance under this Ordinance. Once the information has been presented to the Board, they will then make a decision on the complaint. Tatum stated that the hearing will need to be held the next month.

Al Wojtalik stated that he has had a discussion with Tatum on the process and he felt that the citizens needed clarification. He asked if this process was for all Ordinances or just the Nuisance Ordinance. Tatum stated that this was just for the Nuisance Ordinance

which mentions as a remedy to present the complaint to the Board. Tatum stated that generally, the Ordinances are enforced by the Police Department, like the first complaint was. But, as he had discussed with Mr. Wojtalik, that Ordinance only covered noises that happened at night. He explained that since the construction was not happening at night, the Noise Ordinance didn't apply and that was why they had to go to the Nuisance Ordinance. Mr. Wojtalik wanted to clarify again that only for the Nuisance Ordinance did they have to come to the Board and Tatum stated that he would rather have his Ordinance Book with him but to the best of knowledge, this was the only one that he was aware of. He stated that it was in the same section as the Noise Ordinance, he thought it might be Section 7. Mr. Wojtalik stated that there were two of them, Noises Expressly Prohibited which is 8.202. Mr. Wojtalik read ordinance section 8.202 (i). He stated that the interpretation of that meant the construction of houses could only be done on weekdays from 7am to 6pm. Tatum interrupted to answer Mr. Wojtalik's original question since we had gotten off subject as yes, under that Ordinance, the complaint has to be made to the Board. Tatum explained that this was not the time to get into arguing about the Ordinance since this was the time for Citizen's to comment to the Board. Mr. Wojtalik stated that he was not going to argue the Ordinance; he just wanted to tell everyone what that part of the Ordinance said so that they could get a clear understanding of what the process is supposed to be. He stated that he didn't understand why there should be a formal complaint made when the Ordinance stated it was prohibited. Mayor Hardwick stated that they had just received the complaint about the violation of that Ordinance and Tatum asked Chief Kirts if there were any other Ordinances that don't get enforced by the Police Department. Chief Kirts stated that other than the Zoning Ordinances, this was the only one he was aware of. Mr. Wojtalik stated that he wanted to make sure he had it right. He asked again for clarification that there were certain things that would require a formal complaint to the Board and Mayor Hardwick stated that was correct. Mr. Wojtalik asked if the Nuisance Ordinance and the Noise Ordinance were two separate issues and Tatum stated yes.

The next item on the agenda was the Financial Report. Tatum stated that he had received inquiries about pay increases. He explained that just to keep the level of services that the Town provided to the citizens was keeping the finances treading water. Tatum stated that the Board would have to raise the tax rate in order to fund pay raises. He stated that taxes were the only incoming funds that the Board had any control over. Tatum stated that it would be best to start the process now so that it would be ready for budget time. He did state that there had not been a pay raise in years.

Tatum stated that another thing the Personnel Policy brought back into light was the Pay Classification System. He stated that people were within their pay scales but not necessarily in blocks. He explained that needed to be squared up so that employees would be in the right section. Tatum stated that it was something that couldn't be done right now but he wanted to lay it on the table and explain that the taxes would have to finance any pay raises.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Redd and was seconded by Commissioner Johnson. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was to continue discussion of the sale of the Water and Sewer system to Franklin County. Mayor Hardwick stated that he was still involved in the contract negotiations. He stated that there were some good things going on along with some bad. He stated that work on the contract was continuing. Mayor Hardwick stated that the goal was to make sure the citizens of Youngsville were protected. He stated that he would get back with the citizens when the contract was ready. Attorney Olivieri stated that one of the problems was property clarification issues. He stated that three of those problems were almost handled. He stated that the third one was Ballentyne Subdivision's pump station. Attorney Olivieri explained that the owners were willing to give the property that the pump station is located on as a gift to the Town and the Town just needed to formally accept the gift. He stated that he is still working on the other properties but there won't be a hold up in the contract negotiations. He explained that there was a lot of paperwork that needed to be sorted through. Mayor Hardwick stated that the gift of the property was the first item under New Business but he felt that the Board should go ahead and discuss that now. Attorney Olivieri stated that the owners were Amber Properties, with his contact being Ronald Dixon. He explained that they wanted to give the property as a gift and that he would then get that filed with the Register of Deeds.

MOTION: TO ACCEPT THE GIFT OF PROPERTY FROM AMBER PROPERTIES FOR THE PROPERTY THAT THE PUMP STATION WAS LOCATED ON

The motion was made by Commissioner Stallings and was seconded by Commissioner Redd. It passed unanimously.

The second item under Old Business was to continue discussion on the Conditional Use Permit Applications for the two businesses in the MSBD. Tatum stated that there had been questions about outside sales in the MSBD. He stated that there were complaints that some businesses were violating the Ordinance. Tatum stated that our original thoughts on this were the businesses needed to come and apply for a Conditional Use Permit. He stated that there was a question of if it was fair to the businesses since they had been in business and thinking that they were in compliance. Tatum explained that while reviewing the Ordinances, that there is an appeal process where the business owners can come before the Board to ask to be grandfathered since they have been in operation for so long without being told of the violations. He stated that the Board had been presented with their letters of appeal, which includes the withdrawal of their Conditional Use Permit Application. Tatum explained that there would need to be a Public Hearing during which the Board would listen to the business owners explain why they feel that their businesses should be grandfathered. The Board will also have the option of putting conditions on these businesses when they make their decision. Tatum stated that he felt this was the fairest way to settle this issue. He explained that during the time of the appeal, the businesses could continue as they are and not be in violation of the

