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MINUTES

AUGUST 12, 2010

REGULAR MEETING

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:02 pm immediately following the Public Hearing. Mayor Hardwick gave invocation. In attendance were Commissioners Catherine Redd, Leelan Woodlief, Graham Stallings, Marvin Roberts, and Joseph Johnson. Also in attendance were Town/Zoning Administrator Brenda Robbins, Deputy Town Clerk Emily Hurd, Administrative Assistant Kathryn Tucker, Town Attorney Pete Tomlinson, and Chief Daren Kirts. Representatives from The Franklin Times and The Wake Weekly were also present.

The first item on the agenda was citizens' comments. Mary Spivey from 201 S. Nassau Street complained that there were a lot of feral cats in her area that needed to be removed.

The next item on the agenda was the financial report. There was no comment.

The next item on the agenda was the approval of the minutes from the July 8th Regular Board Meeting.

MOTION: TO APPROVE THE MINUTES FROM THE JULY 8TH REGULAR BOARD MEETING.

The motion was made by Commissioner Woodlief and was seconded by Commissioner Johnson. It passed unanimously.

The next item on the agenda was New Business. The first item under New Business was the Request for Variance by Earnestine Wilder for 215 S. Nassau Street.

MOTION: TO APPROVE THE REQUEST FOR VARIANCE BY EARNESTINE WILDER FOR 215 S. NASSAU STREET.

The motion was made by Commissioner Stallings and was seconded by Commissioner Johnson. It passed unanimously.

The second item under New Business was a presentation from the residents of Fleming Road regarding alternate routes for the SEHSR. Pete Gibson, 446 Fleming Road, stated that there were several groups of residents on Fleming Road that had the same objective. They represented the residents on Fleming Road, Fleming Farms Subdivision, Fleming Forest Subdivision, and Arrowhead Farms Subdivision. He stated that they all opposed the plan that would run the new railroad tracks close the residential properties. He stated that the largest variance in the tracks started behind these residential properties, from Bert Winston Road to behind the Duffy's home. His concern was the effect this would have on property values. Because of proposed route, mortgage lenders will not loan money for people to purchase or get a second mortgage on these properties, in effect freezing their

properties and assets. Mr. Gibson stated that they have frozen many people's biggest asset. Mr. Gibson read from paperwork (attached in Minute Book) explaining how appraisals would be affected by this type of plan. He requested the Town of Youngsville's help in opposing the proposed NC2 plan. He explained that NC1 and NC3 would not affect the property as bad since it went closer to the industrial properties. Greg Duffy, 538 Fleming Road, stated that he had been there for 15 years. He stated that two of the routes, NC1 and NC3 ran almost together and the NC2, which he believes is the SEHSR's preferred route, ran further apart from the other two. He stated that people moved out to the country for peace and quiet. Mr. Duffy explained that when they built their homes, they knew there was a train close but the current location was not as bad as the proposed one. He stated that NC2 goes right through several backyards and one of his neighbor's home. He explained that this would ruin the lifestyle that people had. This felt to the residents that the federal government was trying to put a train right in their back yards. He explained that the tracks would be right behind his swimming pool ruining his property and peace. Mr. Duffy stated that because of the tracks he wouldn't be able to sell his property. He stated that NC1 and NC3 disturbs no houses and is close to the existing tracks. He explained that they would still be able to go the same speed but NC2 would shave off only 6 seconds of time because it is .17 miles shorter than NC3. He exclaimed that it was not right or fair for the government to just take away their homes and yards. Mayor Hardwick stated that he had spoken with Mr. Gibson several times about the different routes. He explained that the Town of Youngsville agrees with the residents and has publicly stated that we oppose of NC2. He read the statement that has been sent by the Town to SEHSR stating Youngsville's position. He explained that Youngsville wants what will least affect the community. Mr. Gibson stated that picking the route before they even had funding was messing up the home owners already. Mayor Hardwick assured them that the Town would continue to fight for the best route. Carolyn Palmer asked for a better description of where the tracks would be located and Mayor Hardwick explained the different locations. Mrs. Palmer asked about losing any crossing and Mayor Hardwick explained that the Town would lose both the Winston Street and Pine Street crossings. Tracy McKenzie stated that he lived at 410 Fleming Road with his wife and four sons. He stated that he strongly opposed NC2. He explained that the maps that the developers are going by are old and show the land vacant like it was in the 1990's. He stated that it would drastically affect the properties near NC2. Mr. McKenzie read from a prepared statement with several concerns and questions (attached in Minute Book). Mayor Hardwick explained that the Board is behind the selection of NC1 or NC3. He urged everyone to send complaints and arguments to Washington.

