

## MINUTES – November 6, 2023

The Board of Aldermen of the Town of Gibsonville met at 7:00pm for a regular meeting in the Gibsonville Town Hall. The meeting was called to order by Mayor Williams. Alderpersons Shepherd, Owen, Crisp, Fanelli, and Dean were present. Ben Baxley, Town Manager, Gina Griffeth, Town Clerk, Bob Giles, Town Attorney, James Todd, Fire Chief, Ron Parrish, Police Chief, Lt. BJ Korn, Ricky Wade, Assistant Public Works Director, Troy King, Utility Superintendent, Brandon Parker, Planning Director, and Jess Arnold, Library Director, were present. There were several members of the public present. The board meeting was not live streamed on Facebook due to technical difficulties.

Mayor Williams called the meeting to order and lead the pledge of allegiance.

Alderwoman Fanelli lead the invocation.

### Public Comments

Jerry Williamson of 219 Lewis Street spoke regarding ongoing water drainage problems and issues with semi-trucks turning into his yard from Burlington Ave. He requested that the drainage issue be resolved and a ‘no right hand turn’ sign erected for semi-trucks.

Troy King of Public Works stated that the drainage situation is being actively looked at. Engineers are in the design phase at the moment. There are some issues with utilities being located in the same area.

Josh Johnson of AWCK stated that the ‘no right-hand turn’ signs can be done if added to the traffic schedule for the code of ordinances.

Mayor Williams asked Ben Baxley to report back on this issue at the next meeting.

### Approval of Agenda

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the agenda. The motion passed unanimously.

### Approval of Minutes

Alderman Owen, seconded by Alderman Crisp, made a motion to approve the minutes of October 16, 2023. The motion passed unanimously.

### Public Hearing - Annexation Petition – 5612 NC HWY 61 North

Property owners Teresa and Donald Merner have submitted a petition requesting to annex Guilford County Parcel 104920, Deed Book 4803, Page 1501-1503 consisting of 0.491 acres. The board will need to approve the annexation ordinance.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to open the public hearing.

No one wished to speak.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to close the public hearing.

Alderman Shepherd, seconded by Alderwoman Fanelli, made a motion to approve the ordinance annexing the property at 5612 NC HWY 61 North. The motion passed unanimously.

## AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF GIBSONVILLE, NORTH CAROLINA

Annex. Ordinance 2023-3

**WHEREAS**, the Gibsonville Board of Aldermen has been petitioned under G.S. 160A-31 to annex the area described below; and

**WHEREAS**, the Gibsonville Board of Aldermen has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 129 W Main Street at 7pm on November 6, 2023, after due notice by publication on October 21st and October 28th, 2023; and

**WHEREAS**, the Gibsonville Board of Aldermen finds that the petition meets the requirements of G.S. 160A-31;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Aldermen of the Town of Gibsonville, North Carolina that:

Section 1. By the virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Gibsonville as of November 6, 2023:

**5612 NC HWY 61 NORTH  
Guilford County Parcel #104920  
0.49 acres  
Guilford County Register of Deeds Book 4803, Page 1501-1503**

Section 2. Upon and after November 6, 2023, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Gibsonville and shall be entitled to the same privileges and benefits as other parts of the Town of Gibsonville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Gibsonville shall cause to be recorded in the office of the Register of Deeds of Guilford County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Guilford County Board of Elections, as required by G.S. 163-288.1.

Adopted this 6th day of November, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

**Ordinance to approve Traffic and Parking Schedule I: Parking Prohibited**

With the revision of the Gibsonville Code of Ordinances, town staff have begun updating the traffic and parking schedules which are incorporated into the code by reference. The board will need to approve the ordinance for Schedule I: Parking Prohibited.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to approve the ordinance for Traffic and Parking Schedule I: Parking Prohibited. The motion passed unanimously.

**AN ORDINANCE TO APPROVE SCHEDULE I: PARKING PROHIBITED OF THE  
TRAFFIC AND PARKING SCHEDULES FOR THE  
TOWN OF GIBSONVILLE CODE OF ORDINANCES**

**WHEREAS**, the Gibsonville Code of Ordinances makes reference to Traffic and Parking Schedules throughout its text; and

**WHEREAS**, much of the Traffic and Parking Schedules were last updated in the 1960s necessitating a complete revision;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Aldermen of the Town of Gibsonville that the updated Schedule I: Parking Prohibited of the Traffic and Parking Schedule be incorporated by reference into the Code of Ordinances. All Traffic and Parking Schedules shall be retained for reference in the office of the police department and office of the Town Clerk.

