

**TOWN OF SELMA  
REGULAR COUNCIL MEETING  
APRIL 12, 2016**

**PRESENT:** Mayor Cheryl Oliver, Councilmembers Tommy Holmes, William Overby, and Mark Petersen, Town Manager Jon Barlow, and Town Attorney Alan “Chip” Hewett.

Mayor Pro-Tem Jackie Lacy entered the meeting at 6:16 p.m.

**OTHER STAFF PRESENT:** Planning Director Julie Maybee, Finance Officer Karen Johnson, and Interim Town Clerk Brenda Thorne.

**CONVOCATION:** Mayor Oliver called the meeting to order at 6:00 p.m. in the Selma Jernigan Building and declared a quorum present.

Steve Reed of *The Selma News* offered the invocation.

**PLEDGE TO FLAG:** Town Council led in the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:** Mayor Oliver stated that she had four changes to the agenda. She said that in the Public Hearing section, both (a) and (b) have been withdrawn, both public hearings be moved to the beginning, eliminate the closed session, and in the Mayor’s section add item (i) Sound System Update.

Councilmember William Overby asked that item (5b) be added to receive updated information on the 150<sup>th</sup> Celebration by Ray Jaklitsch and Dina Flowers.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve the amended agenda. Motion carried unanimously.

**CONSENT AGENDA:**

**Minutes**  
Special Council Meeting – March 8, 2016

A motion was made by Councilmember Mark Petersen and seconded by Councilmember William Overby to approve the consent agenda as presented. Motion carried unanimously.

**RECOGNITIONS/  
PRESENTATIONS –  
James Daniels – Boys &  
Girls Club Youth of the  
Year:**

Mayor Oliver introduced Mr. James Daniels who represented the Johnston/Wayne County Boys & Girls Club at the North Carolina Youth of the Year in Asheville. She said that out of 27 contestants, Mr. Daniels placed in the top five. Mayor Oliver stated that he is the son of Michael and Cathy Daniels.

Mayor Oliver also recognized Boys & Girls Club Director Mammie Moore, and Founder Jean Kelly.

Mr. Daniels stated that he was a senior at Johnston County Early College Academy and a proud member of the Boys & Girls Club of Johnston County. He said that he has enjoyed his time at the Boys & Girls Club. Mr. Daniels stated that he has been trying to find his identity, what to do with his life, and has been able to find that at the Boys & Girls Club. He said that he would not be the man that he was today and would not have had the opportunity to go to Ashville, North Carolina without the support of the Boys and Girls Club. Mr. Daniels thanked Ms. Moore, Ms. Kelly, and his family for their support.

**Dina Flowers & Ray  
Jaklitsch – 150<sup>th</sup>  
Anniversary Celebration  
Update:**

Mayor Oliver introduced both Dina Flower and Ray Jaklitsch who would be presenting an update on the 150<sup>th</sup> Anniversary Celebration that would be held in 2017.

Ms. Flowers stated that she and Mr. Jaklitsch reviewed events for the 150<sup>th</sup> Anniversary Celebration at the last Town Council Work Session. She said that a few things have been added. Ms. Flowers stated that she had met with Dorothy Finiello of Selma Middle School. Ms. Flowers stated that her art class would be doing posters for this event.

Ms. Flowers reviewed the following events that would be held during the 2017 celebration.

January – Polar Bear Run

February – Black History Month; Art show at Historical Museum by Dorothy Finiello

March – Library Month

April – Selma in the Spring with period costumes; Historical Homes Tour that will showcase quilts & tea

May – Police, Fire, and Military Programs

June – 301 Yard Sale; and Greenwood Cemetery Tour

July – Piggyback with Town at the July 4<sup>th</sup> Celebration with a Melon, Tomato, and Better Baby Fair

August – Chili Cook off – Requesting Sysco to help sponsor

September – Farm Day; Architecture Scavenger Hunt throughout Selma

October – Piggyback with Town at Railroad Days

November – Family History Days

December – Christmas Tree Lighting at the Gazebo

Ms. Flowers stated that the volunteers had met, and she distributed a budget that they created.

