

NOT APPROVED



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

July 24, 2023

**AGENDA
REGULAR MEETING OF THE
VILLAGE OF CLEMMONS COUNCIL
JULY 24, 2023 at 6:00 p.m.**

- I. Call to Order & Pledge of Allegiance – Mayor Rogers
- II. Public Comments
- III. Minutes - Approval of Minutes – July 10, 2023 Regular Meeting
- IV. Changes and/or Approval of the Agenda
- V. Announcements
- VI. **Business – Action Items**
 - A. Call for Public Hearing - Zoning Map Amendment of real property owned by Highland Azure, LLC from HB-S (Highway Business – Special) to GB-S (General Business – Special) addressed 4725 Commercial Park Court and described by the Forsyth County Tax Offices as PIN 5893-25-8411. Said property contains a total of 1.76± acres. The site plan is on file at the Village of Clemmons website (**Zoning Docket C-254**)
 - B. Resolution 2023-R-12 Authorizing Increase in Federal Micro-Purchase Threshold

Business – Information/Review Items for Future Action

- C. Marketing & Communications Director’s Report / Events Update
 - [Clemmons Farmers Market](#) is open seasonally on Saturdays from 8:30AM to 11:30AM at the Jerry Long Family YMCA located at 1150 S Peace Haven Road. The first Saturday of each month is Artisan Day at the Market. The Jerry Long Family YMCA is a tobacco, dog, and alcohol-free campus. NO PETS, PLEASE
 - Join the Village of Clemmons in celebrating kindness the entire month of July! Be on the lookout for **Kindness Rocks**, Facebook posts with daily ideas to spread kindness, and on overall call to celebrate and prioritize being kind to others.

Details are available on the Village website and Facebook page regarding all our events.

- D. Manager’s Report
 - 1. EB 5960 & EB 6040 Harper Road Sidewalk Project Update
 - 2. Follow-up Retreat
- E. Stormwater Quarterly Update
- F. Council Comments
- G. Closed Session for Attorney-Client Privilege Discussion in Accordance with NCGS 143-318.11(a)(3)
- VII. Adjournment

Join Zoom Meeting

<https://us02web.zoom.us/j/88557446293?pwd=RmlvZyt4V3VzOHJiWVhGY3dPWndiZz09>

Meeting ID: 885 5744 6293

Passcode: 727455



DRAFT

REGULAR MEETING OF THE VILLAGE OF CLEMMONS COUNCIL July 10, 2023

The Village of Clemmons Council met on Monday, July 10, 2023, at 6 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Rogers, Council Members Barson, Cameron, Combest, Taylor and Wrights. Attorney Al Benschhoff was also present.

Call to Order & Pledge of Allegiance

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

Public Comments

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

Approval of the Minutes

Council Member Taylor moved to approve the minutes of the June 26, 2023 regular meeting as presented. The motion was seconded by Council Member Cameron and unanimously approved.

Additions and/or Approval of the Agenda

Council Member Barson requested the addition of Item C.6. "School Traffic Update".

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

Announcements

Corporal Handy with Forsyth County Sheriff's Office introduced Deputy Michael Bowles who is a former SRO and is now working in Clemmons. Council welcomed Deputy Bowles.

Business – Action Items

- A. Public Hearing - Zoning Text Amendment to amend multiple sections in Chapter B of the Unified Development Ordinances. The text amendment is on file in the Village of Clemmons Planning Department and on the Village of Clemmons website (Zoning Docket UDO-90) – Planning & Community Development Director Moore provided Council with an overview of the text amendment (attached hereto as Exhibit A and incorporated as a part of the minutes) which further clarified and corrected typos in this section of the UDO. He advised there will be a complete code overhaul/update within the next year. Council Member Combest stated this is top-notch work and recommended Council pass this text amendment enthusiastically.

Mayor Rogers opened the Public Hearing.

There were no Proponents or Opponents signed up to speak.

Mayor Rogers closed the Public Hearing.

Council Member Combest made a motion to adopt the consistency statement as stated in the Governing Board Statement and approve zoning text amendment for Zoning Docket C-UDO-90 (attached hereto as Exhibit B and incorporated as a part of the minutes). The motion was seconded by Council Member Cameron and unanimously approved.