Ordinance. Mayor Hardwick clarified that the Public Hearing would need to be in December and Tatum stated yes. Commissioner Roberts stated that they weren't the same owners which meant that they can't be grandfathered. Mayor Hardwick stated these two locations did have the same owners as when the concerns arose about the Conditional Use Permit violations. Commissioner Stallings asked Tatum if the fee had been reduce and Tatum stated that while it was another issue, the fee had been reduced but none of the application fees had been paid yet. Commissioner Stallings asked if the Board could grandfather all businesses in this town effective of a certain date and implement that \$250.00 fee then and quit this back and forth. Tatum stated that was where he wanted the Board to head anyway. He explained that the request that Mr. Wojtalik had made about changing the text of the Ordinance and with the Conditional Use Permit Applications, no fees have been charged. Tatum stated that historically the Town has never charged a fee and there had been discussions about the fees for the Conditional Use Permit Applications which is why they were delayed in paying. He stated that he felt that this is where the Board needed to draw the line here and start charging the appropriate fees due to the fact that the Town is incurring expenses, such as advertising and legal fees, and those costs need to be covered. He stated that the Board needed to stop the historical waiving of fees and require that all fees be paid in keeping with the Ordinances. Tatum stated that from here on, charge full fee but to go ahead and waive the fees for the current issues that are now in front of the Board. Tatum did clarify that there is no fee associated with the appeal for the two business owners. Mayor Hardwick asked if a motion needed to be made and Tatum stated that they did not need a motion but just needed to stop waiving fees. Mayor Hardwick confirmed that the Public Hearing will be at the December Board meeting since there was already a Public Hearing scheduled for that day anyway.

The third item under Old Business was to continue discussion of the guardrail at East Woods of Patterson. Tatum explained that he had been directed by the Board to get a quote for a guardrail for East Woods of Patterson. He stated that the engineer had just completed a similar project for another company and he was able to give a free estimate of approximately \$14,000 for 300 feet of guardrail. Tatum stated that his professional opinion was that the guardrail was not warranted at this time. Commissioner Stallings asked if this was a requirement or suggestion and Tatum stated that it had come to Town Hall as a request by the homeowners in that subdivision. He stated that based on DOT standards, the traffic was low and the embankment was not steep enough to warrant a guardrail. Mayor Hardwick stated that it was up to the Board if they wanted to install one and Commissioner Redd stated that the Town did not have the extra money at this time.

MOTION: TO NOT INSTALL A GUARDRAIL AT EAST WOODS OF PATTERSON

The motion was made by Commissioner Redd and was seconded by Commissioner Stallings. It passed unanimously.

The fourth item under Old Business was a presentation of an amendment to the Tree Ordinance 2.11.1. Tatum explained that there had been a request to change the wording of the Tree Ordinance. He stated that this change comes to the Board through a request at

Town Hall. He explained that he was submitting this change in accordance to the rules; first it comes to him as Zoning Administrator, then to the Town Board, then a Public Hearing will need to be scheduled, the Planning Board would then take a look at it and make a recommendation and then back to the Town Board for approval or disapproval. Tatum explained that Mr. Wojtalik would be presenting a summary of the changes he was requesting. Mr. Wojtalik stated that at the last Board Meeting he had presented some suggestions but was told to clarify which elements that he wanted to improve. He stated that there should be a better definition of developed areas. He also stated that the Public Hearing would also give the citizens (residents, builders and developers) a chance for input on what they wanted clarified as well. Mr. Wojtalik stated that there needed to be consistency as well as having safe tree areas. Tatum asked Mr. Wojtalik to clarify that the intent would apply to existing and future lots and Mr. Wojtalik stated yes. Tatum asked if this would apply to subdivisions that have already been approved by the Town and Mr. Wojtalik stated that he didn't think that could be changed. Mr. Wojtalik did want it to state that if there was a subdivision that was not completely developed and Tatum stated that was what he was asking, that if a subdivision that has been accepted by the Town, was it Mr. Wojtalik's intention to make this apply to the lots in an accepted subdivision but have not yet been built on. Mr. Wojtalik stated yes. Commissioner Redd asked for clarification on Save Tree Areas as the presented wording doesn't say who would identify the Save Tree Area. Mr. Wojtalik stated that there has to be a Public Hearing for these changes for the residents to make comments at. Mayor Hardwick clarified that this was the presented changes and Tatum stated yes. The proper procedure would be to hold a Public Hearing next. Commissioner Stallings asked Attorney Olivieri if the Board approved this, would there have to be a Public Hearing every time there needed to be a decision made on vacant lots or trees. Attorney Olivieri stated that the vote right now is to have a Public Hearing on the paperwork presented and let it go to the Planning Board. The Board would not be approving the changes tonight. Commissioner Redd clarified that Commissioner Stallings wanted to know what would happen once it was voted on. Attorney Olivieri explained that those types of questions would be addressed by the Planning Board. Mayor Hardwick asked if the Board wanted to continue on with having the Public Hearing.

MOTION: TO SCHEDULE A PUBLIC HEARING FOR CHANGES TO THE TREE ORDINANCE 2.11.1 FOR DECEMBER 13, 2012

The motion was made by Commissioner Redd and was seconded by Commissioner Johnson. It passed unanimously. Attorney Olivieri asked where Mr. Wojtalik got the language for the Ordinance changes and he stated that he had looked at different blogs and websites online. He stated that he had also used Planning Board instructions. He explained that he was trying to be consistent with what they had and what was appropriate for the town.

The next item on the agenda was New Business. The first item under New Business was a discussion of a Mission Statement for the Town of Youngsville. Mayor Hardwick stated that last month Commissioner Redd had presented a proposed Mission Statement. He asked the Board if they had any comments.

MOTION: TO APPROVE THE MISSION STATEMENT AS PRESENTED

The motion was made by Commissioner Stallings and was seconded by Commissioner Roberts. It passed unanimously. Mayor Hardwick stated that Commissioner Redd had done a good job on it.

The second item under New Business was a discussion of a Vision Statement for the Town of Youngsville. Mayor Hardwick stated that this was also presented at the last Board Meeting by Commissioner Redd.

MOTION: TO APPROVE THE VISION STATEMENT AS PRESENTED

The motion was made by Commissioner Roberts and was seconded by Commissioner Johnson. It passed unanimously.

The third item under New Business was to appoint Ronald Edwards and Mark Faison to the Youngsville Planning Board. Mayor Hardwick stated that James Underwood and J.W. Weathers were both stepping down from the Planning Board and that the Board needed to appoint two new members. He explained that these two gentlemen had been recommended to replace the outgoing members.

MOTION: TO APPOINT RONALD EDWARDS AND MARK FAISON TO THE PLANNING BOARD

The motion was made by Commissioner Woodlief and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). There was no business to discuss so Mayor Hardwick asked for a motion to bypass Closed Session.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Roberts and was seconded by Commissioner Woodlief. It passed unanimously.

