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**TOWN OF SILER CITY**

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

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

**TOWN STAFF PRESENT:** Town Manager Hank Raper, Human Resources Director, Nancy Darden, Finance Director Mandy Cartrette, Planning Director Jennifer Baptiste, Police Chief Mike Wagner, Budget Manager Jenifer Johnson, and Town Clerk Kimberly Pickard.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

Hank Raper, Town Manager presented the following adjustments to the Agenda.

- 3.2 NC Railroad Company Grant Application
- 3.3 Sanford Holshouser Contract Amendment
- 3.4 FY 2023 Budget Amendments
- 8.2 Information Item FY2023 Rollover Items
- 12.1 Closed Session
- 12.2 Closed Session
- 12.3 Closed Session

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

**CONSENT AGENDA**

***A motion to approve the consent agenda which includes the June 5, 2023 Minutes (Incorporation by reference as if fully set forth herein Schedule A), NC Railroad Company Grant Application, (Incorporation by reference as if fully set forth herein Schedule E). Sanford Holshouser Contract Amendment, (Incorporation by reference as if fully set forth herein Schedule F) FY2023 Budget Amendments (Incorporation by reference as if fully set forth herein Schedule H )was made by Commissioner Fadely, seconded by Mayor Pro Tem Haiges, and unanimously approved.***

**PRESENTATIONS**

**NONE**

**PUBLIC HEARING**

Mid-State Development Center represented by Mark Ashness, requested to rezone four (4) parcels identified as 19737 US 64 Hwy with Parcel ID's 13042 (portion of), 79705, 13043, and 79441, from Agricultural Residential (A-R) and Heavy Industrial (H-I) to Highway Commercial (H-C).

Mayor Price opened the public hearing for Mid-State Development Center represented by Mark Ashness to rezone four (4) parcels identified as 19737 US 64 Hwy with Parcel ID's 13042 (portion of), 79705, 13043,

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and 79441, from Agricultural Residential (A-R) and Heavy Industrial (H-I) to Highway Commercial (H-C).  
 6:34pm.

Planning Director Jennifer Baptiste shared the following property information:

**Mid-State Development Center, represented by Mark Ashness, is requesting to rezone four (4) parcels from Agricultural Residential (A-R) and Heavy Industrial (H-I) to Highway Commercial (H-C).**

On June 12, 2023, the Planning Board conducted a Legislative Hearing regarding this request. The Board heard testimony from one speaker in favor and no speakers in opposition. The Board voted unanimously, 4-0, to recommend that Town Council Approve the request.

Background:

The properties are located to the north and south of US Highway 64 and are west of Stockyard Road and Ellington Road. The subject properties total approximately 43.023 acres. According to the Chatham County Property Record Card, one parcel to the north of US 64 currently has two homes on the property while the other parcels are vacant.

Applicant: Mark Ashness of CE Group

Owners: Mid-state Development Center and Dearl L Trustee

Requested Action: Rezoning of four properties zoned as A-R and H-I to H-C

Property Addresses: 415 Stockyard Road, 18737 US 64W, 163 Stockyard Road, and unaddressed Ellington Road

Status of Properties: Developed and Vacant

Size: totaling 43.023 acres ±

Adjoining Zoning & Land Use:

- North: A-R and H-I – Vacant
- South: A-R – Single-Family Residential Homes
- West: A-R – Vacant and Single-Family Residential Homes
- East: A-R – Vacant and Single – Family Residential Subdivision
- Traffic Count: Between 11,500 and 9,900 on this portion of US Highway 64 W per day (2021).

With the adoption of the Siler City Land Development Plan in December 2017, all properties within the city limits as well as properties identified as being in the Extra-territorial Jurisdiction (ETJ) are subject to this plan.

According to the Plan, these parcels are recommended to be developed as either Mixed Use or Industrial.

**Issues/Analysis:**

History:

The properties to the north of US 64W are currently zoned Heavy Industrial (H-I) as part of the Chatham-Siler City Advanced Manufacturing (CAM) site. The properties to the south of US 64 W are zoned either Agricultural Residential (A-R) or Residential-20 (R-20).

Surrounding Area:

These parcels are surrounded by some vacant parcels as well as residential and industrial developments.

