

NOT APPROVED



**Agenda Packet - DRAFT
Village of Clemmons Council
Regular Meeting**

August 10, 2020

**AGENDA
REGULAR MEETING OF THE
VILLAGE OF CLEMMONS COUNCIL
AUGUST 10, 2020 at 6:00 p.m.**

- I. Call to Order & Pledge of Allegiance – Mayor Wait
- II. Public Comments
- III. Minutes - Approval of Minutes – July 27, 2020 Regular Meeting
- IV. Changes and/or Approval of the Agenda
- V. Announcements
- VI. **Business – Information**
 - A. Marketing & Communications Director's Report
 - 1. Events Update
 - Business – Action Items**
 - B. Citizen Boards Remote Participation Policy
 - C. Coronavirus Relief Fund Plan
 - D. Facility Upgrade Quote (Carpet)
 - Business – Review and Items for Future Action**
 - E. Manager's Report
 - 1. Resolution 2020-R-6 to Adopt the Northern Piedmont Regional Hazard Mitigation Plan
 - F. Attorney's Report
 - G. Planner's Report
 - 1. Intern Presentation
 - H. Council Comments
- VII. Adjournment



DRAFT

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS COUNCIL
July 27, 2020**

The Village of Clemmons Council met on Monday, July 27, 2020, at 6 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Wait, Council Members Barson, Binkley, Cameron, Rogers and Wrights. Attorney Elliot Fus was also present.

Call to Order & Pledge of Allegiance

Mayor Wait called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Public Comments

There were no citizens in attendance. There were no individuals that spoke during public comments.

Approval of the Minutes

Council Member Cameron moved to approve the minutes of the July 13, 2020 regular meeting as presented. The motion was seconded by Council Member Barson and unanimously approved.

Approval of the Agenda

Mayor Wait requested the addition of Item 6 under Manager's Report "Clemmons Community Day".

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

Announcements

Mayor Wait introduce Forsyth County Sheriff Deputy Summers as he has been recently assigned to the Village of Clemmons.

Business – Information/Review Items for Future Action

- A. Marketing and Communications Director's Report – Clerk Shortt advised that there is a crafter each week at the Farmer's Market now.

Business – Review and Items for Future Action

- B. Manager's Report.
1. Financial Report for June 2020 – report was presented. Manager Buffkin advised that the July Sales Tax report has been received and was down substantially (approximately 25%). He stated that the auditors will be incoming within next few weeks to begin this year's audit process.
 2. FCSO Report for June 2020 – report was presented. Manager Buffkin welcomed Deputy Summers.

3. *Disposition of Records per the Retention Schedule* – Manager Buffkin advised Council of the disposition of records per the retention schedule (attached hereto as Exhibit A and incorporated as a part of the minutes).
4. *Citizen Boards Remote Participation Policies* – Manager Buffkin advised that board members had expressed an interest in a remote participation policy for citizen boards (Planning Board and Stormwater Advisory Board). He stated this type of policy may not be advisable for Zoning Board of Adjustment as that is a quasi-judicial board. His suggestion is to keep a consistent policy for these two boards with the one that Council recently approved. This item will be placed on the next regular meeting agenda for consideration.
5. *Coronavirus Relief Fund Plan* – Manager Buffkin advised of the Coronavirus Relief Fund Plan, the amount that the Village would be eligible to receive (approximately \$221,000 which must be expended by the end of the current calendar year) and the deadline to adopt the plan (September 1, 2020). This item will be placed on the next regular meeting agenda for consideration.
6. *Clemmons Community Day* – Mayor Wait advised of a request he received from the Lewisville-Clemmons Chamber of Commerce. They are holding a Clemmons Community Day on Saturday, September 19, 2020. This will not be a vendor-style event this year as in years past, as they are planning on having fireworks at the Jerry Long YMCA and livestreamed entertainment via FM radio station. The logistics are still being worked out as far as cars. They are looking at purchasing pole banners (a minimum of 24) to highlight and promote leading up to the event and are asking to utilize the brackets on the poles along Lewisville-Clemmons Road and Peacehaven Road near the YMCA. They are asking for funding as they anticipate the fireworks cost to be approximately \$10,000. Council Member Barson pointed out that with the Village of Clemmons events, the Village requests sponsorships to be able to carry them out and this has been discussed previously as the Village has stated we are willing to provide an in-kind partnership with some of their needs (i.e. possibly hanging pole banners, parking cones, etc.) but is not comfortable with providing sponsorship dollars while requesting sponsorship for our events.