The next item on the agenda was Committee Updates.

Policy Committee – There were no updates.

Ordinance Committee – Commissioner Redd stated that she had planned to start work on the Tree Ordinance then held off on it after speaking with Tatum about the upcoming presentation of changes. Commissioner Redd also stated that there had been an issue with garbage cans being left out at curbside on Cottage Court. She stated that she went out and tried to speak with the residents and then left letters for the ones that she could not get in touch with. Commissioner Redd explained that this solved the problem out there. She stated that she felt it was better to talk to the residents than to change Ordinances.

Commissioner Redd stated that she had spoken with Tatum about updating and revamping the whole Ordinance. She stated that she made some calls and the Department of Commerce, which sent her to the North Carolina League of Municipalities (NCLM). She stated that they had a program that costs about \$5,500 to \$8,000, which can be budgeted over a two year period. Commissioner Redd explained that they would look through the Ordinances and report back to the Board. They would help fix any problems as well as doing the research. She stated that she didn't think that we were ready for that yet, but he did send her to a website that has all of the Ordinances in North Carolina listed. Commissioner Redd stated that it is a good place to start to get ideas, especially about the layout. The webpage is amlegal.com. She stated that this was an overwhelming project and she wasn't sure just where to start. She explained that the Ordinance Committee had gone through the Ordinances but it still didn't fix the order and layout. Commissioner Redd stated that she was going to start doing the research with some help from the NCLM when needed.

Finance Committee – There were no updates.

Capital Improvement Committee – There were no updates.

Comprehensive Development Committee – Commissioner Redd stated that she had emailed Tatum and Commissioner Johnson about having a meeting in December to plan out the next step. She stated that this would also be a huge process especially in conjunction with updating the Ordinances as well. Commissioner Redd stated that we did need a Town Administrator. She stated that Tatum was doing a fabulous job but that we needed someone full time. She stated that she was happy about getting the Mission and Vision Statements accepted.

Mayor Hardwick stated that he also wanted to get a report from the Maintenance Supervisor and asked Sheldon Patterson if he had anything to report to the Board. Patterson stated that since Franklin County will be taking over the Water and Sewer System, they won't be able to dump the leaves behind the pump station on SW Railroad Street so he has found a free place to take them.

Patterson stated that he had spoken with Wake Electric and they will be helping us put up the new Christmas decorations on Main Street for free and will also help us to update the electric for free.

The next item on the agenda was Reports and Other Business. Mayor Hardwick stated that the Christmas decorations have been purchased and Hurd stated that they will be shipping out on Monday and we should receive them by the end of the week. Patterson stated that he was hoping to have them up by November 21st. When asked, Hurd stated that the donations were just a few hundred short of the total price. She stated that the company was willing to bill in installments so that there was more time if any donations were to come in. Mayor Hardwick wanted to urge anyone that wanted to come in and donate to the Christmas decorations to come on in to Town Hall. Hurd stated that every little bit helps.

Mayor Hardwick stated that the Christmas Parade was going to be on December 1st and he urged everyone to come out for it. He stated that the Halloween Carnival was a big success. He mentioned that since the weather was so good outside that night that there weren't quite as many children but there was a good turnout. Mayor Hardwick stated that the Key Club did a great job and everyone had a good time.

Tatum stated that at the last meeting there had been questions about outdoor sales at places like Wilco, with their icebox, and businesses at the shopping center. He stated that problems that arouse about compliance with the Ordinance only dealt with the Main Street Business District. Tatum also stated that service stations are exempt which means that Wilco is not in violation.

Tatum stated that another thing that had been brought up at the last meeting was the wisdom of the Town telling businesses that they can't put their signs on the sidewalks. Tatum explained that there was an Ordinance that states that you cannot impede traffic on the sidewalks. He stated that the Town did not go out looking for these problems; they were brought to the attention of Town Hall through complaints that the Town had to respond to. Tatum stated that he just wanted to clarify this.

Commissioner Redd stated that Halloween is always great in the Town. She stated that she had an idea to make money for the Town which was to sell luminaries for either Christmas or Halloween. She stated that the supplies are cheap but have the ability to raise a lot of money. Commissioner Redd stated that she wasn't sure how to go about promoting them and how to get them to the residents that had purchased them. She stated that this may help people want to go out and look at the Christmas lights on houses. Hurd stated that it had been tried once a few years back to line the sidewalks at the Mitchell Park for the tree light ceremony and very few people had purchased them. Commissioner Redd stated that one of the residents in Youngsville had sold some one year to raise money for a charity and that it had looked so good. Mayor Hardwick stated that when we did it for the tree lighting ceremony, it may have been ahead of its time. He stated that it might be something that the Town needs to look into again. He stated that the amount of money that was raised for the new decorations shows that the Town might be willing to do something like this. Mayor Hardwick stated that the key would be to plan ahead and not wait until the last minute and get the word out. Commissioner Redd stated that it was good to get the word out as well as not making the people come to Town Hall to pick up their luminaries would also help. Commissioner Redd stated that it didn't have to be this year or even for Christmas, it was just an idea to help raise money. Mayor Hardwick stated that Youngsville is a beautiful place when everyone decorates.

Commissioner Stallings wanted to mention that Hill Ridge Farms brings a lot of traffic through Youngsville. He explained that he wasn't promoting Hill Ridge Farms but he did want to mention that they will be doing a Christmas Program starting on November 23rd and ending on December 29th. He wanted to remind people that they were inside of town limits and will be doing an awesome exhibit of lights. He stated that the Town did need to promote local businesses and their ventures and the owner of Hill Ridge Farms doesn't think that the Town does that. Commissioner Redd asked if that will be posted

on the Town Facebook account and Mayor Hardwick stated yes. Patterson stated that when he comes to read pump stations on the weekends, there is a lot of traffic at Hill Ridge Farms. Mayor Hardwick stated that it did bring a lot of people to the area and that the Town did need to promote all of its businesses as all the businesses in Youngsville will profit from having increased traffic to the area.

Commissioner Stallings asked Attorney Olivieri if there was a target date for the Water and Sewer System sales contract and Attorney Olivieri said no. Mayor Hardwick stated that there was paperwork that needed straightened out, such as deeds to the pump stations.