**Infrastructure**

**Impact on Landowners, Immediate Neighbors, and Surrounding Community**

1. Public water and sewer are not located in the area.
2. Area streets:

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Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
US HWY 64 W Northern Parcels	2,122.8	2	NCDOT	55	11,500 (2021)
US HWY 64 Southern Parcels	2540.8	2	NCDOT	55	11,500 (2021)

Impact on Landowners, Immediate Neighbors, and Surrounding Community

Zoning District	A-R	H-I	H-C
minimum lot size (Square Feet)	40,000	0	0
Recommended Minimum Lot width	100'	100'	100'
Street right-of-way building set back	40'	40'	10'
Lot boundary building set-back	20'	25'	0'
Height Limitation	40'	200'	60'

**Straight Zoning:**

The request is for a straight zoning from Agricultural Residential (A-R) and Heavy Industrial (H-I) to Highway Commercial (H-C). The reclassification of land to a straight zoning district allows all uses that are allowed as permitted uses shown on the attached Table of Permissible Uses Table taken from the UDO. Any use identified as a conditional use (PC) or special use (S) would have to obtain additional approvals from the Planning Board and Town Council.

A straight rezoning does not exempt the property from development standards associated with uses. Any use would still be subject to the development standards identified in the UDO.

The Planning Board and the Town Council may not consider conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations that are applicable without readvertisement of the rezoning to a conditional rezoning.

According to the Unified Development Ordinance (UDO), the purpose of the H-C zoning district is to “accommodate the widest range of commercial activities including businesses that primarily draw from and provide services to major thoroughfares.”

**Rezoning Request:**

The request is for a straight zoning from Agricultural Residential (A-R) and Heavy Industrial (H-I) to Highway Commercial (H-C). Any development on this property will be subject to the various development standards in the UDO based on the zoning district assigned such as signage (Article XVII) and buffering (Article XIX).

The properties located on the southern side of US 64 W will be required to install a Type B buffer to the screen from the properties to the east, west and south.

A Type B buffer is defined as “a screen that is composed of intermittent visual obstructions from the ground to a height of three feet, with intermittent visual obstruction from above the opaque portion. The semi-opaque screen is intended to partially block visual contact between uses and to create a moderate

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impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation, compliance of planted vegetative screen or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The zone of intermittent visual obstruction may contain deciduous plants. Suggested planting patterns which will achieve this standard are included in Appendix E-7.”

Once a use is identified, other development standards will be determined based on the particular use such as erosion control measures (Article XVI) as well as parking, loading, and unloading requirements (Article XVIII).

Compatibility with Existing Land Development Plan:

The adopted Land Development Plan (LDP) recommends these parcels develop as either Mixed Use or Industrial.

Mixed Use is defined as “areas often near major streets and highways, or in the central business district, and contain a variety of commercial, public, and residential land use. Commercial uses could include retail shops and shopping centers, convenience stores, restaurants, offices, medical services, and automobile dealerships, among others. Public facilities such as City Hall and the Police Department are also often in these areas. Residential uses in these areas are typically at a high density and may be standalone residential structures or in a shared structure with a commercial use.”

Industrial is defined as “areas suitable for a variety of manufacturing and warehouse/distribution uses. This category may also include office/flex space development in a planned business park type of setting.”

This rezoning is a transition from the Industrial Land Use category to a complete Mixed-Use category.

The objectives identified in the Land Development Plan for the Mixed-Use land classification are:

1. Limit impacts of development on the environment and promote sustainability.
2. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
3. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
4. Encourage the continued commercial, retail, service, and office development of the central business district, as well as encouraging compatible residential uses.
5. Improve the appearance of properties.
6. Limit the proliferation of single-purpose highway-oriented commercial areas and encourage mixed-use development.
7. Allow redevelopment of single-purpose commercial sites into mixed-use sites over time.
8. Promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small businesses, and residential.
9. Encourage the development of affordable housing.
10. Encourage close proximity of higher-density residential uses to mixed-use areas and compatible industrial areas.
11. Encourage efficient use of transportation networks.

Based on the definition of the Mixed-Use classification and the identified objective, this rezoning would be consistent with the 2017 Land Development Plan. (Please see information on Consistency Statement attached.)

