



REGULAR MEETING OF THE VILLAGE OF CLEMMONS COUNCIL September 26, 2022

The Village of Clemmons Council met on Monday, September 26, 2022, 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 Elliot Fus 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 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 September 12, 2022 regular meeting as presented. The motion was seconded by Council Member Taylor and unanimously approved.

Approval of the Agenda

Council Member Barson requested the addition of Item 3. under Manager's Report "Resignation as TAC alternate / Appointment of Replacement" and another Closed Session item for "Discussion of Personnel Matter in accordance with NCGS 143-318.11(a)(6)".

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

Announcements

There were none.

Business – Action Items

A. Resolutions

1. *2022-R-13 Declaring Council's Intention to Consider Closing the Right-of-Way on Upland Road* – Manager Gunnell advised Council this abandonment request is for a short stub of undeveloped public right-of-way at the western end of Upland Road which connects to a 1.8-acre parcel. Currently the right-of-way is used as a private drive. Based on current adjoining development, topography, and possible stream and wetland impacts it is not anticipated that Upland Road will be extended to South Peacehaven Road. Robert and Camilla Osborne who own the 1.8-acre tract at the end of the right-of-stub are requesting the abandonment. With Council's concurrence, public notice will begin with four consecutive weeks of advertisement in the *Courier*. A public hearing will follow on November 14, 2022.

Council Member Cameron made a motion to adopt Resolution 2022-R-13 Declaring Council's Intention to Consider Closing the Right-of-Way on Upland Road (attached hereto as Exhibit A and incorporated as a part of the minutes). The motion was seconded by Council Member Taylor and unanimously approved.

2. *Resolution 2022-R-14 Declaring Council's Intention to Consider Closing the Right-of-Way on Clouds Harbor Trail* – Manager Gunnell advised Council this abandonment request from Shugart Enterprises will revert a surplus portion of the existing Clouds Harbor Trail right-of-way back to private property due to the realignment of the public street resulting from the Subdivision approval. The realigned street will have the standard 50-foot public right-of-way. With Council's concurrence, public notice will begin with four consecutive weeks of advertisement in the *Courier*. A public hearing will follow on November 14, 2022.

Council Member Cameron made a motion to adopt Resolution 2022-R-14 Declaring Council's Intention to Consider Closing the Right-of-Way on Clouds Harbor Trail (attached hereto as Exhibit B and incorporated as a part of the minutes). The motion was seconded by Council Member Taylor and unanimously approved.

- B. *Interlocal Agreement – Pedestrian Plan* – Planner Rahimzadeh presented the adjustment to the agreement to ensure there will be no penalty for any carry over into July from a budget standpoint and put into 2022-2023 fiscal year under the DOT Unified Planning Work Program. Council Member Cameron inquired if this will be included with the proposed improvements to Lewisville-Clemmons Road under U-6004. Planner Rahimzadeh stated we are not to that point yet but he would seriously doubt this would exclude the analysis of Lewisville-Clemmons Road as it would include the entirety of the municipality's boundaries. Council Member Taylor inquired if this would complement a future transportation plan. Planner Rahimzadeh reminded Council of the \$200k that was reallocated from the Kinnamon Road Bridge study to a comprehensive analysis of key intersections in Clemmons which will be traffic studies analysis that will hopefully build into the Village updating its own transportation plan. Planner Rahimzadeh stated the hope is when we get to an actual transportation plan that deals with automobiles because a comprehensive transportation plan has to include all forms of transportation, the data from this ped plan would be placed directly into the transportation plan. Council Member Combest stated his instinct is that if we have a 13-year-old transportation plan with a need to be updated, then we would need to look at it comprehensively because the risk would be if a certain portion was updated, that could inadvertently become a driver of the other transportation aspects and become chained to it. Planner Rahimzadeh advised that every comprehensive transportation plan has to be multimodal in nature (all-encompassing). He recommended following the MPO's guiding documents. He suggested if this is something that Council is not interested in spending this money now, set it aside and go back to the TCC/TAC and have them hold the \$50k for now and advise that we want to move forward with the \$200k for the intersection analysis and then immediately the following year let them know we want to do \$250k for our own Village Transportation Plan. Council Member

Combest agreed this would be a more productive use of the money. Council Member Combest recommended tabling the agreement and figure how to work it into a comprehensive update of sensitivity analysis (getting the definition and wordology). Mayor Rogers clarified this money is currently in the 2022-2023 fiscal year budget both for Clemmons and TAC. This idea was to amend it due to the fact it was likely going to finish in July.

Council consensus was to table the Interlocal Agreement for Ped Plan and figure how to work it into a comprehensive update of sensitivity analysis (getting the definition and wordology) based on Planner Rahimzadeh's suggestion to not spend this money now but to set it aside and go back to the TCC/TAC and have them hold the \$50k for now and advise that we want to move forward with the \$200k for the intersection analysis and then immediately the following year let them know we want to do \$250k for our own Village Transportation Plan.

Business – Review and Items for Future Action

C. Marketing & Communications Director's Report/Events Update.

- [Clemmons Farmers Market](#) 2022 season opened May 7 and will be held every Saturday thru October 1 from 8:30am-11:30am at Jerry Long YMCA – October 1 will also be Harvest Fest
- Coffee with a Cop will be October 5 at Lowes Foods from 10am-11am
- The Annual Fall Medicine Drop will be held on Saturday, October 15 from 9:30AM – 12:30PM at Clemmons Public Works. Residents can dispose of expired, unwanted, or unused prescription drugs and over-the-counter medications. Only pills will be accepted. Liquids, needles, and inhalants will not be accepted. This is for households ONLY
- Monster Dash and Goblin Hop will be October 23 from 2pm-4pm.

