

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, October 18, 2021**, at 6:30pm in Multipurpose at the Wrenn Memorial Library with Mayor Pro Tem Bray presiding. Commissioner Boone gave the invocation with the recitation of the Pledge of Allegiance following. Mayor Pro Tem Bray recited the Town of Siler City Mission Statement and Commissioner Fadely recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Norma Boone, Cindy Bray, Curtis Brown, Lewis Fadely, Bill Haiges, Thomas "Chip" Price, and Tony Siler

TOWN STAFF PRESENT: Town Manager Roy Lynch, Attorney William Morgan, Planning Director Jack Meadows, Public Works Director Chris McCorquodale, Finance Director Tina Stroupe, Human Resources Director Nancy Darden, Major James Underwood, Parks and Recreation Director Jack Clelland, and Town Clerk Jenifer Johnson

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Lynch provided an amended agenda to the Board of Commissioners.

A motion to approve the agenda as amended was made by Commissioner Brown, seconded by Commissioner Haiges, and unanimously approved.

CONSENT

A motion to approve the consent agenda which includes the October 4, 2021 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Budget Amendment 2022.6 Reappropriation of Funds (Incorporation by reference as if fully set forth herein Schedule B), Budget Amendment 2022.7 Town Hall Renovation Project (Incorporation by reference as if fully set forth herein Schedule C), Budget Amendment 2022.8 Airport Property Acquisition (Incorporation by reference as if fully set forth herein Schedule D), Reimbursement Resolution – WWTP (Incorporation by reference as if fully set forth herein Schedule E) was made by Commissioner Haiges, seconded by Commissioner Boone, and unanimously approved.

PUBLIC HEARING- LEGISLATIVE

Town of Siler City proposes the following text amendments to the UDO: §136 Uses Defined (family care home, shelter house, temporary home for homeless) and §147 Table of Permissible Uses (family care homes, nursing care homes, intermediate care homes, childcare homes, halfway house, temporary home for homeless).

Mayor Pro Tem Bray opened the public hearing Town of Siler City proposes the following text amendments to the UDO: §136 Uses Defined (family care home, shelter house, temporary home for homeless) and §147 Table of Permissible Uses (family care homes, nursing care homes, intermediate care homes, childcare homes, halfway house, temporary home for homeless) at 6:34pm. (Incorporation by reference as if fully set forth herein Schedule F)

Meadows shared the ordinance amending Article 10 and a worksheet.

Meadows stated that the proposed amendments were first discussed between town staff and the Planning Board. The planning board initiated the proposed amendments at the September 2021 planning board meeting.

Meadows shared the compatibility with the existing comprehensive Land Development Plan:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.

Meadows shared the Planning Board recommendations from the October 11, 2021, meeting:

The amendments are approved and consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.

The Board of Commissioners asked questions about definitions, table of uses, use of the facility. The Board of Commissioners asked Town Staff to bring back the text amendment to the next meeting with the changes discussed.

A motion to continue the public hearing to the next meeting on November 1, 2021, at 6:30pm at the Wren Memorial Library was made by Commissioner Fadely, seconded by Commissioner Haiges, and unanimously approved.

EVIDENTIARY HEARING ON QUASI-JUDICIAL DECISION

Special Use Permit – Hampton Village Manufactured Home Park – Major Modification

Mayor Pro Tem Bray opened the evidentiary hearing on quasi-judicial decision for the subject property located off of Pony Farm Road and identified as tax parcel # 74578, 14302, 74583, & 73963 at 7:01pm. (Incorporation by reference as if fully set forth herein Schedule G)

Mayor Pro Tem Bray administered the following oath "I do solemnly swear or affirm that the testimony and information that I am giving is true and accurate to the best of my knowledge" to Jack Meadows and Ana Borraro, 1207 April Loop, Siler City.

Meadows stated on September 21, 1998, the Siler City Board of Commissioners approved a special use permit with conditions for a 444-unit manufactured home park.

Meadows shared the conditions of approval related to recreation and open space included the following:

1. Open Space
 - a. The development must meet the open space requirements of the UDO at all times. If the applicant chooses not to complete all phases of the development, open space sufficient to satisfy any deficiencies in the amount of open space required for the size of the development at the time must be retained by the applicant for the community's use prior to any sale of the remainder or further development thereof.
 - b. All open space area will be usable by the residents
 - c. Required = 8.53 acres

- d. Provided = 18.22 acres
- 2. Recreational Facilities
 - a. Miniparks must be completed, prior to lease of lots within phases which include a park
 - b. All recreation areas or mini parks to be equipped as per Town of Siler City Ordinance
 - c. 6 miniparks within 3.73 acres

Meadows stated that the fee in lieu per unit is for a 2-bedroom unit - 240 square feet * \$3.00 = \$720 and for a 3-bedroom unit – 349 square feet * \$3.00 = \$1,047.

