

VILLAGE OF WESLEY CHAPEL  
COUNCIL Work Session MEETING MINUTES  
July 14, 2008 – 7:00 P. M.

The Council of the Village of Wesley Chapel, North Carolina, met in the Fellowship Hall of the Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina, with Mayor Tracey Clinton presiding.

Present: Mayor Clinton, Mayor Pro-tem Croffut, Council Members Bradford, Horvath, Pierce

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Joshua Langen

Admin. Assistant: Nancy Schneeberger

Attorney: George Sistrunk, (arrived approximately 7:15 pm)

Concerned citizens: Carol Mullis, Sandi Bush, Bjorn Hansen, Jimmy Allison, Chuck Adams, John Grexa, Shirley Wilson Casper, David Casper, Michael R. Land, Ray Davis

Meeting was called to order at 7:00 PM and a quorum was present.

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Clinton led the Pledge of Allegiance and Croffut gave the invocation.

2. INFORMAL PUBLIC COMMENTS – none.

3. ADDITIONS, DELETIONS, AND / OR ADOPTION OF AGENDA

Pierce made a motion to approve the agenda; Horvath seconded the motion.

The motion passed unanimously.

4. APPROVE MINUTES FOR:

Council Meeting June 9, 2008

Council Meeting, June 17, 2008

Closed Minutes for Item 16A and Item 16B, June 9, 2008

Croffut made a motion to approve the minutes for the Council Meeting on June 9, 2007 and the Council Meeting on June 17, 2008. Pierce seconded the motion.

The motion passed unanimously.

Horvath made a motion to table the Closed Minutes for Item 16A and Item 16B, June 9, 2008 until the work session meeting. Pierce seconded the motion.

The motion passed unanimously.

5. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated June 30, 2008, submitted by Cheryl Bennett, Finance Officer.

Bennett reported that year to date revenues are \$487,999, and expenditures are \$237,341; surplus is \$250,658. The June figures are preliminary, as the books will have more adjustments before the final audited figures are ready. Pierce made a motion to approve the June 2008 financial statements; Croffut seconded the motion.

The motion passed unanimously.

- b. Review and approve Tax Report dated June 30, 2008 prepared by Nancy Schneeberger

Schneeberger reported no taxes were collected in June; taxes receivable are \$1,465 for 2007, and \$787 for 1998-2006. Eight new and 15 renewed privilege licenses were issued, for a total of \$11,330. Letters were sent to businesses in the tax scroll. Bradford made a motion to approve the tax report; Horvath seconded the motion.

The motion passed unanimously.

- c. Administer Oath of Office to Planning/Zoning Administrator Joshua Langen

Mayor Clinton administered the oath of office to our new planning/zoning administrator, Joshua Langen.

- d. Review and approve monthly Planning and Zoning Report prepared by Joshua Langen

Langen reported that 7 permits were issued in June; work is underway to see if Blackstone's letters of credit and King's Grant's performance bonds can be reduced. Target has been issued a zoning compliance without our certification; and we are awaiting a check from them. Phase IV stormwater issues are outstanding. Quintessa Phase II needs to be evaluated for conformity with open space requirements. The engineer is awaiting an as-built topographic survey of the detention pond at Shoppes at Wesley Chapel Phase II.

## 6. INTERVIEW PLANNING BOARD CANDIDATES

Mayor Clinton noted that Kim Ormiston had contacted the Clerk and withdrawn from consideration as a planning board candidate at this time. The candidates responded to questions from Council. Chuck Adams said the Planning Board had a lot to do in response to the Master Plan, members have research to do as well as attending Council and Master Plan meetings; with 3 years experience and having attended as many meetings as he could, he felt qualified. Bill Fairman said the Planning Board is an advisory board, while promoting development they want to minimize adverse impacts; he felt his experience as an alternate and his analytical thinking skills helped him; the Planning Board has a lot of responsibility to suggest changes to the ordinances. Shirley Wilson said the role of the Planning Board is advisory, and they should be abreast of what's going on and make suggestions; she served two terms as alternate; and is still learning; she enjoys the involvement and variety of issues that comes up. Sandi Bush said she was on a zoning board in New Jersey where the philosophy was to keep development out

and keep farmland, as it was an historic area; she felt this would bring a different perspective; as would her experience as an executive in business. She agreed with the other comments on the role of the Planning Board; they need to work with and learn from surrounding communities; she felt traffic is an issue personally.

(Attorney Sistrunk arrived at this time). Sandi Bush said she is willing to devote time, and is big on volunteering, is detail oriented and asks questions.

Jimmy Allison said the role of the Planning Board should include finding out what the vision and priorities of the community are, and look at what will be here in 50-60 years. Working in sales he wrote business plans, and is detail oriented. Major issues he said are growth, water, roads, and traffic. He said he is detail oriented, but looks at the macro picture first, then divides it into smaller tasks. He hopes to maintain the appeal the Village has now and keep it for 50-60 years.

