

**REGULAR BOARD OF COMMISSIONERS MEETING
TOWN OF WAKE FOREST, NORTH CAROLINA
December 19, 2006**

Mayor Jones called to order a regular meeting of the Board of Commissioners at 7:00 p.m. Present were Commissioners Stephen Barrington, Velma Boyd-Lawson, David Camacho, Frank Drake, and Margaret Jones Stinnett as were Town Manager Williams, Public Works Director Barton, Planning Director Russell, Planner Sary, Planner Summers, Deputy Town Manager O'Donnell, Engineering Director Keravouri, Finance Director Staples, Parks and Recreation Director Simpson, and Town Attorney Vernon. (Note: Town Clerk Wilson was absent due to a death in her family. She reviewed the tape in order to prepare the minutes.)

Mayor Jones led everyone in the Pledge of Allegiance.

1. Approval of agenda.

Mayor Jones reported that she would like to remove Item 6.C. - Consideration of approval of appointments/reappointments to the various boards. She stated that there are some discrepancies.

2. Approval of minutes.

A. Meetings held November 7, 2006 (Work Session and Joint Public Hearings) and November 21, 2006 (Regular Board of Commissioners Meeting).

ACTION: Commissioner Drake made a motion to approve the minutes of meetings held November 7, 2006 (Work Session and Joint Public Hearings) and November 21, 2006 (Regular Board of Commissioners Meeting as submitted by Town Clerk Wilson. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

3. Presentations.

A. Presentation of Annual Comprehensive Annual Financial Report for FYE June 30, 2006.

Mayor Jones recognized Mr. Keith Joyce of Joyce and Company who presented the annual financial report for the fiscal year ending June 30, 2006. He reported that the Town of Wake Forest implemented the new financial reporting model as required by GASB 34. Mr. Joyce said that the Town had received the Certificate of Excellence which is the highest form of recognition awarded in the field of governmental financial reporting for the 16th consecutive year. He reported that the Town was in good financial shape and that their study and evaluation did disclose areas in which improvement is desired as outlined in the management

letter (copy of documentation on file in Town Clerk's Office) and incorporated as part of the minutes.

4. Public hearings / Public Comment.

A. Public Comment.

No one spoke.

5. Consent Agenda.

ACTION: Commissioner Barrington made a motion to approve the Consent Agenda items as submitted. Commissioner Camacho seconded the motion, which carried unanimously (5-0).

A. Approval of tax releases (copy on file in Town Clerk's Office).

B. Approval of 2007 meeting schedule for Planning Board and Board of Commissioners meetings (copy on file in Town Clerk's Office).

C. Approval of Master Plan Review: Heritage Center with the following condition:

Contingent upon the Town of Wake Forest acquiring the rights-of-way across Wake Electric property, the developer shall construct Heritage Farm Road from the current edge of property to provide for intersection with Farm Road, to be reimbursed by the Town of Wake Forest for the cost of surveying, planning and constructing the approximately 100 foot section.

D. Approval of Development Plan Review: Carolina Ale House with the following condition:

Greenway easement dedication along the western property line shall be provided prior to building development.

6. Legislative Items.

A. Consideration of approval of resolution establishing conflicts of interest policy.

ACTION: Commissioner Camacho made a motion to approve a resolution establishing conflicts of interest policy. Commissioner Drake seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2006-48
RESOLUTION ESTABLISHING CONFLICT OF INTEREST
GUIDELINES FOR APPOINTED BOARDS AND COMMISSIONS
(Body of resolution contained in Resolution Book 24)

B. Consideration of approval of appointment to Land Use Management Plan Committee.

ACTION: Commissioner Boyd-Lawson made a motion to appoint members to the Land Use Management Plan Ad-hoc Committee. Commissioner Barrington seconded the motion, which carried unanimously (5-0).

Tim O'Brien	Mary Hayes	Andy Ammons
Guerta Martin	Jeff Adolphson	Debbie Ludas
Kathy Brewer	Keith Shackelford	Stephanie Jenny
Anthony Allen	Mike Johnson	

C. Consideration of approval of appointments/reappointments to various advisory boards.

This item was removed from the agenda for consideration/approval at the January 2007 meeting.

D. Consideration of approval of resolution endorsing the findings of the Strategic Directions Initiative Steering Committee of the NCLM Board of Directors.

ACTION: Commissioner Drake made a motion to approve a resolution endorsing the findings of the Strategic Directions Initiative Steering Committee of the NCLM Board of Directors. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2006-49
RESOLUTION ENDORSING THE FINDINGS OF THE
STRATEGIC DIRECTIONS INITIATIVE STEERING
COMMITTEE OF THE NCLM BOARD OF DIRECTORS
(Body of resolution contained in Resolution Book 24)

7. Planning Items.

- A. Consideration of approval of Case RZ-06-08: Consideration of a request filed by Waters Edge Environmental, LLC to rezone 4.64 acres from I-1, Industrial District (Wake County) to Conditional Use HB, Highway Business District for property located at the 4100 block of Shearon Farms Avenue, south side, being Tax PIN 1738-37-6163.**

ACTION: Commissioner Drake made a motion to approve Case RZ-06-08: Consideration of a request filed by Waters Edge Environmental, LLC to rezone 4.64 acres from I-1, Industrial District (Wake County) to Conditional Use HB, Highway Business District for property located at the 4100 block of Shearon Farms Avenue, south side as recommended by the Planning Board with stated conditions, which died due to lack of a second.