Mr. Jaklitsch stated that the idea was for the Town to have a festive atmosphere all year long. He said that they want to hang banners all year so that people would see Selma as a festive place. Mr. Jaklitsch stated that they were asking for about \$4,800 from the Town, which was only about half the budget. He said that they already have people working on donations and sponsorships. Mr. Jaklitsch stated that he conservatively would estimate having about \$4,500 in sponsorships. He said that it would probably be more once this was publicized. Mr. Jaklitsch asked if there were any questions.

Mayor Oliver advised those in the audience if there were things that they wanted to be involved in that staff could give them contact information. She said that the idea was to involve the community.

Councilmember Overby stated that at the Work Session, it was stated that it would be nice to have something to work with now. He asked if they had an estimate of what they needed.

Ms. Flowers stated that she met with Town Manager Barlow, and they asked for \$500 for this fiscal year.

Mayor Oliver stated that would be presented in tonight's budget amendments.

Mr. Jaklitsch stated that one of the things that they would be doing to raise money was their t-shirt sales. He said that the sponsors for the year would be printed on the back. Mr. Jaklitsch stated that hoped to raise \$500 from those sales.

Ms. Flowers stated that it was really expensive to do this.

Mayor Oliver stated that they were looking at doing a year's worth of events, and stated that the group had done an incredible job putting this together.

Mayor Pro-Tem Jackie Lacy questioned only having \$100 budgeted for the February events.

Ms. Flowers stated that they would be having speakers. She said that the only cost that they think they would have would be the serving of refreshments. Ms. Flowers stated that Ms. Finiello of Selma Middle School would be doing the posters for the group to print. She said that Ms. Finiello would be having an art show at the museum as well. Ms. Flowers stated that there would not be a lot of expense for that. She said that they trying to not ask the Town

for so much. Ms. Flowers stated that they were trying to have a sponsor for each month.

Councilmember Overby asked if they were working with any Town departments such as the Fire Department.

Ms. Flowers stated that they were working with the Fire Department. She said that they were trying to cover everybody. Ms. Flower stated that if there was anything that they saw that had not done to let them know and they would try to work it in.

Mr. Jaklitsch stated that they were working with Parks and Recreation Director Joe Carter on the 5K race.

Mayor Oliver thanked Ms. Flowers and Mr. Jaklitsch for their time and efforts in the celebration.

**OPEN FORUM/CITIZENS'  
REQUEST -**

**Ricky Brady & Craig  
Langdon – Sign for  
Crumpler Crossroads  
Church of God:**

Ricky Brady introduced himself and Pastor Craig Langdon of Crumpler's Crossroad Church.

Pastor Langdon stated that his address was 758 Powell Road. He said that they have an outdated sign in front of their church that had been there since the 1960's. Pastor Langdon stated that the church was established in 1942. He said that the location of the church was as close to the highway as it could possibly be done at that time. Pastor Langdon stated that at that time, it was off the state right-of-way. He said that anything new was required he thought to be 55 feet from the center of the highway. Pastor Langdon stated that the problem was the way the lot was laid out, and puts their sign in the middle of the parking lot from either side of the church. He said that they have been talking with Planning Director Julie Maybee for nearly a year now, and were looking for some help from Town Council. Pastor Langdon stated that the new sign was only about 4 inches wider than the current sign, and falls below the maximum height. He said that they had provided a plot plan, and asked if there was anything further that they needed to do to get this moving forward.

Pastor Langdon and Mr. Brady reviewed a plot plan with Town Council.

Mayor Oliver asked Planning Director Maybee if she had anything to frame this as far as the Planning Board or Board of Adjustment.

Mr. Brady stated that Ms. Maybee had been very nice, but had done everything she could without going before the Board of

Adjustment. He said that the Town did not have a Board of Adjustment at that time.

Pastor Langdon stated that Ms. Maybee called him last week to let him know that this meeting would be held tonight, and he appreciated that. Pastor Langdon thanked Town Council for letting them speak tonight.

Planning Director Maybee stated that further on tonight's agenda, there was a text amendment concerning the Board of Adjustment. She said that it was a quasi-judicial matter, and that they needed a variance from the Town's ordinance provisions. Ms. Maybee stated that she could discuss that further when they get into the request to set a public hearing on the proposed text amendment pertaining to the Board of Adjustment. She said that the way the sign sets, it is three feet from the road right-of-way, which does not comply with ordinance provisions. Ms. Maybee stated that they were requesting a variance from the setback rules.