Options:

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1. Approval of the map amendment/rezoning to H-C consistent with the Siler City Land Development Plan; or
2. Denial of the rezoning request as not consistent with the surrounding area and the Siler City Land Development Plan.

***A motion to close the public hearing at 6:39pm was made Commissioner Fadely and seconded by Commissioner Brown , and unanimously approved.***

***A motion to approve the ordinance amending the official zoning map by the applicant Mid-State Development represented by Mark Ashness request to rezone four parcels from Agricultural Residential (A-R) to Heavy Industrial (H-I) to Highway Commercial (H-C) the parcels which are identified as having parcel numbers 13042 and portion of 79705, 13043 and 79441 and that the action in consistent with the Town of Siler City's 2017 Land Development plan and the adopted futures land use map because it identifies the land as missed use or industrial and the ordinance amending the adopted future land use map, and the proposed amendment is reasonable because it encourages development to occur in areas with existing or planned infrastructure such as water, sewer, roads and sidewalks and it encourages attractive commercial development in appropriate business locations suitable for commercial purposes and aligns with the areas designation in the Land Development Plan and the proposed designation permits uses that are complimentary to those existing on adjacent tracts was made by Commissioner Fadely and seconded by Commissioner Brown and unanimously approved.***

#### OLD BUSINESS

FY2023/2024 Budget Adoption The Town of Siler City's budgets are adopted as required by the North Carolina General Statutes (NCGS). An annual budget is adopted for the General Fund, Powel Bill Fund, water and sewer fund, And License Plate Agency.

***A motion to approve the 2023/2024 Budget was made by Commissioner Fadely and seconded by Mayor Pro Tem Haiges and unanimously approved.***

#### NEW BUSINESS

NONE

#### MANAGER'S REPORT

- Town Manager Hank Raper gave the following updates to the Board of Commissioners:  
 Siler City Alcoholic Beverage Control Board- Budget for 2023/2024  
 FY2023 Rollover Budget Items

#### TOWN ATTORNEY INFORMATION

NONE

#### GOVERNING BODY COMMENTS

Commissioner Fadely reminded the Board of Commissioners about Court being held in Siler City on Tuesday, and that the CRC would need the meeting rooms on the first floor each Tuesday that Court is held.

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**CLOSED SESSION**

***A motion to go into Closed Session G.S. § 143-318.11 (a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session at 6:54pm by Commissioner Fadely seconded by Mayor Pro Tem Haiges and unanimously approved.***

***A motion to come out of closed session was made by Mayor Pro Tem Haiges, at 7:15pm seconded by Commissioner Fadely, and unanimously approved.***

***A motion to go into Closed Session G.S. § 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. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded at 7:16pm was made by Commissioner Fadely and seconded by Mayor Pro Tem Haiges and unanimously approved.***

***A motion to come out of closed session was made by Mayor Pro Tem Haiges at 7:25pm and seconded by Commissioner Fadely and unanimously approved.***

Commissioner Fadely asked if the Human Resources Director needed to be called in for the next closed session since it had to do with personnel. Mayor Price replied no, he just wanted the Town Manager. Commissioner Fadely replied that it was personnel. Mayor Price replied no that the Board of Commissioners did not need the Town Clerk or Human Resources. Commissioner Fadely asked the Town Manager to get the Human Resources Director since the closed session was for personnel.

Town Attorney William Morgan joined the meeting by phone. Mayor Price expressed to the Town Attorney that he was needed, but the Human Resources Director and the Town Clerk were not needed. Commissioner Fadely stated that he felt the Town Clerk was needed to do the minutes, especially since the Town Attorney was on the phone. Mayor Price replied no and stated that the Human Resources Director and the Town Clerk needed to leave, then he called for a motion.

***A motion to go into Closed Session §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate***

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***a complaint, charge, or grievance by or against an individual public officer or employee at 7:32 pm was made by Commissioner Brown, seconded by Commissioner Alston.***

Commissioner Fadely asked for discussion on the motion. Commissioner Fadely he was not in agreement with going into closed session without our Town Clerk and our Human Resources Director under (a)6. Mayor Pro Tem Haiges stated especially with the Town Attorney being on the phone.

Mayor Price stated that he respectfully disagreed.