Chief Kirts stated that his officers had asked about getting raises as it has been approximately four years since their last raise. He stated that the Town needed to raise taxes or even annex as the police officers had to drive outside of town limits often to get to the satellite annexations. He stated that the Police Department can't keep going the way they are; they are the lowest paid in Franklin County, other than possibly Bunn. Chief Kirts stated that they have gotten all of the free items that they can find to help save on costs. He stated that they have cleaned up the corruption in this Town so he felt that the Board needed to start thinking about what they want to do. He stated that the Town is growing even if the tax base is not. Mayor Hardwick did want to mention that the Police Department is doing a great job.

The meeting adjourned at 7:44 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

NOVEMBER 8, 2012

PLANNING SESSION

YOUNGSVILLE COMMUNITY HOUSE

Mayor Samuel Hardwick called the Planning Session of the Town of Youngsville Board of Commissioners to order at 7:49 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Marvin Roberts, Leelan Woodlief, Joseph Johnson and Catherine Redd. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd and Administrative Assistant Kathryn Tucker. Representatives from the Wake Weekly and the Franklin Times were also present.

Mayor Hardwick stated that the Board had a Planning Session a while back that was successful in helping to get a few things going and ideas flowing. He stated that some of those issues have been taken care of in the Regular Board Meetings. Mayor Hardwick stated that he felt that tonight should be about two maybe three items that the Board felt was important to get started. He explained that this was an informal discussion.

Commissioner Stallings stated that it looked like pay raises needed to be discussed and Tatum stated that raises needed to go before the Finance Committee. Tatum explained that Chief Kirts would need to submit what he wants to them. Mayor Hardwick stated that he thought the Finance Committee was already looking into things like that.

Commissioner Stallings mentioned that the Board may need to work on the Classifications Schedule and Tatum stated that again, that would go before a Committee.

Mayor Hardwick asked if there were any Ordinances or Goals that the Board felt needed to be worked on. Commissioner Stallings stated that Commissioner Redd had mentioned something about the Ordinance and he agreed that it was a long term, big project. Mayor Hardwick stated that it was something that needed to be done step by step because it was so huge that it can't be done all at one time. Commissioner Redd stated that she feels that the Ordinances, the Capital Improvement Plan and Comprehensive Development Plan are the three things that the Town needs to work on first. She stated that the Board needed to prioritize which one will be done first and who will be working on them as she feels that it will need more than just two people on the Ordinance Committee. She stated that she felt that not only with needing more people she felt that there needed to be more steps as well to help break it into smaller, more manageable pieces. Tatum asked her if she had found a template and Commissioner Redd stated no, that she had asked but there was no basic template for Ordinances unless you pay for the program which is why he suggested that she look at the website and see how others are laid out. Tatum stated that having a good set structure to start with would help and Commissioner Redd agreed. Tatum also stated that one of the disadvantages in Youngsville was that they did not have a Planning Department like a lot of other towns. He stated that Youngsville just could not afford to

have one on staff. Commissioner Redd stated that there were people in town willing to help and they were good assets to use based on their work experience. She stated that the Town Limits were constricting and she felt that tapping into the citizens that lived outside of Town Limits but in the Youngsville Township, there would be people that would be willing to help along with a variety of background experience. Commissioner Redd stated that this would help to start a committee like the Planning Board or Parks and Rec Board that would be willing to step in and help plan the future of Youngsville. Hurd stated that could be posted on the webpage and Facebook once we get a good idea of what we're looking for, for example people who work in finance. Hurd stated that if she could get a summary of what Commissioner Redd was looking for she could also get it out with the November water bills. Mayor Hardwick explained that the Planning Board is not just citizens from inside of Town Limits, but it has members from the ETJ as well. He stated that Youngsville is a big community and Commissioner Redd stated that there were a lot of people that would get involved. Mayor Hardwick stated a good idea would be to get the Planning Board involved as well. He stated that history has shown that people are always saying that they are willing to help but it was only temporarily if they helped at all and others do more than their fair share. Commissioner Redd stated that she had gone to the Parks and Rec Board Meeting and she stated that it was great and that there had been a lot of people there trying to raise money for their programs. Mayor Hardwick stated that it was a vested interest since a lot of the people involved had children in these programs just like all of the Board wants the Town to do good as they have a vested interest. Commissioner Johnson asked if there was a way to find out a time frame for when some of the Ordinances were adopted and Tatum stated that some have been on the books since the 1940's. Commissioner Johnson stated that was the problem as some of the ones coming before the Board are old and outdated. He was just wondering if there was a way to go back and look at the ones that were adopted in maybe the 1940's through the 1960's to see if they are even relevant today. Tatum stated that was one approach but he felt that a better approach would be to take one that is already in use, where a town has already paid lawyers to get the legalities of it straightened out and tailor it to Youngsville. He stated that most Ordinances are pretty standard and Mayor Hardwick agreed, stating that it was how most of the Ordinances in Youngsville are written. Tatum stated he felt that since a lot of the communities have already paid the money for the Ordinance classes and for the lawyers, that Youngsville could use their information. He stated that we wouldn't want to piecemeal it to death but it would give Youngsville a good start. Tatum stated that Oxford's Planning Director has promised to help us which gives us a good start. Hurd clarified that Tatum was stating that we should use another Town's Ordinances then tailor them to match the Ordinances in Youngsville and Mayor Hardwick said yes. Mayor Hardwick and Tatum pointed out that both Youngsville and other Towns do have Ordinances on the books that are outdated and are just no longer enforced. Mayor Hardwick stated that there was a whole lot that the Board could do, it was just finding a starting place. Tatum stated that it's too much for just one person. Commissioner Roberts stated that there was too much regulation. Tatum stated that it was important to find people for a committee to work on the Ordinances and the Plans. Mayor Hardwick agreed that sending out a flyer with the water bill would be a good place to start and see what kind of response we get. Tatum stated that David Faircloth was a good asset to Youngsville; that he has a lot of experience in things such as sidewalks. He stated that he would be a good place to start. Tucker clarified that the Board was also looking for people in the Township and not just the Town and Commissioner Redd stated yes, that there were so many people that lived on the other