7. **CONSIDER MAKING APPOINTMENTS FOR PLANNING BOARD SEATS (2 REGULAR SEATS AND 3 ALTERNATE SEATS); APPOINT PLANNING BOARD CHARIMAN FOR THE 2008/09 YEAR**

Nominations were taken for regular seats. Bradford nominated Jimmy Allison. Horvath nominated Chuck Adams. Croffut nominated Bill Fairman. Bradford nominated Sandi Bush. Each Council member then had two votes, since two seats were available. Jimmy Allison received 4 votes, so he will have the three year term. Chuck Adams received 2 votes, so he will have the two year term. Bill Fairman and Sandi Bush each received one vote.

Nominations were taken for alternate seats. Pierce nominated Sandi Bush. Croffut nominated Bill Fairman. Bradford nominated Shirley Wilson. Each nominee received 3 votes. Sandi Bush volunteered to take the two year term, Bill Fairman and Shirley Wilson will have three year terms.

Croffut nominated John Grexa for Planning Board Chairman for the next year; it was approved unanimously.

8. **CONSIDER APPROVAL OF RESOLUTION 2008-12 FIRE SUPPRESSION CONTRACT WITH BAKERS VOLUNTEER FIRE AND RESCUE DEPARTMENT, INC.**

Bennett said she received a call from the Assistant Chief at Bakers Fire Department, and they also need a contract with the Village. Pierce made a motion to approve Resolution 2008-12, Fire Suppression Contract With Bakers Volunteer Fire And Rescue Department, Inc. (incorporated herein). Bradford seconded the motion.

The motion passed unanimously.

**FIRE SUPPRESSION CONTRACT**  
**Resolution 2008-12**

**THIS CONTRACT**, made and entered into this 14<sup>th</sup> day of July, 2008, by and between the Village of Wesley Chapel, a municipal corporation, hereinafter referred to as "Village", and Bakers Volunteer Fire and Rescue Department, Inc., a duly organized rural fire department, hereinafter referred to as "Department".

**WHEREAS**, the Village desires to provide fire protection to its citizens. However, the Village does not have a municipal fire department to furnish such service, and

**WHEREAS**, the Department has the ability to provide fire protection to the Village, and will agree to provide needed service,

**NOW THEREFORE**, the Village and the Department hereby contract for fire protection for the Village, by the Department according to the following terms and conditions.

1. Term – The term of this contract shall be one year commencing on the 14<sup>th</sup> day of July, 2008. Thereafter, this contract shall continue from year to year unless terminated by either party. Termination shall be made by written notice from the terminating party to the other party at least thirty (30) days prior to the end of the then current term.
2. Service Responsibility - Fire Suppression – The Department's units and personnel shall be routinely dispatched by the Union County Communications' Center to all fire emergencies in the Village.

The Department shall record and maintain an Alarm Record of each incident within the Village in accordance with State requirements.

The Department shall be responsible to equip and train its firefighters in a manner consistent with applicable regulations of the North Carolina Department of Insurance.

3. Service Responsibility - Emergency Medical – The Village does not provide emergency medical services, this being a function of Union County; therefore, the Department shall provide only those emergency medical services in the Village that it was providing prior to this agreement and subject to any agreement the Department may have with Union County.
4. Compensation – Compensation shall be the right of the Department to continue its current budget process with Union County, and the County to assess and collect a fire tax from property owners in the Village, through the office of the Union County Tax Collector.

5. Maintenance – The Department shall be responsible for continuing its customary maintenance activities.
6. Response Time – The Department’s response time is expected to continue to be within the requirements set by the North Carolina Department of Insurance and in the most professional manner possible.
7. Assumption of Responsibility – The Department shall assume all responsibility and liability for any injuries, including the death of any personnel of its command, and shall hold the Village harmless, with the exception of any known Federal, State, and/or County code(s) violation within the Village for which the Village has received actual written knowledge of the violation.
8. Liability Coverage – The Department agrees to carry general liability insurance in the amount of one million dollars (\$1,000,000) single limit.

**IN WITNESS WHERE OF**, each party has caused this agreement to be executed by its duly authorized officials as of the day and year afore agreed upon.

VILLAGE OF WESLEY CHAPEL

Attest:

By: \_\_\_\_\_  
\_\_\_\_\_,  
Mayor

\_\_\_\_\_  
\_\_\_\_\_, Village Clerk

Village Seal

Bakers Volunteer Fire and  
Rescue Department, Inc.

