

YANCEYVILLE TOWN COUNCIL MEETING MINUTES

Tuesday, June 18th, 2024, 6:00pm

The meeting of the Town Council was held in the Yanceyville Town Council Chambers at the Yanceyville Municipal Services Building located at 158 East Church Street, Yanceyville, NC and streamed through the Webex platform on Tuesday, June 18th, 2024, at 6:00pm.

Council Members present: Mayor- Alvin Foster, Mayor Pro Tem- Darrell McLean, Kenneth Darnell, Keith Tatum, and Brian Massey

Staff present in person: Kamara Barnett-Town Manager/Clerk, Lee Farmer- Town Attorney, Miranda Harrelson- Deputy Clerk, and Kathryn Hinton-Administrative Assistant

Item 1: Call to Order

Mayor Alvin Foster called the Town Council Meeting to order at 6:00 pm. The meeting opened with a silent prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that the Yanceyville Town Council rules and procedures reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request. Yanceyville Town Council also has rules and procedures for electronic meetings that reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request.

Item 2: Review of Agenda – Mayor Foster and Town Council

Mayor Foster asked Town Council to review the Agenda. Under Item 7: New Business Mayor Foster added Town Manager Update and Building Use Request by Caswell County Republican Party. Mayor Foster asked if there are any other additions or deletions at this time.

Item 3: Amendment, Clarification and Adoption of Amendment to Rule 22(b) (Conduct and Procedures) of the Yanceyville Town Council Rules and Procedures

Attorney Farmer presented a Supplemental Amendment, Clarification and Adoption of Amendment to Rule 22(b) (Conduct and Procedures) of the Yanceyville Town Council Rules and Procedures.

After a discussion Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to approve the Supplemental Amendment to Rule 22(b) (Conduct and Procedures) of the Yanceyville Town Council Rules and Procedures. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote.

*See Attached

Item 4: Public Hearing for Consideration and Adoption of Revised Town of Yanceyville Zoning Ordinance

Mayor Foster asked Town Council for a motion. Councilman Tatum made a motion to go into Public Hearing for consideration of Revised Town of Yanceyville Zoning Ordinance. The motion was seconded by Councilman Darnell and passed with a unanimous vote.

Town Manager Barnett explained that Town Council has received the recommendation of the Planning Board regarding adoption of a revised Zoning Ordinance. As required by NCGS 160D-605 “Governing Board Statement,” the Yanceyville Town Council has reviewed proposed text amendments that bring the Yanceyville Zoning Ordinance into conformity with N.C. G.S. 160D and make other revisions and updates. The proposed amendments update and correct definitions, refer to statutory references by their G.S. 160D citations, and provide for processes and procedures required by G.S. 160D. All amendments are text amendments, and they do not affect the zoning of any property.

The proposed amendments are consistent with Yanceyville’s Comprehensive Land Use Development Plan 2022-2036 as follows:

1. The amendments bring the text into compliance with state law for Local Planning and Development Regulation and are consistent with Comprehensive Plan Policy 1-6 : Complete Code and Ordinance Recodification.
2. The amendments clarify criteria and procedures, thus making enforcement of Yanceyville’s Zoning Ordinance more likely and more reliable. This is consistent with Comprehensive Plan Policy 3-5 “Enforce Applicable Code and Zoning Ordinances.”

Mayor Foster opened the floor for questions or comments. No one from the Public nor Town Council offered any comments.

Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to go out of Public Hearing for Consideration of Revised Town of Yanceyville Zoning Ordinance. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to return to Regular Session. The motion was seconded by Councilman Tatum and passed with a unanimous vote

After no further discussion Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to adopt the Town Council Statement of Consistency for the Revised Zoning Ordinance. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

*See Attached

Item 5: Resolution to Adopt System Development Fees for the Water and Sewer System as authorized by Article 8 of Chapter 162A of the North Carolina General Statues

Town Manager Barnett explained that in June of 2017, the North Carolina General Assembly ratified House Bill 436 “An Act to Provide for Uniform Authority to Implement System Development Fees for Public Water and Sewer Systems in North Carolina and to Clarify the Applicable Statute of limitations”, thus amending Chapter 162A of the General Statutes by adding “Article 8, System Development Fees.” This is commonly referred to as the SDF Act. In accordance with the SDF Act, the Town of Yanceyville retained the services of Stantec Consulting Services Inc, a professional engineering consulting firm, to complete a system development fee analysis and prepare an accompanying written report. She noted that a Public Hearing was held on June 4th, 2024 during the Town Council Meeting and no one offered any comment.

Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to approve the Resolution to Adopt System Development Fees for the Water and Sewer System as authorized by Article 8 of Chapter 162A of the North Carolina General Statues effect July 1st, 2024. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote.

*See Attached

Item 6: Public Hearing for Fiscal Year 24-25 Recommended Budget

Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to go into Public Hearing for Fiscal Year 24-25 Recommended Budget. The motion was seconded by Councilman Tatum and passed with unanimous vote.