Meadows share the number of units:

- 1. Existing units = 105:
 - a. 96 – 3-bedroom units (96 * \$1,047 = \$100,512.00)
 - b. 9 – 2-bedroom units (9 * \$720 = \$6,480)
 - i. 1200 Waterford St.
 - ii. 1213 Southport St.
 - iii. 1303 Southport St.
 - iv. 1305 Southport St.
 - v. 1309 Southport St.
 - vi. 1310 Southport St.
 - vii. 1314 Fairfax St.
 - viii. 1502 Fairfax St.
 - ix. 1504 Fairfax St.
 - c. Total fee in lieu = \$106,992.00
- 2. Proposed units = 40
 - a. 40 – 3-bedroom units (40 * \$1,047 = \$41,880.00)
 - b. Total fee in lieu = \$41,880.00
- 3. Potential grand total fee in lieu = \$148,872.00

Meadows shared the modification request from Eddie Suits with the following major modification:

Conditions	Approved	Modification Request
Total Number of Miniparks	6	4
Total area of recreational facilities	3.73 acres	2.35 acres
Phase 1 Minipark - Area	0.69 acres	Not Required
Phase 3 Minipark - Area	0.69 acres	Not Required
Fee in Lieu for 105 existing units located in Phase 1-3a (pay total prior to issuance of any zoning permit for a new unit)	\$0.00	\$106,992.00
Fee in Lieu for 40 proposed units located in Phase 3b-4a (pay \$1,047.00 for each unit prior to issuance of each zoning permit)	\$0.00	\$41,880.00

Meadows shared the parks eligible for the fee in lieu:

- 1. District Park (serves all of the residents in the community) - Bray Park Sports Complex (2,577 feet)
- 2. Nearest Community/Neighborhood/Mini Park – Loves Creek Greenway (321 feet)

Meadows stated that the following were not eligible:

- Paul Braxton Park/Gym & Earl B. Fitts Community Center (5,567 feet)
- Washington Avenue Park (5,830 feet)
- Ernest Ramsey Gym (6,502 feet)

Landrus Siler Park (6,691 feet)
W.F. Collins Park (7,482 feet)
Boling Lane Park (9,051 feet)

Meadows shared the Parks and Recreation Department recommendation:

All payment in lieu funds from mini park developments correlate with the needs of the Parks and Recreation Department. To directly reflect with needs of the department that was presented at the Board of Commissioners meeting, the department recommends that these funds go towards the ball field lighting project of field 2 at Bray Park Sports Complex (\$150,000) and implementation of the Bray Park Master Plan. The ball field lights on field 2 keep us from playing games at nighttime on field 2. Field 2 is our nicest field, but we are handicapped by the outdated light system that is on it. Field 1, Field 3, and Field 4 all have adequate Musco Lighting.

The Board of Commissioners discussed the payment in lieu funds and the development.

Ana Borraro stated that Meadows had answered all the questions she had.

A motion to approve the modification request for Pony Farm Rd. and is identified as tax parcel # 74578, 14302, 74583, & 73963, the special use permit with conditions for a 444-unit manufactured home park was made by Commissioner Brown, seconded by Commissioner Siler, and unanimously approved.

A motion to apply the \$150,000 funds to the ball field lighting project of field 2 at Bray Park Sports Complex was made by Commissioner Fadely, seconded by Commissioner Haiges, and unanimously approved.

OLD BUSINESS

Immigrant Advisory Committee Appointments

Lynch stated on June 21, 2021, the Board of Commissioners approved a resolution creating the Immigrant Advisory Committee. The committee shall consist of seven (7) members from historically underrepresented communities with ancestry in Latin America and/or other world regions. Committee members shall be foreign-born or have recent immigrant ancestry (the children and grandchildren of foreign-born individuals). Committee members must have a vested interest in immigrant communities and have particular knowledge, skills, or abilities that serve the interest and intent of this stated purpose. (Incorporation by reference as if fully set forth herein Schedule H)

Lynch stated after several months of advertising, Town Staff has received eight (8) letters of interest from the following:

First	Last	Address	City	State	Zip
Hannia	Benitez	127B East Raleigh Street	Siler City	NC	27344
Cynthia	Bredenberg	216 Poplar Forest Lane	Pittsboro	NC	27312
Sara	Correa	520 S LaSalle Street, Apt 2217	Durham	NC	27705
Norma	Jisselle Perdomo	141 Willie Duncan Road	Siler City	NC	27344
Victoria	Navarro	730 E Cardinal Street	Siler City	NC	27344
Joti	Sekhon	20050 Fountain	Chapel Hill	NC	27517
Carlos	Simpson	PO Box 454	Siler City	NC	27344

Danubio	Vasquez Rodriguez	308 East Second Street	Siler City	NC	27344
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Lynch stated that the first organizational meeting of the committee will be on Tuesday, November 9, 2021, at 5:30pm in the multipurpose room at the Wrenn Memorial Library. At the organizational meeting, a chair and vice-chair will be appointed by the committee members, meeting dates and times will be set, and Town Staff will review the legal requirements with the committee.

