

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL UNITED METHODIST CHURCH  
120 Potter Road, Wesley Chapel, NC 28110  
May 14, 2012 – 7:00 P. M.

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

**Present:** Mayor Horvath, Mayor Pro Tem Ormiston, Council Members Brotton and Plyler

**Absent:** Council Member Rosoff

**Others Present:**

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Admin. Joshua Langen; Attorney George Sistrunk

**Citizens:** Carol Mullis, Butch Plyler, Pam Caskey

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

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Horvath led the Pledge of Allegiance and Mayor Pro-tem Ormiston said the invocation.

2. PUBLIC COMMENTS - none

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

Item 5f "Recording of Minutes" and Item 9d "Request funds for Dumpster and Mowing" were added, and Item 11 became "REVIEW OF STONEGATE REQUEST FOR FIREWORKS APPROVAL". Plyler made a motion to approve the agenda with these changes; Ormiston seconded the motion.

The motion passed unanimously.

4. APPROVE MINUTES FOR COUNCIL MEETINGS APRIL 9, 2012 AND APRIL 17, 2012

Changes were made to the April 9 minutes on page 68 to clarify the details on the webinar. Plyler asked if we could postpone approving the April 17, 2012 minutes until Rosoff returns; she felt there should be more in the section on the closed minutes, and asked why that part of the meeting was not taped. Clerk Bennett said she only tapes closed sessions when she thinks there is some information such as unfamiliar names that she would need to refer to the tape for. Closed session minutes are only closed for as long as public inspection would frustrate the purpose of the closed session; after that they are opened. Ormiston made a motion to approve the April 9, 2012 and April 17, 2012 minutes with the above changes; Brotton seconded the motion.

The motion passed 2-1, with Plyler voting nay.

## 5. STAFF REPORTS

a. Review and approve April 30, 2012 financial reports and budget amendments  
 Bennett presented the April 2012 financial reports showing cash in the bank at \$1,888,555.68. Ormiston asked about fund balance; due to the transfers to the CIP fund it is better estimated by looking at fund balance plus the current year excess of revenues over expenses. Mayor Horvath asked if the excise tax revenue for piped natural gas was low, Bennett replied that this item varies a lot during the year as it primarily comes from the winter months, and while it is a little low due to warmer weather, we are pretty much on target. Plyler made a motion to approve the April 2012 financial reports. Ormiston seconded the motion.

The motion passed unanimously.

**April 31, 2012 Balance Sheet****ASSETS****Current Assets****Checking/Savings**

<b>Fifth Third Bank Checking</b>	40,945.42
<b>Fifth Third Bank Money Market</b>	774,791.88
<b>Citizens South CD Bldg 07.03.12</b>	248,999.67
<b>BB&amp;T Money Market</b>	823,768.71
<b>Petty Cash Fund</b>	50.00
<b>Total Checking/Savings</b>	1,888,555.68
<b>Total Accounts Receivable</b>	125.00

**Other Current Assets**

<b>Prepaid Exp.</b>	1,210.00
<b>Property Tax Rec.</b>	3,476.00
<b>Allow. for Doubtful Accounts Sales Taxes to be Received</b>	-1,034.00
<b>Total Sales Taxes to be Received</b>	1,153.99
<b>Total Other Current Assets</b>	4,805.99

**Total Current Assets** 1,893,486.67

**Fixed Assets**

<b>Dogwood Park CIP</b>	17,309.40
<b>Town Hall- CIP</b>	4,144.27
<b>Land</b>	717,634.40
<b>House at Dogwood Park</b>	411,169.00
<b>Office Equipment</b>	7,620.98
<b>Accumulated Deprec.</b>	-5,333.98

**Total Fixed Assets** 1,152,544.07

**TOTAL ASSETS** 3,046,030.74

**LIABILITIES & FUND BALANCE**

<b>Current Liabilities</b>	
Escrow from Developers	45,076.00
Deferred Revenue	2,442.20
<b>Total Current Liabilities</b>	<u>47,518.20</u>
<b>Total Liabilities</b>	<u>47,518.20</u>
<b>Fund Balance</b>	
Fund Balance Assigned for NNO	174.20
Fund Bal. non-spendable	45,926.00
Fund Bal. inv. in Fixed Assets	1,152,544.07
Fund Bal. Committed for CIP	1,311,022.94
Fund Balance	-785,956.96
Excess of Rev. over Exp.	<u>1,274,802.29</u>
<b>Total Fund Balance</b>	<u>2,998,512.54</u>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<u><u>3,046,030.74</u></u>

