

## MINUTES – March 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, and Dean were present. Alderwoman Maizland was absent. Ben Baxley, Town Manager, Gina Griffeth, Town Clerk, Bob Giles, Town Attorney, Officer Calderini, Lt. BJ Korn, Ron Parrish, Police Chief, Brandon Parker, Town Planner, Mike Dupree, Parks and Recreation Director, and James Todd, Fire Chief, were present. There were several members of the public present. The board meeting was live streamed on Facebook for those unable to attend.

Mayor Williams called the meeting to order.

### Invocation

Alderman Crisp led the invocation.

### Flag Ceremony – Girl Scout Troop 30049

Gibsonville Girl Scout Troop 30049, led by Tina Barber, presented a flag ceremony to include the pledge of allegiance.

### Public Comments

Tina Barber, Girl Scout Troop 30049 leader, thanked the board for allowing the troop to attend and provided a brief overview of the Girl Scouts.

### 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 February 20, 2023 minutes. The motion passed unanimously.

### Public Hearing – Land Development Ordinance Amendment

The Gibsonville Planning Board voted 6-0 at their February 16<sup>th</sup> meeting to amend the Gibsonville Land Development Ordinance. The amendment is to Section 4-2.1 (RS-9 Residential Single-Family District) and would remove the verbiage “Additional standards include sidewalks required on one side of the street, street pavement width reduced to 26 feet, back-of-curb, on a 50-foot right-of-way, sufficient driveways to accommodate two cars side-by-side, and covered entry ways for all residential construction”. The requirement of sidewalks and parking are already covered in the general portion of the ordinance. The goal of this amendment is to remove the allowance of narrower streets.

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

There were no public comments.

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

Alderman Shepherd, seconded by Alderman Crisp, made a motion to approve the Land Development Ordinance along with the consistency statement. The motion passed unanimously.

## **AN ORDINANCE TO AMEND THE GIBSONVILLE DEVELOPMENT ORDINANCE WITH RESPECT TO ZONING, PLANNING & DEVELOPMENT TO AMEND CHAPTER 4-2.1 OF THE GIBSONVILLE DEVELOPMENT ORDINANCE**

**WHEREAS**, the current development ordinance was duly adopted 1 April 1991; and

**WHEREAS**, during the course of routine interpretation and application the need arises to revise the ordinance, or to correct or clarify certain ambiguities and inconsistencies contained within the text of the ordinance; and

**WHEREAS**, pursuant to development ordinance, proper procedure was made to amend Chapter 4-2.1B (RS-9 Zoning District) of the development ordinance; and

**WHEREAS**, pursuant to development ordinance and statutory requirements, the Town of Gibsonville made due public notification and advertisement of the ordinance amendment; and

**WHEREAS**, after consideration in a public hearing at their regular February meeting, the Gibsonville Planning Board voted unanimous 6-0 to approve the proposed ordinance amendment; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE TOWN OF GIBSONVILLE:** that Chapter 4-2.1B of the Gibsonville Development Ordinance be amended to remove ‘Additional standards include sidewalks required on one side of the street, street pavement width reduced to 26 feet, back-of-curb, on a 50 foot right-of-way, sufficient driveways to accommodate two cars side-by-side, and covered entry ways for all residential construction’, which shall be fully incorporated therein.

Adopted this 6<sup>th</sup> day of March 2023.

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**Mayor**

**Attest:** \_\_\_\_\_

### **Plan Consistency Statement**

In accordance with NCGS 160D-605, the Board of Aldermen shall approve a Plan Consistency Statement when adopting or rejecting a zoning text amendment.

**Staff Recommendation:** Staff recommends that the Board of Aldermen approve the Plan Consistency Statement for the “Section 4-2.1 (RS-9 Residential Single-Family District)” text amendment request as stated below:

THE BOARD OF ALDERMEN OF THE TOWN OF GIBSONVILLE HEREBY STATES:

#### **PLAN CONSISTENCY STATEMENT:**

The proposed zoning text amendment is consistent with the Town of Gibsonville Land Development Plan 2040 because:

1. It is consistent with the goal, objectives, and strategies in Section 4.4 Residential Development; and
2. It advances the goal, objectives, and strategies in Section 4.4 Residential Development; and
3. The proposed “Section 4-2.1 (RS-9 Residential Single-Family District)” text amendment is not applicable to the Town’s future land plan use map.

