THE FOUR HUNDRED AND TENTH SESSION OF THE BOARD OF ALDERMAN
VILLAGE OF ALAMANCE
August 23, 2012, 2012 – 5:30 PM

Present: Mayor Bundren, Mayor Pro-Tem Sharpe, Alderman Tichy, Alderman Clemmons, Alderman Crouse, Alderman Slaughter, Alderman Gregory and Clerk York.

Absent:

Alderman Crouse gave the invocation.

Mayor Pro Tem Sharpe moved to approve the July 23, 2012 meeting minutes. Alderman Tichy seconded the motion. The motion passed unanimously.

Special Use Permit—Alamance General Store

Alderman Clemmons moved to open the Public Hearing for the Special Use Permit for Alamance General Store. Alderman Crouse seconded the motion. The motion passed unanimously. Mayor Bundren asked if everyone had received notice of the meeting time. Clerk York observed that the meeting time had been advertised. Mayor Bundren noted that they had reviewed the summary of the project. Clerk York observed that each Board member had received a copy of the application. Mayor Bundren asked Attorney Charles Bateman if he had looked everything over and if all necessary signatures had been received. Attorney Bateman indicated that the signatures had been received. Clerk York provided explanation that the applicant for the permit, Mr. Taylor, is proposing to do a cluster development and recombination of the lots 2-10-62B and 2-10-62C, as shown on the tax map. This is the location of the General Store and the Feed Store. A deck has been constructed there, without a permit. There is now an application for the permit, subject to approval of the special use permit. Essentially, they are asking to eliminate the line between the two lots to create one lot. When this happens, there will be two principal structures on one lot.

By calling this a cluster development, it is similar to building a shopping center or business center with more than one building on a lot. For example, a Wal-Mart might have two or three buildings on a lot, or a smaller business with two or three buildings, instead of one main structure. This is very common in commercial property. The whole area is called mixed use, which means residential or commercial. Certainly, the use of the property will not be any different than it was before. The entities are already in place and in use—the store and the feed store. The building next to the General Store, which used to be Sommers Manufacturing, is now a feed store. There could possibly be a restaurant there one day. There are no immediate plans for this, but it may be considered in the future.

Mr. Bo Taylor, the applicant, addressed the Board, saying they are looking at all the different options available to them. One option is expanding the General Store into the Feed & Seed side. They are also looking into the option of adding a grill at the side of the building. The old Sommers building is actually in two parts. There is a small section on one side and a larger warehouse section on the other side. They are considering putting a grill on the front side and using the other side for feed and seed. They have not decided what they would like to do with the other side of the building. Other options being considered in the future are adding the entire building to Alamance General Store, and bringing in a new line of products that would be sold. They currently have a lot of products in the small section of the store that they have. Regardless of the options, both buildings would be used. If they don't use both, they would consider leasing

out sections to other types of business. Mayor Bundren asked if plans included maintaining an apartment upstairs. Mr. Taylor said there was still an apartment upstairs. Mayor Bundren reminded Mr. Taylor that before changes would be made to the downstairs, that everything would need to be brought up to code for commercial as opposed to residential, with all firebreaks and so forth included. Mr. Taylor affirmed this as correct. Alderman Tichy questioned whether they were supposed to be approving a restaurant at this point. Mayor Bundren stated that they were only approving the recombination. Alderman Tichy said the restaurant would be subject to parking requirements and other matters. Mayor Bundren confirmed that they were only approving the recombination of the lots. Alderman Tichy added that they were approving the recombination and the continued use of the store. Attorney Bateman added this included the concept of multipurpose use. Mayor Bundren asked if there were any questions for Mr. Taylor. Alderman Clemmons moved to approve the recombination of the lots and cluster development. Alderman Gregory seconded the motion. The motion passed unanimously.