**PUBLIC HEARINGS –  
Request to Schedule a  
Public Hearing for Mir  
Muntaz Ali – 5 Acre Tract  
off Lizzie Mill Road:**

This item was removed from the agenda.

**Request to Schedule a  
Public Hearing for  
JAAMA – 5 Acre Tract off  
Lizzie Mill Road:**

This item was removed from the agenda.

**Quasi-Judicial Public  
Hearing for the  
Consideration of a Special  
Use Permit – Blanchard  
Terminal Company, LLC  
(MPLX Terminals, LLC):**

Mayor Oliver stated that this quasi-judicial hearing was for the consideration of a special use permit for Blanchard Terminal Company, LLC. She asked Town Attorney Hewett to swear in those who wished to speak for or against the special use permit.

Town Attorney swore in Planning Director Julie Maybee, Fire Chief Phillip McDaniel, Mr. Tim Franks, and Mr. Roger Lamberth.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to open the public hearing. Motion carried unanimously. 6:28 p.m.

Planning Director Julie Maybee

I'll briefly go over what the protocol will be for this quasi-judicial hearing. Again, announcement of the request, witnesses to be sworn in, open the public hearing, staff presentation, applicant presentation, public comments for the request, against the request, applicant rebuttal, cross-examination, staff recommendation, close

the public hearing, Council deliberation, findings of fact, and then Council decision.

This evening, this special use permit, the property is located in a Heavy Industrial Zoning District. Briefly what they are looking at doing is putting in a 95,000 barrel internal floating roof tank to store ethanol. In the Heavy Industrial Zoning District, this is a special use permit, and was the reason this was requested. When you look at, I have it up on the screen here, what they are looking at is putting a tank towards the back of the property. Looking at the GIS map, you can see that there is quite a few tank farms in the existing area. Where the blue pen is located, there are currently five tanks, and there is an empty slot that is shown on that site plan where this other tank would be going at. Then the property, Heavy Industrial Zoning District, does not contain any hundred year flood plains, again it is located in Heavy Industrial. Just on overall map of the area, the area in purple is shown is Heavy Industrial. When you get a little bit closer, where the pen is located at, Heavy Industrial, this is the site. As you can see, it is completely surrounded by other properties that are zoned Heavy Industrial. The Future Land Use Map also shows this area as industrial. When we look at our Future Land Use Map, it talks about where we should support the tank farm, and this proposed use would be in accordance with the Future Land Use Map.

In your agenda information, I have included a copy of applicant's application and backup information, and also your findings of fact, and request that the staff report, application, and presentation be incorporated into the record.

(Which is attached hereto and incorporated herein as Exhibit A)

At the February 22nd, 2016 Planning Board meeting, the Board recommended approval, conditional upon approval from the Fire Chief on the fire suppression system. Chief McDaniel is here to provide additional information on that as well. Also, the Planning Board recommended to incorporate the applicant's findings of fact as their own. Again, they are included in the staff report and attached as Exhibit #2.

Fire Chief Phillip McDaniel

I just wanted to say I appreciate your time. Everything so far is going as planned. We are pleased with the suppression that they are working on. They presented us an agreement; better than just for this tank that would handle the missing piece of the puzzle for the rest of the tanks. It would actually benefit not just this new tank, it would benefit the entire property, plus the other properties that

are not even involved in that. They have been good to work with, and everything so far on their plan has been exactly what they said. I am fine with that. We plan on bringing you that agreement probably in May. We will discuss that again in a little more detail. We are very pleased. Marathon is good to work with. This is a very safe property already, and this meets what they are doing now; just a little bit of an addition.

Mayor Oliver

Thank you Mr. McDaniel. We have three gentlemen who have signed up to speak, Mr. Edmonson, Mr. Franks, and Mr. Lamberth. I'll let you determine the order in which you would like to speak. Please come forward, state your name, and address for the record.

