

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS COUNCIL
March 9, 2015**

The Village of Clemmons Council met on Monday, March 9, 2015, at 7 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Nelson and Council Members Cameron, Denny, Lawry, Roark and Rogers. No Council member was absent.

Call to Order & Pledge of Allegiance

Mayor Nelson called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

Public Comments

There were 11 citizens in attendance. One individual signed in to speak:

Robin Dean, 3525 Lawrence Street, Clemmons, NC, expressed his concern that the citizens of Clemmons have no representation from Council.

Approval of the Minutes

Council Member Denny moved to approve the minutes of the February 23, 2015 regular meeting as presented. The motion was seconded by Council Member Rogers and unanimously approved.

Approval of the Agenda

Council Member Rogers requested to add item "and personnel matter in accordance with NCGS 143-318" to Closed Session.

Council Member Cameron moved to approve the agenda as amended. The motion was seconded by Council Member Roark and unanimously approved.

Announcements

Council Member Cameron invited all present to consider attending the Citizens Academy being sponsored by the Forsyth County Sheriff's Office. The Academy is a ten-week course delving into the various aspects of the Sheriff's Office.

Mayor Nick Nelson praised the Clemmons Fire Department for their excellent performance in 2014. The loss ratio for 2014 was 1.2% down from 2.3% in the previous year.

Village Manager Kirby reminded the Council of Town Hall Day in Raleigh on March 18, 2015.

Village Manager Kirby was pleased to introduce the new Marketing/Communications Director, Shannon Ford. Council welcomed her aboard.

Business

A. Resolution Number 2015-R-02 – Resolution for the Purpose of Assuming Street Responsibility for Gentry Lane and Clemmons Point Drive -

Council Member Rogers made a motion to approve Resolution 2015-R-02 for the Purpose of Assuming Street Responsibility for Gentry Lane and Clemmons Point Drive. (Attached hereto as Exhibit A and incorporated as a part of the minutes.) Council Member Roark seconded the motion which was unanimously approved.

B. Internet Cafes

Village Manager Kirby reported receiving many calls from citizens concerned about the Internet Café sites. Chief Deputy Brad Stanley with the Forsyth County Sheriff's Office gave a brief overview of the known five (5) cafes in the village and stated at this time legislation does allow the sites to operate. The Sheriff's Office will keep a close eye on the laws and if they change will contact ALE for enforcement.

C. Website Update.

Steve Gearren advised that Gov Office has completed the website. Mr. Gearren is in the process of updating the site information and is expecting the site to go live on April 1, 2015.

D. Attorney's Report – Update on Request for Travel Expense Documents. Attorney Kasper advised that a meeting was held with the citizen requesting personnel travel expense information. The individual requesting information from the Village of Clemmons withdrew his request.

E. Planner's Report

1. *Reminder – Planning Board Meeting March 17, 2015 at 7 p.m.* – Reminder was given.
2. *Update on RFQ for Highway 158/Greenway Project.* – received permission from the State to submit our request. Planner Ledbetter advised that final selection will be presented to Council at the March 23, 2015 regular meeting.
3. *Update on Village Point Greenway* – Mike Gunnell reported that, if weather permitting, the greenway should be completed by May 16, 2015. Both boardwalks are complete and progress is being made on the bridge.

F. Manager's Report.

1. *Annexation Agreement with City of Winston-Salem.* – Interim Manager Kirby advised that Clemmons has requested to renew the agreement with Winston
2. *Retreat Agenda;* Draft agenda was presented for review.
3. *Example of Village Manager Ad* – Draft ad was presented for review.

G. Council Comments – There were no comments.

H. Closed Session to discuss property acquisition in accordance with NCGS 143-318.11(a)(5) and personnel matter in accordance with NCGS 143-318. Council Member

Cameron moved to go into closed session to discuss property acquisition in accordance with NCGS 143-18.11(a)(5) at 7:35 p.m. The motion was seconded by Council Member Roark and unanimously approved.

At 8:40 p.m., Mayor Nelson stated that by unanimous vote Council chose to reconvene the open session. Action was taken. Interim Manager Kirby will receive a 3% wage increase.

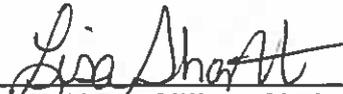
Adjournment

Council Member Lawry moved to adjourn the meeting at 8:50 p.m. The motion was seconded by Council Member Roark and was unanimously approved.