Mayor Bundren explained that there needed to be some resolution to the deck. The Board is talking about a 60-day moratorium. The verbiage from the Attorney is that they order the deck be brought up to building code in 60 days. If it is not brought up to code in 60 days, the Board can file a lawsuit to bring the deck up to code. Attorney Bateman advised that a code enforcement officer would serve Mr. Taylor with an ordinance that addresses the code. Mayor Bundren asked if the deck could be taped off so that no one would be on it. There are concerns that something could happen; there should not be any use of the deck. Mr. Taylor said that he could put caution tape on the front of the deck. He said they are not doing anything with the deck now, anyway. They were waiting until this meeting. Mayor Bundren said that the Board wants to make sure the right footings are there. Mr. Taylor said he has contacted three contractors so far about making the changes, but hasn't found anyone willing to do the work on the foundation. He assured the Board he would do everything he could to get this done as quickly as he can. Mayor Bundren emphasized the safety concern. Alderman Clemmons thanked Mr. Taylor for what he has done at the Alamance General Store, saying it was a nice place. Clerk York concurred saying it was very nice. Alderman Clemmons said it was a credit to the Village. Mr. Taylor asked about Plaid Day, saying that, as a business, they wanted to take part in this event. He has accessibility to bouncers and outdoor equipment. Mayor Bundren informed him that Plaid Day had been tabled until the Spring. She said they would be in touch with Mr. Taylor before the Spring. Mr. Taylor expressed his thanks. Alderman Crouse made the motion to close the Public Hearing. Alderman Clemmons seconded the motion. The motion passed unanimously.

OLD BUSINESS

Plaid Day

This item was tabled.

Report on Cabin Pump Station Project

Mark Reich provided an update on the Cabin Pump Station Project. They met a couple of weeks ago with Allen Hart, USDA. Mayor Cathera R. Bundren, Alderman Crouse, Mayor Pro Tem Sharpe, and Clerk York also attended the meeting. Mr. Hart thought everything was in order regarding the project. He took a copy of the Preliminary Engineering Report back with him, to complete a more thorough review of it. Some others in Mr. Hart's department will also review the report. Mr. Hart will get back with Mr. Reich with any comments that need to be made to make this a viable project. Mr. Hart spoke positively about obtaining funding for the project, though he doesn't think there is a possibility of any grant money associated with it. This is due to

the median income being above the thresholds they have established. Mr. Reich indicated he did not bring the interest rates with him, but he is thinking they are 2.75% on the low side and could go up to 3.75% on the upper end. This would be worked out after the application is submitted. They are now still waiting to hear back from Allan Hart. When this happens, Mr. Reich will update the Board. If actions are required, the Board would need to do some hearings. Mayor Bundren asked if Mr. Hart was willing to speak to the Board of Aldermen. Mr. Reich informed that Mr. Hart had indicated he could talk with the Board and go over all the information. Mayor Bundren thanked Mr. Reich for his report. She concluded that the report was very encouraging.

ORC Report

Clerk York informed the Board that Arnold Allred was unable to attend the meeting. Mayor Bundren asked if everyone had a chance to look over the ORC Report. Clerk York addressed the main water break. He received a telephone call around 1:00am on Monday of the previous week. There was a water main break on NC 62 in front of Mr. Humphries' house at 4164 S NC 62. The sidewalk ends at the Humphries property. There is a hydrant at that end spot. The original line was laid over rock and over time the shifting against the rock created a crack in the line. The actual cost of repair was $7300.00. Part of this cost was for concrete replacement, where the line had been taken out. There was also concrete to the right that had been lifted up over the curb, where the water was coming out. This was pulled out and concrete was poured there, too, for a nice, smooth transition. Clerk York had received this suggestion from Mark Reich. He ran the suggestion by Alderman Tichy before the work was completed. Clerk York checked with Stephanie Benson, the director of the Powell Bill program, today. The portion of concrete that was used for this section was about half the cost and can be expensed toward the Powell Bill. It's about $200.00 of the $7300.00 total. Mayor Bundren asked about the concrete costs. Clerk York replied that the cost of the concrete was about $400.00. Alderman Crouse said the good part was that they did not have to cut into the asphalt on NC 62. Mark Reich said there had also been some concern because the water was coming up where the break had occurred, and downstream of that, water was gushing out from underneath the sidewalk. Jerry Warren, the contractor, was convinced there were possibly 3 breaks on that line. They dug on the upper one first and isolated it at this point and time. Once that was put back in, they slowly cut the water back on, to see if water would come up out of the ground anywhere else. It didn't and everything held. Mr. Humphries had water and they determined there were no other breaks. Service was restored and the concrete was poured. Mayor Bundren remarked how nice it was there was the second connection. Mr. Reich said without it everyone from the valve at Rob Shepard Drive to the south would have been without water, until repairs were made. Clerk York said there were only 2 customers without water. The Alamance General Store and others on that side of NC 62 had water. There was water on Cabin Road and on Councilman. There were no calls from anyone else saying they did not have water. Mr. Reich summarized that it all worked out well. Mayor Bundren expressed her thanks.