Tim Franks, 416H Tree, Findley, OH

First of all, I would like to thank the Council for the opportunity to present on this project. We understand there is a growth happening in this region, and we are really excited to be a part of that, and looking for your support in helping to support that as well. What I would like to do is talk about the scope of the project is. The specifics. We are looking to build a new above ground storage tank that will house a petroleum product. The size of it is going to be 110 foot in diameter and 56 feet tall. It is very comparable to the size of the tanks that are currently on the site. You know we've got a few tanks that are 100 foot in diameter, some are 120 foot in diameter, some that are kind of mid-range. This will hold 95,000 barrels normally of petroleum product. The location of the tank where we have it housed meets all our industry spacing requirements. It will be built to our industry standards as well. I don't think you can tell from the picture there, but I think there is some information in what was handed out to you that this is an existing dyke wall containment area that this tank will be located in. Some safety features on our tank will have a redundant electronic level gauge monitoring system, and that is connected electronically into a central monitoring system. So if something were to overflow on this tank, everybody would be notified. Also, we would install leak detection ports that go beneath the tank floor. This is just to monitor the integrity of the tank, and make sure everything is holding product like it is supposed to. The impact of this project, it would defiantly cause some efficiencies to the area to help support the growth that you are currently experiencing. It will also take an estimated 500 trucks a month off the road of the surrounding communities. At this time, I would like to open the floor to any questions.

Mayor Oliver

Any questions for Mr. Franks? Okay, we will go to the next speaker.

I'm here if there are questions, Levelopments in State Government Affairs, 6044 White Stone Place, Duluth, Georgia. North Carolina is a great state. It is a state we are excited to do business in, and you are growing at a rapid pace. This is an opportunity for us to better supply the market. We appreciate you having us, and hope this is a project that you can support. We are happy to answer any questions that you have. I want to let our Terminal Operator introduce himself as well, and then perhaps it's appropriate to field questions.

Roger Lamberth, Terminal Manager for Selma Buffalo Terminal

I've been with Marathon for approximately maybe 27 years. I operated this one facility for the past 17 years. I am here to answer any questions you may have.

Mayor Oliver

Thank you for the excellent safety record, and the way in which you have managed. We are very proud of you.

Roger Lamberth

I appreciate you guys attending our drill a couple of years ago.

Mayor Oliver

Glad to do it. Any questions?

Thank you for coming.

Attorney Hewett

Mayor, if I may, the record which we have identified as 7f, all the documents that are there, unless there is no objection, will be received into evidence inclusive of the staff report, comments made by the Fire Chief, and our Planner, Ms. Maybee.

Gentlemen, are there any other documents you wish to introduce other than what the Town already has in the file?

Mr. Franks

No Sir.

Attorney Hewett

So, no additional documents for that. Mayor, at this time, I think any additional for or against comments.

Mayor Oliver

No one has signed up. Unless we've overlooked or someone came in late and did not sign up, we can move past the public comment section, then therefore there is no need for an applicant rebuttal or cross examination, which would bring us to staff recommendation.

Planning Director Julie Maybee

Staff recommends approval of the special use permit request contingent on the Fire Chief's requirements as far as fire suppression and they get the applicable permits if this is approved by Council.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to close the public hearing. Motion carried unanimously. 6:32 p.m.

Mayor Oliver stated that Council would deliberate of the findings of fact.

Councilmember Overby stated that he liked the idea that it would be taking trucks off the highway.

Mayor Oliver stated that they would go through each of the items in the special use permit. She asked if that was how they needed to proceed.

Planning Director Maybee stated that in the past, they have done it that way. She said that looking at Exhibit #2, if you would like to make the findings as referenced by the applicant.

1. All applicable specific conditions pertaining to the proposed use have been or will be satisfied. All in favor. Motion carried unanimously.
2. Access roads, or entrance and exit drives are or will be sufficient in size or properly located to insure automotive and pedestrian safety and convenience to traffic flow and control, and access in case of fire or other emergency. All in favor. Motion carried unanimously.
3. All necessary public and private facilities and services will be adequate to handle the proposed use. All in favor. Motion carried unanimously.
4. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways will not impair the integrity or character of adjoining properties in the general area and will not have adverse impact to public health, safety, and general welfare. All in favor. Motion carried unanimously.
5. The use or development conforms to general plans for the physical development of the Town's planning jurisdiction as

embodied in this chapter of the Town’s Land Use Plan or other development policies as adopted by the Town Council. All in favor. Motion carried unanimously.

Planning Director Maybee stated that it was her understanding that by each of their motions, they have accepted the applicant’s findings of fact as their own.

Mayor Oliver stated that was correct.

Planning Director Maybee asked if there were any conditions of approval, such as making sure they comply with the Fire Chief’s requirements.

Mayor Oliver stated that was correct.

A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to approve the special use permit for Blanchard Terminal Company, LLC. Motion carried unanimously.