Mayor Foster opened the floor for questions or comments. No one from the Public nor Town Council offered any comments.

Mayor Foster asked Town Council for a motion. Councilman Tatum made a motion to go out of Public Hearing for Fiscal Year 24-25 Recommended Budget. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to return to Regular Session. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote.

Item 7: New Business

a. Town Manager Update

Town Manager Barnett noted that that the 2023 Consumer Confidence Report (water quality report) has been updated and mailed to all water customers and placed on the Town’s website.

Town Manager Barnett indicated that due to critical information needed from the Caswell County Tax Department she would like to schedule an additional Budget Workshop to review the

Fiscal Year 24-25 Budget for Tuesday, June 25th, 2024, at 5:00pm to be held in Town Council Chambers.

Mayor Foster asked Town Council for a motion. Councilman Tatum made motion to schedule a Budget Workshop for June 25, 2024 at 5:00pm to be held in Town Council Chambers. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote.

b. Building Use Request by Caswell County Republican Party

Town Manager Barnett indicated that per the Town of Yanceyville Municipal Services Building Rental Policy Town Council must approve any events advocating for specific partisan causes political issues or candidates.

She noted that the Caswell County Republican Party requested to use the Yanceyville Museum of Art for Monday July 8th, 2024, from 5:00pm- 8:00pm.

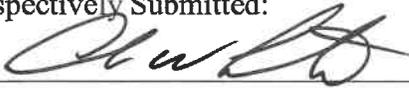
Mayor Foster asked Town Council for a motion. Councilman Darnell made a motion to allow the Caswell County Republican Party to utilize the Yanceyville Museum of Art on Monday July 8th, 2024, from 5:00pm- 8: 00pm. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote.

Item 8 : Adjournment

Mayor Foster asked Town Council for a motion to adjourn. After no further discussion, Councilman Tatum made a motion to adjourn the June 18th, 2024, Town Council Meeting. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote. The meeting ended at 6:17pm.

Kamara Barnett, Town Clerk and Miranda Harrelson, Deputy Town Clerk prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting.

Respectively Submitted:



Alvin Foster, Mayor



Kamara Barnett, Town Clerk



Miranda Harrelson, Deputy Town Clerk

**Supplemental Amendment to Rule 22 (b)
(Conduct and Procedures)
of the Town of Yanceyville
Meeting Rules and Procedures**

After review and consideration and upon affirmative vote of the Town of Yanceyville Council, the aforementioned provision (Rule 22 (b)) is amended as follows:

(b) Audio, Broadcast, Film and Video Recording Devices: All public Town Council meetings are allowed to be audio, broadcast, film or video recorded by any individual, without prior permission being granted from the council, subject to the provisions of General Statute 143-318.14, as follows:

- 1) Commencement of recording or broadcast activities in the Town Council chambers shall be limited to the placement and use of recording or broadcast devices or equipment placed and located in Town Chamber Seating Row Numbers 5, 6, and 7.
- 2) Commencement of recording or broadcast activities in other venues used by the Town Council shall be limited to the placement and use of recording or broadcast devices or equipment to areas designated by the Town Council.

The recording of any conversation or meeting between public officials or employees is prohibited, unless all parties are aware of the recording, and have unanimously agreed to participate in the recording.

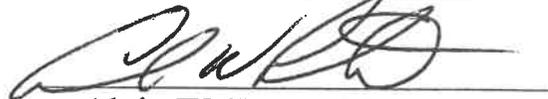
Only the Town Clerk is allowed to make audio or video recordings of Closed Session proceedings, as it is the clerk's responsibility to transcribe, maintain, and produce records of Closed Session meetings.

This the 18th day of June, 2024.

Kamara G. Barnett
Kamara G. Barnett, Town Clerk

(TOWN SEAL)

TOWN OF YANCEYVILLE



Alvin W. Foster, Mayor





TOWN COUNCIL STATEMENT OF CONSISTENCY
FOR
ADOPTION OF REVISED ZONING ORDINANCE

The Yanceyville Town Council has received the recommendation of the Planning Board regarding adoption of a revised Zoning Ordinance. As required by NCGS 160D-605 "Governing Board Statement," the Yanceyville Town Council has reviewed proposed text amendments that bring the Yanceyville Zoning Ordinance into conformity with N.C. G.S. 160D and make other revisions and updates. The proposed amendments update and correct definitions, refer to statutory references by their G.S. 160D citations, and provide for processes and procedures required by G.S. 160D. All amendments are text amendments, and they do not affect the zoning of any property.

The proposed amendments are consistent with Yanceyville's Comprehensive Land Use Development Plan 2022-2036 as follows:

1. The amendments bring the text into compliance with state law for Local Planning and Development Regulation and are consistent with Comprehensive Plan Policy 1-6 : Complete Code and Ordinance Recodification.
2. The amendments clarify criteria and procedures, thus making enforcement of Yanceyville's Zoning Ordinance more likely and more reliable. This is consistent with Comprehensive Plan Policy 3-5 "Enforce Applicable Code and Zoning Ordinances."