By: \_\_\_\_\_  
President  
Department Seal

Minutes 2008.07.14

Approved 08.19.08

9. **CONSIDER APPROVAL OF ORDINANCE 2008- 12 DECLARING SPEED LIMIT MODIFICATIONS ON NC 84.**

This request came from DOT; the speed limit is not changing, and it covers the length of Hwy. 844 through the Village. Horvath made a motion to approve Ordinance 2008- 12 Declaring Speed Limit Modifications on NC 84; Pierce seconded the motion.

The motion passed unanimously.

**ORDINANCE 2008-12**  
**DECLARING SPEED LIMIT MODIFICATIONS ON NC 84**

WHEREAS the State of North Carolina, Department of Transportation has declared the following speed limit modification; and

WHEREAS they have requested the Village of Wesley Chapel enact an ordinance declaring the following speed limit modification;

THEREFORE the Village of Wesley Chapel Declares the Following Speed Limit:

<u>Speed Limit</u>	<u>Route</u>	<u>Description</u>
45	NC 84	NC 84 from a point 0.17 mile west of SR 1338 (Antioch Church Rd) eastward to a point 0.26 mile east of SR 1348 (Jim Parker Rd).

And Rescinds the Following Speed Limit:

45	NC 84	NC 84, from a point 0.30 mile east of SR 1008 (Waxhaw-Indian Trail Road), the southern Wesley Chapel corporate limits, eastward to a point 0.26 mile east of SR 1348 (Jim Parker Road).
----	-------	---

Approved this 14<sup>th</sup> day of July, 2008.

\_\_\_\_\_  
Mayor Tracey Clinton

Attest:

\_\_\_\_\_  
Village Clerk Cheryl Bennett

10. UPDATE ON LOCAL AREA REGIONAL TRANSPORTATION PLAN (LARTP) AND SERVICE AGREEMENT MEMORANDUM WITH CENTRALINA COUNCIL OF GOVERNMENTS

Bjorn Hansen from Centralina was present to answer questions. Horvath said the four towns met, developed requirements, and COG solicited 4 proposals. Presentations were made, and they looked for a mixture of engineering and land use expertise. Martin Alexiou Bryson (MAB) was chosen; MAB with Clarion is doing the Union County plan, they appeared willing to listen as well as apply their expertise, and will work with us on ordinance language, have public input sessions, and respect each town's individuality. MUMPO is providing \$80,000; the four towns will split the other \$120,000; COG's fee is an additional \$4,490 per town.

Bjorn Hansen noted that Don Bryson worked for DOT, and will have a plan that can be lifted into the DOT and MUMPO plans. He said if you are in the 5-10 year TIP plan you trump this, but this will be after the TIP. Last week Marvin and Waxhaw signed, tonight hopefully Weddington and Wesley Chapel are signing on. He noted last year a study was made of the huge unfunded roads need in the Charlotte area, and the legislature gave the ability to do a land transfer tax or additional sales tax for roads. In York County, SC they have been self funding roads for years. Bjorn noted the area he lives in is south Charlotte, and they got roads funded from developers. Union County chose not to participate in this plan, the study area included unincorporated areas, but annexation will occur in the future.

Horvath noted they will look at 5, 10, 15 and 20 year growth patterns, and look at things like right of way which is something we can look at now. Bjorn said the traffic demand model has data to 2035, and this goes beyond this, out decades. The project should be done by June 30, 2009.

Pierce made a motion to approve the COG Service Agreement for COG to be the project manager, for \$4,490 plus 7.5 member hours. Bradford seconded the motion.

The motion passed unanimously.

A motion was made by Pierce to agree to spend \$30,000 to move forward with the project with Martin Alexiou Bryson, to work with COG and the four towns for the LARTP. Bradford seconded the motion.

The motion passed unanimously.

The study area boundary will use the area per the Master Plan, which is the Village and the former ETJ area.

11. CONSIDER REVISED "VILLAGE OF WESLEY CHAPEL EMPLOYMENT BENEFITS POLICY"

Bennett revised the employment benefits policy: 1. to correct the name of the retirement system to NC Local Government Employees' Retirement System;

2. change the name of the vision insurance to Basic Vision Care (the League changed the name); 3. added section B. that employees that work at least 1,000 hours per year are covered under the retirement system; and 4. added section C. that employees that work less than 35 hours per week will accrue: holiday time at the rate of .0385 hour per hour worked, and that time will be paid on the Village's paid holidays schedule; and accrue paid time off at the rate of .0577 hour per hour worked, subject to a maximum accrual limit of 80 hours.

Croffut made a motion to approve the changes to the Village of Wesley Chapel Employment Benefit policy, incorporated herein. Bradford seconded the motion.

The motion passed unanimously.