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

D. Manager's Report.

1. *Financial Summary Report for August 2022* – report was presented.
2. *Draft Planning Board Meeting Minutes from September 20, 2022* – draft minutes were presented.
3. *Resignation as TAC Alternate / Appointment of Replacement* – Council Member Barson advised Council that she will be resigning her position as TAC Alternate as various obligations prevent her from being able to attend as necessary.

Council Member Barson made a motion for Council to accept her resignation as TAC Alternate. The motion was seconded by Council Member Taylor and unanimously approved.

Council Member Cameron made a motion to appoint Council Member Taylor as TAC Alternate. The motion was seconded by Council Member Barson and unanimously approved.

E. Finance Director's Report.

1. Budget Amendment 23-S-1 for the Reallocation of ARPA Funds for Stormwater Projects – Finance Director Stroud advised Council this will allow for stormwater projects to be paid out of the Stormwater Fund and ARPA will reimburse the Stormwater Fund.

Council Member Cameron made a motion to approve Budget Amendment 23-S-1 for the Reallocation of ARPA Funds for Stormwater Projects as presented (attached hereto as Exhibit D and incorporated as a part of the minutes). The motion was seconded by Council Member Taylor and unanimously approved.


F. Council Comments – there were none.

- G. Closed Session for Attorney-Client Privilege in accordance with NCGS 143-318.11(a)(3) and Discussion of a Personnel Matter in accordance with NCGS 143-318.11(a)(6) - Council Member Taylor moved to go into closed session for Attorney-Client Privilege in accordance with NCGS 143-318.11(a)(3) and Discussion of a Personnel Matter in accordance with NCGS 143-318.11(a)(6) at 6:30 p.m. The motion was seconded by Council Member Cameron and unanimously approved.

At 8:18 p.m., Mayor Rogers stated that by unanimous vote Council chose to reconvene the open session with no action taken.

Adjournment

Council Member Cameron moved to adjourn the meeting at 8:19 p.m. The motion was seconded by Council Member Taylor and unanimously approved.



Mike Rogers
Mayor

ATTEST:



Lisa Shortt, NCCMC
Village Clerk

Resolution Number 2022-R-13

**Resolution Declaring the Intention of the Clemmons Village Council
To Consider the Closing of the Right-of-Way on Upland Road**

WHEREAS, G.S. 160A-299 authorizes the Village Council to close public streets and alleys; and

WHEREAS, the Village Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of the Right-of-Way on Upland Road;

NOW, THEREFORE, BE IT RESOLVED by the Village Council that:

(1) A meeting will be held at 6:00 p.m. on the 14th day of November, 2022, in the Village Hall to consider a resolution closing that portion of Upland Road.

(2) The Village Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Clemmons Courier or other newspaper of general circulation in the area.

(3) The Village 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 Village 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.


Upon motion duly made by Councilmember Cameron, and duly seconded by Councilmember Taylor the above resolution was duly adopted by the Village Council at the meeting held on the 26th day of September, 2022, in the Village Hall.

Upon call for a vote the following Councilmembers voted in the affirmative:

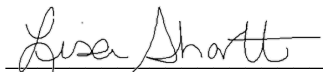
Mary Cameron
Bradley Taylor
Chris Wrights
Michelle Barson
Mike Combest

and no Councilmembers voted in the negative.

This the 26th day of September, 2022.


Michael K. Rogers, Mayor

ATTEST:



Lisa M. Shortt, Village Clerk

Resolution Number 2022-R-14

**Resolution Declaring the Intention of the Clemmons Village Council
To Consider the Closing of the Right-of-Way on Clouds Harbor Trail**

WHEREAS, G.S. 160A-299 authorizes the Village Council to close public streets and alleys; and

WHEREAS, the Village Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of the Right-of-Way on Clouds Harbor Trail;

NOW, THEREFORE, BE IT RESOLVED by the Village Council that:

(1) A meeting will be held at 6:00 p.m. on the 14th day of November, 2022, in the Village Hall to consider a resolution closing that portion of Clouds Harbor Trail.

(2) The Village Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Clemmons Courier or other newspaper of general circulation in the area.

(3) The Village 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.

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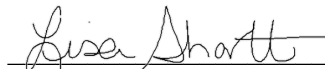
Mary Cameron
Bradley Taylor
Chris Wrights
Michelle Barson
Mike Combest

and no Councilmembers voted in the negative.

This the 26th day of September, 2022.


Michael K. Rogers, Mayor

ATTEST:



Lisa M. Shortt, Village Clerk

**VILLAGE OF CLEMMONS
BUDGET AMENDMENT
FOR THE FISCAL YEAR ENDING JUNE 30, 2023**

BE IT ORDAINED by the Village Council of the Village of Clemmons, North Carolina at a regular meeting on September 26, 2022 that the stormwater fund be amended to appropriate funds for Springside Stormwater CIP, Tanglebrook Stormwater CIP, Doublegate CIP and several minor capital improvement projects. These projects will be appropriated in the stormwater fund and then reimbursed with ARP Revenue Replacement Funds.

	Original	Increase	Decrease	Amended
Revenues				
ARP Reimbursement	242,485	2,713,000	-	2,955,485
Total Revenues		2,713,000	-	
Expenditures				
Minor Capital Improvements	\$ 42,850	\$ 213,000	\$ -	\$ 255,850
Stormwater Capital Improvement Projects	850,755	2,500,000	-	3,350,755
Total Expenditures		\$ 2,713,000	\$ -	
For Information Total Budget				
Total Revenues	\$ 1,718,260	\$ 2,713,000		\$ 4,431,260
Total Expenditures	\$ 1,718,260	\$ 2,713,000		\$ 4,431,260

Attest:

Adopted 26th day of September



Lisa M. Shortt, NCCMC



Michael Rogers, Mayor