**April 2012 Budget Report**

	<u>Apr 12</u>	<u>Jul '11 - Apr 12</u>	<u>Budget</u>	<u>% of Budget</u>
<b>General fund</b>				
<b>Revenues</b>				
Appropriated Fund Balance	0.00	437,686.00	437,686.00	100.0%
<b>Fees and Licenses</b>				
Newsletter/Deputy Sponsor	0.00	10,000.00	12,000.00	83.33%
National Night Out-raffle,cont	0.00	366.00	500.00	73.2%
Contribution for parks and rec	0.00	0.00	0.00	0.0%
Fall Festival	0.00	7,730.00	11,000.00	70.27%
Cable Franchise (from Time Warn	0.00	9,343.00	12,000.00	77.86%
Engineering Fees	0.00	4,758.75	8,000.00	59.48%
Reimbursement	0.00	4,758.75	8,000.00	59.48%
Zoning Permit	1,100.00	8,410.00	6,000.00	140.17%
Privilege Licenses	142.75	26,502.16	25,000.00	106.01%
Annexation Exp Reimbursed	0.00	150.00	300.00	50.0%
Misc. Fees	<u>0.00</u>	<u>7,092.56</u>	<u>200.00</u>	<u>3,546.28%</u>
<b>Total Fees and Licenses</b>	1,242.75	74,352.47	75,000.00	99.14%
Interest Earned	199.50	4,604.07	5,000.00	92.08%
<b>Property Tax Income</b>				
Current Year Property Tax	900.75	142,009.15	137,413.00	103.35%
Delinquent Taxes	44.70	543.59	1,800.00	30.2%
Interest/Ad Fee on Taxes	42.59	331.41	400.00	82.85%
Utility Ad Valorem	36.87	1,984.46	1,000.00	198.45%

<b>Vehicle Registration</b>	<u>783.36</u>	<u>7,512.34</u>	<u>8,375.00</u>	<u>89.7%</u>
<b>Total Property Tax Income</b>	<u>1,808.27</u>	<u>152,380.95</u>	<u>148,988.00</u>	<u>102.28%</u>
<b>Revenue Sharing</b>				
Alcoholic Beverage Tax	0.00	0.00	25,000.00	0.0%
Video Programming(State Cable)	0.00	54,395.31	82,000.00	66.34%
Excise Tax (Piped Natural Gas)	0.00	5,394.00	14,000.00	38.53%
Franchise Tax (Electric Power)	0.00	103,168.00	152,000.00	67.87%
Sales & Use Taxes	2,538.95	21,703.64	32,000.00	67.82%
Telecommunications Tax	<u>0.00</u>	<u>6,595.00</u>	<u>11,000.00</u>	<u>59.96%</u>
<b>Total Revenue Sharing</b>	<u>2,538.95</u>	<u>191,255.95</u>	<u>316,000.00</u>	<u>60.52%</u>
<b>Total Revenues</b>	<u>5,789.47</u>	<u>860,279.44</u>	<u>982,674.00</u>	<u>87.55%</u>
<b>Expense</b>				
Transfer to CIP	0.00	625,000.00	625,000.00	100.0%
<b>Operating Expenditures</b>				
Contingency	0.00	0.00	2,070.00	0.0%
Advertising - Clerk	144.26	224.04	500.00	44.81%
Annexation Expense	26.00	26.00	400.00	6.5%
Annual Retreat	85.92	1,003.32	1,800.00	55.74%
Bank Charges	29.38	322.54	600.00	53.76%
Books & Literature	0.00	228.00	300.00	76.0%
Contributions	0.00	100.00	100.00	100.0%
Dues and Subscriptions	0.00	7,890.00	11,800.00	66.86%
Election Expense	0.00	6,743.83	7,400.00	91.13%
Electronic Commun (Tele/RR)	229.78	2,828.98	3,600.00	78.58%
Insurance - Liability	0.00	9,567.77	9,570.00	99.98%
Insurance - Workmen's Comp	0.00	500.00	525.00	95.24%
Land Maintenance	0.00	0.00	0.00	0.0%
Town office Maint.	119.85	742.98	1,000.00	74.3%
Misc town office	21.56	233.43	500.00	46.69%
Newsletter	0.00	1,581.77	3,000.00	52.73%
Office Equipment	0.00	1,127.98	1,200.00	94.0%
Office Expense	59.99	1,458.81	2,200.00	66.31%
Postage and Delivery	308.70	556.57	2,100.00	26.5%
Rent	1,400.00	14,000.00	17,000.00	82.35%
Seminars	0.00	65.00	700.00	9.29%
Tax Collection Fee	27.18	2,273.62	2,400.00	94.73%
Travel & Entertainment	232.12	1,407.92	2,500.00	56.32%
Utilities- Temp. Town Hall	114.43	1,821.98	2,200.00	82.82%