Commissioner Fadely stated that the Town Attorney is not in person, but he is here by phone and the Town Clerk takes our minutes.

Mayor Price stated that he did not want the Town Clerk and the Human Resources Director here, that it does not concern them, and they have no part to play.

Commissioners stated that Mayor Price would not even tell us what it is about. Mayor Price stated that he would tell the Board of Commissioners what it was about after they went into closed session. That it was between the Board and the Town Manager. Commissioner Fadely stated that he felt they should be here, referring to the Town Clerk and the Human Resources Director. Mayor Price replied I think not.

Commissioner Fadely stated that he was against going into closed session without the Town Clerk and Human Resources Director, and when the mayor calls for a vote, he will vote against the motion. Mayor Price replied that is fine and that is his right.

Mayor Price asked if there was any other discussion, being none, he called for a vote.

***Yay: Alston and Brown Nay: Bray, Boone, Fadely, Haiges, and Underwood.***

The motion was not approved, and the Board of Commissioners continued in open session. Commissioner Fadely asked if the Board of Commissioners were adjourned, Mayor Price replied he did not know.

***A motion to adjourn was made by Commissioner Fadely, seconded by Commissioner Bray.***

Mayor Price called for a vote.

There was no clear direction from the Board of Commissioners.

Mayor Price stated that he thought that the Board of Commissioners should go into closed session, Commissioner Brown agreed.

Mayor Price stated that there was something that needed to be taken care of and we all know it. Commissioner Fadely replied that he did not know what the mayor was talking about and asked what it was.

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Mayor Price asked that the Human Resources Director and the Town Clerk step out of the open session then he would let the Board of Commissioners know what it was about. Commissioner Fadely stated again that he did not know what the mayor was referring to and he did not agree with them stepping out.

Commissioner Underwood asked the mayor what it was about then the Board could decide if they should stay. Mayor Pro Tem Haiges reminded the Board of Commissioners that they were in open session, and anyone could attend.

Mayor Price stated what the closed session is about is the comments that the Town Manager made to the paper regarding citizen concerns about the Town of Siler City. Commissioner Fadely stated that he was not in agreement with going into closed session about a published article. Mayor Price stated that this is about the Town Manager's performance and was a personal issue. Mayor Price stated if the Board of Commissioners wanted to talk about it, then they can do it in open session.

Mayor Price stated that the Town Manager went to the newspaper and put out an article and he thought everything was handled at the last meeting and he gets the paper last Wednesday and here's all this stuff that the Town Manager has said and where did that come from and he couldn't figure out if he was belittling the Board of Commissioners or the citizens or what he was talking about. The article has offended me, it has offended members of the Board, it has offended citizens, and it has offended the business community. Mayor Price stated that he has received all kinds of letters, questions, and phone calls about it.

Commissioner Fadely stated that there was a motion and second on the floor. Mayor Price replied wait a minute, I have the floor. Mayor Price stated that the motion did not pass. Commissioner Fadely replied that it was not voted on. Mayor Price stated that the motion did not pass, so now he has the floor and its open session.

Mayor Price stated that he had been getting all this information and I let it go for a while, but he is disappointed in the performance of the Town Manager. Mayor Price thought at the very least when he talks to the newspaper and puts it in the newspaper, and he did not consult the Board of Commissioners and give us that information.

Commissioner Fadely stated get the person that authored the article in here if you want to bash the article. Mayor Price replied that he is talking about what the Town Manager said. Commissioner Fadely replied that the Town Manager had one quote at the end of the article. Mayor Price pulled out the article and started reading.

Mayor Price asked the Board of Commissioners if the Town Manager said anything about this article to them.

A motion to put the full article on the record was made by Commissioner Fadely. Mayor Price stated that he was fine with putting it on the record. Mayor Price stated that he would like to know exactly what the Town Manager was talking about and asked the Town Manager if the newspaper printed him wrong. Town Manager Raper replied that he could not remember how that conversation took place. Mayor Price asked the Town Manager if those were his words. Town Manager Raper replied yes, but. Mayor Price interrupted



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him and said no buts. The Board of Commissioners stated that they would like to hear what the Town Manager was going to say.

