

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS COUNCIL
August 24, 2015**

The Village of Clemmons Council met on Monday, August 24, 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. Attorneys Warren and David Kasper were in attendance.

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 30 citizens in attendance. Three individuals were signed in to speak:

- Donald Dial, 4420 Hunters Run Drive, Clemmons, NC – voiced concerns regarding Bluestone Development.
- Chris Looper, 120 Amhill Court, Clemmons, NC – requested clarification of Closed Session minutes on current agenda to be opened.
- Janice Torgersen, 4405 Hunters Run Drive, Clemmons, NC – voiced concerns regarding Bluestone Development and stated she was not opposed to the development but has concerns.

Approval of the Minutes

Council Member Rogers moved to approve the minutes of the August 10, 2015 regular meeting as presented. The motion was seconded by Council Member Denny and unanimously approved.

Council Member Rogers moved to unseal Closed Session minutes from October 27, 2014 – June 22, 2015. The motion was seconded by Council Member Roark and unanimously approved.

Approval of the Agenda

Planner Megan Ledbetter requested the addition of “Item G. 2. Acceptance of Donald Kinney’s Resignation from the Planning Board”.

Manager Larry Kirby requested the addition of “Announcements D. Statement of Support for the Guard and Reserve”.

Council Member Cameron made a motion to approve the agenda as amended. The motion was seconded by Council Member Lawry and unanimously approved.

Announcements

Marketing/Communications Director Shannon Ford advised of the Ice Cream Festival taking place at Tanglewood Farmer’s Market on Saturday, August 29, 2015 from 10:00 a.m. until noon.

Manager Larry Kirby advised of the Clock Tower Dedication being held at Village Hall on Monday, August 31, 2015 at 6:00 p.m.

Mayor Nelson read and proclaimed the week of October 23-31, 2015 as National Red Ribbon Week which is a project by the Young Marines bringing awareness to illicit drug usage among youth focusing on and encouraging a drug-free lifestyle. (Attached hereto as Exhibit A and incorporated as a part of the minutes.)

Manager Kirby read the Statement of Support for the Guard and Reserve presented to Council Member Rogers.

Business

A. Call for Public Hearings

1. *Zoning Map Amendment of Newsom Property – Zoning Docket C-205.* Zoning Map Amendment of Newsom property from RS-15 to NO-S (professional office) located at 3743 Clemmons Road Clemmons, NC and the property is described by the Forsyth County Tax Maps as Tax Block 4213 Lot 107B (Zoning Docket C-205)

Council Member Rogers made a motion for a Public Hearing to be held on Monday, September 14, 2015 at 7 p.m. at Village Hall for Zoning Map Amendment of Newsom property – Zoning Docket C-205. The motion was seconded by Council Member Roark and unanimously approved.

2. *Special Use Permit of Western Enterprises, Inc. – C-SUP-01.* Special Use Permit of Western Enterprises, Inc. to traverse a driveway across property located at 2855 Middlebrook Drive and described by the Forsyth County Tax Maps as Tax Block 4215 Lot 033C; zoned RS-15 terminating on the western portion of Western Enterprises, INC property located at 3635 Spangenberg Avenue described by Forsyth County Tax Maps as Tax Block 4215 Lot 073; zoned RM12 and LB (C-SUP-01)

Council Member Rogers made a motion for a Public Hearing to be held on Monday, September 14, 2015 at 7 p.m. at Village Hall for Special Use Permit of Western Enterprises, Inc. – C-SUP-01. The motion was seconded by Council Member Roark and unanimously approved

B. Site Plan Reviews

1. *Phase II of Barrington Oaks consisting of 16.59 acre development with 44 home sites. (Zoning Docket C-15-001).* Planner Ledbetter presented the Staff recommendation to approve the site plan as submitted with required condition. She advised there would be a condition to have mail kiosks as it is now a requirement for new residential subdivisions by the local postmaster. The Village requires that the developer provide 1/35 of an acre of open space per lot tax value and a minimum of 2 acres. The developer has elected to do a payment in lieu of open space.

Council Member Rogers moved to approve the subdivision site plan for C-15-001. The motion was seconded by Council Member Roark and unanimously approved.

2. *Bluestone consisting of 20.4 acre development with 57 lots. (Zoning Docket C-15-002).* Staff recommended to Council that certain conditions be placed on the development prior to approval of the site plan presented. Those conditions are:
- Mail kiosks as required for residential subdivisions by local postmaster
 - Sidewalk construction along Idols Road as it relates to adopted ordinance
 - Sewer line ran to the property line
 - Installation of asymmetrical left turn lane and reconfiguration of entrance
- The Petitioner agreed to review the conditions required and Council by consensus delayed action on the subdivision site plan to give the Petitioner time to work on the recommended conditions.