<b>Youth Council Committee</b>	0.00	0.00	250.00	0.0%
<b>Total Operating Expenditures</b>	2,799.17	54,704.54	73,715.00	74.21%
<b>Gen. Govt. Salaries</b>				
<b>Admin. Assistant</b>	0.00	2,900.50	5,305.00	54.68%
<b>Allowance for Salary Adjustment</b>	0.00	0.00	211.00	0.0%
<b>Mayor</b>	0.00	3,600.00	4,800.00	75.0%
<b>Mayor Protem</b>	0.00	2,250.00	3,000.00	75.0%
<b>Council Salary</b>	0.00	5,400.00	7,200.00	75.0%
<b>Clerk Salary</b>	3,360.00	37,215.67	49,219.00	75.61%
<b>Finance Officer Salary</b>	848.08	8,874.56	11,025.00	80.5%
<b>Payroll Taxes</b>	690.89	8,040.25	11,120.00	72.3%
<b>Payroll exp - Unemployment</b>	0.00	0.00	1,000.00	0.0%
<b>Fringe Benefits - Insurance</b>	1,292.24	12,922.40	15,514.00	83.3%
<b>Fringe Benefits - Retirement</b>	569.64	6,416.98	7,796.00	82.31%
<b>Total Gen. Govt. Salaries</b>	6,760.85	87,620.36	116,190.00	75.41%
<b>Planning &amp; Zoning</b>				
<b>P/Z Admin. Salary</b>	4,000.00	43,075.00	52,075.00	82.72%
<b>Planning &amp; Zoning Board Salary</b>	924.00	2,394.00	4,032.00	59.38%
<b>Advertising</b>	0.00	248.74	500.00	49.75%
<b>P/Z Office Expense</b>	0.00	107.87	500.00	21.57%
<b>P/Z Seminars</b>	0.00	199.00	400.00	49.75%
<b>P/Z Travel</b>	38.85	551.03	1,200.00	45.92%
<b>P/Z Dues,Subscriptions</b>	0.00	360.00	360.00	100.0%
<b>Total Planning &amp; Zoning</b>	4,962.85	46,935.64	59,067.00	79.46%
<b>Professional Fees</b>				
<b>Audit Fees</b>	0.00	3,900.00	4,000.00	97.5%
<b>Engr. Consulting</b>	0.00	3,540.00	12,000.00	29.5%
<b>Legal Fees</b>	2,550.84	13,201.76	16,000.00	82.51%
<b>Total Professional Fees</b>	2,550.84	20,641.76	32,000.00	64.51%
<b>Parks &amp; Recreation</b>				
<b>Events</b>	0.00	7,204.00	11,000.00	65.49%
<b>Dues &amp; Subscriptions</b>	0.00	0.00	500.00	0.0%
<b>Food and Provisions</b>	90.60	172.64	300.00	57.55%
<b>Other Supplies and Materials</b>	0.00	30.37	50.00	60.74%
<b>Insurance</b>	0.00	1,864.00	1,865.00	99.95%
<b>Maintenance/Grounds</b>	0.00	3,196.13	10,685.00	29.91%
<b>Office Expense</b>	0.00	8.90	1,000.00	0.89%
<b>Security</b>	0.00	0.00	1,000.00	0.0%