Nickolas B. Nelson
Mayor

ATTEST:



Lisa Shortt, Village Clerk



Resolution Number 2015-R-02

**RESOLUTION FOR THE PURPOSE OF
ASSUMING STREET RESPONSIBILITY**

WHEREAS, N.C.G.S. 136-66.1 enables municipalities to assume the maintenance of roads within its jurisdiction, which are not part of the State's transportation network; and

WHEREAS, an offer has been made by Village Point, LLC, to dedicate and convey to the Village of Clemmons for public use an easement and right-of-way for a public street to be named "Gentry Lane" and "Clemmons Point Drive."

WHEREAS, the improvements to the property have been offered to the Village of Clemmons by dedication for public use by Village Point, LLC, owner thereof, and are within the corporate limits of the Village; and

WHEREAS, the improvements to the property listed below have been inspected by Public Works and are eligible to be maintained by the Village of Clemmons;

NOW, THEREFORE, BE IT RESOLVED that the Village of Clemmons does accept and will assume maintenance of the improvements to Gentry Lane and Clemmons Point Drive as highlighted in yellow on the attached plat as recorded August 5, 2014 in Plat Book 62, Pages 130-131 known as a 50' Public ROW in Forsyth County Registry. The Dedication to Public Use document attached to this resolution shall be recorded in the office of the Register of Deeds of Forsyth County, North Carolina by the Village Clerk.

Adopted this the 9th day of March, 2015.

Nickolas B. Nelson
Mayor

ATTEST:

Patricia A. Fife
Village Administrative Assistant

**OFFER OF DEDICATION OF STREETS, ROADS OR RIGHT OF WAY FOR PUBLIC USES;
ACKNOWLEDGEMENT OF ACCEPTANCE BY VILLAGE OF CLEMMONS**

Mail to: Village of Clemmons 3715 Clemmons Road, Clemmons, NC 27012

This instrument was prepared by: Warren E. Kasper, Attorney at Law

THIS INSTRUMENT made this 4th day March, 2015, by;

GRANTOR

VILLAGE POINT, LLC
PO BOX 1719
KING, NC 27021

GRANTEE

THE VILLAGE OF CLEMMONS,
A NORTH CAROLINA MUNICIPALITY
3715 CLEMMONS ROAD
CLEMMONS, NC 27012

The undersigned GRANTOR does hereby state that it is the owner of the herein under described lands; that it is seized of the premises in fee simple subject to ad valorem taxes, prior encumbrances, assessments, unpaid water rents, easements, restrictions and rights of way of record, if any; The undersigned Grantor does hereby state that it is the owner in fee simple of the lands which it has caused to be subdivided and which lands are shown on a plat entitled: Clemmons Town Center recorded in Book 62 Pages(s) 130-131. The real property as shown as Exhibit "A" in this instrument is hereby dedicated to public use as a street or road and for public utility, a copy of which is on file in the office of the Village of Clemmons Planning Department, which upon final approval by the Village of Clemmons Council, will be recorded in the office of the Register of Deeds of Forsyth County.

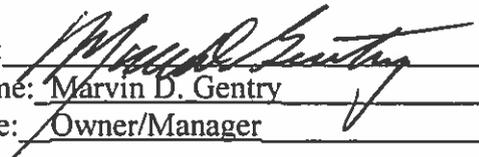
The undersigned GRANTOR does hereby grant, bargain, and convey unto THE VILLAGE OF CLEMMONS, GRANTEE, its successors and assigns, for public use in perpetuity the aforesaid lands;

TO HAVE AND TO HOLD said dedicated right of way for public use in accordance with North Carolina law governing streets and roads; and

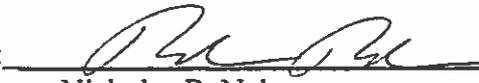
The GRANTEE, The Village of Clemmons, does join in this instrument to evidence its acceptance of this Dedication and to acknowledge that, by Resolution adopted March 9, 2015, it has authorized the acceptance of this street or right of way and approved the recording of this instrument of dedication.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, the day and date first above written.

VILLAGE POINT, LLC

BY: 
Name: Marvin D. Gentry
Title: Owner/Manager

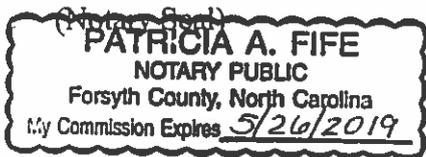
VILLAGE OF CLEMMONS

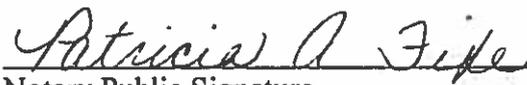
BY: 
Name: Nickolas B. Nelson
Title: Mayor

STATE OF NORTH CAROLINA
COUNTY OF FORSYTH

I, Patricia A. Fife, a Notary Public of the County of Forsyth, State of North Carolina, do hereby certify that Marvin D. Gentry personally appeared before me this day and acknowledged that (s)he is Owner/Manager of Village Point, LLC, and that by authority duly given and as the act of such entity, (s)he signed the foregoing instrument in its name on its behalf as its act and deed.