side of US #1 Highway. She stated that the people that she has talked to feel like they are a part of Youngsville and that this is their downtown. Commissioner Redd stated that she felt that there were a lot of people out there that want to help. Mayor Hardwick stated that he had a tour with the Kindergarten classes at Youngsville Elementary School and most of the children that go to that school are not inside of Town Limits but this is still there home. Mayor Hardwick stated that he explained to the children that the Town works to make Youngsville a safe place for them because when they grow up, we want them to come back here. He stated that the parents love Youngsville just as much. He stated that he felt that the parents would probably want to get involved. Commissioner Redd stated that starting a committee then have them look at the Ordinances and the Capital Improvement and Comprehensive Development Plans would be a good idea. She stated that it was not hard work it was just time consuming. She stated that she would be happy to start working on getting that committee going in January. Mayor Hardwick stated that the Board needed to make sure that this didn't fall by the wayside and Commissioner Redd stated that she was willing to do it after the New Year. Mayor Hardwick stated the Board needed to figure out how to make this happen together and Commissioner Redd stated that Comprehensive Development was the place to start but there still needed to be some kind of public forum where people come to them with their ideas and proposals.

Commissioner Redd stated that she had spoken with the Parks and Rec Board about doing a 5K race maybe on opening day to help raise money. Mayor Hardwick stated that these types of events bring people in and he referenced the mud run that Panic Point had a few months ago. Commissioner Redd stated that Panic Point had a theme and those seem to help bring in more people so maybe they could do something with an opening day theme. Mayor Hardwick stated that he felt it was the responsibility of the Board to help promote things like that as they are the voice of Youngsville.

Mayor Hardwick stated that he felt that having the Planning Session after a Board Meeting was not the best idea, he just figured that since everyone would already be together and the citizens had come out that it would be a good time. He stated the next Planning Session should stand by itself and get some items for the agenda. Mayor Hardwick stated that the Board had talked about doing these quarterly, so he suggested that the Commissioners get what dates would be good for them to him so that they can plan the best dates. Mayor Hardwick stated that he also needed ideas on what they wanted to start working on. Commissioner Redd asked how to get people to come and Mayor Hardwick stated that was why he wanted to plan ahead so that there would be time to alert the press, put it on the webpage and Facebook and send it out with water bills. He also stated that it would be better to plan what will be discussed as well since most people will come for the items that they are more interested in. Commissioner Redd stated that she liked those ideas but she doesn't go to the webpage though she does see Facebook but that doesn't get to everyone. Mayor Hardwick stated that the mailings would get to everyone in town. Commissioner Redd stated that the issues to discuss were easy; the problem was getting people to come to the meetings. Mayor Hardwick stated that people have known for decades when the Board Meetings are people still don't want to come or they forget about them. He stated that that there may need to be another way of notifying the citizens of things like this. He stated that he had looked at a telephone notification system like his church has. Mayor Hardwick stated that it was not that expensive and the computer does all of the work so that staff wouldn't have to. He stated

that it works well and that he would check into that again to get the price and to check on the legality of it. Commissioner Redd stated that we would need to get the citizens not just inside of Town Limits but also the surrounding area as well. Commissioner Stallings stated that if you put the word out that there was a possibility of raising taxes people would show up. Mayor Hardwick stated that unless annexation was requested, the Town could not forcibly annex at this point in time. He stated that he wanted the Town to grow as well but people are not going to want to come into Town Limits and pay taxes especially if there were talks about raising taxes. Commissioner Stallings stated that we needed about 10 more people like Mr. Wojtalik.

Mayor Hardwick reminded the Board to get dates and ideas to either him or Hurd so that the next Planning Sessions could be scheduled.

The meeting adjourned at 8:11 pm.

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

DECEMBER 13, 2012

REGULAR MEETING

YOUNGSVILLE COMMUNITY HOUSE

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:21 pm, immediately following the Public Hearings. Mayor Hardwick gave invocation. In attendance were Commissioners Graham Stallings, Joseph Johnson, and Catherine Redd. Commissioners Roberts and Woodlief were not in attendance. Also in attendance were Interim Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Administrative Assistant Kathryn Tucker, Attorney Joseph Olivieri and Police Chief Daren Kirts. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was citizen's comments. Terry Hedlund stated that construction work in East Woods of Patterson was happening on Sundays as well. He stated that they had also worked on Thanksgiving Day. Mr. Hedlund stated that the people in the subdivision would like to at least have their holidays free of the construction going on next door. He stated that the residents needed a break. Mr. Hedlund explained that there were houses being constructed on both sides of him. He stated that most of the outside work was completed at this time but he knows that more will come. All he asks, when it concerns Saturdays, is to be courteous. He stated to maybe start later in the day and work only half days. He felt that a compromise could be made. Mr. Hedlund stated that when they were inside there was not an issue but when they start the new houses, the same issues will come back. He stated that he does want them to build the houses as it will improve the subdivision as well as home values but he felt that the builders should be willing to work with the people that were already living there. Mr. Hedlund stated that it wasn't a noise issue but that the subdivision was becoming a mud hole that needed to be cleaned properly. He stated that his driveway is now stained because of the red mud. Mr. Hedlund felt that if regular maintenance of the streets were kept up it would help. He stated that the builders needed to be good neighbors.

Keith Falt stated that he wanted to concur with Mr. Hedlund. He stated that the work has gone on and that he felt that the Nuisance Ordinance was clear about the requirements. He stated that they are working everyday of the week. He asked if the Police Department was enforcing to keep the roads open. He explained that the road was blocked off by equipment and sometimes he can't get home. He asked again if we were enforcing that since we have not been enforcing this Nuisance Ordinance. He stated that he had requested for a Town Official to attend their HOA meeting and no one came. He stated that he felt it would have been useful to have a representative there when they had the developers, builders and many of the residents there, to resolve some of the jurisdictional questions that they had. Mr. Falt asked if the streets in Patterson Woods had been