Telephone	0.00	0.00	600.00	0.0%
Utilities	37.36	1,811.55	2,000.00	90.58%
<b>Total Parks &amp; Recreation</b>	127.96	14,287.59	29,000.00	49.27%
<b>Public Safety</b>	0.00	42,310.20	42,702.00	99.08%
<b>Capital Outlay</b>	5,000.00	5,000.00	5,000.00	100.0%
<b>Total Expense</b>	22,201.67	896,500.09	982,674.00	91.23%
<b>Net General Fund</b>	-16,412.20	-36,220.65	0.00	100.0%
<b>CIP Income/Expense</b>				
<b>CIP Income</b>				
PARTF Grant	0.00	319,415.50	500,000.00	63.88%
Water Based Resource Grant-Park	0.00	95,079.21	100,000.00	95.08%
<b>Transfer from General Fund</b>				
Appropriated for Dogwood Park	0.00	1,000,000.00	1,000,000.00	100.0%
Appropriated for Town Hall	0.00	1,100,000.00	1,100,000.00	100.0%
<b>Total Transfer from General Fund</b>	0.00	2,100,000.00	2,100,000.00	100.0%
<b>Total CIP Income</b>	0.00	2,514,494.71	2,700,000.00	93.13%
<b>CIP Expense</b>				
<b>Capital Projects</b>				
<b>Dogwood Park Capital Outlay</b>				
Land Acquisition	0.00	673,271.00	680,000.00	99.01%
House	0.00	411,419.00	412,000.00	99.86%
Site preparation	0.00	0.00	35,000.00	0.0%
Utilities	0.00	0.00	15,000.00	0.0%
Preliminary Planning	0.00	15,526.67	15,527.00	100.0%
Design/Constr Mgt,etc.	4,198.96	28,435.70	69,050.00	41.18%
Grassing	0.00	0.00	5,850.00	0.0%
Parking lot & drive	0.00	0.00	87,170.00	0.0%
Rest room renovation	0.00	0.00	30,000.00	0.0%
Site Furnishings-gate,signs,etc	0.00	277.77	7,000.00	3.97%
Boardwalk	0.00	0.00	31,000.00	0.0%
Accessible routes	0.00	0.00	21,000.00	0.0%
Paved Walking Trail	0.00	0.00	54,000.00	0.0%
Unpaved trail	7,698.22	9,902.25	9,210.00	107.52%
Multipurpose Field	0.00	0.00	30,000.00	0.0%
Amphitheater/Stage/Outdoor	0.00	0.00	35,000.00	0.0%
Clas	0.00	0.00	35,000.00	0.0%
Fishing Pier	0.00	0.00	25,000.00	0.0%
Other Expense	0.00	0.00	18,931.00	0.0%

Contingency	0.00	0.00	19,262.00	0.0%
Other Water Resources Grant				
Exp	0.00	0.00	0.00	0.0%
Dogwood Park Capital Outlay - Other	0.00	0.00	0.00	0.0%
<b>Total Dogwood Park Capital Outlay</b>	<b>11,897.18</b>	<b>1,138,832.39</b>	<b>1,600,000.00</b>	<b>71.18%</b>
<b>Town Hall Capital Outlay</b>	<b>157.50</b>	<b>64,639.38</b>	<b>1,100,000.00</b>	<b>5.88%</b>
<b>Total Capital Projects</b>	<b>12,054.68</b>	<b>1,203,471.77</b>	<b>2,700,000.00</b>	<b>44.57%</b>
<b>Total CIP Expense</b>	<b>12,054.68</b>	<b>1,203,471.77</b>	<b>2,700,000.00</b>	<b>44.57%</b>
<b>Net CIP</b>	<b>-12,054.68</b>	<b>1,311,022.94</b>	<b>0.00</b>	<b>100.0%</b>
<b>Net Excess of Revenues over Exp.</b>	<b>-28,466.88</b>	<b>1,274,802.29</b>	<b>0.00</b>	<b>100.0%</b>

Ordinance 2012-05 is a budget amendment to record the Adopt A Trail Grant; and Ordinance 2012-06 is a budget amendment to move \$3000 from engineering fees to legal fees. Ormiston made a motion to approve Ordinance 2012-05; Plyler seconded the motion.

The motion passed unanimously.

Brotton made a motion to approve Ordinance 2012-06; Ormiston seconded the motion.

The motion passed unanimously.

**Capital Project Budget Ordinance Amendment  
Ordinance 2012-05**

BE IT ORDAINED by the Governing Board of the Village of Wesley Chapel, North Carolina, that the following amendment be made to the capital project fund budget ordinance for the Dogwood Park Project:

Section 1. To amend the Capital Projects Fund, the appropriations are to be changed as follows:

	Decrease	Increase
<b><u>Revenues:</u></b>		
Adopt A Trail Grant		\$ 5,000.
<b><u>Expenditures:</u></b>		
<b><u>Dogwood Park</u></b>		
Unpaved Trails		5,000.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 14th day of May, 2012.

