

TOWN OF SILER CITY
BOARD OF COMMISSIONERS
November 20, 2023 MINUTES
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TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **November 20, 2023**, at 6:30pm in the City Hall Courtroom with Mayor Price presiding. Commissioner Boone gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Bray recited the Town of Siler City Mission Statement and Commissioner Fadely recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Albert Alston, Cindy Bray, Norma Boone, Curtis Brown, Lewis Fadely, Bill Haiges, Thomas "Chip" Price, and James Underwood

TOWN STAFF PRESENT: Town Manager Hank Raper, Town Attorney William Morgan, Public Works Director Cal Pettiford, Human Resource Director Nancy Darden, Finance Director John O'Keefe, Planning Director Jennifer Baptiste, Public Utilities Director Chris McCorquodale, and Town Clerk Kimberly Pickard.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Mayor Price requested a closed session be added to the agenda and to remove 6.1 New Business item or table the item to the next meeting which would be December 4, 2023.

A motion to approve the agenda as it was written was made by Mayor Pro Tem Haiges, seconded by Commissioner Fadely, Voting Yay, Commissioner Bray, Commissioner Boone, Mayor Pro Tem Haiges, and Commissioner Fadely, Voting Nay, Commissioner Alston, Commissioner Brown and Commissioner Underwood. The motion passed, 4-3.

CONSENT AGENDA

A motion to approve the consent agenda which included the November 6, 2023 Minutes (Incorporation by reference as if fully set forth herein Schedule A), 2024.7 Budget Amendment for Fire Vehicle Insurance Claim, FY2023-2024 Budget Amendment for Required Lead Pipe Testing, 2024.9 Budget Amendment for Lobbyist Services for Utility Funding, 2024.10 Budget Amendment for Utility Rate Study, Close Project Budget 33: Wolfsped Water tank Improvement with Community Development Block Grant (Incorporation by reference as if fully set forth herein as Schedule B), Siler City Christmas Parade Street Closure Request (Incorporation by reference as if fully set forth herein as Schedule C), was made by Commissioner Fadely, seconded Commissioner Alston, and unanimously approved.

PRESENTATIONS

Jay Sharpe with Sharpe Patel discussed the completion of the FY2021 Audit with the Board of Commissioners.

OLD BUSINESS

Charter Amendment-Mayor's Term Resolution and Ordinance. Town Manager Hank Raper discussed with the Board of Commissioners that the next step is to consider a passage of the ordinance and resolution calling a referendum for the purpose of a charter amendment question of the Mayor's Term at the Primary election to be held on March 5, 2024. Town Attorney William Morgan further explained that at the last meeting on November 6, 2023, a Public Hearing was held and the next step is approving the Ordinance and the Resolution.

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A motion to approve an Ordinance amending the Charter of the Town of Siler City to increase the Mayor's term from a two-year to a four-year term if approved by the qualified voters of the Town of Siler City at the Primary election on March 5, 2024 was made Commissioner Fadely, seconded by Mayor Pro Tem Haiges and unanimously approved.

A motion to approve the resolution calling a referendum for the purpose of the charter amendment question of the Mayors Term at the primary election be held on March 5, 2024, was made by Commissioner Brown, seconded by Commissioner Fadely, and unanimously approved.

Planning Board Appointment:

Town Manager Hank Raper, discussed with the Board of Commissioners that at the November 6, 2023, meeting, Darrell Andrews was appointed to his third term which will expire on June 30, 2026, Travis Patterson was appointed to his first term which will expire on June 30, 2026, and Rayetta Darlene Fox was appointed to her first term which will expire on June 30, 2026. With those appointments, there remains two vacancies, one city limit position and one city limit alternate position. Christopher Wilson, 1707 Singing Song Way, Siler City NC has shown interest in serving.

A motion to appoint Christopher Wilson as the City Limits Member to the Planning Board for a three-year term which will expire on June 30, 2026, was made by Commissioner Fadely, seconded by Mayor Pro Tem Haiges, and unanimously approved.

NEW BUSINESS

City of Sanford Utilities Management Agreement:

Town Manager Hank Raper discussed the City of Sanford Utilities Management Agreement with the Board of Commissioners. Raper, explained to the Board of Commissioners that on September 5, 2023, the Board of Commissioners authorized the Town Manager and Attorney Bob Hagemann with Poyner Spruill to negotiate a utility merger with the City of Sanford.

In the biennium North Carolina Budget, the General Assembly approved an appropriation of \$75,250,000 to the Town of Siler City with the following directive:

The following limitations and conditions apply to the funds allocated to the Town of Siler City:

- (1) Up to fifteen percent (15%) of the funds may be used at any time after the effective date of this act for permitting, project design and engineering, and other preconstruction activities.
- (2) The remainder of the funds shall not be disbursed by the Department of Environmental Quality until the Town of Siler City and the City of Sanford have entered into an agreement regarding the operation of the Town of Siler City wastewater improvements funded by this act.

The Town of Siler City has completed the project design and engineering, therefore, 15% would not be relevant at this time.

After meeting with the City of Sanford attorneys and staff, and in the essence of time, Town Staff feels it would be most effective to move forward with a management agreement for the operation of the Wastewater Treatment Plant. This will enable the Town to move forward with advertising and bidding out the expansion project to meet the anticipated timeline of Wolfsped and the directives with the North Carolina Budget so that the City of Sanford can manage the construction project.

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Town Manager Hank Raper further explained that the Town of Siler City cannot move forward without this agreement, the state will not unlock the funds until this agreement is signed. Raper also explained this was not a merger agreement this was a management agreement and again this must be approved to unlock the State funds.

Commissioner Fadely thanked attorney Hagemann and his law firm for their work.

Commissioner Bray said that she has spoken with several people and not a single person is upset about the town getting 75 million dollars.

Mayor Price voiced his concerns that he thought it was mistake going forward without the voice of the people. Commissioner Fadely explained that this was not a merger agreement and there would be plenty of time in the future for Public Comment as well as the new board gaining more knowledge on the subject.

A motion to adopt a resolution approving the Operation and Agency Agreement between the City of Sanford and the Town of Siler City regarding the Siler City Wastewater Treatment Facility was made by Mayor Pro Tem Haiges, seconded by Commissioner Fadely, and unanimously approved.

MANAGER'S REPORT

Town Manager, Hank Raper thanked Jay Sharpe with the auditing firm Sharpe Patel that was responsible for completing the FY2021 audit for their presentation. Raper also explained that he felt confident moving forward that FY2022 audit would go much smoother with the right policies and procedures being put into place.

GOVERNING BODY COMMENTS

Commissioner Brown asked if we were getting the maximum allowed water from Chatham County. Public Utilities Director Chris McCorquodale confirmed we were at the maximum amount allowed of half a million gallons. McCorquodale also confirmed the reservoir is still a little over 12 inches down.

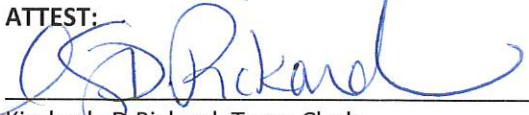
Public Works Director Cal Pettiford gave a status update of the delivery of AMI meters, with 1800 being delivered to date. It will be approximately three months from start to finish and include software implementation and training.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 7:20pm.



Thomas K. Price, III, Mayor

ATTEST:


Kimberly D Pickard, Town Clerk