**Quasi-Judicial Public  
Hearing for the  
Consideration of a Special  
Use Permit – Interstate  
Outdoors, Inc.**

Mayor Oliver stated that this quasi-judicial hearing was for the consideration of a special use permit for Interstate Outdoor, Inc. She asked Town Attorney Hewett to swear in those who wished to speak for or against the special use permit.

Attorney Chip Hewett swore in the following: Planning Director Julie Maybee, Warren Stancil, Sonny Howard, Kenneth Stancil, and Harry James.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember William Overby to open the public hearing. Motion carried unanimously. 6:43 p.m.

Planning Director Julie Maybee

Just briefly, the protocol announcement of the request, witnesses to be sworn in, open the public hearing, staff presentation, applicant presentation, public comments for the request, comments against the request, applicant rebuttal, cross-examination if applicable, staff recommendation, close the public hearing, Council deliberation on findings of fact, and then Council decision. In looking at the GIS map on the wall, the property is located at 809 South Raiford Street. This has come before Council on a number of occasions. One was, most recently, the rezoning of the property to a General Business Special Use District, and also, special designation to commercial future land use plan designation. What that means tonight, Interstate Outdoors wants to have their sign shop at this location,

and this requires a special use permit. They will have their sign shop and storage yard. Looking in the agenda packet, I included the applicant's application and staff report, and request that the staff report, application, and exhibits be incorporated into the record, and requested that the staff report, application, exhibits be incorporated into the record.

(Which is attached hereto and incorporated herein as Exhibit B)

When you look at Exhibit #2 and the staff report, you will see a copy of the site plan. This request was considered by the Planning Board at their February 22, 2016 meeting. Showing the existing building that is there, also the driveway that will serve that site. In looking at the survey of the property, you will note that the existing fence is located partially in the road right-of-way on Raiford Street, and is also located in the CSX railroad right-of-way. Looking at our zoning map, you can see it reflects the most recent zoning designation. The area that is in yellow is the area zoned R-10, and also the area that is in grey is definitely the industrial zoning district. The area in pink is the General Business Zoning District designation. This site, just a photograph of the site showing the existing building, parking area, and also some of the equipment that is stored on site. Again, looking at the building and the grounds. The existing fence that surrounds the property, you will notice especially on Raiford Street the existing tree is in the road right-of-way.

Mayor Pro-Tem Jackie Lacy

You said the tree is in the road right-of-way?

Planning Director Julie Maybee

Yes. The reason I mention this now, we are talking about the screening of the site from the adjacent residential properties. The Future Land Use Plan was amended; this is showing a commercial designation now. At the Planning Board's February meeting, they recommended approval on the following contingencies: that they get permits for the signs that have been placed on the building, that they get the zoning and construction permits for this new use on this site, that they have a solid fence adjacent to residential zoning districts I referenced before, and they get an easement from the Town for the fence that is located in the road right-of-way, and also an encroachment agreement from CSX. If they can't get the encroachment agreement from CSX to move the fence. That would be the same as far as easement from the Town, if you can't get an easement, to relocate the fence. Also, any poles would not be placed taller than the fence, and the fence be maintained. The

Planning Board did agree with the applicant's findings of fact. They're again, included in your agenda.

Warren Stancil, 587 Holly Berry Lane, Selma

I've been before you all before. Again, I've presented everything. I think Julie has pretty much said the use in what we are going to claim to do with the property. I'll be glad to answer any questions you might have.

Mayor Pro-Tem Jackie Lacy

The pictures that you showed us, it seemed that there was something lacking about it, because, when I ride by there is a lot more material out there than was originally there.

Mr. Warren Stancil

Yes. That was several months ago those pictures were taken.

Mayor Oliver

I have a question regarding the Warranty Deed with easement reservation that you receive from Duke Energy Progress. If it is you or Ms. Maybee, so if I'm misdirecting it, since you are the owner, it mentions the property conveyed, for Council it is the second page of what has a one at the top, right corner, North Carolina Special Warranty Deed with easement reservation. It says the property conveyed in this deed shall not include any right, title or interest whatsoever in or to grantors outdoor lighting poles as defined in the purchase and sales agreement between grantor and grantee dated August 21<sup>st</sup>, 2015. What is that saying and what are the implications?

