

Town of Youngsville
P. O. Box 190
118 N. Cross Street
Youngsville, NC 27596
(919) 556-5073
Fax (919) 556-0995
Townyngs@townofyoungsville.org

MINUTES

FEBRUARY 10, 2011

REGULAR MEETING

Mayor Samuel Hardwick called the Regular Meeting of the Town of Youngsville Board of Commissioners to order at 7:00 pm. Mayor Hardwick gave invocation. In attendance were Commissioners Catherine Redd, Graham Stallings, Marvin Roberts, Leelan Woodlief and Joseph Johnson. Also in attendance were Town/Zoning Administrator Brenda Robbins, Town Clerk / Tax Collector 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 citizen's comments. Acting Sheriff Elliott Pinnell stated that he wanted to stop in and reassure the citizens of Youngsville that the Franklin County Sheriff's Department is still fully functioning. He stated that they were still ready and able to lend support and assistance to the Youngsville Police Department when needed. Acting Sheriff Pinnell explained that he felt he should meet the Board and has met with the Chiefs of the local Police Departments. Mayor Hardwick stated that the Board appreciated him coming to the meeting. Commissioner Roberts stated that Youngsville was ready to help the Sheriff's Department if they needed any help as well.

Alexander Wojtalik asked about the upcoming workshop on March 8th. Mayor Hardwick stated that the Town Board and the Planning Board would be there to discuss with the citizen's ideas to improve the Town and Zoning Ordinances. He explained that this would be an opportunity to see if anything needed to be taken out or added into them to bring them more up to date. Mayor Hardwick stated that an agenda would be done soon and the Board would probably do these Planning Sessions as needed. He did state that signs would be one of the things discussed at this meeting.

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 Consent Agenda.

MOTION: TO APPROVE THE CONSENT AGENDA

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

The next item on the agenda was New Business. The first item under New Business was a discussion of the Application for a Rural Center Grant for Johnson's Farmers Market Restaurant. Robbins stated that owner Kelly Johnson and Peggy Simpson (a Business Plan Consultant for Mrs. Johnson) were supposed to be at the meeting but was not in attendance. Robbins explained that the Town would have to apply for this grant from the Rural Center and the Town would be responsible for the Grant. She stated that she had a Pre-Grant Conference Call with the Grant Administrator from the Rural Center. Robbins stated that during this call, it was explained to her what would be involved. The grant is

called a "Building Reuse Grant" that is based on the jobs that would be created by rebuilding Johnson's Farmers Market Restaurant. They would receive \$8,000 per job position created (not including wait staff). The Town of Youngsville would be the actual one applying for this grant in the amount of \$104,000. The Town would have to commit 3% of the grant amount once awarded and would in turn loan the money to Mr. and Mrs. Johnson to rebuild the restaurant. If for some reason, they did not complete the rebuilding of the restaurant per Grant instructions, the money would have to be paid back. However, the Town of Youngsville would be responsible for using any means necessary to collect that money from the Johnsons, which per Attorney Tomlinson, would be a civil action that would cost the Town money in court. Commissioner Redd asked about the 3% the Town would have to commit to and Robbins explained that it could be reimbursed to the Town as Administrative fees for administering the Grant. Robbins stated that the Town had never done this type grant, therefore she was unsure of the amount of man-hours it would take. She stated that she did not feel that it would be a lot. Mayor Hardwick asked about the liability to the Town if the money was not paid back and Robbins stated that it would be the Town's responsibility to use all means necessary to collect. Commissioner Woodlief stated that he would be okay endorsing this Grant if the Town would not be liable. Commissioner Redd stated that she knew that Mr. and Mrs. Johnson had gone before the Franklin County Board of Commissioners and had been rejected. Robbins explained that there were stipulations placed by Franklin County that the Johnsons didn't agree with. Commissioner Redd stated that this concerned her. Commissioner Redd asked about the insurance money that was received for the damages done by the truck, and Robbins stated that she did not have all of the answers, which is why she had thought Mrs. Johnson would be in attendance. Commissioner Redd stated that if the Town did this for one business, then it would set precedence for all businesses in town. Robbins stated that the deadline for the Grant Application was February 28th but there would be other funding cycle. She suggested that it be tabled and Commissioner Johnson agreed stating that there were questions that needed to be answered.