Improvements to Gravel area at NC 62 Pump Station

Mayor Bundren reported that she met with Randy Cardwell. He will repair the gravel area at the NC 62 Pump Station. He will put in some soil and put grass back where the area has been dug out by buses. He will complete all of these improvements for less than $1000.00. Mayor Bundren informed Mr. Cardwell that he could go ahead if the project came in under $1000.00. Mr. Cardwell agreed to the project cost. It may be a week or so before he can complete the work because of another project he is working on.

There was no additional Old Business.

NEW BUSINESS

Solid Waste Plan Amendment / Manufactured Home Recycling

Clerk York explained that Alamance County is applying for a grant which will fund the recycling of mobile homes. The County of Alamance has a Solid Waste Management Plan that includes all of the municipalities. Any time the plan is altered, the municipalities have to approve the changes to the plan. With the recycling of mobile homes, the County would come out, take the mobile home apart, and dispose of it. Clerk York provided a copy of the letter from County Manager, Craig Honeycutt. Mr. Honeycutt is looking for a letter of support or a resolution. Clerk York said that he could draft a letter of support, with Board approval.

Jason Martin, Planning Director for Alamance County, was present at the meeting. Mr. Martin offered to answer any questions or clarify any information. He said the County is looking to apply for a grant from the Department of Environment and Natural Resources to recycle abandoned mobile homes. It's a grant that is only available to counties. Cities cannot apply for it. As part of the process, the Solid Waste Plan has to be amended to include a provision for abandoned mobile homes. Currently, Alamance County does have its own program. They have been doing this since 2007 or so. Mobile homes are hauled to the Landfill and deconstructed at the Landfill site. The county keeps the metal that is recycled. The remaining cost to move the mobile home to the Landfill is the responsibility of the property owner. A few citizens have taken advantage of this over the past five years. Not many have done this recently, because the price of metal has gone down. The cost to the property owner is now much higher. It used to be about an even split. With the grant, the County will be able to use up to $1500.00 per singlewide mobile home. The State has encouraged the County to coordinate with the municipalities, since the County is the only agency that can receive the funding. Therefore, the County can demolish mobile homes within the city limits as well.

If the County is awarded the grant, Mr. Martin plans to meet with the other Planners in the county. There is a group that meets every so often; this will be an opportunity to get caught up on what the other jurisdictions have going on. Clerk York attends these meetings. Mr. Martin will coordinate with Clerk York as to how to handle reporting. Mr. Martin stated that he is hopeful that Alamance County will be awarded the grant. He offered to answer any questions. Mayor Bundren stated that there is a mobile home in the village that needs to be removed. She added that Mr. Martin had answered her question. Mr. Martin said that the County would draft its own policy, as to how it will be implemented. He is currently drafting a policy, but it will be part of the final grant application and the amendment that is taken to the Board of County Commissioners. A public meeting was held on August 9, 2012 for public input. The Landfill Director was present at the meeting. There was not a lot of input, other than questions from the Planning Board. Mayor Bundren asked Attorney Bateman if a Public Hearing would be required for a resolution. Mr. Bateman replied there could just be a resolution of support. Clerk York said that he doesn't have a resolution and asked if the Board could just vote to approve the amendment. Mr. Bateman said they could vote to support the County's plan. Clerk York said he could draft a letter stating that the Board approved the amendment to the County's Solid Waste Management Plan. Mayor Pro Tem Sharpe moved to approve the resolution of support for the County's Solid Waste Management Plan. Alderman Tichy seconded the motion. The motion passed unanimously. Jason Martin thanked the Board of Aldermen.