Town Manager Raper stated after the article was printed, he has a conversation with the reporter, who was upset and said that half of the article and a tremendous amount of the conversation about stormwater was edited out by the new editor because the paper has new ownership, so that the article would seem much more confrontational than the author had written it. The quotes that I gave, I made with context and the quote about thirty years in the past, I stand behind that statement. The town has not upgraded all its facilities in thirty years. We just did a building renovation that is eighty years old. We have not built a public works garage, or a fire station. We have not added staff. We can go on and on of the items that we need to do. So, we need to make up for thirty years of work and we need to get ahead thirty years ahead because Wolfspeed is coming with a semi-conductor plant and investing five billion dollars. They are going to want recreation facilities, that is why we are doing a comprehensive land use plan, a Sanford Holshouser plan, a parks and recreation plan. Because people are going to want these things. We have sixty years' worth of work to do, and we have less than ten years to do it. So, I stand fully behind what I said.

Mayor Price asked the Town Manager why he felt he had to go to the paper and say all of that without informing the Board of Commissioners.

Town Manager Raper replied that he has spoke to a reporter after every board meeting since he has been with the Town, how they choose to author the articles is up to them, and he does not see the article before they are printed. They ask questions and he gives specific answers.

Mayor Price asked the Town Manager if he did not realize that he was the spokesperson for the Town, and he should have said he did not have any comment.

Commissioner Fadely stated that the Town Manager answered the questions accurately. Mayor Price replied that it might be accurate, but he should not have said it.

Commissioner Fadely replied that it was accurate but got twisted around and the mayor was just nit-picking thing because you do not like the Town Manager.

Mayor Pro Tem Haiges stated if the Town Manager gives a complete answer like he has done in every other board meeting, as the spokesperson of the Town, how the paper chooses to spin that is no different than what you see on the news. They are choosing to spin the article in a confrontational way with no fault of the person that is answering the questions. He gave a complete answer with context, and they chose not to add the context. He cannot fault the Town Manager for that.

Mayor Price replied, if that is correct, then he thinks the Town Manager should put another article in the paper to retract what he said.

Mayor Pro Tem Haiges and Commissioner Fadely both stated that it was the context. Mayor Price replied that it comes across negative. Commissioner Fadely stated that he did not feel it comes across negative, that the Town is behind. It comes across as we need to work hard. Mayor Price agreed in the behind part,

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but this is not an article that needed to be in the paper, and it does not give a good image and it makes it sound like there is something strange going on.

Commissioner Fadely stated that he thought that the mayor just did not like the Town Manager. Mayor Price replied that he really did not care for him. Commissioner Fadely stated that the mayor just nit-picks everything. Mayor Price stated that he could still work with him, but he is not thrilled with a Town Manager that goes around and puts stuff like this in the paper. Mayor Pro Tem Haiges repeated that the Town Manager did not just put it in the paper, he gave an interview following the board meeting that was fairly contentious. He answered questions and the paper editors placed it in the paper.

Mayor Price stated that it has not been received by the citizens that way. Mayor Pro Tem stated then we should write a letter to the editor with the context. Town Manager Raper asked what the letter would say, because the questions he received from the reporter were why this issue with stormwater did not come up in the budget workshops and he answered because we are trying to catch up on these issues and there were no objections to the stormwater program until the last meeting when the mayor brought it up. Mayor Price stated that it was not brought up but there were never any financial figures presented.

Town Manager Raper stated that we did not need to bring them up until we started the study. Mayor Price stated until we got down to the end and we still do not know what an individual business will pay. Town Manager Raper replied that we are in the same place as we originally planned on being because we would not approve the program until the Board of Commissioners adopted an ordinance that requires the process for the Town to have a stormwater program. We have not gotten that far in the process.

Mayor Price stated that we did not do due diligence on the process on the front end, like going in and having community meetings and that is what everybody is upset about. Town Manager Raper asked who was upset and who are the citizens. Mayor Price replied to the ones that pay your salary. Town Manager Raper replied that he has not spoken to anyone that is upset about this that is a resident of Siler City. Mayor Price asked the Town Manager who he has spoken to that is all for it. Town Manager Hank Raper stated that the only person that came to these meetings was Donald Matthews and he expressed support for this program.