MOTION: TO TABLE THE DISCUSSION OF THE APPLICATION FOR A RURAL CENTER GRANT FOR JOHNSON'S FARMERS MARKET RESTAURANT

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

The second item under New Business was a discussion of having a Youngsville Farmers Market. Commissioner Redd stated that Michelle Price had a good idea of starting up a new Farmers Market in Youngsville. She stated that she understood that it had been tried before and had closed up for lack of interest. Commissioner Redd stated that she had contacted the Franklin County Extension Office and they did seem interested in the idea. She explained that the Wake Forest Farmers Market is at full capacity and could not take any new vendors. She stated that the Youngsville Flea Market attracted people to Town and a good location to put the Farmers Market would be just across the railroad tracks on NE Railroad Street. She explained that they could close off the street just past the recycling containers almost all the way up to E. Franklin Street, leaving a small section open so that residents of the corner house would be able to get out of their driveway. Commissioner Redd asked Chief Kirts if there were any regulations concerning this plan and he responded that the street could be closed off with barricades. Commissioner Redd

stated that she was still working on the costs and mission statement she just wanted to make sure that it would be possible to close off that street before moving forward. Robbins stated that YABA would be responsible for putting up the barricades but the Town would make theirs available for them. Mayor Hardwick stated that they would need to find out if there were enough people interested and how often they would want to open to make it worthwhile. Commissioner Redd stated that she felt there would be enough interest especially since there would also be crafts allowed as well. Mayor Hardwick stated that everything seemed fine for them to keep moving forward on the project.

The third item under New Business was to adopt the Revised Water Shortage Response Plan. Robbins stated that the Town was asked by Franklin County Public Utilities to update our Water Shortage Response Plan to match their updated version. She explained that there were not a lot of changes just some wording and the water restrictions were added.

MOTION: TO ADOPT THE REVISED WATER SHORTAGE RESPONSE PLAN

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

The fourth item under New Business was a discussion of Ordinance Revision – Billing Rules. Hurd explained that originally, anyone that needed to pay their water bill late because of an emergency situation could call in and get a late date. As of right now, this was being taken advantage of. Currently there are close to 30% that are paying past the due date. Using Franklin County Public Utilities rules as a guide, Hurd stated that she felt a 10% late fee would be fair considering garbage only customers at Hampton Village pay \$10.00 a month. Hurd stated that anyone with a valid reason such as they are receiving social security or disability would still be allowed to have a late date without the penalty. Also, drafts which are done on the first working day of each month would not accrue the late fee. Anyone that wished to have a late date for emergency would still have to pay the late fee. Hurd stated that she hoped this would get people motivated to pay on time. She stated that Youngsville had always worked with their customers and would continue to do so. Hurd also stated that other portions of the ordinance were just brought up to date such as the rates for deposit and the days for meter reading and mailing bills.

MOTION: TO ADOPT THE REVISED ORDINANCE – BILLING RULES

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

The fifth item under New Business was a discussion of Ordinance Revision – Garbage and Refuse Collection. Hurd explained that while she was looking at the Billing Rules Ordinance, she checked to make sure the garbage was up to date as well. There have been changes over the years that had not shown up and this would bring the Ordinance current. No current changes were being made.

MOTION: TO ADOPT THE REVISED ORDINANCE – GARBAGE AND REFUSE COLLECTOIN

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

The sixth item under New Business was a discussion of Ordinance Revision – Animals. Robbins stated that this would add a limit of 5 dogs for residents of Youngsville. The ordinance would make allowances for litters of puppies. She also stated that people with more than 5 dogs would be grandfathered until a dog passed away then they would not be able to get another in order to keep the limit to 5. Mayor Hardwick asked if this was in line with Franklin County's rules and Commissioner Stallings stated that Franklin County did not have an ordinance limiting dogs, only the local towns do. Commissioner Stallings stated that he did not want to grandfather the amount of dogs. When asked, Hurd stated that only four people in town had more than 5 dogs. She explained that there was one lady that bred show dogs and had 6, two ladies that work as veterinary technicians, both of which had 6, and one gentleman that had rescue dogs and had 13 at last count. Commissioner Stallings stated that he had been told there were around 30 dogs there but Hurd stated when officers went by his house there was around 13 – 15 dogs located on that property. Hurd stated that she knew several of the people with more than 5 dogs took good care of their animals. Attorney Tomlinson asked for a few minutes to think about the ordinance. The Board moved on to the next item on the agenda.

The seventh item under New Business was a discussion of Recycling. Commissioner Redd stated that she wanted to discuss the Recycling in town to see if anyone had any new ideas that would help the problems we are having at the recycling container. Robbins stated that the schedule for dumping the recycling container had been moved up to every three weeks from once a month. An alternate location would be the Franklin County Convenience Site located on Park Avenue. If the Town did away with their recycling bin it could save over \$5,000.00 a year. Robbins explained that only 50% participated when the town used curbside recycling, even though the town had to pay for every household. Robbins explained that every home in Youngsville was taxed a \$55.00 fee from Franklin County to cover sanitation. She stated that the people of Youngsville were paying for the Franklin County Convenience Site whether they used it or not. Commissioner Redd suggested getting the residents involved in deciding if the recycling container should be kept. Hurd stated that she had to mail out the Grease Ordinance with water bills anyway and could include a survey about keeping the container.