Attest:

\_\_\_\_\_  
Cheryl Bennett, Clerk

\_\_\_\_\_  
Mayor Brad Horvath

**Budget Ordinance Amendment 2011/12 #3**  
**Ordinance 2012-06**

BE IT ORDAINED by the Governing Board of the Village of Wesley Chapel, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2012:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

	Decrease	Increase
.		
<u>Expenditures:</u>		
Professional Fees		
Legal Fees		\$3,000
Engineering Fees	\$ 3,000.	

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 14th day of May, 2012.

Attest:

\_\_\_\_\_  
Cheryl Bennett, Clerk

\_\_\_\_\_  
Mayor Brad Horvath

b. Review monthly planning and zoning violations report  
Langen reported there were twenty five permits, including eight accessory structures and two upfits for Tyndall Pedic and New York Bagel. He also had a sign permit for a bicycle store at the JDH shopping center. Two text amendments are through Planning Board review and ready for a call for public hearing. He is working on the bicycle layer of the GIS database. Plyler asked why his time was enumerated. It was requested in the past, and only takes a few minutes to compile. Langen said he will have to get the deputy to go with him to the violation on Weddington Road and post a letter on the property. He noted Ormiston suggested he add the flooding complaints to his report. He hasn't heard lately about the problem on Underwood Road, there are also complaints in Silver Creek, Wesley Oaks and one on Circle Trace. Ormiston asked him to be more expeditious.

c. Call for Public Hearing on amendments to zoning ordinance for setbacks and permitting of accessory use buildings; and residential and non-residential parking, driveway access and storage of inoperable vehicles for June 11, 2012 at 7 pm at Wesley Chapel United Methodist Church, 120 Potter Road, Wesley Chapel

Ormiston made a motion to call for Public Hearing on amendments to zoning ordinance for setbacks and permitting of accessory use buildings; and residential and non-residential parking, driveway access and storage of inoperable vehicles for June 11, 2012 at 7 pm at Wesley Chapel United Methodist Church, 120 Potter Road, Wesley Chapel. Plyler seconded the motion.

The motion passed unanimously.

d. Update from Attorney on JDH Land

Sistrunk said there were a couple of pending liens on the land that have been cleaned up. The parcel is not part of the shopping center; it only has legal access to Waxhaw-Indian Trail Road; and we may not have practical access due to curb cut availability. Langen said there is a left turn lane into Lindenwood, our property is right across from that, so you can't turn left there. The other option is right in, right out. DOT prefers a concrete median so people don't illegally turn left. Brotton asked about a required distance between curb cuts; Langen said on our side of the street it is two hundred feet, and we can make that. Mayor Horvath asked if we could do a shared access with JDH; Langen said we would lose parking spaces and it would require a CUP amendment. Sistrunk said there are no restrictions on the land; we are excluded from the shopping center declarations. He asked if there are utility easements; and said we might want to do a survey before we obtain the land.

Brotton made a motion to approve Resolution 2012-05 to exempt the Village from the provisions of GS 143-64.31 for contracting professional survey services for this parcel of land. Plyler seconded the motion.

The motion passed unanimously.

**Resolution 2012-05**  
**Resolution for Exemption from the Provisions of G.S. 143-64.31**  
**Regarding Contracting Professional Services**  
**Wesley Chapel, North Carolina**

WHEREAS G.S. 143-64.31 requires the initial selection of firms to perform architectural, engineering, and surveying services without regard to fee; and

WHEREAS G.S. 143-64.32 allows municipalities to exempt themselves from the provisions of 143-64.31 if such professional fees are less than \$30,000; and

WHEREAS the Village of Wesley Chapel proposes to enter into one or more contracts for such services for work at the two acre parcel being donated by JDH; and

WHEREAS professional fees for these services will be less than \$30,000;

NOW, THEREFORE, THE WESLEY CHAPEL VILLAGE COUNCIL RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31 for the reasons stated in this resolution.

Section 2. This resolution shall be effective upon passage.

Adopted this 14th day of May, 2012.

ATTEST

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Cheryl Bennett, Village Clerk

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Brad Horvath, Mayor

Sistrunk and Langen will look at the JDH survey and see if it appears sufficient, otherwise up to \$1,500 may be needed in survey services.

Plyler made a motion to approve spending up to \$1,500 for survey services if the previous survey is insufficient; Brotton seconded the motion.

The motion passed unanimously.

Ormiston made a motion to make a budget amendment and move \$1500 from contingency to survey fees under professional fees. Plyler seconded the motion.