Mayor Price stated all you had to do was say no comment. Town Manager Raper asked so we do not need to tell the citizens why, at the last minute, we decided not to do a program that we discussed in four work sessions and presented a budget for and all the sudden it just disappears. Commissioner Fadely questions that we hired a consultant last October to investigate. Town Manager Raper added that we paid \$200,000 for Freese and Nichols to investigate the water and sewer rates, system development fees, and the stormwater program. Commissioner Fadely added that we received a grant to help us and if we do not use it, then we lose the funding. Mayor Price stated that is good but how much of that was advertised in the public to the citizens. Town Manager Raper replied all of it. Mayor Price replied no we have not, how many community meetings specially for that saying this is what each business will pay. Town Manager Raper replied if you thought stormwater was an issue, you should have brought it up during the work sessions or any of the three community engagement meetings, but you did not do so. Mayor Price replied that he did bring it up one on one to the Town Manager and said he did not know about the program. Commissioner Fadely asked the mayor why he did not tell the Board of Commissioners at one of the

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workshop meetings. Mayor Price replied that he had said it, but nobody listened. None of the Board members remembered Mayor Price bringing it up.

Commissioner Brown stated that the program has not been done away with, we just asked that we have the public meetings. Board members agreed. Town Manager Raper stated that his only issue with pulling it was the process, it was not having it in the budget, because that prohibited us from purchasing the leaf truck, but the board can still adopt it later. Commissioner Brown replied to him the Board of Commissioners did not stop anything, we just wanted to get some input.

Mayor Pro Tem Haiges stated that he asked the representative from Freese and Nichols what are the steps that we need to take in order to adopt this program and he explained that to us, and we have not done that yet, so we are not ready, so there is stuff we still have to do.

Commissioner Brown stated that he did not like the idea of ordering something. Mayor Pro Tem Haiges replied we could not order it until we started collecting money, which we would not have done until we had all these other steps. Commissioner Brown stated that he understood, but we are getting to the same thing, we are just doing it a different way.

The Board of Commissioners agreed that they did want to have meetings to discuss the program.

Town Manager Raper stated when Commissioner Alston was first elected to the Board of Commissioners and Public Works Director Cal Pettiford first started, we walked around the district and identified all these stormwater issues. Commissioner Alston agreed. Town Manager Raper further stated that we told you at that time, that we were sorry, but we could not fix any of the problems without a stormwater program and this was a solution to that, its not the only solution, but it is the most common solution because there is no dedicated revenue to address those issues. Town Manager Raper stated because he took Commissioner Alston's concerns seriously, they worked together and came up with a solution in proposing the stormwater program in his district and other areas of the town. Stormwater issues hit minority communities in greater portion than it does in other parts of the town. That is not just a Siler City problem, that is a historic problem all across the country, because the flood prone areas went to those in the minority community. The community of Siler City has a responsibility to address these issues.

Commissioner Fadely stated that there were some pictures we were shown one time during a storm, where water was standing up to the houses and it was about to wash out some houses.

Town Manager Raper stated with the absence of a stormwater program these issues will not get addressed. And yes, we are thirty years behind on these solutions, frankly we are fifty years behind on addressing these issues. This was the solution that we thought was appropriate to the issues. This was included in the Freese and Nichols proposal and they proposed how a stormwater program is created and explained the ERU and expanded the process and proposed \$5 dollars, which is how we built a budget. Commissioner Fadely stated that he did not remember any board member objecting to the \$5 per month. Mayor Price stated that was on households, not a single thing was addressed about commercial properties. Town Manager Raper stated it was addressed; it is \$5 per ERU.

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Commissioner Alston stated that a lot of people are not going to be happy about adding the fee. Town Manager Raper stated he was here to answer questions and explain the program.

Commissioner Boone stated that she remembered the conversation that we had because she has had a lot of issues and sent a lot of pictures of her yard and district. I know that the stormwater program would benefit my area. Her only concern was people did not know, so they could understand what it was going to be. Commissioner Boone stated definitely we need the program, because we are going to be flooded out. Commissioner Boone remembered a recent conversation with someone, and she feels that her yard may not be flooding out anymore because the trees and brush is no longer there. And yes, her community is the one that suffers from the flooding. We have to have something, even if we do not know how it's going to affect the businesses, because we have citizens that we have to be concerned about and the things that they are faced with.