MOTION: TO SURVEY THE RESIDENTS OF YOUNGSVILLE CONCERNING KEEPING THE RECYCLING CONTAINER OR USING THE FRANKLIN COUNTY FACILITIES LOCATED ON PARK AVENUE

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

Attorney Tomlinson asked to finish the discussion on the Animal Ordinance. He stated that it could be worded to state that current violations would be grandfathered and as one

dies, it cannot be replaced. Commissioner Stallings stated that he did not want to grandfather the animals. He stated that he wanted to make it 5 dogs or less at this point. Chief Kirts stated that the Police Department did not have the manpower or the equipment to enforce some of the regulations. Commissioner Stallings stated that the Town could choose to put it back where Franklin County Animal Control like Lake Royale has. Robbins stated that there were several options that needed to be looked at. One was should the Town do away with their own enforcement and let Franklin County Animal Control take over. Next was should the ordinance read 6 since there were several people that had 6 and took very good care of their animals. She stated that the Ordinance did need to be enforced but equipment to handle it was an issue. Commissioner Stallings stated that Louisburg has an Animal Control officer that will take care of things if he can handle it but things like animal cruelty are turned over to the Franklin County Animal Control. Robbins suggested that she and Commissioner Stallings get together to discuss more about this ordinance and bring it back to the Board.

MOTION: TO TABLE THE DISCUSSION OF THE REVISED ORDINANCE - ANIMALS

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

The next item on the agenda was Old Business. The only item under Old Business was to continue the discussion of the CSX Crossing Arms for Winston Street and Pine Street. Robbins stated after the last Board Meeting, she and Attorney Tomlinson checked with the NC League of Municipalities and found that if the Board did decide against the crossing arms, the Town could be liable for any accidents. Robbins stated that she sent a letter to NC DOT concerning the price of the crossing arms and the fact that the High Speed Railway would make them obsolete in just a matter of years. She received a letter back with an alternative marking system. Robbins explained that the alternate system would consist of remarking the pavement and signage with a price of only \$6,000.00 each crossing with the Town responsible for \$600.00 each crossing. Attorney Tomlinson stated that as long as the Town did something to protect the public, it would help keep the Town from being liable. Robbins stated that there was enough money in the Powell Bill to cover the \$1,200.00 costs.

MOTION: TO APPROVE THE REVISED NC DOT PACKAGE FOR REMARKING PINE STREET AND WINSTON STREET RAILROAD CROSSING

The motion was made by Commissioner Woodlief and was seconded by Commissioner Redd. The motion passed with Commissioner Roberts as the only nay.

The next item on the agenda was Executive Session (if necessary). Mayor Hardwick stated that there was no reason to go into Executive Session and asked for a motion to bypass.

MOTION: TO BYPASS EXECUTIVE SESSION

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

The next item on the agenda was Reports and Other Business. Mayor Hardwick wanted to remind everyone that there was an upcoming Planning Workshop for March 8th at 7:00pm at Town Hall. He stated that the Planning Board would be in attendance as well. He explained this was an opportunity to hear what the citizens of Youngsville had to say. Robbins suggested moving the meeting to the Community House so that there would be enough room to accommodate everyone and the Board agreed.

Mayor Hardwick also wanted to wish Commissioner Roberts a happy 85th birthday.

Commissioner Redd asked about the Leash Law. She stated that there was a home on the corner of NE Railroad Street and E. Winston Street that had dogs that ran loose on occasion. She stated that she noticed they were chasing wildlife. Robbins told her that the Town did have a leash law and Chief Kirts stated that they had been cited on a NC State Citation for violation of Town Ordinance. He explained that the Police Department had to catch them off of the property before they could do anything. He reminded everyone to either call Town Hall or the Police Department when any dog has been sited off of the property so that we can take care of it.

Commissioner Redd asked about the work being done on 217 E Main Street. She stated that she had been asked what was going on at that property and she did not know. She asked if there was some sort of activity report that could be given to the Commissioners so that they would be aware of any work that was being done in the area. Commissioner Redd stated that it could be emailed to the Commissioners month to month or given to them in their monthly packets.

Commissioner Redd also wanted to mention that Robbins had given information on the costs of speed bumps for E Winston Street. She stated that along with that information, the Board would also need to consider Chief Kirts comments from the last meeting while they think about the situation further.

Robbins reminded Commissioners that the Powell Bill discussion would be back before the Board on the March Agenda and they would need to bring a list of roads and/or sidewalks that needed to be repaired or repaved.

The meeting adjourned at 7:54 pm.