accepted by the Town and Mayor Hardwick stated yes. Mr. Falt asked if the maintenance of the roads and the right of ways belonged to the Town and Mayor Hardwick stated yes and that the right of ways are now being maintained by town employees. However, the Mayor did explain that the covenants for Patterson Woods stated that the homeowners are responsible for cutting their own right of ways. He explained that when the town workers come in and cut, they cut the grass as low as possible and will not be able to change the length that they leave the grass to match that of the manicured lawns that are in Patterson Woods. Mr. Falt asked about the undeveloped property and both Mayor Hardwick and Tatum stated that it would be the property owner's responsibility. Mr. Falt stated that he got the impression at the meeting that the developer was passing that responsibility to the Town and Mayor Hardwick explained that the Town started cutting the right of ways because of the complaints received by residents. Mr. Falt exclaimed that it was still not clear as to who was responsible for the right of way and Tatum stated that he was going to speak about this later in the meeting but he explained that the Town incurs the expense of maintaining the right of ways and the covenants are clear about the property owners maintaining their own right of ways. He stated that it was not the Town's responsibility and it creates costs that the Town should not have to incur. Tatum also wanted to mention the mud on the street was also covered under the covenants with specific rules about what can occur and what cannot occur on those streets and again is not the responsibility of the Town. He stated that the subdivision was accepted by Youngsville and it came with its covenants. Tatum stated that he felt that the Town did not need to spend money to do something that another is legally responsible for doing under those covenants. Mr. Falt stated that the developer was allowing builders to trash the Town roads and Mayor Hardwick asked if the roads have been damaged and Mr. Falt stated not the roads but the right of ways has been due to traffic of the heavy equipment on them. Tatum asked if the covenants had the authority to control that and Mr. Falt stated yes. Tatum stated that a primary point of responsibility would be for the residents of Patterson Woods to enforce their covenants. Mr. Falt stated that they were unable to do so and when asked why they could not, Mr. Falt stated that the developer controlled the HOA. Mr. Falt also wanted to know if the drainage systems, including ditches, catch basins and drain pipes, transferred when the roads did. He stated that he felt that those couldn't be the responsibility of the landowner and wanted to know who was responsible for them. Tatum stated that the Town would be responsible for maintaining the free flow of the water. Mayor Hardwick asked if the water was free flowing in the drains currently and Mr. Falt stated yes for the ones that he was aware of. Mayor Hardwick asked if Chief Kirts wanted to respond about the roads. Mr. Falt clarified that he wanted to know if the roads being kept open for emergency vehicles was being enforced and Chief Kirts stated yes. He explained that parking on the side of the road was not being enforced as there was nowhere else for them to park. He stated that if the road was blocked they would enforce it. Mr. Falt stated that regardless of them having nowhere else to go it was against the covenants for them to park on the shoulders of the road but that they understood that. Mr. Falt stated that they didn't understand them blocking the road for any length of time. Mayor Hardwick asked what was going on when the blocked the road, was it to unload equipment or something like that. Mr. Falt stated that when he went by the day before, there was a trash truck that was parked diagonally across the road. He explained that there were bins on the property for the trash and they had to take the trash from the bins piece by piece to load onto the trash truck. He stated that it wasn't

something that was quick. Mayor Hardwick stated that it seemed like maybe they couldn't load something on the truck so had to do it by hand maybe and Mr. Falt stated that someone should have made the truck relocate so that they didn't obstruct traffic. Chief Kirts stated that the roads had to be open at all times and Mayor Hardwick stated that if that problem happened again, please contact the Police Department to let them know so that they could fix the problem. Mr. Falt stated that the police officers didn't come down there that often anymore and Mayor Hardwick stated that they did continue to patrol down there. Chief Kirts stated that he personally had been down there twice today and once yesterday.

The next item on the agenda was the Financial Report. Tatum stated that there had been a lot of things breaking, some of which had not been maintained and the repair expenses are coming at an unfortunate time but we are doing well otherwise.

The next item on the agenda was the approval of the Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Redd and was seconded by Commissioner Stallings. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was a discussion on the Show Cause Hearing for the Nuisance Complaint at East Woods of Patterson. Mayor Hardwick stated that the Board had heard from Peachtree Communities LLC and some of the citizens earlier. He stated that now was the time for the Board to either make a decision or table it to give more time to think about it and get any more information if they need. Commissioner Redd asked for more clarification of what was expected of the Board at this time as she was unsure if the Board was supposed to change the Ordinance. Attorney Olivieri explained that the procedure is that there first must be the complaint filed, that was done last month. Second, there must be a Hearing like we did earlier in which Peachtree Communities LLC has to make an argument as to why the Board should find that a violation of the Ordinance did not occur. He stated that now the Board could either table it to think about this a bit more or determine tonight that based on the complaint and the response of Peachtree Communities LLC that a violation of that Ordinance did or did not occur. Commissioner Redd stated that there was nothing in between where a discussion was made about compromise on the days and times worked. Mayor Hardwick and Attorney Olivieri both explained that would require a change in the Ordinance and possibly grandfather in any violations that may or may not have occurred. Mayor Hardwick stated that this was just to decide if a Nuisance did or did not occur and Attorney Olivieri agreed. Commissioner Redd stated that Peachtree Communities LLC did show up tonight and now has a better understanding of where the residents are coming from. Commissioner Redd stated that it looked like Mr. Falt did not agree with her on that. She stated that they were building homes and if the Town could talk to Peachtree Communities and get things worked out where there was a good compromise then the Board should not find them in fault of a Nuisance Ordinance. Commissioner Stallings wanted to ask about the construction workers that maybe couldn't work during the week due to weather or something and needed to go in on Saturdays to catch up. He