This the 6th day of November 2023

ATTEST:

BY:

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
MAYOR

**Oversized waterline reimbursement – Edinborough**

The new Edinborough subdivision on NC HWY 61 North has installed an oversized 12” waterline through the development. This is above the required 8” line and, therefore, eligible for reimbursement pursuant to the Town of Gibsonville Policy on Oversize Reimbursement Requests. The board will need to approve the reimbursement request.

Ben Baxley asked Josh Johnson of AWCK to present this item. He added that the board approved the oversized waterline policy back in December of 2020.

Josh Johnson stated that, in reviewing the Edinborough phase 1 plans, it was noted that an 8” waterline was going to be installed. AWCK, on behalf of the town, approached the developer to see if they would be willing to install an oversized 12” line and be reimbursed for the cost difference. This eliminated the need for the town to install a 12” portion up NC 61 North to County Farm Road and saved approximately \$300,000. He added that this is the first oversized line reimbursement done by the town. Going forward, the board will have more advanced notice of intentions to oversize by developers.

Ben Baxley stated that the board will need to approve the oversized waterline reimbursement to Edinborough 7, LLC in the amount of \$40,800.

Alderman Owen, seconded by Alderwoman Fanelli, made a motion to approve the reimbursement. The motion passed unanimously.

**Budget Ordinance Amendment #4**

This budget ordinance amendment is needed to appropriate Federal Drug Funds to purchase police department equipment, reimburse a developer for oversize of waterline per the Town of Gibsonville Oversize Reimbursement Requests Policy, account for a quarterly contribution from Gibsonville ABC to the police department, and account for one-month distribution of state aid for the library.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to approve Budget Ordinance Amendment #4. The motion passed unanimously.

**TOWN OF GIBSONVILLE, NORTH CAROLINA  
FY 2024 BUDGET ORDINANCE AMENDMENT #4**

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 6th day of November, 2023 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

**SECTION I. GENERAL FUND**

	<b>FY 2024</b>		<b>FY 2024</b>
<b>Anticipated Revenues</b>		<b>Amendment</b>	
	<u><b>Current Budget</b></u>	<u><b>Increase/Decrease</b></u>	<u><b>Revised Budget</b></u>
Taxes, Current Year	4,807,076	-	4,807,076
Taxes, Prior Years, Interest & Penalties	31,150	-	31,150
Motor Vehicle Tax	467,508	-	467,508
Cemetery	16,000	-	16,000
Recreation	111,005	-	111,005
Sanitation Service Charge	475,000	-	475,000
Interest on Investments	23,000	-	23,000
Fire District Tax (Guilford)	19,271	-	19,271
Library	4,000	-	4,000

Transfer Perpetual Care	2,700	-	2,700
Sale of Fixed Assets	5,000	-	5,000
Guilford County Funds	55,500	-	55,500
Code Enforcement/Planning	18,000	-	18,000
Brush/White Goods Pickup Fees	4,000	-	4,000
<i>Miscellaneous</i>	<i>113,802</i>	<i>3,545</i>	<i>117,347</i>
GHA	2,340	-	2,340
Stormwater Fee	70,500	-	70,500
Solid Waste Disposal Tax	7,000	-	7,000
Intangible: Sales Tax (Alamance Co.)	1,500,600	-	1,500,600
Intangible: Sales Tax (Guilford Co.)	788,225	-	788,225
Utility Franchise	422,000	-	422,000
Beer & Wine	35,500	-	35,500
Powell Bill Funds	257,000	-	257,000
Loan Proceeds	1,106,000	-	1,106,000
<i>Appropriated Federal Drug Funds</i>	<i>5,033</i>	<i>41,121</i>	<i>46,154</i>
Fund Balance (General Fund) Appropriation	797,923	-	797,923
Fund Balance (Powell Bill) Appropriation	325,000	-	325,000
<b><i>Total Anticipated Revenues</i></b>	<b><u>11,470,133</u></b>	<b><u>44,666</u></b>	<b><u>11,514,799</u></b>