The Board of Commissioners discussed the advisory committee and the eight individuals that sent in letters of interest and stated that they would like to accept letters of interest for two more weeks. Lynch stated that letters would be accepted until November 1 and the committee will be placed on the November 15 agenda.

106 East Raleigh Street – Unsafe Building Condemned

Meadows shared the following timeline and documents (Incorporation by reference as if fully set forth herein Schedule K):

1. Complaints were received that the roof collapsed on August 26, 2021.
2. Town violation letters were mailed to the owner (James Jordan & William Jordan) and posted on the property on August 31.
3. The windows were boarded up on September 16, 2021 (not by any Town or County agency).
4. Town Public Works installed barricades along the sidewalk and streets on September 17, 2021.
5. Chatham County Director of Permits & Inspections placed a condemned sign on the building on September 17, 2021.
6. The power was removed from the building by Duke Energy on September 17, 2021.
7. Town violation letters were mailed to the owner and posted on the property on September 20, 2021.
8. Town filed a Lis Pendens on October 8, 2021.
9. Owner submitted an email, copy of the structural assessment letter, and demolition permit application on October 12, 2021.
10. Engineer for Chatham Homes Realty submitted an email of an inspection of 110 E. Raleigh St. on October 13, 2021.

The Board of Commissioners thanked Meadows for the update.

NEW BUSINESS

Non-Profit Agency Grants

Lynch stated during the last budget cycle, the Board of Commissioners asked Town Staff to bring back a Non-Profit Agency Grant Policy. Any funding to an organization must fund specific programs or services, in order to be in compliance with the Local Government Budget and Fiscal Control Act, N.C.G.S. 160A-20.1, and the N.C. Constitution Article V, Section 2(1). (Incorporation by reference as if fully set forth herein Schedule I)

Stroupe stated that the top priority is to ensure all tax dollars are used in the best possible manner for the benefit of the Town residents. The proposed Non-Profit Agency Grant Policy requires agencies to fund specific programs or services for Siler City residents, rather than general operations.

Stroupe stated that the new Non-Profit Agency Grant Policy requires the application to included:

- A current solicitation license from the North Carolina Secretary of State or a current exemption.

- Nonprofit agencies that submit proposal applications must have 501c3 status and first-time applicants are required to provide a copy of the letter from the IRS that confirms this status.
 - These agencies must also submit the most recently filed IRS Form 990 or the 990 EZ, if required by IRS.
- By-laws
- Current board roster
- A signed Town of Siler City Disclosure of Potential Conflicts of Interest and Non-Discrimination Clause with a full explanation of any identified Conflicts of Interests on the form.
- Annual audit/ financial review.
 - For agencies with an annual income of more than \$100,000 an annual independent audit is required.
 - For agencies with an annual income of less than \$100,000 an annual independent financial review is required.
- W-9

Stroupe stated that the application by the nonprofit organizations for the program or service will be graded on the following criteria:

- Application has a clear mission, vision, and values of the organization.
- Application has a clear and complete description of program/service and its delivery.
- Application has a clear and convincing explanation of how outputs and outcomes support the town residents.
- Application presents a complete, clear, and reasonable list of program/service expenditures in a budget and demonstrates how town funds will support the program/service.
- Application provides a strong explanation for Town population not being served and how they will increase service to these populations.

The Board of Commissioners discussed the policy and asked Town Staff to bring back a scoring scale and a few adjustments to the next meeting.

DEPARTMENT REPORTS

Replacement of Scoreboards at Ernest Ramsey Gym

Clelland stated since the Spring Chicken Festival was cancelled, Mountaire Farms, who is the sponsor, requested a project in the Parks and Recreation Department that the \$20,000 sponsorship funds could be spent on. Town Staff recommended the replacement of the scoreboards in Ernest Ramsey Gym. Clelland shared an image of the current scoreboards and a visual of what the scoreboards may look like. (Incorporation by reference as if fully set forth herein Schedule J)

The consensus of the Board of Commissioners was to upgrade the scoreboards at Ernest Ramsey Gym, and they thanked Mountaire Farms for the donation.

Lynch shared the monthly department reports with the Board of Commissioners which included Finance, Human Resources, Parks and Recreation, Planning, Police Department, Public Works & Utilities.

MANAGER'S REPORT

Lynch shared the following with the Board of Commissioners: Checks have been mailed to non-profits, Bray Park break-in, 5th Street culver ship date delayed.

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

none

CLOSED SESSION

A motion to go into closed session § 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged at 8:08pm was made by Commissioner Haiges, seconded by Commissioner Fadely, and unanimously approved.

A motion to come out of closed session at 8:31pm was made by Commissioner Brown, seconded by Commissioner Fadely, and unanimously approved.

Lynch shared a letter from NC Department of Treasurer concerning the UAL Monitoring Requirements and their concern that the financial statements for June 30, 2020, have not been prepared. Lynch stated that the auditors are wrapping up and hope to present in November and send to LGC.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:37pm.


Cindy B. Bray, Mayor Pro Tempore

ATTEST:


Jenifer K. Johnson, Town Clerk