The motion passed unanimously.

e. Introduction of new Administrative Assistant/Grant Writer

Melody Graham was introduced, she worked as the clerk in Marvin for several years in the past; she will be working on privilege licenses and grants for Wesley Chapel. She was welcomed to the Village.

f. Recording of Minutes

Plyler said she thought we should record the closed sessions. Mayor Horvath said we can record the closed sessions and don't have to keep the recording but can use it to refer to in preparing the minutes.

6. PRESENTATION BY UNITED FAMILY SERVICES

Pam Caskey spoke about the United Family Services mission to provide hope and solutions to those in crisis, primarily victims of sexual assault and child abuse. They have been in Union County thirty years, and have a staff of seventeen. She noted 97% of victims know their offenders. The Children's Advocacy Center "The Tree House" is more child friendly, and streamlines the process of help. She asked for increased awareness, volunteers, and financial support. Mayor Horvath thanked her for her time, and we will get a proclamation signed and sent to them.

7. REVIEW AND POSSIBLE APPROVAL OF DISPUTE RESOLUTION PROCEDURE

Bennett reported she and Sistrunk are working on this and a sample policy was reviewed; it needs to be in place for any building contract. Ormiston asked if we should get our architects Wirth and Fuller to approve this; Sistrunk said yes. The Village can approve a dispute resolution procedure and adopt it in any contracts now and going forward. It allows for starting with an informal process, then non-binding mediation, and as a last resort can go to court. Attorney Sistrunk was directed to move forward with this for the June meeting.

8. TOWN HALL BUILDING COMMITTEE UPDATE

- a. Town Hall Building Committee Concerns
- b. Revised Declarations Document and Agreement
- c. Shared Road Proposal and Possible Action

Bill Meyer said the consensus of the committee is to move forward; the last part of the road agreement is the declarations. Brotton said he sent the attorney's concerns to Aston on May 10, 2012 but hasn't heard back yet. He said at the last meeting there were still concerns on Aston, including the temporary easement over their land. Butch Plyler said his recommendation and that of several on the committee is that we don't deal with Aston. Mayor Horvath offered to call Aston this week and meet with them to move this along. Ormiston noted this has dragged out. Council Member Plyler said we wouldn't be facing extra costs with the building code changes but for this road. Brotton said most of the committee doesn't want to move forward with Aston. Mayor Horvath asked what the alternative is. Ormiston inquired on the cost of the alternative route. Butch Plyler said prices are being obtained; one was slightly under Aston, and one considerably under. We have waited and waited, and don't feel due diligence was done to the town. Had there not been a downturn, Aston would have already built the road. They want us to pay one third of the cost of the road, and their eighteen wheeler trucks will use it. The provision letting them make minor changes to the road without our consent is a concern. Langen said he spoke with Dot and they said they can't support a cut in for the town hall property except the ones on the Aston CUP. Butch Plyler said if we move the driveway over we can get a cut-in. Brotton said the committee has added things after the original issues were addressed. He has not heard back from Blackstone since he sent them a message April 26, 2012. Another option is to build on the easement, subject to Aston's approval, but all at our cost. The third option is to take the land necessary for the driveway. Mayor Horvath will meet with Aston and give them a short timeline, and we can work on a parallel strategy by Brotton talking with Blackstone. Ormiston noted it will take at least six months and a lot of work to get the required votes in Blackstone, from her experience with HOA's. Mayor Horvath asked for clarification on his authority if Sistrunk approves the agreement; Ormiston said if they make changes it needs to come back to council; Council Member Plyler said at least the changes should come back to Council. Ormiston made a motion to give conditional approval for the Mayor to sign the agreement based upon a meeting with them, turnaround in one week, without further changes, and George's review; if changes are involved they go to council and receive 100% affirmation from Council in 48 hours. Brotton seconded the motion.

The motion passed unanimously.

d. Cost Increase and Summary from Fuller and Associates

Brotton reported the architect sent a letter regarding the increase in costs due to the economy, plus costs due to a new energy code; also the Committee recommended the cost of the road be removed from the Town Hall budget and be funded by the general fund because a majority of the land will not be used for the town hall and will be for the benefit of the town as a whole. Council Member Plyler noted the costs include \$2,000 for additional design costs due to code changes; \$8,000 for energy code compliance, and \$16,200 for construction cost increases for a total of \$26,200; she noted the town hall does not have grants unlike the park. Mayor Horvath and Brotton agreed this made sense. Ormiston said she would entertain the idea. Butch Plyler said if the funds were not needed, they would go back to the town.