Mr. Warren Stancil

Duke Energy had lights all around the property, and since they owned the property, and serviced the property with their own lighting, they were just saying they weren't conveying the lights and poles that they had placed on the property to me.

Mayor Oliver

So will they be maintaining those poles and lights?

Mr. Warren Stancil

Yes.

Mayor Oliver

So if they burn out or the poles deteriorate, you have an agreement with them that they will...

Mr. Warren Stancil

It is like any other service you have like the Towns. You have a light on the road, the Town is going to maintain it; it will be the same situation. If the light goes out, they will come out and fix it. If the pole needs replacing...

Mayor Oliver

In the second one, is the property conveyed in this deed shall not include any right, title, or interest whatsoever in or to grantors lines, facilities, fixtures, equipment, or other personal property now or hereafter located on the property. The facilities...

Mr. Warren Stancil

They are referring to...they have a power line that crosses the railroad that runs parallel to the railroad, and that is what that is referring to.

Mayor Oliver

And there are no other fixtures other than the poles?

Mr. Warren Stancil

No.

Mayor Oliver

Thank you very much. Council other questions?

Exhibit A that follows that is an easement reserve by grantor. In B, it says to keep the easement, we will probably get into this later, but if there is something that you would like to say now while you're up. It says to keep the easement areas clear of trees, shrubs, undergrowth, buildings, structures, and obstructions. We just mentioned there are already trees in the easement or was that the right-of-way.

Mr. Warren Stancil

They are referring to any trees that would grow up underneath their line. Their line is on the backside of the property.

Mayor Oliver

Council, other questions.

Attorney Hewett

Mayor, before he steps down, in terms of an issue with the requirements. The Planning Board said consider an easement or move the fence. An easement is not a good idea, because the roadway is maintained by either the state or the town, whoever owns it. And then CSX, the railroad. The General Statutes read that you can't adversely possess against a town, municipality or the

state, or railroad. To the fact that the fence is there, it is encroaching. But because it is physically located on the property, the can't obtain a right to it by statute. It is almost better to let it exist, and if its a problem, they will have to move it. If we have to widen the road or if the railroad has to come in. This repair/maintenance, if it is encroaching, it would have to be removed. If Council wanted to consider leaving it as is, it does not affect the existing right-of-ways for the railroad or for the roadway.

Mr. Warren Stancil

The fence on the road right-of-way is a matter of inches. It kind of goes in and out. It doesn't follow it exactly. It is just a matter of inches.

Attorney Hewett

For the record, any additional documents, Warren, other than what the Town is going to receive under 7g.

Mr. Warren Stancil

No.

Mayor Oliver

Is Kenneth Stancil going to speak? I'm sorry. You come later.

We now move into the public comments. We had five other individuals sign up for public comments. We will now accept comments from those that are for the applicant that have been sworn.

Attorney Hewett

There were technically only three that actually signed in.

Mayor Oliver

So it would be Sonny Howard, Kenneth Stancil, and Harry James.

Sonny Howard, Woodlawn Drive, Smithfield, N.C.

As an adjoining landowner, to this property, I am for it. Because what has been there before with CP&L and also Duke Progress, there is very little change that is going to happen with Interstate that I see. Whatever it was zoned before and prior to, all they are asking for is a special use permit. And if anything, I think it would be a plus for 809 South Raiford Street. I've never known Interstate to say that they would do something, and they don't. Anything that they do, I think would be done right. Anything that you all say or ask them to do, I think they would do it, and in full compliance. The only reason I'm here is because I am an adjoining land owner.

They are in total compliance of whatever you say do, and I am totally in favor of it.

Mayor Oliver

You own the land north?

Sonny Howard

I own the CSX side.

Mayor Oliver

Any questions for Mr. Howard? Thank you for coming.

Is there anyone else who would like to speak for the applicant?

Mr. Kenneth Stancil, 801 South Raiford Street, Selma

I've been there 34 years, and there when Duke Power/CP&L was there. We did not have any issues with the appearance of the property at that point. In the last couple of years, it went from one extreme to the next. I am a homeowner there. The thing I'm worried about is the eye sore when they put that tank up in that neighborhood. Ethanol tank, approximately 3 to 4 million gallons.

Mayor Oliver

Let me, if I could, because I see where you are headed. I talked to one other individual today. I think there is some confusion the tank is the tank that was just approved that goes out at the tank farm. There is no tank proposed here. Mark that one off your list.