Council consensus was to provide an in-kind partnership with the Lewisville-Clemmons Chamber of Commerce for Clemmons Community Day but no financial consideration.

- C. *Attorney's Report* – Attorney Fus reported on two items to Council: 1) a billboard litigation development, and 2) a letter received challenging the peddling ordinance for the Village of Clemmons which will be discussed during closed session.

- D. Planner's Report – Planner Rahimzadeh updated Council on cases coming before the Planning Board.

Business – Action Items

- E. Closed Session for Discussion Under Attorney-Client Privilege in Accordance with NCGS 143-318.11(a)(3) and to Discuss Personnel Matter in accordance with NCGS 143-318.11(a)(6) - Council Member Cameron moved to go into closed session for Discussion Under Attorney-Client Privilege (relates to visible properties versus Village of Clemmons) in accordance with NCGS 143-318.11(a)(3) and to Discuss Personnel Matter in accordance with NCGS 143-318.11(a)(6) at 6:24 p.m. The motion was seconded by Council Member Barson and unanimously approved.

At 7:22 p.m., Mayor Wait stated that by unanimous vote Council chose to reconvene the open session with no action taken.

- F. Council Comments – there were none.

Adjournment

Council Member Rogers moved to adjourn the meeting at 7:23 p.m. The motion was seconded by Council Member Barson and unanimously approved.

John Wait
Mayor

ATTEST:

Lisa Shortt, NCCMC
Village Clerk

Village of Clemmons

Remote Participation Policy

Overview- The purpose of this policy is to establish guidelines which will allow Village Council members who are unable to physically attend a Council meeting to participate remotely via electronic, simultaneous methods. This policy is not intended to allow or encourage physical absence from a Council meeting simply as a means of convenience. Remote participation should only be utilized in the case of a bona fide emergency or other such circumstance as described below. For the purpose of this policy, a Council member is defined as a Village Councilman/woman and the Mayor, hereafter referred to as member. For the purpose of this policy, the presiding officer is defined as the Mayor or the person serving as presiding officer in the Mayor's absence. Nothing in this policy shall prohibit the Council from participating in a fully remote meeting (e.g., via online videoconference), to the extent that a State of Emergency makes it impossible or unsafe to hold a physical meeting. In such an event, any procedural portions of this policy that are inconsistent with the remote meeting format (advance notice of remote participation by the member, call procedures, etc.) shall not apply.

Remote Participation

1. Remote participation is defined as participation in an official Village Council meeting by a member who is not physically present at the meeting via means of electronic and simultaneous methods such as audio and/or video.
2. Unless the Village of Clemmons is under a declared state of emergency, remote participation may be allowed only during open sessions when a quorum of the Council is physically present at the meeting and the Council member participating remotely is not necessary to establish a quorum. Remote participation shall not be allowed during the following, unless there is a declared state of emergency and the proceedings cannot reasonably be postponed:
 - a. Quasi-judicial proceedings
 - b. Closed sessions
3. Remote participation is created for, but not limited to, the following reasons:
 - a. Personal illness or disability
 - b. Employment related issues
 - c. Family or other emergency, including during a declared state of emergency
 - d. Participation in other Village related meetings which make it logistically impossible to attend the meeting.
4. Unless impractical, any member who desires to participate remotely shall notify the Mayor, Village Manager or Clerk at least 24 hours in advance of the meeting to allow for set-up of any necessary

equipment to accommodate remote participation. The member shall also provide the telephone number at which they can be contacted to participate remotely.

5. During the call to order, the presiding officer shall announce that a member has requested to participate remotely and then they shall call the number provided by the member. In an effort to minimize disruption of the meeting, if after two attempts, clear contact cannot be established with an absent member, the option of remote participation for that member during any part of that meeting will not be allowed. Once contact has been established, the remotely participating member shall identify himself and state the reason for participating remotely. If due to technical difficulties, contact with the remotely participating member is lost entirely or if contact becomes unclear, the presiding officer may end remote participation for that member for the balance of the meeting. If remote participation is established but is then interrupted or ends, the member will be considered as excused from the remainder of the meeting and therefore no votes taken following loss of contact from that member will be recorded.

6. Unless the Village of Clemmons is under a declared state of emergency, the presiding officer must be physically present at the meeting.

7. A member has the same voting privileges when participating remotely as they have when they are physically present at the meeting.

8. A member participating remotely must at a minimum be fully heard (and, if possible, also seen) by all members of the Council and other individuals in attendance at the meeting. A member participating remotely must also be able to hear all other members of the Council and other individuals in attendance at the meeting. If this cannot be accomplished, the presiding officer shall not allow the member to participate remotely.

9. When casting a vote, a member participating remotely shall be called on individually by the presiding officer, to verbally cast their vote as “aye” or “nay” in such a manner as can be clearly heard by all members.

10. No written ballots may be taken by the Council when a member is participating remotely.

11. Members participating remotely shall have the right to receive all documents that were distributed to the Council prior to the start of the meeting. However, it is the responsibility of the remotely participating member to provide a means whereby the documents can be delivered to them in a timely manner, for example electronic mail or mailing address. All such expense shall be paid for by the Village.

Application to Citizen Boards – This policy shall also apply to remote participation to all citizen boards of the Village of Clemmons, except the Zoning Board of Adjustment. For purposes of citizen boards, all references to “Council” or a member of “Council” above shall refer to the applicable citizen board or member thereof. References to the “Mayor” shall refer to the presiding member of the applicable board.

- Adopted March 12, 2020, Amended April 27, 2020, [Amended August 10, 2020](#)

EXHIBIT A

North Carolina Pandemic Recovery Office Coronavirus Relief Fund (CRF) Municipality Plan



Instructions

1. This document is to be used by municipalities to document the planned use of the CRF monies allotted in Session Law 2020-4.

2. Under Categories. Please aggregate the amount of all expenses for that specific category. Example amounts should be removed and you can enter the municipality amounts. The total must agree with your allotment.

The Municipality is responsible for maintaining adequate documentation to support expenditures. If estimates are being used the methodology must be documented and defensible. The Municipality is responsible for following the Federal *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* promulgated by the United States Office of Management and Budget unless the US Treasury publishes guidance stating otherwise.

Municipality Information

Name of Municipality

Person Submitting:

Title:

Email:

Phone Number:

| Planned Expenditures | |
|---|---|
| Categories | Amount |
| <p>1. Medical expenses such as:</p> <ul style="list-style-type: none"> • COVID-19-related expenses of public hospitals, clinics, and similar facilities. • Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs. • Costs of providing COVID-19 testing, including serological testing. • Emergency medical response expenses, including emergency medical transportation, related to COVID-19. • Expenses for establishing and operating public telemedicine capabilities for COVID-19 related treatment. | |
| <p>2. Public health expenses such as:</p> <ul style="list-style-type: none"> • Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19. • Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency. • Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency. • Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety. • Expenses for public safety measures undertaken in response to COVID-19. • Expenses for quarantining individuals. | <p>15,150</p> <p>Touchless facet air bushes etc.</p> |
| <p>3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.</p> | |
| <p>4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:</p> <ul style="list-style-type: none"> • Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions. • Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions. • Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions. • Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions. • COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions. • Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions. | <p>Stipend remote employees 960.00 \$40 a month</p> <p>Improve remote viewing of village meeting to encourage staying in or social distancing</p> <p>Sound System upgrade 10000</p> <p>zoom 90.00</p> |

| | |
|---|--|
| <p>5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:</p> <ul style="list-style-type: none"> • Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. • Expenditures related to a State, territorial, local, or Tribal government payroll support program. • Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise. | |
| <p>6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund’s eligibility criteria.</p> | |
| | |
| | |
| <p>Grand Total</p> | |

Signature

Title

Date

RESOLUTION REQUESTING CONGRESS TO ALLOW LOCAL GOVERNMENTS FLEXIBILITY IN UTILIZING CORONAVIRUS RELIEF FUNDS TO RESPOND TO COVID-19 AND ENSURE THE CONTINUATION OF VITAL LOCAL SERVICES

WHEREAS Congress enacted the CARES Act, P.L. 116-136, on March 27, 2020, which established the federal Coronavirus Relief Fund (“CRF”) and distributed funds directly to States and localities with populations over 500,000, including North Carolina and 4 North Carolina local governments;

WHEREAS Treasury Department guidance stated that States should provide 45% per capita of the CRF funds to local governments with populations of 500,000 or less;

WHEREAS, of the more than \$4 billion in CRF funds received by the State of North Carolina, the North Carolina General Assembly, in Session Laws 2020-04 and 2020-80, established a \$300 million fund to be distributed to the 97 counties that did not receive direct CRF funds and required each county to allocate at least 25 percent of such funds for use by municipalities within the county for allowable uses;

WHEREAS Forsyth County received \$13,889,626 from the North Carolina allocation of CRF funds from the General Assembly, which represents approximately 9% of its per capita share of CRF funds, far less than the 45% intended by Congress;

WHEREAS Forsyth County has suffered a shortfall in sales tax, property tax, and other revenues due to COVID-19 and resulting business shutdowns;

WHEREAS Forsyth County provides and funds many vital services including public health, behavioral health, public schools, emergency services, fire services, law enforcement, detention center, child and adult social services, housing assistance, parks, elections, and community and economic development, and has been forced to cut funding for many of these services due to the disruption caused by COVID-19;

WHEREAS current CRF restrictions do not allow local governments to use such funds to replace lost revenues; and

WHEREAS allowing more flexibility in using CRF funds, including the replacement of lost revenues, would allow Forsyth County to strengthen its provision of these vital services;

NOW, THEREFORE, BE IT RESOLVED, that the Forsyth County Board of Commissioners hereby requests that in any bill it considers relating to COVID-19 that Congress (1) allow local governments more flexibility in the expenditure of CRF funds, including the ability to replace revenues lost due to COVID-19 and the resulting business shutdown; and (2) consider allocating additional CRF funds directly to local governments with populations of 500,000 or less, that did not receive direct federal funds from the CARES Act.

Adopted this 6th day of August 2020.

Clemmons Town Hall Carpet

\$34.00 Rolled Broad Loom

\$43.00 Tiled squares

| | Sq. Yds. | Rolled | Squares | Difference |
|----------------------|----------|------------|------------|------------|
| Council office | 21 | \$714.00 | \$903.00 | \$189.00 |
| Clerk Office | 16 | \$544.00 | \$688.00 | \$144.00 |
| Finance Office | 16 | \$544.00 | \$688.00 | \$144.00 |
| Server Office (jeff) | 14 | \$476.00 | \$602.00 | \$126.00 |
| Manager | 35 | \$1,190.00 | \$1,505.00 | \$315.00 |
| Planner | 23 | \$782.00 | \$989.00 | \$207.00 |
| File | 20 | \$680.00 | \$860.00 | \$180.00 |
| Conference | 24 | \$816.00 | \$1,032.00 | \$216.00 |
| Marketing | 16 | \$544.00 | \$688.00 | \$144.00 |
| Halls | 75 | \$2,550.00 | \$3,225.00 | \$675.00 |
| Council Room | 175 | \$5,950.00 | \$7,525.00 | \$1,575.00 |

\$14,790.00 \$18,705.00 \$3,915.00

**RESOLUTION TO ADOPT THE
NORTHERN PIEDMONT REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Village of Clemmons is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the Village of Clemmons desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Village of Clemmons Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Village of Clemmons Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Village of Clemmons; and

WHEREAS, the Village of Clemmons, in coordination with Forsyth County and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency are reviewing the Northern Piedmont Regional Hazard Mitigation Plan for legislative compliance and will approve the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Village of Clemmons Council of the Village of Clemmons hereby:

1. Adopts the Northern Piedmont Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on _____, 2020.

John L. Wait, Mayor
Village of Clemmons

ATTEST:

Lisa Shortt, Village Clerk