WITNESS my hand and Notarial Seal this 4th day of March, 2015.




Notary Public Signature

Patricia A. Fife
Notary Public Printed Name

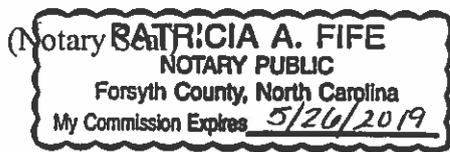
My Commission Expires: May 26, 2019

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

I, Patricia A. Fife, the undersigned, a Notary Public of said County and State, do hereby certify that Nickolas B. Nelson personally appeared before me this day and acknowledged that he/she is Mayor of the Village of Clemmons, a North Carolina Corporation, and that by authority duly given and as the act of such entity, (s)he signed the foregoing instrument in its name on its behalf as its act and deed.

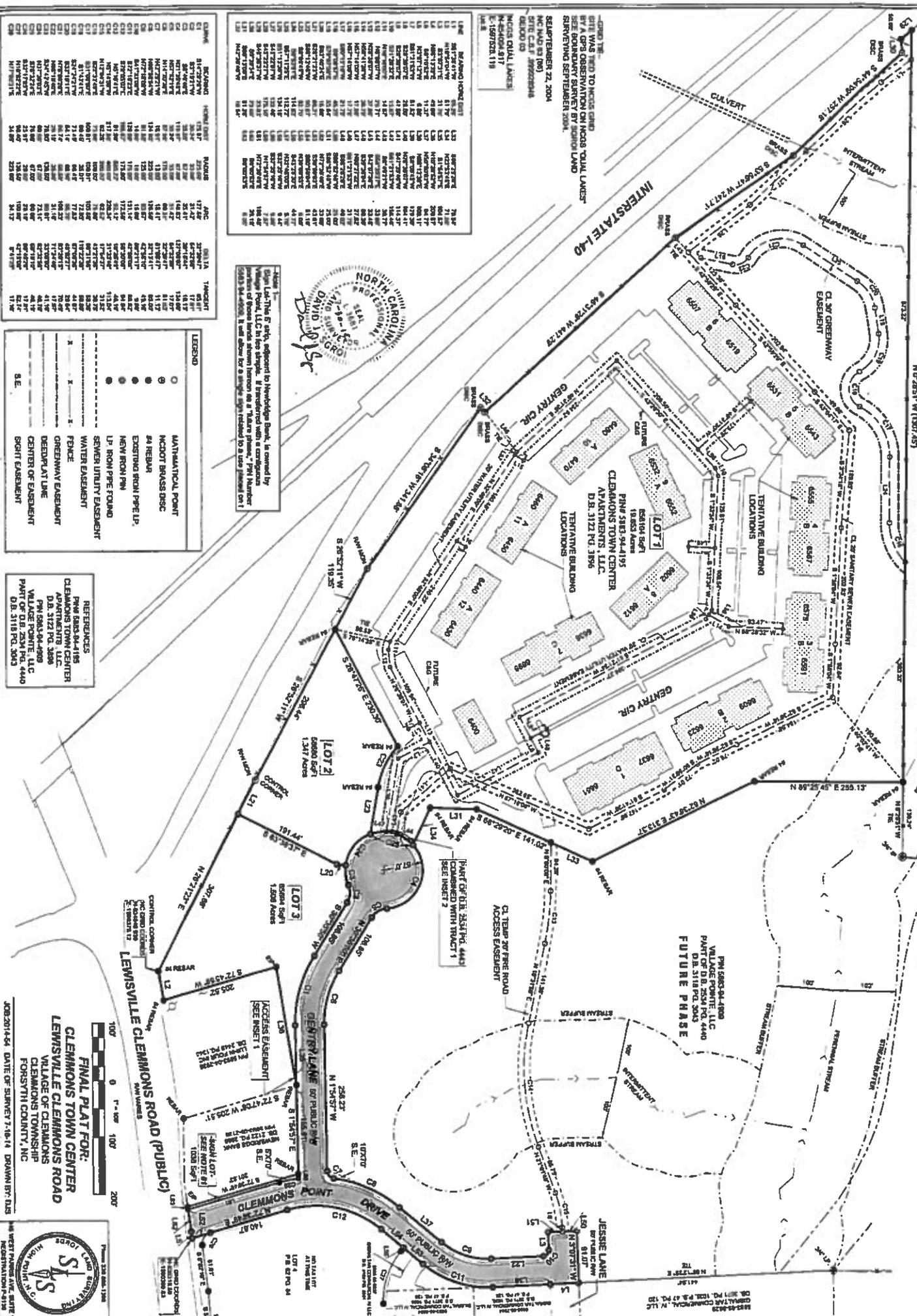
WITNESS my hand and official seal or stamp, this the 9th day of March, 2015.