Commissioner Camacho made a motion to approve Case RZ-06-08: Consideration of a request filed by Waters Edge Environmental, LLC to rezone 4.64 acres from I-1, Industrial District (Wake County) to Conditional Use HB, Highway Business District for property located at the 4100 block of Shearon Farms Avenue, south side with stated conditions with the deletion of Condition #5. Commissioner Drake seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2006-40
ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 19)

1. Outdoor storage shall not be visible from nearby property right-of-way.
2. Supplemental planting may be required where existing vegetation is thin within required buffers.
3. Fully engineered stormwater management plans shall meet town requirements prior to construction plan approval.
4. Save and protect the tree in the storage area.
5. ~~Do not plant privet.~~
6. There will be no exterior bulk storage of hazardous materials on the property.

- B. Consideration of approval of resolution of intent to consider the closing of West Avenue and Rankin Court.**

ACTION: Commissioner Boyd-Lawson made a motion to approve a resolution of intent to consider the closing of West Avenue and Rankin Court. Commissioner Barrington seconded the motion, which carried unanimously (5-0) resulting the following resolution:

RESOLUTION 2006-50
RESOLUTION DECLARING THE INTENT OF THE
BOARD OF COMMISSIONERS TO CONSIDER CLOSING
OF WEST AVENUE AND RANKIN COURT
(Body of resolution contained in Resolution Book 24)

- 1. A meeting shall be held at 7:00 p.m. on the 20th day of February 2007, in the Wake Forest Town Hall to consider a resolution closing of West Avenue and Rankin Court.
- 2. The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four (4) successive weeks in The Wake Weekly.
- 3. The Town Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street, a copy of this Resolution of Intent.
- 4. The Town Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S.160A-299.

C. Consideration of approval of water allocation for the proposed Alexan at Ligon Mill development.

ACTION: Commissioner Barrington made a motion to approve the water allocation for the proposed Alexan at Ligon Mill Development. Commissioner Boyd-Lawson seconded the motion and the vote was as follows with stated conditions:

<u>Aye</u>	<u>Nay</u>
Commissioner Barrington	Commissioner Stinnett
Commissioner Boyd-Lawson	
Commissioner Camacho	
Commissioner Drake	

1. Provide water conservation measures as described in the project narrative.
2. Prior to project completion, construct two (2) lanes of Ligon Mill Road, including construction of stream crossings and grading for the ultimate cross-section, from existing end of pavement to Caveness Farms Avenue. The Town of Wake Forest will assist the developer with working with the City of Raleigh to expedite the removal of the pump station to allow the completion of the required Ligon Mill Road construction.
3. Prepayment of water and sewer availability fees.

8. Administration and Financial Items.

A. Consideration of approval of resolution authorizing the filing of an application for approval of a financing agreement authorized by N.C. General Statutes 160A-20 (Electric Substation).

ACTION: Commissioner Drake made a motion to approve a resolution authorizing the filing of an application for approval of a financing agreement authorized by N.C.G.S. 160A-20 (Electric Substation). Commissioner Barrington seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2006-51
 RESOLUTION AUTHORIZING THE FILING OF
 AN APPLICATION FOR APPROVAL OF A
 FINANCING AGREEMENT AUTHORIZED
 BY N.C.G.S. 160A-20
 (Body of resolution contained in Resolution Book 24)

B. Consideration of approval to authorize staff to negotiate contract with software vendor.

ACTION: Commissioner Camacho made a motion to authorize staff to negotiate contract with software vendor, New World Systems. Commissioner Barrington seconded the motion, which carried unanimously (5-0).

9. Public Services Items.

A. Consideration of approval of 1.5% decrease in the Electric Energy Rider.

ACTION: Commissioner Boyd-Lawson made a motion to approve the 1.5% decrease in the Electric Energy Rider. Commissioner Barrington seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2006-40
ORDINANCE AMENDING THE
ELECTRIC ENERGY RIDER OF THE
THE FEE SCHEDULE OF THE
TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 19)

B. Discussion concerning the widening of South Main Street (US-1A) from Rogers Road to Forbes Road.

ACTION: Commissioner Drake made a motion to remove this item for consideration at this time. Commissioner Camacho seconded the motion, which carried unanimously (5-0).

C. Consideration of approval of new locations for construction of new sidewalks.

Commissioner Stinnett made a motion to approve the new locations for construction of new sidewalks as listed below. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

- o West Owen Avenue/South College Street from South Avenue to parking lot across from Community House, including parking lot.
- o West Holding Avenue at South Main Street - one (1) property to connect to Tyler Run sidewalk from South Main Street.
- o Miscellaneous gaps along South Main Street, east side, between West Holding Avenue and NC-98 By-pass.
- o Cimarron Parkway between Tyler Run Park to Lakeview Avenue, then west along Lakeview Avenue to Rodney Bay Crossing

10. Parks and Recreation Items.

A. Consideration of approval of resolution declaring available funds for the Heritage High School Park.

ACTION: Commissioner Barrington made a motion to approve a resolution declaring available funds for the Heritage High School Park. Commissioner Stinnett seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2006-52
RESOLUTION FOR JOINT USE AND
EXPENDITURE OF FUNDS FOR
HERITAGE HIGH SCHOOL

(Body of resolution contained in Resolution Book 24)

11. Public Safety Items.

None.

12. Adjournment.

ACTION: At 8:37 p.m., Commissioner Drake made a motion to adjourn the meeting. Commissioner Barrington seconded the motion, which carried unanimously (5-0).