stated that even being fair to the residents he still had a problem with telling a business that they could not work on Saturdays. Commissioner Johnson stated that he's been listening to this for a while and the problem that he sees is that a meeting between the builders, developers and the HOA should have happened at the very start of the building process. Now, everyone is upset. He stated that he went through the neighborhood today and knows that the roads do look awful and are muddy but that is part of the building process. Commissioner Johnson stated that he understands both sides but they have to build. He stated that he felt communications never took place. Commissioner Johnson stated that he feels bad for the people who are living in the midst of the construction but he feels that he can't make an honest assessment until the complete Board has the ability to discuss this. Tatum wanted to clarify that the Ordinance did not prohibit the construction just the noise associated with construction. Tatum read from Ordinance 8.202 (i). He stated that the construction was not the problem, just the noise. Tatum stated that once the outside work was completed, the work on the inside of the homes may not be an issue. Commissioner Redd asked if they violated that Ordinance and Tatum stated that they had noise related problems. Commissioner Redd stated that she felt they did not violate that Ordinance on purpose. Commissioner Stallings asked that if they were found in violation, what happens next. Tatum stated that they would have to stop doing whatever was creating the noise that created the violation of the Ordinance. Attorney Olivieri stated that a notice from the Town would be sent to Peachtree Communities stating that they cannot make noises due to the erection of homes except during specific days and times. Commissioner Stallings asked if this could be amended tonight and Mayor Hardwick stated the only thing that could be done tonight was to rule if they were in violation or not and Attorney Olivieri agreed. Commissioner Johnson stated that they obviously did violate the Ordinance. Chief Kirts stated that Ordinance as it reads is still confusing; if sounds are going to be mentioned then they need to be more specific in terms such as decibels and time frames. He explained that if there were to be criminal prosecution, there has to be a way to determine what exactly was violated and decibels are the way to go. Attorney Olivieri agreed that it was vague and that it did need to be more specific about what levels are to be considered a nuisance. Commissioner Stallings stated that it was still vague to the Board as well.

MOTION: TO TABLE MAKING A DECISION ON THE VIOLATION OF THE NUISANCE ORDINANCE UNTIL NEXT MONTH

The motion was made by Commissioner Stallings and was seconded by Commissioner Johnson. It passed unanimously.

The second item under Old Business was to discuss the appeal of the Conditional Use Permit applications for the two businesses in the MSBD. Mayor Hardwick stated that the Board had heard from the business owners earlier in the meeting and asked if there were any questions. Commissioner Redd asked for more clarification. Attorney Olivieri explained the process. He stated they had made an application to the Town and Tatum had denied their application because they were not allowed under the rules. Then the businesses appealed to the Board to be grandfathered and it was now up to the Board to decide to overrule Tatum and allow the businesses to continue with outdoor sales. Attorney Olivieri explained that the Board has extremely wide berth in the decision. He

explained that the Board could say no and that would be the end of that or the Board can say yes that they can display their sales outside but the Board can also add conditions to that yes such as limiting the amount of items or the time frame in which they can be displayed. Tatum stated that it started when the Town received a complaint in which the Town had to tell the business owners that they could not do that anymore as it was against the Zoning Ordinance. He stated that there was an appeal process from Tatum telling them that they could not do that in which they bring their appeal to the Board. He explained that it was now up to the Board to decide what they wanted to allow these businesses to do. Tatum stated that these same results are the same that would have happened if they had continued on with the Conditional Use Permit application process when they first started their businesses. Mayor Hardwick clarified that this came about when a complaint was made that brought it to the Town's attention that ordinances were not being enforced and Tatum stated yes. Commissioner Stallings asked if the businesses could be grandfathered and Olivieri explained the potential outcomes again; yes they can be grandfathered as is or with conditions, or the Board could say no. Mayor Hardwick asked that if they grandfathered the businesses would this create precedence and Attorney Olivieri stated no. He explained that this appeal was specific to these two businesses since Tatum had told them they could not operate as they were under the Zoning Ordinance. Tatum wanted to clarify that restrictions, such as time frame and amount, could be something like items need to be up by 6pm or only 50% of the lot could be used for outdoor sales for example. Commissioner Redd asked that when these businesses came into Youngsville and opened up, they were not aware that they needed a Conditional Use Permit and Tatum stated that was correct. Commissioner Redd stated that they opened their businesses with the assumption that they could sell their ware outside all of the time with no limit on space and Mayor Hardwick stated that was correct. Commissioner Redd stated that she felt with the economy the way it is, it was not right to say no and maybe lose potential buyers. She stated that she felt that was not a good idea though it was something that needed to be worked on. She stated there did need to be a fair ordinance that kept businesses neat and maintained on Main Street along with the ability to enforce it.

**MOTION: TO GRANT GRANDFATHER STATUS TO THE TWO
BUSINESSES ON MAIN STREET WITH 100% OF OUTDOOR
SALES WITH NO TIME FRAME RESTRICTIONS**

The motion was made by Commissioner Redd and was seconded by Commissioner Stallings. Commissioner Redd stated that there did need to be a follow up about existing problems with the businesses that have issues, for example Woodlief's Supply has had a hole in the window for about 2 years. She stated that she felt that there were more important things to worry about than businesses that were bringing in customers to the Youngsville area. She stated that Youngsville had a long way to go in changing their ordinances but this was not the way to start. The motion passed unanimously.

The third item under Old Business was to continue discussion of the sale of the Water and Sewer System to Franklin County Public Utilities. Mayor Hardwick stated that Youngsville has done everything that they needed to and it was in the hands of Franklin County. He stated that he hoped that we would have it ready by the next Board Meeting.

He explained that once the contract comes in, there would be a Public Hearing and an opportunity for the citizens to take a look at it. Attorney Olivieri stated that he had a couple of things concerning this item. First, he wanted to let the Board know that things were close to being completed. He stated that there had been a few impediments that are no longer there. Second, he stated that he was able to finalize the granting of land for the Ballentyne pump station. He gave the deed to the Town Clerk Hurd. He stated that the deal was to have that entire lot granted over to the Town to make part of the water system. Mayor Hardwick wanted to commend the attorney, who has been working diligently on this.

The next item on the agenda was New Business. The first item under New Business was a presentation of an Annexation Petition for 5 pieces of property located on Black Swan Drive in East Woods of Patterson. Mayor Hardwick explained that this was for the Board's information. He explained that the next step would be to direct the Town Clerk to move on this petition.

The second item under New Business was to adopt a Resolution directing the Clerk to investigate the Petition of Annexation for 5 pieces of property on Black Swan Drive in East Woods of Patterson.

MOTION: TO ADOPT THE RESOLUTION DIRECTING TOWN CLERK TO INVESTIGATE THE PETITION OF ANNEXATION FOR BLACK SWAN DRIVE IN EAST WOODS OF PATTERSON

The motion was made by Commissioner Johnson and was seconded by Commissioner Stallings. It passed unanimously.

The third item under New Business was to adopt a Resolution to purchase two new police cars financed by Union Bank and Trust. Tatum explained that they had received a better rate than previously quoted. He stated that the purchase of these cars were in the budget already to replace two of the existing older cars.