#### Authorized Expenditures

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Governing Board	94,337	-	94,337
Administration	1,485,746	-	1,485,746
<i>Police</i>	<i>3,326,688</i>	<i>44,121</i>	<i>3,370,809</i>
Fire	2,513,188	-	2,513,188
Public Works	2,253,804	-	2,253,804
Powell Bill	420,000	-	420,000
Recreation	940,150	-	940,150
<i>Library</i>	<i>367,720</i>	<i>545</i>	<i>368,265</i>
Cemetery	28,500	-	28,500

Contingency	40,000	-	40,000
<b>Total Authorized Expenditures</b>	<b>11,470,133</b>	<b>44,666</b>	<b>11,514,799</b>
	0	0	0

**SECTION II. WATER & SEWER**

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<b>Anticipated W&amp;S Revenues</b>			
<b><u>Water Revenues</u></b>			
Water Service Fees	1,007,700	-	1,007,700
Tapping Fees	5,000	-	5,000
Meter Setting	10,000	-	10,000
Reconnection Fees	50,000	-	50,000
Miscellaneous Revenues	12,000	-	12,000
Insurance Proceeds	15,586	-	15,586
<i>Retained Earnings Appropriation</i>	<i>131,039</i>	<i>40,800</i>	<i>171,839</i>
<b>Total Anticipated Water Revenues</b>	<b>1,231,325</b>	<b>40,800</b>	<b>1,272,125</b>
<b><u>Sewer Revenues</u></b>			
Sewer Service Fees	2,180,000	-	2,180,000
Tapping Fees	5,000	-	5,000
Meter Setting	10,000	-	10,000
Reconnection Fees	50,000	-	50,000
Miscellaneous Revenues	12,000	-	12,000
Retained Earnings Appropriation	372,375	-	372,375
<b>Total Anticipated Sewer Revenues</b>	<b>2,629,375</b>	<b>-</b>	<b>2,629,375</b>
<b>Total Anticipated W&amp;S Revenues</b>	<b>3,860,700</b>	<b>40,800</b>	<b>3,901,500</b>
<b>Authorized W&amp;S Expenditures</b>			
<b>Water Expenditures</b>	<b>1,231,325</b>	<b>40,800</b>	<b>1,272,125</b>
<b>Sewer Expenditures</b>	<b>2,629,375</b>	<b>-</b>	<b>2,629,375</b>
<b>Total Authorized Expenditures</b>	<b>3,860,700</b>	<b>40,800</b>	<b>3,901,500</b>
	-	-	-

**SECTION III. PERPETUAL CARE FUND**

<i>Anticipated Revenues</i>	<b>2,700</b>	-	<b>2,700</b>
<i>Authorized Expenditures</i>	<b>2,700</b>	-	<b>2,700</b>
	-		-

**SECTION IV. WATER AIA GRANT SPECIAL REVENUE FUND**

<i>Anticipated Revenues</i>	<b>200,000</b>	-	<b>200,000</b>
<i>Authorized Expenditures</i>	<b>200,000</b>	-	<b>200,000</b>
	-		-

**SECTION V. SEWER AIA GRANT SPECIAL REVENUE FUND**

<i>Anticipated Revenues</i>	<b>200,000</b>	-	<b>200,000</b>
<i>Authorized Expenditures</i>	<b>200,000</b>	-	<b>200,000</b>
	-		-

**SECTION VI. WATER TANK CAPITAL PROJECT FUND**

<i>Anticipated Revenues</i>	<b>3,300,000</b>	-	<b>3,300,000</b>
<i>Authorized Expenditures</i>	<b>3,300,000</b>	-	<b>3,300,000</b>
	-		-

**SECTION VI. TAX RATE ESTABLISHED**

An ad valorem tax rate of \$0.49 per \$100 at full valuation is hereby established as the official tax rate for the Town of Gibsonville for the fiscal year 2024. This rate is based on a total valuation of property of \$1,087,318,941 and an estimated collection rate of 99.00%.

**SECTION VII.**

Charges for services and fees by Town Departments are levied in the amounts set forth in the Fee Schedule (See Attachment A).