Patricia A. Fife
Notary Public Signature

Patricia A Fife
Notary Public Printed Name

My Commission Expires: May 26, 2019



LEGEND

- MATHEMATICAL POINT
- MCDOT BRASS DISC
- #4 REBAR
- EXISTING RICH PIPE LP
- NEW RICH PIPE LP
- LP RICH PIPE FOUND
- SEWER UTILITY EASEMENT
- WATER EASEMENT
- FENCE
- GREENWAY EASEMENT
- DEED PLAT LINE
- CENTER OF EASEMENT
- SIGHT EASEMENT

REFERENCES

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

FINAL PLAT FOR:

CLEMMONS TOWN CENTER
VILLAGE OF CLEMMONS
CLEMMONS TOWNSHIP
FORSYTH COUNTY, NC

DATE OF SURVEY: 7-18-14 DRAWN BY: DJS

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

LINE	BEARING	DISTANCE	AREA	PERIMETER
L1	N 89° 21' 10" E	11.71	0.0000	11.71
L2	N 89° 21' 10" E	11.71	0.0000	11.71
L3	N 89° 21' 10" E	11.71	0.0000	11.71
L4	N 89° 21' 10" E	11.71	0.0000	11.71
L5	N 89° 21' 10" E	11.71	0.0000	11.71
L6	N 89° 21' 10" E	11.71	0.0000	11.71
L7	N 89° 21' 10" E	11.71	0.0000	11.71
L8	N 89° 21' 10" E	11.71	0.0000	11.71
L9	N 89° 21' 10" E	11.71	0.0000	11.71
L10	N 89° 21' 10" E	11.71	0.0000	11.71
L11	N 89° 21' 10" E	11.71	0.0000	11.71
L12	N 89° 21' 10" E	11.71	0.0000	11.71
L13	N 89° 21' 10" E	11.71	0.0000	11.71
L14	N 89° 21' 10" E	11.71	0.0000	11.71
L15	N 89° 21' 10" E	11.71	0.0000	11.71
L16	N 89° 21' 10" E	11.71	0.0000	11.71
L17	N 89° 21' 10" E	11.71	0.0000	11.71
L18	N 89° 21' 10" E	11.71	0.0000	11.71
L19	N 89° 21' 10" E	11.71	0.0000	11.71
L20	N 89° 21' 10" E	11.71	0.0000	11.71
L21	N 89° 21' 10" E	11.71	0.0000	11.71
L22	N 89° 21' 10" E	11.71	0.0000	11.71
L23	N 89° 21' 10" E	11.71	0.0000	11.71
L24	N 89° 21' 10" E	11.71	0.0000	11.71
L25	N 89° 21' 10" E	11.71	0.0000	11.71
L26	N 89° 21' 10" E	11.71	0.0000	11.71
L27	N 89° 21' 10" E	11.71	0.0000	11.71
L28	N 89° 21' 10" E	11.71	0.0000	11.71
L29	N 89° 21' 10" E	11.71	0.0000	11.71
L30	N 89° 21' 10" E	11.71	0.0000	11.71
L31	N 89° 21' 10" E	11.71	0.0000	11.71
L32	N 89° 21' 10" E	11.71	0.0000	11.71
L33	N 89° 21' 10" E	11.71	0.0000	11.71
L34	N 89° 21' 10" E	11.71	0.0000	11.71
L35	N 89° 21' 10" E	11.71	0.0000	11.71
L36	N 89° 21' 10" E	11.71	0.0000	11.71
L37	N 89° 21' 10" E	11.71	0.0000	11.71
L38	N 89° 21' 10" E	11.71	0.0000	11.71
L39	N 89° 21' 10" E	11.71	0.0000	11.71
L40	N 89° 21' 10" E	11.71	0.0000	11.71
L41	N 89° 21' 10" E	11.71	0.0000	11.71
L42	N 89° 21' 10" E	11.71	0.0000	11.71
L43	N 89° 21' 10" E	11.71	0.0000	11.71
L44	N 89° 21' 10" E	11.71	0.0000	11.71
L45	N 89° 21' 10" E	11.71	0.0000	11.71
L46	N 89° 21' 10" E	11.71	0.0000	11.71
L47	N 89° 21' 10" E	11.71	0.0000	11.71
L48	N 89° 21' 10" E	11.71	0.0000	11.71