Approved this the 6<sup>th</sup> day of March, 2023.

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Leonard Williams  
Mayor

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Date

### **Budget Ordinance Amendment #10**

Ben Baxley stated that the budget ordinance amendment is needed to close out the Sewer Rehabilitation capital project by transferring remaining funds from the Sewer Rehab Project Fund to the Water & Sewer Fund for reimbursement of loan proceeds to the USDA, to correct an error in two line items related to the Highway 61 North Waterline Capital Project Fund, and account for one month distribution of Library State Aid grant to the Gibsonville Public Library.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve budget ordinance amendment #10. The motion passed unanimously.

<b>TOWN OF GIBSONVILLE, NORTH CAROLINA</b>				
<b>FY 2023 BUDGET ORDINANCE AMENDMENT #10</b>				
BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 6th day of March, 2023 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.				
<b>SECTION I. GENERAL FUND</b>				
	<b>FY 2023</b>			<b>FY 2023</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	3,961,279	-		3,961,279
Taxes, Prior Years	31,150	-		31,150
Motor Vehicle Tax	440,000	-		440,000
Cemetery	16,000	-		16,000
Recreation	80,000	-		80,000
Sanitation Service Charge	474,222	-		474,222
Interest on Investments	23,000	-		23,000
Fire District Tax (Guilford)	15,716	-		15,716
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
Miscellaneous	123,537	-		123,537
GHA	2,340	-		2,340
Stormwater Fee	66,000	-		66,000
Solid Waste Disposal Tax	5,500	-		5,500
Intangible: Sales Tax (Alamance Co.)	1,351,360	-		1,351,360
Intangible: Sales Tax (Guilford Co.)	713,028	-		713,028
Utility Franchise	420,000	-		420,000
Beer & Wine	29,421	-		29,421
<i>Library State Aid Grant</i>	4,553	<b>611</b>		5,164
Powell Bill Funds	255,823	-		255,823
Insurance Proceeds	49,556	-		49,556

Loan Proceeds	1,110,000		-	1,110,000
Fund Balance (General Fund) Appropriation	2,139,750		-	2,139,750
<b>Total Anticipated Revenues</b>	<b>11,401,435</b>		<b>611</b>	<b>11,402,046</b>
<b>Authorized Expenditures</b>				
	<b><u>Current Budget</u></b>		<b><u>Increase/Decrease</u></b>	<b><u>Revised Budget</u></b>
Governing Board	88,337		-	88,337
Administration	1,689,717		-	1,689,717
Police	3,013,530			3,013,530
Fire	2,288,899		-	2,288,899
Public Works	2,361,938		-	2,361,938
Powell Bill	112,500		-	112,500
Recreation	944,544		-	944,544
<i>Library</i>	<i>388,470</i>		<b>611</b>	<i>389,081</i>
Cemetery	23,500		-	23,500
Contingency	40,000		-	40,000
Transfer to Public Library CPF	450,000		-	450,000
<b>Total Authorized Expenditures</b>	<b>11,401,435</b>		<b>611</b>	<b>11,402,046</b>
	0		0	0
<b>SECTION II. WATER &amp; SEWER</b>				
	<b><u>Current Budget</u></b>		<b><u>Increase/Decrease</u></b>	<b><u>Revised Budget</u></b>
<b>Anticipated W&amp;S Revenues</b>				
<b><u>Water Revenues</u></b>				
Water Service Fees	1,001,400		-	1,001,400
Tapping Fees	10,000		-	10,000
Meter Setting	20,000		-	20,000
Reconnection Fees	42,000		-	42,000
Miscellaneous Revenues	12,000		-	12,000
Retained Earnings Appropriation	2,993,623		-	2,993,623
<b>Total Anticipated Water Revenues</b>	<b>4,079,023</b>		<b>-</b>	<b>4,079,023</b>
<b><u>Sewer Revenues</u></b>				
Sewer Service Fees	2,172,000		-	2,172,000
Tapping Fees	10,000		-	10,000