Business – Information/Review Items for Future Action

- B. *Marketing & Communications Director's Report / Events Update*
- [Clemmons Farmers Market](#) is open seasonally on Saturdays from 8:30AM to 11:30AM at the Jerry Long Family YMCA located at 1150 S Peace Haven Road. The first Saturday of each month is Artisan Day at the Market. The Jerry Long Family YMCA is a tobacco, dog, and alcohol-free campus. NO PETS, PLEASE. There were over 600 customers at last Saturday's market.
 - Join the Village of Clemmons in celebrating kindness the entire month of July! Be on the lookout for **Kindness Rocks**, Facebook posts with daily ideas to spread kindness, and on overall call to celebrate and prioritize being kind to others.
 - [Coffee with a Cop](#) will be held on Tuesday, July 18th from 9AM – 10AM at Ketchie Creek Bakery and Café in Clemmons.
 - [First Responder/Community Helper Appreciation Day](#) will be held in conjunction with the Farmer's Market on Saturday, July 22.

Details are available on the Village website and Facebook page regarding all our events.

- C. *Manager's Report.*
1. *Public Works – Quote Approval for Leaf Truck* – Manager Gunnell presented the quote for the leaf truck for Council's consideration. He advised this quote is for the leaf truck that has already been approved in this year's budget. The pricing is from the NC Sheriff's Association Contract.

Council Member Cameron made a motion to approve the quote from Carolina Industrial Equipment for the Leaf Truck in the amount of \$302,693.48 as presented (attached hereto as Exhibit C and incorporated as a part of the minutes). The motion was seconded by Council Member Taylor and unanimously approved.

2. *Resolution 2023-R-10 Electing to Become a Member of the Interlocal Risk Financing Fund of NC* – Finance Officer Stroud advised Council that for several years our property and liability insurance has been with private insurance carriers thru a broker but this year the cost of this was more than the North Carolina League of Municipalities Risk Management Pool (Interlocal Risk Financing Fund of NC). A resolution needs to be adopted and an agreement approved.

Council Member Taylor made a motion to adopt Resolution 2023-R-10 Electing to Become a Member of the Interlocal Risk Financing Fund of NC as presented (attached hereto as Exhibit D and incorporated as a part of the minutes). The motion was seconded by Council Member

Cameron and unanimously approved.

3. *IRFFNC – Interlocal Agreement for a Group Self-Insurance Pool for Property and Liability Risk Sharing.* This is the agreement mentioned above.

Council Member Taylor made a motion to approve IRFFNC – Interlocal Agreement for a Group Self-Insurance Pool for Property and Liability Risk Sharing as presented (attached hereto as Exhibit E and incorporated as a part of the minutes). The motion was seconded by Council Member Cameron and unanimously approved.

4. *Grant Agreement Under the Fiscal Year 2022 Safe Streets and Roads for All Grant Program between the U.S Department of Transportation and the Village of Clemmons – Planning & Community Development Director Moore* advised Council that the U.S. Department of Transportation is awarding the Village of Clemmons a 2022 Safe Streets and Roads for All Grant for \$160,000. The Village will use this funding to fund the development of a roadway safety plan to reduce roadway fatalities that will lay the groundwork for a comprehensive set of implementation actions. He clarified this grant is to be specifically used for an Action Plan and there is a year timeframe to accomplish the initial plan with the ability to do supplemental planning throughout in order to further clarify the Action Plan. In the future, the hope is to be able to apply for Demonstration and Implementation grants as once there is a plan in place.

Council Member Cameron made a motion to approve Grant Agreement Under the Fiscal Year 2022 Safe Streets and Roads for All Grant Program between the U.S Department of Transportation and the Village of Clemmons as presented (attached hereto as Exhibit F and incorporated as a part of the minutes). The motion was seconded by Council Member Barson and unanimously approved.

5. *Resolution 2023-R-11 Supporting Vision Zero – Planning & Community Development Director Moore* advised Council that Vision Zero is a strategy to eliminate traffic fatalities and severe injuries among all road users. This is the main object of the Safe Streets for All (SS4A) program. As we continue to apply for grant funding from the U.S. Department of Transportation SS4A grant programs, two of the application requirements are:
 1. The governing body commits to the eventual goal of zero roadway fatalities and serious injuries.
 2. That a committee, task force, implementation group, or similar body be established and charged with developing, implementing, and monitoring an SS4A Action Plan.

The intent of the resolution is to complete both requirements. Village Planning staff attended this year's 2023 NC Vision Zero Leadership Institute (the collaboration with other cities is invaluable and the closest city to Clemmons that is involved is Greensboro). Council Member Combest offered an observation that this seems like a unique and perfect

fit to ensure safety at school pickup and drop-offs. This all ties together the overall transportation goals within the Village of Clemmons.

Council Member Taylor made a motion to adopt Resolution 2023-R-11 Supporting Vision Zero as presented (attached hereto as Exhibit G and incorporated as a part of the minutes). The motion was seconded by Council Member Cameron and unanimously approved.

6. *School Traffic Update* – Council Member Barson provided an update on behalf of her and Council Member Combest stating that we are currently at a small impasse due to lack of timely communications, and any of the physical improvements that were hoped to have been achieved prior to the start of the school year are not feasible at this time. There are some procedural processes that can be implemented so Staff will be working with school administrators to put these in place.