**SECTION VIII. SPECIAL AUTHORIZATION - BUDGET OFFICER**

- A.** Budget Officer shall be authorized to reallocate departmental appropriations among various object of expenditures as he believes necessary.
- B.** The Budget Officer shall be authorized to effect interdepartmental transfers, in the same fund, not to exceed 10% of the appropriated monies for the department whose allocations is reduced. Notation of all such transfers shall be made to the Board on the next succeeding Financial Report.
- C.** He may make interfund loans for a period of not more than 60 days.
- D.** Interfund transfers, established in the budget document may be accomplished without recourse to the Board.

**SECTION IX. RESTRICTION - BUDGET OFFICER**

- A.** Interfund transfer of monies, except as noted in Section VI. Shall be accomplished by the Board authorization only.
- B.** The utilization of any contingency appropriations shall be accomplished only with Board authorization.

**SECTION X. UTILIZATION OF BUDGET ORDINANCE**

This Ordinance Amendment and the Budget Document shall be the basis of the financial plan for the Gibsonville Municipal Government during the 2024 fiscal year. The Budget Officer shall administer the budget and shall insure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The accounting section shall establish records which are consonance with the Budget and this Ordinance and the appropriate statute of the State of North Carolina.

**Amended this the 6th day of November, 2023.**

**Attest:**

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**Mayor of Gibsonville, NC**

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**Town Clerk of Gibsonville, NC**

**Reports**

**Town Manager** – Ben Baxley stated that tomorrow is the municipal election. The Veteran’s Breakfast will be Thursday the 9<sup>th</sup>. Town offices will be closed on Friday for Veteran’s Day with Friday’s garbage being collected on Monday the 13<sup>th</sup>. Town offices will be closed on November 23<sup>rd</sup> and 24<sup>th</sup> for Thanksgiving. Thursday’s garbage will be collected on Wednesday and Friday’s garbage will be collected the following Monday.

Ben brought up the property owned by the town located at 614 Dick Street. It is being used by individuals as a community garden but there is no agreement in place. The town is currently in the process of having the property cleared and grassed so that diseased trees do not fall on surrounding properties. The lot is approximately 1.35 acres and was recently appraised at \$93,000. He asked for the board’s input on selling the property. If there was interest, the next step would be a resolution and to start the sealed bid process.

Alderman Crisp and Shepherd both agreed that the individuals who are involved with the community garden should be notified first.

Alderman Fanelli stated that there are other places to have a garden such as next to the community center and senior center. She does not want to kick those out who are currently using it without discussing it first.

**Mayor** – Mayor Williams recognized Tangela Mitchell who is running for the Gibsonville Board of Aldermen and Taneisha Dukes who is running for District 59 in the 2024 election. He encouraged everyone to get out and vote.

**Board Members** – Alderman Fanelli stated that she, Ben Baxley, and Jess Arnold met to look at library funding options. A new library building is needed, but they are trying to find funding so that the citizens don’t have to pay for all \$10 million of it. They reached out to a consultant who was recommended by Clearscapes Architects to see if there is hope of raising money. She recommended using some of the money already allocated to the library project to bring him in.

Ben Baxley stated that the architects provided the name of David Winslow with the Winslow Group. He has been successful with other projects across the state of North Carolina. The first step would be a feasibility study followed by the creation of a fundraising committee. He is out of Winston Salem and could come and speak to the board about the process. The feasibility study would take approximately 90-120 days to complete and cost \$25,000.

Mayor Williams stated that he should come and talk about what he plans to do if the town is going to spend money.

Ben Baxley stated that he will ask him to come and speak at the December 4th meeting.

**Closed session – Town Manager Evaluation**

Alderman Shepherd, seconded by Alderman Owen, made a motion to go into closed session to discuss the competence, performance, and character of an employee pursuant to 143.318.33; this is privileged and confidential information to prevent disclosure thereof. The motion passed unanimously.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to go out of closed session and back into regular session. The motion passed unanimously.

Alderman Shepherd, seconded by Alderwoman Fanelli, made a motion to award Town Manager, Ben Baxley, a 3% pay increase based on his evaluation. The motion passed unanimously.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to adjourn. The motion passed unanimously. The meeting ended at 7:53pm.

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Mayor

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Attest: Town Clerk