The third item under New Business was a discussion of a Resolution in Support of North Carolina's current Alcohol Beverage Control System. Robbins asked that the Board adopt this Resolution so that we can send it to the ABC Commission to show our support.

MOTION: TO ADOPT THE RESOLUTION IN SUPPORT OF NORTH CAROLINA'S CURRENT PUBLIC ALCOHOL BEVERAGE CONTROL SYSTEM.

The motion was made by Commissioner Woodlief and was seconded by Commissioner Roberts. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was to continue the discussion on the exchange of property with Jim Moss. Mayor Hardwick stated that we had discussed this some last month and that Mr. Moss was present for any questions. Commissioner Woodlief stated that he felt it was a good trade.

MOTION: TO EXCHANGE PROPERTY AS PRESENTED WITH JIM MOSS.

The motion was seconded by Commissioner Roberts. Robbins stated that the motion needed to state that any costs incurred would be paid by Mr. Moss. Commissioner Woodlief amended his motion and it was seconded by Commissioner Roberts.

AMENDED MOTION: TO EXCHANGE PROPERTY AS PRESENTED WITH JIM MOSS WITH ANY COST INCURRED TO BE PAID BY MR. MOSS.

The motion passed unanimously.

The second item under Old Business was to continue the discussion of the Yard Sale Ordinance. Mayor Hardwick stated that Robbins had given everyone information for them to read over and asked if there were any comments. Mrs. Palmer asked if she could speak and Mayor Hardwick explained that the time for Citizen's Comments was over but that the Board could make a motion to hear her comments if she wanted them to. Commissioner Woodlief stated that the Town would need this type of ordinance at some point but he thought another month to think about it would be good. Commissioner Stallings stated that he didn't feel that it needed to be tabled another month. He stated that he brought it up to begin with and he had a reason. However, he feels that it may have been the wrong reason. He stated that he felt the Board needed to end the conversation on this ordinance. Commissioner Stallings stated that he felt that there needed to be some sort of enforcement for people to keep up their properties in an acceptable manner. He asked what could the Board pass that is enforceable to make the residents keep their property clean. Mayor Hardwick stated that it would be closing the loophole but it did need to get the yard sale wording out of it. A suggestion of "Yard of the Month" or something similar could help residents take pride in their yards. Commissioner Redd agreed.

MOTION: TO WITHDRAW THE YARD SALE ORDINANCE AND LOOK INTO MAKING AN ORDINANCE TO MAKE YARDS ACCEPTABLE.

The motion was made by Commissioner Redd and was seconded by Commissioner Johnson. Commissioner Johnson wanted to remind Commissioners about keeping a check on their zones and to try to resolve some of these yard issues with the home owner. Commissioner Redd stated that the ordinance needed to be reviewed and see what else is out there like it. Commissioner Johnson stated that there weren't too many ordinances like it. Robbins stated that when she was told to look into the yard sale ordinance, she had a hard time finding one locally and ended up using the one from Elkin. She stated that the problem was the cleanup after the yard sale, but to be careful, one persons idea of clean is not the same as everyone else's. The goal is to clean up the problem areas in town. It passed unanimously.