This motion adopted this 18th day of June by the Yanceyville Town Council.



Alvin W. Foster, Mayor

Attest:

Miranda Harrelson,
Deputy Town Clerk

A RESOLUTION TO ADOPT SYSTEM DEVELOPMENT FEES FOR THE WATER AND
SEWER SYSTEM AS AUTHORIZED BY ARTICLE 8 OF CHAPTER 162A OF THE NORTH
CAROLINA GENERAL STATUTES

WHEREAS, the North Carolina General Assembly has enacted Session Law 2017-138 (HB 436), known as the "Public Water and Sewer System Development Fee Act" amending Chapter 162A of the Generals Statutes to add a new Article 8, titled System Development Fees; and

WHEREAS, said statutes authorize the procedures and methods for the calculation and authorization of system development fees to be charged by local governments; and

WHEREAS, said statutes define a System Development Fee as a charge or assessment for service imposed with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup the costs of existing facilities which serve such new development, or a combination of those cost; and

WHEREAS, said statutes provide that System Development Fees may be collected for new development which increases the capacity necessary to serve that development including a) the subdivision of land; b) the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structures which increases the number of service units; or c) any use or extension of the use of land which increases the number of service units; and

WHEREAS, said statutes provide that for new development involving the subdivision of land, the system development fee shall be collected by the local governmental unit either at the time of plat recordation or when water and sewer service for the subdivision or other development is committed by the local governmental unit, and that for all other new development, the local government shall collect the system development fee at the time of application for connection of the individual unit of development to the service or facilities; and

WHEREAS, said statutes authorize a local government to adopt a system development fee calculated based upon a written analysis prepared by a financial professional or licensed professional engineer; and

WHEREAS, said statutes require a local government to post the financial professionals or professional engineer's written analysis on its website for a minimum of 45 days prior to considering adoption of the system development fee analysis, and to solicit and furnish a means for the submission of written comments during this period; and

WHEREAS, said statutes require the governing body of the local governmental unit to conduct a public hearing prior to considering adoption of the financial professionals or professional engineer's report; and

WHEREAS, the Town of Yanceyville contracted with professional consulting engineers Stantec Consulting Services, Inc., to perform the system development fee analysis per the requirements of Session Law 2017-138; and

WHEREAS, the Town posted the written analysis on its website as required by law until April 5, 2024; and

WHEREAS, the Town solicited comments via the website and provided means to provide said comments via written means both through the website and through the U.S. Mail; and

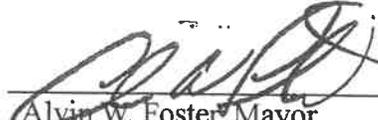
WHEREAS, the Town Council conducted a public hearing on May 7, 2024, to receive additional public comments, which was properly advertised;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF YANCEYVILLE THAT: The Water and Sewer System Development Fee Study prepared by Stantec Consulting Services, Inc., and dated December 20, 2023, was reviewed by Town Council and Town Staff, after review and study it is hereby adopted the Water and Sewer System Development Fees as set forth on Exhibit A, which is attached hereto and is incorporated herein by reference.

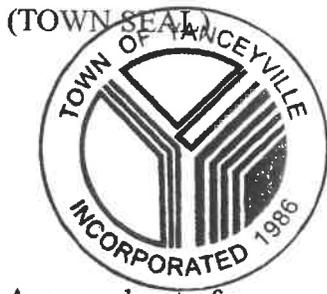
The above adopted Water and Sewer System Development Fees shall be effective July 1, 2024, and shall be published annually in the Town's budget, or associated fee schedule. These fees shall be updated at least every five (5) years.

Adopted and approved this the 18th day of June, 2024.

TOWN OF YANCEYVILLE


Alvin W. Foster, Mayor


Kamara Barnett
Town Clerk



Approved as to form:


R. Lee Farmer, Town Attorney



Exhibit A

Adopted System Development Fees (FY 24-25)				
Adjusted from Stantec Analysis				
Meter Size	ERU Equivalent	Water SDF	Sewer SDF	Total Fee
3/4"	1.00	\$1,375	\$1,125	\$2,500
1"	1.67	\$2,296	\$1,878	\$4,174
1 1/2"	3.33	\$4,578	\$3,746	\$8,324
2"	5.33	\$7,328	\$5,996	\$13,324
3"	11.67	\$16,046	\$13,128	\$29,174
4"	16.67	\$22,921	\$18,753	\$41,674
6"	33.33	\$45,828	\$37,496	\$83,324
8"	53.33	\$73,328	\$59,996	\$133,324
Multi-Family (per Bedroom)		\$458	\$375	\$833