L49	N 89° 21' 10" E	11.71	0.0000	11.71
L50	N 89° 21' 10" E	11.71	0.0000	11.71
L51	N 89° 21' 10" E	11.71	0.0000	11.71
L52	N 89° 21' 10" E	11.71	0.0000	11.71
L53	N 89° 21' 10" E	11.71	0.0000	11.71
L54	N 89° 21' 10" E	11.71	0.0000	11.71
L55	N 89° 21' 10" E	11.71	0.0000	11.71
L56	N 89° 21' 10" E	11.71	0.0000	11.71
L57	N 89° 21' 10" E	11.71	0.0000	11.71
L58	N 89° 21' 10" E	11.71	0.0000	11.71
L59	N 89° 21' 10" E	11.71	0.0000	11.71
L60	N 89° 21' 10" E	11.71	0.0000	11.71
L61	N 89° 21' 10" E	11.71	0.0000	11.71
L62	N 89° 21' 10" E	11.71	0.0000	11.71
L63	N 89° 21' 10" E	11.71	0.0000	11.71
L64	N 89° 21' 10" E	11.71	0.0000	11.71
L65	N 89° 21' 10" E	11.71	0.0000	11.71
L66	N 89° 21' 10" E	11.71	0.0000	11.71
L67	N 89° 21' 10" E	11.71	0.0000	11.71
L68	N 89° 21' 10" E	11.71	0.0000	11.71
L69	N 89° 21' 10" E	11.71	0.0000	11.71
L70	N 89° 21' 10" E	11.71	0.0000	11.71
L71	N 89° 21' 10" E	11.71	0.0000	11.71
L72	N 89° 21' 10" E	11.71	0.0000	11.71
L73	N 89° 21' 10" E	11.71	0.0000	11.71
L74	N 89° 21' 10" E	11.71	0.0000	11.71
L75	N 89° 21' 10" E	11.71	0.0000	11.71
L76	N 89° 21' 10" E	11.71	0.0000	11.71
L77	N 89° 21' 10" E	11.71	0.0000	11.71
L78	N 89° 21' 10" E	11.71	0.0000	11.71
L79	N 89° 21' 10" E	11.71	0.0000	11.71
L80	N 89° 21' 10" E	11.71	0.0000	11.71
L81	N 89° 21' 10" E	11.71	0.0000	11.71
L82	N 89° 21' 10" E	11.71	0.0000	11.71
L83	N 89° 21' 10" E	11.71	0.0000	11.71
L84	N 89° 21' 10" E	11.71	0.0000	11.71
L85	N 89° 21' 10" E	11.71	0.0000	11.71
L86	N 89° 21' 10" E	11.71	0.0000	11.71
L87	N 89° 21' 10" E	11.71	0.0000	11.71
L88	N 89° 21' 10" E	11.71	0.0000	11.71
L89	N 89° 21' 10" E	11.71	0.0000	11.71
L90	N 89° 21' 10" E	11.71	0.0000	11.71
L91	N 89° 21' 10" E	11.71	0.0000	11.71
L92	N 89° 21' 10" E	11.71	0.0000	11.71
L93	N 89° 21' 10" E	11.71	0.0000	11.71
L94	N 89° 21' 10" E	11.71	0.0000	11.71
L95	N 89° 21' 10" E	11.71	0.0000	11.71
L96	N 89° 21' 10" E	11.71	0.0000	11.71
L97	N 89° 21' 10" E	11.71	0.0000	11.71
L98	N 89° 21' 10" E	11.71	0.0000	11.71
L99	N 89° 21' 10" E	11.71	0.0000	11.71
L100	N 89° 21' 10" E	11.71	0.0000	11.71

DAVID S. GIBSON
REGISTERED PROFESSIONAL SURVEYOR
NORTH CAROLINA
NO. 10111
E. 1507223.119

DATE: SEPTEMBER 22, 2004

PROJECT: CLEMMONS TOWN CENTER VILLAGE OF CLEMMONS TOWNSHIP FORSYTH COUNTY, NC

SCALE: AS SHOWN

DATE: SEPTEMBER 22, 2004

PROJECT: CLEMMONS TOWN CENTER VILLAGE OF CLEMMONS TOWNSHIP FORSYTH COUNTY, NC

SCALE: AS SHOWN

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888

PLAT 5883-94-195
CLEMMONS TOWN CENTER
APARTMENTS, LLC
DB: 3122 PG. 3888