The next item on the agenda was Reports and Other Business. Robbins stated that an extension had been filed for the PARTF/LWCF grant for the Luddy Park. She stated that the project was moving along as the heat allowed. Mayor Hardwick stated that Andy McGhee was doing a great job with the park. Robbins also wanted to mention that the Board had until January 1st to finish their ethics class. She explained that the Town could purchase 30 day rights to view the webinar that the School of Government had presented. Hurd explained that the Town would get a password for everyone to use it and could watch it at their convenience anytime during the 30 day period. Commissioner Redd stated that since it could be watched any time during that time period we should go ahead and order it for the month of September.

Commissioner Woodlief wanted to mention that Mayor Hardwick had made a tremendous presentation at the SEHSR Public Hearing and wanted to commend him on it.

Commissioner Johnson stated that it was good to see all the new faces at the Board Meeting. He stated that it was important for everyone to know what's going on. Mayor Hardwick stated that it was also good to see so many faces at the SEHSR Public Hearing. He reminded everyone that any information that they needed can be obtained at Town Hall.

Commissioner Redd stated that the Youngsville webpage was fabulous but there was not any contact information for the Board. She suggested getting emails for the commissioners to help make contacting them easier. Commissioner Redd also wanted to bring forth an Ethics Policy that she had written. She explained that the Board would need 2 hours of ethics training as well as having a Code of Ethics adopted by January 1, 2011. She handed out the copies of the policy as well as a Nepotism Policy. She stated that it would give the Board and the Town Attorney time to look over it and see if there were any changes that needed to be made. The Ethics Policy covers the 5 concerns the state set forth. The Nepotism Policy talks about having family members reporting to one another. Tomlinson stated that he would look it over. Robbins asked if the positions would be grandfathered and Commissioner Redd stated that they were not. Robbins expressed concern that people would lose their jobs. Commissioner Redd stated that perhaps the maintenance crew could be put back under the Police Chief so that there would be separation even though the Police Chief reported to the Town Administrator. Commissioner Redd stated that she felt that it would be best for the Town to not add a grandfather clause. Mayor Hardwick stated that once the Town Attorney had taken a look at it, the Board could bring it up for discussion again. Commissioner Redd stated that both YABA and BABY (Building a Better Youngsville) were great. She stated that she felt the Board needed to be more involving in these organizations. Mayor Hardwick stated that the Commissioners needed to join YABA and Commissioner Redd stated that even though joining was good, she felt that the Board needed to work with YABA more than just be a part of it. Once the economy recovers, Commissioner Redd stated that she felt there needed to be a good handle on the restrictions, though she did note that the Town had some restrictions in place already, or a Comprehensive Growth Plan. She stated that the Town wants to bring in growth but also have a say in how the Town grows. Mayor Hardwick agreed but did mention that YABA is a direct arm of the Town. He stated that the Board did direct a lot of the issues that YABA handles. He stated

participation is the key. YABA meets the 3rd Tuesday at 5:30pm at Town Hall with BABY following at 6:30pm expect for June and July. Mayor Hardwick stated that the town was fortunate with citizens stepping up, Janis Cyrus, who is the Executive Director of YABA, the Women's Club and the ECA also do a lot of community work. Mayor Hardwick stated that he felt that the Town was going in the right direction but it did take participation.

Commissioner Stallings stated that Robbins had a lot on her table. He felt that at some point the Board needed to figure out how much they can keep putting on Robbins. He stated that the Board did need to help out especially with decisions that the Board needed to take part in. He feels that the Board is still doing it the old way, which is a good way and Robbins has done a good job. He mentioned the Christmas Parade as an example. He stated that it was one of the best things going in this town and that a committee would help Robbins out greatly. Mayor Hardwick stated that there had been a committee for the Christmas Parade but they disbanded. He stated that they didn't want to do what Robbins was willing to do every year. Commissioner Stallings stated that he felt we should try again. He and Mayor Hardwick stated that Parade day was a great day for the Town. People line streets for it. Commissioner Stallings stated Robbins can't keep getting involved with so much. Mayor Hardwick stated that as elected officials, the Board needs to step up. Commissioner Stallings stated that maybe the Town needs to step up and look at another position to help support Robbins. He asked if the Town needed to raise taxes to show that we could have a better town, but how are we going to have a better town any other way?

The meeting adjourned at 7:49 pm.