Meter Setting	20,000		-	20,000
Reconnection Fees	42,000		-	42,000
Miscellaneous Revenues	12,000		-	12,000
Retained Earnings Appropriation	256,753		-	256,753
<i>Transfer from Sewer Rehab CPF</i>	-		<b>370,056</b>	<i>370,056</i>
<b>Total Anticipated Sewer Revenues</b>	<b>2,512,753</b>		<b>370,056</b>	<b>2,882,809</b>
<b>Total Anticipated W&amp;S Revenues</b>	<b>6,591,776</b>		<b>370,056</b>	<b>6,961,832</b>
<b>Authorized W&amp;S Expenditures</b>				
<b>Water Expenditures</b>			-	
<i>Water Expenditures</i>	<i>1,146,560</i>			<i>1,146,560</i>
<i>Transfer To Hwy 61 N. Waterline CPF</i>	-		<b>2,932,463</b>	<i>2,932,463</i>
<b>Sewer Expenditures</b>			370,056	
<i>Sewer Expenditures</i>	<i>2,512,753</i>			<i>2,882,809</i>
<i>Transfer To Hwy 61 N. Waterline CPF</i>	<i>2,932,463</i>		(2,932,463)	-
<b>Total Authorized Expenditures</b>	<b>6,591,776</b>		<b>370,056</b>	<b>6,961,832</b>
			-	-
<b>SECTION III. PERPETUAL CARE FUND</b>				
<b>Anticipated Revenues</b>	<b>2,700</b>		-	<b>2,700</b>
<b>Authorized Expenditures</b>	<b>2,700</b>		-	<b>2,700</b>
	-			-
<b>SECTION IV. PUBLIC LIBRARY CAPITAL PROJECT FUND</b>				
<b>Anticipated Revenues</b>	<b>450,000</b>		-	<b>450,000</b>
<b>Authorized Expenditures</b>	<b>450,000</b>		-	<b>450,000</b>
	-			-
<b>SECTION V. POLICE HEADQUARTERS CAPITAL PROJECT FUND</b>				
<b>Anticipated Revenues</b>	<b>1,000,000</b>		-	<b>1,000,000</b>
<b>Authorized Expenditures</b>	<b>1,000,000</b>		-	<b>1,000,000</b>
	-			-
<b>SECTION VI. TAX RATE ESTABLISHED</b>				
An ad valorem tax rate of \$0.53 per \$100 at full valuation is hereby established as the official tax rate for the Town of Gibsonville for the fiscal year 2023. This rate is based on a total valuation of property of \$838,817,281 and an estimated collection rate of 99.00%.				

<b>SECTION VII.</b>				
Charges for services and fees by Town Departments are levied in the amounts set forth in the Fee Schedule (See Attachment A).				
<b>SECTION VIII. SPECIAL AUTHORIZATION - BUDGET OFFICER</b>				
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.				
<b>SECTION IX. RESTRICTION - BUDGET OFFICER</b>				
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.				
<b>SECTION X. UTILIZATION OF BUDGET ORDINANCE</b>				
This Ordinance Amendment and the Budget Document shall be the basis of the financial plan for the Gibsonville Municipal Government during the 2023 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.				
<b>Amended this the 6th day of March, 2023.</b>				
<b>Attest:</b>	<b>Mayor of Gibsonville, NC</b>			
<b>Town Clerk of Gibsonville, NC</b>				

**Sewer Rehabilitation Project Closeout**

The Sewer Rehabilitation Project is completed and there is a balance of \$370,056 remaining from the USDA loan proceeds. In order to close out this project, the USDA has requested that the Town reimburse the USDA the remaining amount of \$370,056. The remaining amount of \$370,056 will be transferred to the Water and Sewer Fund with the passage of the ordinance and the Town will reimburse the USDA from the Water and Sewer Fund in the amount of \$370,056.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to approve the Capital Project Ordinance. The motion passed unanimously.