Budget Amendment

Clerk York explained there were 2 items for discussion related to the budget amendment: the Animal Shelter and the recycling carts. Regarding the Animal Shelter, the budget was amended last year to reflect the fact that the population of the Village had increased. The per capita is $4.98; the total cost is $4797.00. Clerk York has rounded the cost to $4800.00 for the budget amendment. He doesn't know why this amount doesn't show up in the software. The budget was amended, but for some reason it shows up as $2800.00. That's why this wasn't caught when the budget was prepared. The budget should have reflected $4800.00 for this line item. It will be a line item in the budget next year, to reflect the increased cost. The second amendment is the recycling carts. There needs to be a line item in the budget for paying the bill for the carts. The funds were encumbered last year; this is reflected in fund balance. It will show as an expense for this year but it will reflect as being dealt with in fund balance last year. Mayor Bundren asked if this was going to impact this year's budget. Clerk York, said it would not impact this year's budget, when the financial statements are completed. It does still show up as an expense, then it is dealt with at the end of the year with the financial statements. Alderman Clemmons moved to approve the budget amendment. Alderman Slaughter seconded the motion. The motion passed unanimously.

Finance Report

Clerk York observed there is not a physical Finance Report in the packet. All that would have been included was the CD which did not get changed over until yesterday. Every month, there is a CD that matures. The rate is now .5%. Next month, another CD will mature. Now, there are 12 CDs spread out over the calendar. The majority of the cash that the Village has is in CDs. The going rate for CDs now is .5% which is not much.

OTHER BUSINESS

Alderman Tichy reported on the Planning Organization meeting of the MPO for Burlington/Graham. The MPO Board will be receiving an amendment, regarding the MPO structure, which will need to be approved. They are adding a representative from the Durham/Carrboro MPO to the MPO for Burlington/Graham so that they can forward to them any water issues in the Mebane area. It is a housekeeping item. There were no other items of interest from the MPO meeting.

Mayor Bundren received a call from Dale Page at Wells Fargo. He asked the Mayor to serve as an Ex-Officio member for the Stakeholder Group to develop a vision plan for public education in Alamance County. The meetings will be held in the mornings. The Mayor asked Alderman Clemmons, since he has small children, if he would represent the Village as an Ex-Officio member. Alderman Clemmons has graciously agreed to do so. This is all about shaping the face and future of public education and developing a vision plan for public education. Mayor Bundren thanked Alderman Clemmons for taking on this responsibility.

Clerk York mentioned the draft resolution related to the proposed sales tax increase. The program at this evening's City-County Meeting will be about the Sales Tax Referendum. They are proposing a ¼ cent increase in the sales tax. That will be on the ballot this year. It is a $15 million dollar bond referendum. If it passes, sales tax will increase from 6.75% to 7.0%. The Sales tax increase is expected to generate $3.8 million dollars. Of this, $2.5 million would go toward paying for economic development. The other $1.3 million would go toward paying the bond. The County would like each municipality to support the increase in the sales tax. This will

be discussed at this evening's City-County meeting. They are hoping the various Boards will look at this over the next month. It does not need to be voted on tonight, since this is just a draft resolution. It can be placed on the agenda for the September Board of Aldermen meeting. There is a question that has been raised that if the sales tax increase was passed, and the referendum were to fail, there would still be $2.5 million that would go toward economic development. The question is how the remainder of these funds would be spent. There are different opinions among the Commissioners. Tom Manning will be presenting information at the City-County Meeting this evening. Possibilities for the funds include education, or further economic development, as discussed in the newspaper. Clerk York summarized that he wanted to make Board members aware of this resolution. It will be on the September agenda, following an in-depth discussion at the City-County Meeting.

Mayor Pro Tem Sharpe questioned what was being done at the boarding house. Clerk York said that CT Nassau has purchased the boarding house. They are fixing it up, changing fixtures, and doing what they need to do, in order for people to move in. At one point, there was discussion about putting a restaurant in one of the buildings. There were a couple of guys who had presented this as an idea to the owners of the boarding house. The idea hasn't gone anywhere. CT Nassau has applied for a permit to do the improvements. They have indicated also that they plan to tear down the water tower. Clerk York said that, unless the Village wants to buy the water tower from CT Nassau and paint it, CT Nassau plans to tear it down. This was communicated to Clerk York by Mr. Ernie Farley, the Vice President of CT Nassau. Mayor Bundren stated that this would be cost prohibitive; she has already inquired into this.