- C. Budget Amendment 16-G-2 for Security Items – Director of Operations Steve Gearren presented Budget Amendment 16-G-2 for Security Items which include email software and video surveillance for Village Hall in the amount of \$3995.00. (Attached hereto as Exhibit B and incorporated as a part of the minutes.)

Council Member Rogers made a motion to approve Budget Amendment 16-G-2 for Security Items in the amount of \$3995.00. The motion was seconded by Council Member Cameron and unanimously approved.

- D. NCDOT Landscape Agreement (3 roundabouts on Harper Road) – Public Works Director Mike Gunnell advised that all bids are to be returned to NCDOT by mid-September and once contract is awarded by NCDOT, the Village of Clemmons will be taking over the maintenance.

Council Member Rogers made a motion to approve NCDOT Landscape Agreement (3 roundabouts on Harper Road). The motion was seconded by Council Member Cameron and unanimously approved

- E. Proposals for Paving of Public Works Facility - In this year's budget, \$111,000 was allocated for paving of Public Works facility. The following quotes were received and the one from Yadkin Valley Paving, Inc. was recommended.

Company	Quote
APAC/Thompson-Arthur Paving & Construction	\$114,860.12
Yadkin Valley Paving, Inc.	\$110,992.62
Hanes Construction Company	\$160,209.84
Turner Asphalt, Inc.	\$164,828.99

Council Member Cameron made a motion to allow Public Works Director Mike Gunnell to sign and award the contract for paving of Public Works facility to Yadkin Valley Paving, Inc. for \$110,992.62. The motion was seconded by Council Member Roark and unanimously approved.

- F. Attorney's Report – Update on NCDOT Village Point Drive Agreement. Attorney Warren Kasper advised there are some revisions being made to the draft agreement prior

to being presented to Novant. Attorney Kasper expects to have the agreement by the next meeting on Monday, September 14, 2015 providing it has been returned from Novant.

G. Planner's Report

1. *Minutes from the August 18, 2015 Planning Board Meeting.* The minutes were presented.
2. *Acceptance of Donald Kinney's Resignation from the Planning Board.* Planner Ledbetter advised of receiving Planning Board member Donald Kinney's resignation letter due to time and personal commitments.

Council Member Cameron made a motion to accept Donald Kinney's resignation from the Planning Board. The motion was seconded by Council Member Roark and unanimously approved.

By consensus, Council decided to advertise for the vacant position on the Planning Board.

H. Marketing/Communications Director's Report

1. *Marketing and Event Plan with Budget Amendment 16-G-1.* Marketing/Communications Director Shannon Ford provided the Marketing and Event Plan with the Budget Amendment 16-G-1. (Attached hereto as Exhibit C and incorporated as a part of the minutes.)

Council Member Rogers made a motion to approve the Marketing and Event Plan as presented with Budget Amendment 16-G-1. The motion was seconded by Council Member Cameron and unanimously approved.

I. Manager's Report

1. *Financial Summary Report for July 2015.* The report was presented.
2. *Update from Sheriff's Department.* Manager Larry Kirby advised that Forsyth County Sheriff's Department is preparing to install body cameras on all officers and Clemmons will be one of the first communities where implemented. Due to this installation of body cameras, a system upgrade to 10GB with Time Warner Cable is needed. Manager Kirby advised of his funding approval in the amount of \$5700.00 toward the system upgrade for Forsyth County Sheriff's Department.
3. *Northern Piedmont Hazard Mitigation Plan Update.* Manager Kirby advised all communities within Forsyth County have adopted the Plan and it has been filed with the State.

J. Council Comments – there were none.

K. Closed Session to Consult with Attorney in accordance with NCGS 143-318.11(a)(3) and Discuss Property Acquisition in accordance with NCGS 143-318.11(a)(5) - Council Member Lawry moved to go into closed session to consult with Attorney in accordance with NCGS 143-318.11(a)(3) and discuss property acquisition in accordance with NCGS 143-18.11(a)(5). The motion was seconded by Council Member Cameron and unanimously approved.

At 10:50 p.m., Mayor Nelson stated that by unanimous vote Council chose to reconvene the open session. No action was taken.

Council Member Roark made a motion to accept the settlement agreement between the Village of Clemmons and Marsha Sucharski. The motion was seconded by Council Member Lawry and approved by a 4-1 vote with Council Member Rogers voting in opposition. Mayor Nelson read a statement of the Village of Clemmons regarding the settlement of claim of Marsha Sucharski in open session. (Attached hereto as Exhibit D and incorporated as a part of the minutes.)

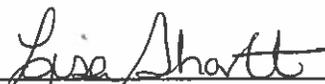
Adjournment

Council Member Rogers moved to adjourn the meeting at 10:53 p.m. The motion was seconded by Council Member Cameron and was unanimously approved.