MOTION: TO ADOPT THE RESOLUTION TO PURCHASE TWO NEW POLICE VEHICLES FINANCED BY UNION BANK AND TRUST

The motion was made by Commissioner Johnson and was seconded by Commissioner Redd. It passed unanimously.

The next item on the agenda was Closed Session (if necessary). There was no business to discuss so Mayor Hardwick asked for a motion to bypass Closed Session.

MOTION: TO BYPASS CLOSED SESSION

The motion was made by Commissioner Redd and was seconded by Commissioner Stallings. It passed unanimously.

The next item on the agenda was Committee Updates.

Policy Committee – There were no updates.

Ordinance Committee – Commissioner Redd stated that last month, there had been a discussion about how she had contacted the NCLM and that they offer classes that would help revamp the old ordinances. She stated that after the regular meeting, there was a Planning Session where she stated that she wants to start a new committee of people that live in the area that would help with updating the ordinances, the Comprehensive Development Plan (CDP) and the Capital Improvement Plan (CIP). She stated that she felt this was a great way to get input from the citizens and this would be a great way to do it. She stated that she's already had 4 people that are interested in joining.

Commissioner Redd stated that she hoped to get this started in January. She stated that she hoped that working on the ordinances would be one of the first things they could start on. She felt that they could work on updating, organizing, and revamping them as well as being proactive as opposed to reacting to situations that have already evolved.

Commissioner Redd explained that she has already set up dates for 4 Planning Sessions for this coming year (January 15, April 16, July 16, and October 15) and will have a survey going out with the water bills to see where the citizens want the Town to go. She stated that people needed to tell us what they want in their hometown. Commissioner Redd explained that this would give us a starting point.

Finance Committee – Commissioner Johnson stated that 2013 is almost here and the financial situation is getting better but he wants to get with Tatum and take a look at the financials more closely than the monthly report. He stated that the Town had received a \$33,000 bill for unemployment that was unexpected. Commissioner Johnson stated that moving into the new year he wants to start having quarterly meetings with monthly updates to keep up to date with the situation.

Capital Improvement Committee – There were no updates.

Comprehensive Development Committee – There were no updates.

The next item on the agenda was Reports and Other Business. Mayor Hardwick stated that the Town had recently had their Olde Time Christmas Program and this Christmas seemed to be the biggest and best. He wanted to commend Hurd for the great job she did with the Christmas Parade. He wanted to thank the Town employees for all the work getting ready for the parade and tree lighting ceremony. Mayor Hardwick stated that this year, there were more people at the tree lighting ceremony than ever before. He stated that a lot of kids showed up and sang for quite some time and that it was really nice. Mayor Hardwick also wanted to thank Janis Cyrus for the work she did at the armory for the Christmas Cheer. He stated that a lot of people helped take part. He explained that there were crafts for the kids, the Key Club was there to help, and there was dancing and caroling as well.

Mayor Hardwick mentioned the new Christmas decorations had been installed and looked great. He explained that several had been damaged due to some tractor trailer trucks coming through.

Mayor Hardwick mentioned that Hill Ridge Farms was having a Festival of Lights Celebration. He stated that they had done a wonderful job and that Hill Ridge Farms was a “go to” destination in Youngsville.

Mayor Hardwick mentioned that the Kiwanis Club was doing a Turkey Shoot that would be ending soon.

Tatum also wanted to thank Wake Electric Membership Corporation (WEMC) for helping to install the lights and repair some of the old wiring free of charge. He stated that they had given their time and use of the truck when the Town needed them.

Tatum stated that we were starting to look around town to see what needs to be cleaned up such as dilapidated buildings, and it has come to his attention one of them belongs to the Town. He explained that the storage building on SW Railroad Street has the back side of it rotted out and there is a piece of tin that has come off of the roof. He stated that there was an estimate of \$1,500 to fix it. Tatum stated that he wanted to bring this to the Board’s attention so they can decide whether to fix it or not. He stated that if there was no use for it, tearing it down might be the answer but if we still need it for storage then making the repairs will become necessary. Mayor Hardwick asked what was stored in that building and Patterson stated that there were some tractors, traffics cones, blades for the snow plow and things like that. Patterson stated that they could make more use of it if it was repaired. Tatum stated that he realized that the Town does need cleaning up and we are moving in that direction. He stated that there are Ordinances on the books that do let the Town say that yards and things do need to be cleaned up or the Town will take charge and clean up the property and bill the property owners. Tatum also stated that if there was something that was not getting done, please tell us. He stated that he couldn’t fix it if he didn’t know there was a problem. Tatum explained that our job was to do the business of the town and that we were glad to hear from the residents.

Commissioner Stallings stated that he noticed that some of the Town equipment was sitting in the back of Town Hall and the building on the corner was being auctioned off later in the month. He stated that he felt that would be an ideal place to expand. Commissioner Stallings stated that he looked into what that building and lot beside it was worth and he felt that the Town should bid on it. He stated that he felt the Town would be able to get financed for it. The building was 7,000 square feet and he felt that the equipment could be placed in there and it wouldn’t get torn up or vandalized. Commissioner Stallings stated that he felt the Board should talk seriously about buying these lots. He stated that the one lot was worth \$7,500 and the building was worth \$27,000 according to the tax records. Mayor Hardwick asked how much would it cost to bring the building to code and Commissioner Stallings stated that it should already be up to code or else someone would have made the Town have the owners fix it since it’s in the Town Limits. He stated that the Town could make use of the building and lot now. Mayor Hardwick remembered that at one point they had wanted a considerable amount of money to purchase that building but Commissioner Stallings stated that since it was being auctioned, it could be bought for cheap. Commissioner Redd stated that she liked the idea. Tatum stated that this would require a budget amendment before bidding. He

stated that under North Carolina law, the Town could not spend money that was not appropriated in the adopted budget.

Patterson further explained about the damage to the Christmas decorations by the tractor trailer truck. He stated that 4 have been damaged but WEMC helped fix most of them and raise them high enough that they won't be hit again.

Patterson stated that the maintenance crew needed another truck. He stated that he had managed to get one of the older ones back working.

Patterson stated that the leaf machine had been broken and then vandalized. He explained that the wires and the belt had been cut then the following week the hose had broken. He stated that it was now up and running.

The meeting adjourned at 8:11 pm.