Mayor Pro Tem Sharpe said there were a lot of citizens that would like to voice their opinion on that. It is a historical structure. She asked who makes the decision that it is cost prohibitive and that the Village doesn't want it. Clerk York said that Mr. Farley offhandedly said that they planned to tear it down "unless the Village wants to buy it." There has not been any sort of formal offer or anything like that. Clerk York said that he didn't mean to imply that Mr. Farley had offered to do anything. He has the impression that Mr. Farley would offer, if the Board wanted to pursue this. It is up to the Board. That is what is going on with the boarding house. Mayor Bundren asked Mayor Pro Tem Sharpe what she would like to do. Mayor Pro Tem Sharpe said there are citizens, older citizens, who would like to see the water tower left and painted. Mayor Bundren asked if they had any idea of the cost. Mayor Pro Tem Sharpe added that it is a historical structure. Mayor Bundren informed that, first of all, the whole thing would have to be encapsulated, and sandblasted because it has lead-based paint. There is also the question of the stability of the structure. Mayor Bundren inquired with two or three companies because she wanted to put "Welcome to the Village of Alamance" on the water tower. Every company she contacted did not think that was feasible. She said costs could be obtained, but then there would be the additional cost of purchasing it from CT Nassau. Alderman Crouse asked Mark Reich for his thoughts on this, for painting the water tower as it should be done. Mr. Reich responded that he wouldn't be shocked if it cost six digits. He added, it could cost $100,000 or higher. Mayor Bundren commented on the maintenance costs. Alderman Clemmons added that the Village would have to protect the water tower, from people climbing up on it, for liability reasons. They would have to put a fence around it. Mayor Pro Tem Sharpe said that things like this need to come before the Board. Mayor Bundren commented that the water tower doesn't belong to the Board. At one time, she had contacted the man who owned the water tower, sitting on one little lot. He had said the Village could do whatever they wanted to with the water tower. Then, the costs came into play. In conversation with Board members at that time, there didn't seem to be anyone wanting to pursue it. If the Board wants to move forward with this, it can be discussed. Mark Reich asked if water was being stored in the water tank. Mayor Bundren said there wasn't, not to her knowledge. Mayor Bundren asked how the other Board members felt about this.

Alderman Clemmons said his major concern is the liability. It is a sitting duck, now, if some high school kid climbs up the water tower and falls. The cost is also a concern. Alderman Tichy said that the Village would need to put up a structure similar to those on a cell tower that prevents people from climbing the tower. He said the cost is what concerns him more than the liability. Alderman Clemmons said there might be grants; maybe there are grants for protecting structures like the water tower. Mayor Pro Tem Sharpe said she understood that the water tower doesn't mean anything to newcomers to the town. It is an old landmark. Alderman Clemmons said he would love to see "Alamance" on it. Mayor Bundren said she had talked to Abee Custom Signs about putting plastic "wrap" on it. She wanted it to be saved, but when she found out how cost prohibitive it would be, she didn't think it was worth the effort. Mayor Pro Tem Sharpe suggested that information about the water tower discussion be included in the next newsletter that accompanies the water bills. Mayor Bundren added that Jr. Frye has petitioned her several times he wants the water tower to be taken down. Clerk York questioned whether putting something in the newsletter would blindside the owner of CT Nassau. Mayor Bundren said the focus would be that the water tower has been discussed by the Board, and declined. Mayor Pro Tem Sharpe said that she had been asked to bring this to the Board and would like this to be reported back. Mayor Pro Tem Sharpe said it seems that certain people are making decisions and the citizens, or the Board, are in the dark. Clerk York asked how this should read for the newsletter. Mayor Pro Tem Sharpe said she would think about this, and get back with Clerk York. Clerk York informed that Judy Cobb would have the newsletter printed; he asked that she be contacted. He asked that the information be submitted sometime Friday or Monday. Mayor Pro Tem Sharpe said that a lot of citizens had concerns. There was consensus by the Board that these citizens should come and address their concerns at the Board meetings.

Mayor Pro Tem asked if there were other things that could be recycled now. Clerk York replied that there would be a list of acceptable recycling materials in the next newsletter. The list is up to date. Alderman Clemmons asked if the list was 1-7 items. Clerk York said he would call again and check that the list is the most up to date. He is pretty sure the list is the same, but will make doubly sure. Mayor Pro Tem Sharpe asked about shredded paper, telephone books, and magazines. There was consensus that these were all acceptable materials for recycling.

PUBLIC COMMENT

There was no public comment.

Alderman Crouse moved to adjourn and Mayor Pro Tem Sharpe seconded. The motion passed unanimously and the meeting was adjourned.

_____Cathera R. Bundren, Mayor

_____Ben York, Village Clerk