Mr. Kenneth Stancil

Okay. Like I said, I've been there 34 years. I've raised my daughter in that area, and the reason this place is not full because we got elderly ladies in that neighborhood. I don't think that I have really talked with them, and I think they are like don't know what's going on, or in their private time they came to a Council meeting, and they got a bad feeling about it. This Town should be recognizing everybody's wishes even though you are a homeowner. A man who has lived there in the neighborhood, I don't know, you've got pride in your neighborhood. Try your best to make your house look better. The way it's going now, you know, we just want to keep it looking better; a stake for everybody that lives in there. So, basically that's what I am saying, I am against it. You do what, you know, if you want to do it you can to make it look better, I am for that. At this critical point, we have pride in our neighborhood. We've got kids, a kiddy park out there. When you come off of Ricks Road, we want you to respect our side of Town also.

Mayor Oliver

I really appreciate that respect and pride that you have. Mr. Stancil, I would like to ask you one question. We were just looking at the Planning Board findings, where they had a suggestion of a solid fence, not things that you could see through. What would your comment be on that?

Mr. Kenneth Stancil

I go around Town all the time, Smithfield, Clayton, and there is a recycling plant over in Smithfield with a lattice fence up there. It still behind the lattice fence, you can see through it. A solid wall, I really don't know. Anything to beautify the neighborhood. A subdivision has solid walls around it. So, you know, I don't know how much work you want to put into it, but I have pride in my neighborhood. If you do something, make it presentable, and right now, it is not presentable. So, that is what we are looking at going forward.

Mayor Oliver

Thank you for the pictures. Council are there any questions? Thank you.

Mr. Harry James

I live from the fence line to my property maybe about 200 feet. First of all, I want to say that there was a misunderstanding here on this property. I come here all the time. I don't show up just when something affects me; I'm at about all the meetings. My understanding until you made the clarification here about that tank. I had the wrong understanding about that tank. So, I was under the impression after talking with a number of my relatives; I was talking with them. We were 100% against that tank. So if the tank is not going to be there, then...I was really focused on that tank. But the thing that I really have about that area. You talk about putting up a fence. Regardless of what type of fence you put there, it is not hiding anything. Because when you come to that location, it is like coming through that door. When you come up Ricks Road, cross the railroad track, and make that right turn onto Raiford, once you pass that church, you see everything. If you can't put a fence in the front to block it. You know, I don't think the fence really is going to do anything for beautification of the area. My biggest problem about that area down there is that we were for years trying to make Selma look like a decent looking Town. And I receive a letter in February for my rental property. I had three vehicles on it, that was a nuisance. I didn't know that, they were right, and I had it removed. The Town was right. It shouldn't have been there. I had no problem with moving my vehicles. They were not mine. It seems like that property is not being maintained at all. The old pictures that she showed were probably back here ...

Mayor Oliver

They were from January.

Mr. Henry James

If you go there during the day, you will see, that to me, that it has turned into a scrap yard. That is what is has turned into; a scrap yard. When you come into the neighborhood, that is what you are seeing. You know my kids are gone; I've got grandkids in the neighborhood. When you come to a neighborhood looking like a dump, for a better work like you say. Make sure people get rid of their cars and stuff. A neighborhood looking like that attracts crime. We are having problems in that neighborhood. We've got some empty homes in the neighborhood that you all have to police regularly because of the fact that, it is just better for the neighborhood. So what I was against tonight about that tank, but I would like for him to abide by the policy. I was here when you voted. There is no changes. There has been no changes made there; not for the better. To me, it is like this. If I am not going to go by the policy that you set, while I am trying to obtain some property. Then when I get it, I'm not obligated after I by it. Like I said, back here in February I think when it happened, is that he had already violated your policy, because he was even supposed to be out there, but he chose in November to go ahead and start putting stuff out there. They you grant him the permission, and now there is nothing happening. There's no trees been planted, but when you look at it like a home, especially on the weekend, you've got a semi-trailer parked out there, not the tractor, but the trailer. It seems like you've got all types of iron, some of them it like rods. You've got trucks parked in all different types of direction. Again, tonight, my biggest argument was about now allowing that tank. I think first of all before you grant him to do anything else, I think he needs to come into compliance with what he already has out there. Again, you all go and look for yourself. To the people that live in the neighborhood, that is their biggest problem. They are trying to comply with the standards and are trying to make the neighborhood look decent. When they get a letter that says something needs to be taken care of, they take care of it. What they are telling me is that you all give him, the owner, permission, and they don't have to comply. That is my biggest complaint. I think before we think about giving him any other type of reward. If you get the reward for not even meeting the basic standards. And that's the way I look at it ma'am.