The Board of Commissioners discussed numerous other areas of the town that flooded. Mayor Price stated he does not think there is any question about it, there is a stormwater issue, that is not the question, it's the implementation of the program and how its presented, that's his issue. It is something we have known about and has been around for a while and needs to be addressed. But we need to do the proper work on the front end and present it to the people and that is the part we have not done. The Town Manager stated that he supported whatever efforts the Board of Commissioners wanted to go through to educate the public, that staff are more than willing to do. Mayor Pro Tem Haiges stated that is what Freese and Nichols presented that would be done.

Commissioner Brown stated that he remembers Mayor Pro Tem Haiges saying this was the first year that he did not have any complaints about the leave. Commissioner Brown expressed that he did not have any complaints about leaves and asked what the emergency about the leave truck is. Town Manager Raper replied it addresses a couple of different issues, first we are trying to make sure the staff in public works is better cross trained for a few reasons. We have employees working in water sewer maintenance working in streets and employees working in streets working in water sewer maintenance. We want the staff to be able to do both and we want the supervisor to be cross trained as well. He has noticed historically that the minority individuals worked on the street side and white individuals were put on the water sewer maintenance side and he does not feel that is right and that we have a fair and open opportunity for everyone in the organization. The second piece of the leaf truck is when it comes to the collection of the leaves, we moved a staff member from water sewer maintenance to supervisor on the street side and he has done an excellent job getting up the leaves. But this has been a detriment of other services not being done because all the staff has been on leaf collection. If we went to the leaf truck, one staff member could do the full operation. Commissioner Brown replied that he understood, but he did not know what the urgency was.

Mayor Pro Tem Haiges stated that we would have to be able to order the truck so it would be in place for leaf season.

Mayor Price stated all that is good, but why did we not talk about that earlier, that would have been a good argument. Mayor Pro Tem Haiges replied that we did discuss it at the budget workshop and had a picture of the truck. Mayor Price replied that we did talk about that but not the other part. Mayor Pro

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Tem Haiges asked a clarifying question about what other part. Mayor Price replied that we were going to put it in there but implement it later, but whatever, it does not make any difference at this point.

Mayor Price stated that he has learned over time that nothing is a good or as bad as you think it is going to be and I have serious reservation that when we get this truck that we are going to be able to operate it with just one person on a consistent basis because there is all kinds of stuff, trash, sticks and when it gets wet, it will work good under optimal conditions, but one person is not going to be able to do it.

Commissioner Fadely asked when we were going to get back to the program where we add the fee for the additional scoops on the curb side pick-up so we can get the town looking the way it should look. Town Manager Raper stated the program is in the fee schedule and starts July 1.

The Board of Commissioners discussed the curb side issues.

Commissioner Brown stated that he would use Welford Harris as an example, they asked what their bill would be, and he does not know what to tell them and he does not know what size their building and parcel is. Town Manager Raper stated that we intentionally did not want staff coming up with that number, which is why we are asking Freese and Nichols to come up with those numbers that way it is not staff making a subjective decision about that. Commissioner Brown asked what if they come up with the numbers and people gather at these meetings and we cannot do the program because the majority of the people in town say no, we do not want that program and the board votes no, that is where I have a problem. Town Manager Raper replied that he based the decision on the conversation in the budget work sessions and there were not any objections from the Board of Commissioners.

Commissioner Brown stated that people ask the board questions, and I knew the \$5, but if anyone else asked me, I would not be able to answer. Town Manager Raper replied that is why staff is here to answer those questions.

The Board of Commissioners discussed the stormwater process and how the fees would be calculated.

Town Manager Raper asked the Board of Commissioners if they still want to pursue the stormwater program. The consensus of the Board of Commissioner was it was a positive program.

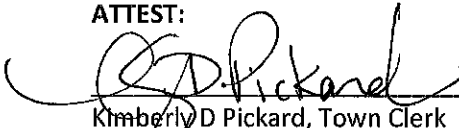
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**ADJOURNMENT**

With no further business the Board of Commissioners adjourned at 8:43pm.

  
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Thomas K. Price, III, Mayor

**ATTEST:**

  
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Kimberly D Pickard, Town Clerk