**CAPITAL PROJECT ORDINANCE  
SEWER SYSTEM REHABILITATION PROJECT**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GIBSONVILLE, NORTH CAROLINA**, that the following Capital Project Ordinance is hereby closed:

- Section 1. The Project authorized is Sewer System Rehabilitation Project.
- Section 2. The officials of the Town of Gibsonville are hereby directed to proceed with this program within the terms of the project.
- Section 3. The following revenues are anticipated to be available to the Town to complete the project:
- |                              |                  |
|------------------------------|------------------|
| Loan Proceeds                | \$ 2,272,000     |
| <u>General Fund Transfer</u> | <u>\$ 50,000</u> |
| Total Revenues               | \$ 2,322,000     |
- Section 4. The following amounts are appropriated for this project:
- |   |                 |
|---|-----------------|
| Construction                              | \$ 1,482,781    |
| Engineering and Preliminary Investigation | \$ 434,500      |
| Contingency                               | \$ 326,219      |
| Interest – Interim Financing              | \$ 40,500       |
| Legal Fees – Bond Attorney                | \$ 35,000       |
| <u>Legal Fees – Local Attorney</u>        | <u>\$ 3,000</u> |
| Total Expenditures                        | \$ 2,322,000    |
- Section 5. The Town Manger shall report on the financial status of this project as directed by the Board of Aldermen and will inform the Board of any unusual occurrences.
- Section 6. The project has been completed and there is a balance of \$370,056 remaining from the USDA loan proceeds. In order to close out this project, the USDA has requested that the Town reimburse the USDA the remaining amount of \$370,056.
- Section 7. The remaining amount of \$370,056 will be transferred to the Water and Sewer Fund with the passage of this ordinance close out and the Town will reimburse the USDA from the Water & Sewer Fund in the amount of \$370,056.
- Section 8. That this ordinance close out shall take effect upon passage.
- This the 6<sup>th</sup> day of March, 2023.

\_\_\_\_\_  
Leonard Williams, Mayor

ATTEST:

\_\_\_\_\_  
Gina Griffeth, Town Clerk

**Fall Festival and Market Day Fee Discussion**

The Parks & Recreation Department is seeking board input regarding fee changes and implementation for the Gibsonville Fall Festival and Market on the Green.

Mike Dupree requested a \$10 across the board fee increase for the Fall Festival. He cited increased costs from inflation and provided the fees of surrounding towns.

Alderman Shepherd, seconded by Alderman Owen, made a motion to increase the fall festival fee as asked by the Parks and Recreation Director. The motion passed unanimously.

Ben Baxley stated that there will need to be an ordinance as this will require a change to the fee schedule.

Mike Dupree stated that the second item to consider is adding a fee to the market on the greens on Saturdays. Parks and Recreation is running into a problem where people are signing up but failing to show up for the market. The memorial green would still be free of charge. He is proposing a fee of \$5/week for those who

attend every weekend, \$7.50/week for those who attend half of the time, and \$10 per Saturday for those who attend occasionally.

Alderman Shepherd asked about participants being guaranteed their spot each weekend.

Mike Dupree stated that those who commit to every week will have their spots reserved.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the fees submitted by the Recreation Director for the market on Saturdays. The motion passed unanimously.

Mayor Williams asked about having entertainment to include religious groups.

Mike Dupree stated that most of the season was booked in January. There are two Saturdays open per month where anyone can call Parks & Recreation to reserve the depot for free.

### **Reports**

**Town Manager** – Ben Baxley stated that the town will be sending out RFQs for projects funded by Guilford County ARPA money to include a new water tank and NC 61 connector waterline. The town will have its next meeting with the Library architects on Wednesday the 8<sup>th</sup> and Police architects on Thursday the 9<sup>th</sup>.

**Mayor** – Mayor Williams thanked the Girl Scouts for attending. He stated that Black History Month ended last week. There have been many changes over the years and we must all work together as a team without considering race.

**Board Members** – Alderman Dean thanked the Girl Scouts. He stated that he'd never seen the flag ceremony performed.

Alderman Shepherd, seconded by Alderman Owen, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 7:30pm.

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Mayor

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Attest: Town Clerk