Mayor Horvath will write a letter to the editor explaining the status of the park and town hall to the public.

A brief break was held.

9. PARKS AND REC COMMITTEE UPDATE

a. Grant Reimbursement Receipt & Application for New Grants

We received the second reimbursement on the PARTF grant, as well as \$5,000 from the AAT grant. Ormiston thanked the finance officer for her work on those. Graham is working on an application for the second round of the AAT grants, (no match required), as well as a Home Depot grant.

b. DENR Letter on Dogwood Park Lake Dam

Ormiston reported we received a letter from DENR saying the dam is not high risk. Wirth is moving forward on the construction documents and some info has already been sent for attorney review.

c. Committee Resignations/Appointments

Mayor Horvath accepted the resignation of Bill Bennett from Parks and Rec Committee. Ormiston will check and see if the first alternate wants to move up to a full position.

d. Request Funds for Dumpster & Mowing

Ormiston said there are funds in the maintenance budget and they need to mow as well as rent a chipper and dumpster. Within the purchasing policy they can spend up to \$500 on a dumpster and \$500 for mowing. Ormiston made a motion to spend up to \$800 for rental of a chipper for two weeks; Brotton seconded the motion.

The motion passed unanimously.

10. FESTIVAL COMMITTEE UPDATE

a. Response to Advertisements

b. Possible Appointments / Resignations

c. Consideration of Festival Alternatives, If Any

Mayor Horvath noted we only had two responses, and only one wanted to help. Ormiston suggested we do a festival in conjunction with the park opening and move it to the spring. Mayor Horvath accepted the resignations of Kathy Patterson and Julie Brown from the festival committee.

11. REVIEW OF STONEGATE REQUEST FOR FIREWORKS APPROVAL

The application had a date of June 30, 2012 for the fireworks; however the attachment showed July 2, 2011. This request just shows that Council is aware of the display. Council Member Plyler made a motion to approve the fireworks on June 30, 2012 as long as they comply with all fire marshal requests. Ormiston seconded the motion.

The motion passed unanimously.

12. REVIEW ORDINANCE PRIORITIZATION LIST AND ESTABLISH RANK

First priority was assigned to OI Setbacks, next CUP sq. footage requirement; then Yard Definitions, then Update Fee-in-lieu Open Space Regulations; and last Senior Living/Mixed Use Ordinance.

13. REVIEW AND POSSIBLE APPROVAL OF COMMITTEE CHARTERS (SAFETY AND PARKS AND REC)

The Safety Committee Charter was not yet ready; Plyler will get it after their June meeting. Ormiston reported some minor changes had been made to the Parks and Rec charter from Council and by the committee. The clerk will maintain a list of people who have applied for the committee, and the committee secretary will check with the clerk when there is a vacancy. Ormiston made a motion to accept the final Parks and Rec charter contingent on approval of all committee members at the next meeting. Brotton seconded the motion.

Plyler asked if they would look at the land at the six acres or would there be a separate committee. Ormiston said no decisions had been made, but as Parks and Rec they are tasked with making recommendations for all parks and recreation.

The motion passed unanimously.

14. COMMITTEE APPLICATION PROCESS

We will have a consistent process across all committees. Applicants will fill out the application, and send it to the Clerk. If there is an opening in a committee, they should check with the clerk. It makes sense to offer a regular position to an alternate when an opening occurs. Final appointment is done by the Mayor.

Brotton made a motion to change the Town Hall charter from six members to five. Plyler seconded the motion.

The motion passed unanimously.

15. OTHER BUSINESS

There is a MUMPO meeting Wednesday, and the Western Union County Municipal Coalition meeting on Thursday. June 6 is Town Hall Day in Raleigh. There is a Union County Solid Waste Meeting coming up also. Plyler reported COG received a large amount of funds to restore businesses, in the form of revitalizing jobs, controlling government spending and the quality of life. A committee is being formed to do this. Mayor Horvath noted Ray Davis will be stepping down from Planning Board; the opening will be listed on the website.

16. COUNCIL COMMENTS

Mayor Horvath said the fire department dedication on Saturday was very nice and there was a good turnout.

17. ADJOURNMENT

Ormiston made a motion to adjourn; Brotton seconded the motion.

The motion passed unanimously.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath