



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

The Village of Clemmons Council met electronically on Monday, April 27, 2020, at 6 p.m. The meeting was held via Zoom Meeting due to the ongoing COVID-19 pandemic and guidelines and recommendations provided by the Centers for Disease Control and Prevention (CDC), as well as the State and Forsyth County. The following Board members were present: Mayor Wait, Council Members Barson, Binkley, Cameron, Rogers and Wrights. The following Staff members were present: Manager Buffkin, Attorney Fus, Clerk Shortt, Public Works Director Gunnell, Marketing and Communications Director Ford, Director of Operations Gearren and Planner Rahimzadeh.

Call to Order & Pledge of Allegiance

Mayor Wait called the meeting to order at 6:08 p.m. and led the Pledge of Allegiance.

Public Comments

There were no citizens in attendance. There were no individual comments submitted to be read into the record.

Approval of the Minutes

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

Approval of the Agenda

Manager Buffkin requested the addition of "NCLM Voting Delegate" as Item 3. under Manager's Report.

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

Announcements

There were none.

Business – Information/Review Items for Future Action

- A. *Marketing and Communications Director's Report* – Marketing and Communications Director Ford provided an update on the following items and events:
- The farmer's market is scheduled to open May 9, 2020. She advised some vendors are currently accepting pre-orders and making deliveries to Village Hall for pick up on Saturday mornings.
 - May 5, 2020 will be Firefighter Appreciation Day at Mama Mia's Italian Ice from 1:00pm - 5:00pm. They will be taking curbside or call-in orders as well as accepting cards, letters and drawings to be delivered to local departments. For every \$50 in sales on that day, they will cater Italian ice to a local fire department.

B. Manager's Report.

1. *Sheriff's Office Report for March 2020* – report was presented.
2. *Village Boards Advertising* – Manager Buffkin advised of the citizen board term expirations and that advertising will begin.
3. *NCLM Voting Delegate* – Manager Buffkin advised of a voting delegate needed to cast a single vote for the League Board of Directors in advance of their annual business meeting which will be held virtually on May 28, 2020.

Council Member Barson moved to appoint Council Member Cameron as the NCLM Voting Delegate to cast a single vote for the League Board of Directors in advance of their annual business meeting which will be held virtually on May 28, 2020. The motion was seconded by Council Member Binkley and unanimously approved.

C. Attorney's Report.

1. *State of Emergency Ordinance Discussion* - Attorney Fus advised Council that the NC Emergency Management Act provides the backdrop for what municipalities can do in regards to declaring a State of Emergency. It provides the restrictions that can be enacted. His recommendation is that the Village of Clemmons adopt the state statute verbatim.

Council consensus was to direct Staff to re-draft the ordinance similar to the State with procedural guidance for different types of emergencies and “time is of the essence” type scenarios.

D. Planner's Report.

1. *April 21, 2020 Draft Planning Board Meeting Minutes* – minutes were presented.

Business – Action Items

E. Call for Public Hearing.

1. Zoning Map Amendment for Carlos Pereira from RS-15 & LO-S to RM-12-S (Residential Building, Multifamily) located at 3462 Clemmons Road - PIN number 5893-30-8703 and 5893-30-9990 – approx. +/- 8 acres - Zoning Docket C-234.

Council Member Wrights moved to call for public hearing on Zoning Map Amendment for Carlos Pereira from RS-15 & LO-S to RM-12-S (Residential Building, Multifamily) located at 3462 Clemmons Road - PIN number 5893-30-8703 and 5893-30-9990 – Zoning Docket C-234 on Monday, May 11, 2019 at the Regular Village Council Meeting. The motion was seconded by Council Member Cameron and unanimously approved.

F. Major Subdivision Preliminary Site Plan Review – Idolwood – C-20-001 -

Planner Rahimzadeh advised this a major preliminary subdivision site plan review not a rezoning consideration that will consist of 30 lots and there will not be direct

access to Idols Road. He advised that Planning Board unanimously recommended approval. Vincent Townsend, Project Engineer, and James Blakely, Developer, were available for questions.

Council Member Rogers made a motion to approve the preliminary major subdivision for Idolwood – C-20-001. The motion was seconded by Council Member Wrights and unanimously approved.

- G. Village Streets Paving Bids - The following quotes were received for village streets paving and the bid from Sharpe Brothers was recommended. Public Works Director Gunnell advised due to the current circumstances, additional streets may be added for paving based on the difference of budget estimates and a decrease in costs.

Company	Quote
Sharpe Brothers	\$621,710.95
Hanes Paving	\$1,041,757.26
APAC Atlantic, Inc.	\$727,474.00
Yadkin Valley Paving	\$667,031.70

Council Member Wrights moved to accept the bid from Sharpe Brothers for Village Streets Paving in the amount of \$621,710.95 plus a 20% contingency for a total of \$746,053.14 (attached hereto as Exhibit A and incorporated as part of the minutes). The motion was seconded by Council Member Barson and unanimously approved.

- H. Remote Participation Policy – Manager Buffkin presented a revised Remote Participation Policy. A brief discussion was held regarding the verbiage of #3 and the language was amended along with only items a. thru d. listed. The topic of written ballots was also discussed. Attorney Fus recommended a procedure for how to handle that situation remotely be done when/if the situation presented itself as this would be a rare occurrence and could incorporate relevant resources. He also recommended not holding quasi-judicial or evidentiary hearings unless an absolute must.

Council Member Barson moved to approve the Remote Participation Policy as amended (attached hereto as Exhibit B and incorporated as part of the minutes). The motion was seconded by Council Member Rogers and unanimously approved.

- I. Council Comments – Council Member Rogers read a text message received from a citizen regarding sidewalks and pathways. Council Member Cameron expressed her thoughts on the April 21, 2020 Planning Board meeting being extremely well done.

Adjournment

Council Member Rogers moved to adjourn the meeting at 7:34 p.m. The motion was seconded by Council Member Binkley and unanimously approved.



John Wait
Mayor

ATTEST:



Lisa Shortt, NCCMC
Village Clerk

VOC 2020

Bid Opening Results - Friday, April 24, 2020 @ 10:00am

Spring Resurfacing Project

Company Name/ Address	Received Date/Time	Representative Name & Contact Info.	TOTAL BID
SHARPE BROTHERS	4/24/2020 7:28 AM	Kenny Alston kenny-alston@sharpebrosvg.com (336) 382-7072	\$621,710.95
HANES PAVING PO Box 237 Lexington, NC 27293	4/24/2020 9:02 AM	Brock Myer brockm@hanescc.com (336) 300-6067	\$1,041,757.26
APAC ATLANTIC, INC. 4130 N. Glenn Ave. Winston-Salem, NC 27105	4/24/2020 9:41 AM	Luke Graham lgraham@wvpaving.com (336) 669-4561	\$727,474.00
YADKIN VALLEY PAVING, INC 121 Cloverleaf Drive Winston-Salem, NC 27103	4/24/2020 9:47 AM	Eric Ferguson ericferguson@yadkinvalleypaving.com (336) 399-9070	\$667,031.70

RESPONSIVE LOW BID	\$621,710.95
20% CONTINGENCY	\$124,342.19
TOTAL ASPHALT PAVING BUDGET	\$746,053.14

Approved on April 27, 2020



 John Wait, Mayor

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.

- Adopted March 12, 2020, Amended April 27, 2020