Nickolas B. Nelson
Mayor

ATTEST:



Lisa Shortt, Village Clerk

**A Proclamation Recognizing
National Red Ribbon Week**

WHEREAS, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

WHEREAS, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

WHEREAS, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

WHEREAS, the red ribbon has been chosen as a symbol commemorating the work of Enriquée "Kiki" Camarena, a Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

WHEREAS, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

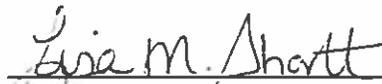
WHEREAS, October 23-31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

NOW, THEREFORE, I, Nickolas B. Nelson, Mayor of Clemmons, do hereby proclaim October 23-31, 2015, as "RED RIBBON WEEK" in Clemmons and urge all citizens to join me in this special observance.



Nickolas B. Nelson, Mayor

Attest:



Lisa M. Shortt, Village Clerk



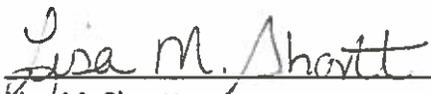
VILLAGE OF CLEMMONS
 BUDGET AMENDMENT
 FOR THE FISCAL YEAR ENDING JUNE 30, 2016

BE IT ORDAINED by the Village Council of the Village of Clemmons, North Carolina at a regular meeting on August 24, 2015 that the following Budget Amendment is adopted to amend the budget for email records retainage and indexing and updates for security system.

	Original Budget	Previous Amendment	Increase (Decrease)	Revised Budget
Appropriations				
Admin Non Capital Equipme	\$ 12,750	\$ -	\$ 3,995	\$ 16,745
Total Expenditures	\$ 5,908,395	\$ 36,250	\$ 3,995	\$ 5,948,640
Revenue				
Fund Balance	\$ 571,451	\$ -	\$ 3,995	\$ 575,446
Total Revenues	\$ 5,908,395	\$ 36,250	\$ 3,995	\$ 5,948,640


 Nickolas B. Nelson
 Village Mayor


 K. Ann Stroud, CPA
 Village Finance Officer

Attest:

 Lisa M. Shortt
 Village Clerk

VILLAGE OF CLEMMONS
BUDGET AMENDMENT
FOR THE FISCAL YEAR ENDING JUNE 30, 2016

BE IT ORDAINED by the Village Council of the Village of Clemmons, North Carolina at a regular meeting on August 24, 2015 that the following Budget Amendment is adopted to amend the budget for marketing budget.

	Beginning Budget	Previous Amendment	Increase (Decrease)	Ending Budget
Appropriations				
Tourism	\$ 17,750	\$ -	\$ 14,250	\$ 32,000
Clemmons Events	\$ 4,000	\$ -	\$ 22,000	\$ 24,000
Total Expenditures	\$ 5,908,395	\$ -	\$ 36,250	\$ 5,944,645
Revenue				
Fund Balance Tourism		\$ -	\$ 14,250	\$ 14,250
Fund Balance Occupancy			\$ 22,000	\$ 22,000
Total Revenues	\$ 5,908,395	\$ -	\$ 36,250	\$ 5,944,645

Restricted Fund Balance	6/30/2015			
Fund Balance Cultural Economic & Rec	\$ 51,305.88		\$ (22,000.00)	\$ 29,305.88
Fund Balance Travel & Tourism	\$ 217,400.19		\$ (14,250.00)	\$ 203,150.19



Nickolas B. Nelson
Village Mayor



K. Ann Stroud, CPA
Village Finance Officer

Attest:



Lisa M. Shortt
Village Clerk

**STATEMENT OF VILLAGE OF CLEMMONS COUNCIL REGARDING
SETTLEMENT OF CLAIM OF MARSHA SUCHARSKI IN OPEN SESSION**

Marsha Sucharski was hired as the Village Clerk on September 1, 2000. Council believed it was in the best interest of the Village to discharge her on January 16, 2015. In the wake of her termination, Ms. Sucharski retained legal counsel and presented a claim for wrongful discharge and other potential alleged wrongs, including defamation. The Council is confident that the termination of this employee was both necessary and appropriate under the circumstances. Nevertheless, based solely upon asserted irregularities in the manner in which her discharge was handled procedurally, and a desire to avoid the cost and inconvenience of litigation, the Council ~~unanimously~~ voted to enter into a confidential settlement with Ms. Sucharski under the terms and the amount set forth therein. The settlement agreement will be placed in and made a part of the official record of these proceedings in accordance with the Public Meetings Law. The Council is thoroughly satisfied that the resolution of this claim in this manner is fair and reasonable and will avoid further acrimony in the community.