D. *Council Comments* – Mayor Rogers welcomed Miracles in Sight (formerly known as The Eye Bank of NC – which was implemented by the state legislature in the 1950s) who will be locating their corporate offices at 4750 Commercial Park Court in Clemmons. The building is ~26,000 square feet and will have 100 employees once fully staffed. This will be a 24/7 operation. They are excited to be a part of the Clemmons Community. Mayor Rogers welcomed them to Clemmons.

Adjournment

Council Member Cameron moved to adjourn the meeting at 6:35 p.m. The motion was seconded by Council Member Taylor and unanimously approved.

Michael Rogers
Mayor

ATTEST:

Lisa Shortt, NCCMC
Village Clerk

RESOLUTION 2023-R-12

RESOLUTION AUTHORIZING INCREASE IN FEDERAL MICRO-PURCHASE THRESHOLD

WHEREAS, from time to time, the Village of Clemmons (the Village) purchases goods and services using federal funding subject to the procurement standards in 2 C.F.R. Part 200, Subpart D; and

WHEREAS, the Village's procurement of such goods and services is subject to Uniform Guidance Policy; and

WHEREAS, the Village is a non-Federal entity under the definition set forth in 2 C.F.R. § 200.1; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(ii), a non-Federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents that the non-Federal entity files accordingly; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iii), a non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), a non-Federal entity may self-certify on an annual basis a micro-purchase threshold not to exceed \$50,000 and maintain documentation to be made available to a Federal-awarding agency and auditors in accordance with 2 C.F.R. § 200.334; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation, which, for public institutions, may be a "higher threshold consistent with State law"; and

WHEREAS, G.S. 143-129(a) and G.S. 143-131(a) require the Village to conduct a competitive bidding process for the purchase of (1) "apparatus, supplies, materials, or equipment" where the cost of such purchase is equal to or greater than \$30,000, and (2) "construction or repair work" where the cost of such purchase is greater than or equal to \$30,000; and

WHEREAS, North Carolina law does not require a unit of local government to competitively bid for purchase of services other than services subject to the qualifications-based selection process set forth in Article 3D of Chapter 143 of the North Carolina General Statutes (the "Mini-Brooks Act"); and

WHEREAS, G.S. 143-64.32 permits units of local government to exercise, in writing, an exemption to the qualifications-based selection process for services subject to the Mini-Brooks Act for particular projects where the aggregate cost of such services do not exceed \$50,000; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iv), the Village Council of the Village now desires to adopt higher micro-purchase thresholds than those identified in 48 C.F.R. § 2.101.

NOW THEREFORE, BE IT RESOLVED BY VILLAGE COUNCIL OF THE VILLAGE OF CLEMMONS:

1. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and the applicable provisions of North Carolina law, the Village hereby self-certifies the following micro-purchase thresholds, each of which is a “higher threshold consistent with State law” under 2 C.F.R. § 200.320(a)(1)(iv)(C) for the reasons set forth in the recitals to this resolution:
 - A. \$30,000, for the purchase of “apparatus, supplies, materials, or equipment”; and
 - B. \$30,000, for the purchase of “construction or repair work”; and
 - C. \$50,000, for the purchase of services not subject to competitive bidding under North Carolina law; and
 - D. \$50,000, for the purchase of services subject to the qualifications-based selection process in the Mini-Brooks Act; provided that such threshold shall apply to a contract only if the Unit has exercised an exemption to the Mini-Brooks Act, in writing, for a particular project pursuant to G.S. 143-64.32. If the exemption is not authorized, the micro-purchase threshold shall be \$0.
2. The self-certification made herein shall be effective as of the date hereof and shall be applicable until the Fiscal Year Ending June 30, 2022 of the Village, but shall not be applicable to Federal financial assistance awards issued prior to November 12, 2020, including financial assistance awards issued prior to that date under the Coronavirus Aid, Relief, and Economic Support (CARES) Act of 2020 (Pub. L. 116-136).
3. In the event that the Village receives funding from a federal grantor agency that adopts a threshold more restrictive than those contained herein, the Village shall comply with the more restrictive threshold when expending such funds.
4. The Village shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.
5. The Finance Officer of the Village is hereby authorized, individually and collectively, to revise the Purchasing Policy of the Unit to reflect the increased micro-purchase thresholds specified herein, and to take all such actions, individually and collectively, to carry into effect the purpose and intent of the foregoing resolution.

Adopted this the 24th day of July, 2023.

Michael Rogers, Mayor

ATTEST:

Lisa Shortt, Village Clerk