### **Village of Wesley Chapel Employment Benefit**

A. Employees that work at least 35 hours per week will get the following benefits:

1. Medical insurance for the employee through NCLM, up to \$500 per month paid by the Village of Wesley Chapel for the employee; the employee may choose to add spouse or family coverage at their own expense through payroll deductions.
2. Dental insurance (orthodontic coverage is not included) for the employee through NCLM, up to \$30 per month paid by the Village of Wesley Chapel for the employee; the employee may choose to add spouse or family coverage at their own expense through payroll deductions.
3. Retirement: Village will pay the employer's portion of the NC Local Government Employees' Retirement System.
4. Life insurance: Village will pay for life insurance in the amount of one times the employee's salary. We do not offer dependent life insurance coverage.
5. Vision insurance: The Village will pay for Basic Vision Care coverage through NCLM for the employee; the employee may choose to add spouse or family coverage at their own expense through payroll deductions.
6. Paid Holidays – 10 days per year: New Years Day, Memorial Day, July Fourth, Labor Day, Veterans Day, Thanksgiving and day after, Christmas Eve and Christmas Day, and one floating holiday. If a paid holiday falls on a Saturday, they will get the next preceding normal work day off. If a paid holiday falls on a Sunday, they will get the next succeeding normal work day off.
7. Paid time off: time will accrue at the rate of three weeks per year (includes vacation & illness). Paid Time Off for illness is allowed for personal illness or illness of a family member. Paid Time Off will be subject to a maximum accrual limit of 120 hours. Paid time off requests should be submitted in advance to the Administrator; so that office staff coverage can be maintained.

B. Employees that work at least 1,000 hours per year will be covered by the NC Local Government Employees' Retirement System, and the Village will pay the employer's share of contributions.

C. Employees that work less than 35 hours per week will get the following benefits:

1. Paid holiday time will accrue at the rate of .0385 hour per hour worked. Accrued holiday time may be paid on the holidays stated above.

2. Paid time off will accrue at the rate of .0577 hour per hour worked. Paid time off will be subject to a maximum accrual limit of 80 hours for part time employees. Paid time off requests should be submitted in advance to the Administrator, so that staff coverage can be maintained.

12. ANNOUNCEMENTS

Horvath announced there is a County Land Use Plan Meeting tomorrow at 5 pm at the Union County Governmental Center. There is a MUMPO meeting Wednesday at 7 pm. The LARTP meeting is also Wednesday, at 6 pm; Horvath will attend.

13. OTHER BUSINESS

Croffut made a motion to move the work session Council meeting from July 22 to Tuesday, July 29, 2008. Pierce seconded the motion.

The motion passed unanimously.

14 COUNCIL COMMENTS

Croffut congratulated the new Planning Board members. Pierce welcomed Joshua Langen to the Village; he introduced himself, he is from Texas, spent time working in planning Georgia and then South Carolina. He has lived in the Charlotte area 10 years.

A brief recess was held.

15. CLOSED SESSION PER NC GS 143-318.11(a) (3) ATTORNEY CLIENT PRIVILEGE REGARDING FIREARM ORDINANCE ENFORCEMENT

Bradford made a motion to go into closed session NC GS 143-318.11(a) (3) - attorney client privilege regarding firearm ordinance enforcement. Pierce seconded the motion. The motion passed unanimously.

Council discussed with attorney Sistrunk firearm ordinance enforcement.

The rest of this page left blank for closed minutes.

Minutes 2008.07.14

Approved 08.19.08

This page left blank for closed minutes.

Pierce made a motion to leave closed session, Croffut seconded the motion.  
The motion passed unanimously.

16. CLOSED SESSION PER NC GS 143-318.11(a) (6) TO DISCUSS  
CONDITIONS OF EMPLOYMENT

Pierce made a motion to go into closed session per NC GS 143-318.11(a) (6) to discuss conditions of employment. Croffut seconded the motion.

The motion passed unanimously.

Council consensus was that since Schneeberger was changing roles from tax collector to office assistant that her current rate of pay was appropriate given her changed responsibilities.

The Finance Officer work load will be increasing due to the necessity to have someone other than the auditor prepare the audited statements. Bennett has the expertise to do this. The new annual salary was calculated by taking a 40 hour per year work load increase, and raising the derived hourly rate by 5% ; the new annual rate is \$9240 effective 7/1/2008.

Pierce made a motion to leave closed session; Croffut seconded the motion.

The motion passed unanimously.

17. ANY ACTION RESULTING FROM CLOSED SESSION

Pierce made a motion to increase the finance officer salary to \$9,240, and to raise the Administrator/Clerk salary to \$21 per hour, both effective 7/1/2008. Horvath seconded the motion.

The motion passed unanimously.

18. ADJOURNMENT

Bradford made a motion to adjourn; Croffut seconded the motion.

The motion was approved unanimously.

Respectfully submitted,

---

Cheryl Bennett, Clerk

---

Mayor Tracey Clinton