Mayor Oliver

Mr. James, just to be clear, at our meeting when we last discussed this the only issue was a zoning change. Tonight for the special use

permit application that came to us, this is the time when we define what must be done in order for the special use permit to be issued. So the things you are talking about like the appearance, those issues, tonight is where we define those. The Planning Board has given us a set to look at; a list of contingencies, and we will discuss amongst ourselves, and figure out what to do.

Mr. Henry James

I appreciate that. Like I said, I know you all see me sitting out here. I come regularly; I don't come just to complain. I live there, and I am not able to move any place else. That's the basic thing.

Mayor Oliver

Are there any questions for Mr. James before he sits down.

Okay. Thank you.

Applicant rebuttal. Mr. Stancil, anything you would like to say after hearing those against?

Mr. Warren Stancil

It would be a solid wood fence. You wouldn't be able to see through it. I would be glad to consider any other recommendation you would have. I truly want to be a good neighbor, and be respectful of others.

Mayor Oliver

What height fence were you considering?

Mr. Warren Stancil

I think there is an eight-foot fence there now.

Mayor Oliver

Questions?

Any of those that were against, anything you would like to say to that?

Mr. Henry James

I've got one question I would like to ask him.

Mayor Oliver

Yes Sir.

Mr. Henry James

Is there any way possible that you can have, since it is a maintenance yard, a cover. You know what I'm saying. Because to

me, you've got so many pipes and stuff laying out. I was wondering if there was some way you could have like a garage area. I use to drive trucks, I use to work a lot of places that have storage like that, but when you get there, it's under cover. But actually, it would have to be more feasible. A fence is not going to solve the problem for us.

Mr. Warren Stancil

A solid wood fence, you wouldn't be able to see through it.

Mr. Henry James

I thought you were going to be able to see where you come in at.

Mr. Warren Stancil

We would fix it so that you couldn't see through it.

Mayor Pro-Tem Jackie Lacy

Mr. Stancil, I think he was saying that as you cross off Ricks Road, there is no fence up there on that side. The fence is on Raiford Street. He is saying that when you turn off Ricks Road, onto Raiford Street, you are going to see all this stuff that you all have out there. And I would like to say too while I'm talking now, at our February meeting, we said just for zoning. When I looked at these pictures that Mr. Stancil gave, it looked like you all were already in business. You have put material out there...

Mr. Warren Stancil

I had to put it somewhere. We bought this property to use it for basically the same purpose that it had been used previously. So, I did not have anywhere else to put it. I truly didn't. I guess I could have chosen to go buy a piece of property outside of Selma, and put my business over there, but I wanted to keep it in Selma. I really didn't have another choice.

Mayor Pro-Tem Jackie Lacy

You mentioned the CWC, that property back there.

Mr. Warren Stancil

That's my father's property, and he is wanting to add storage units back there. So he is not wanting any other material back there.

Mayor Pro-Tem Jackie Lacy

These folks don't want it in front of their house either.

Mr. Warren Stancil

And I understand that, but that a solid wood fence. If you turn off of Ricks Road, we would wood up to the gate, and then we would

put pieces of plastic that would go through the fence just for the gate. We would do everything possible.

Councilmember Tommy Holmes

What I'm gathering from a lot of the citizens, they had the wrong impression of what was going out there. Like what the gentleman said about the tank, he thought there was a tank going up out there. If Interstate is willing to comply with whatever the Planning Board has recommended, if it is a wood fence, 8 foot, or ten foot. If they go all the way around it, I don't know how if they go in front of where the driveway is and put up a wooden fence that is 8 foot high, I don't see how you can come off of Ricks Road, cross the railroad tracks, and see anything because everything will be a pretty white fence, whatever color fence.

Mayor Oliver

Mr. Holmes, if you would hold your comments to our Council deliberation of the findings, because I need to now move to the staff recommendation.

Planning Director Julie Maybee

If Council is inclined to approve this request, then staff recommends that a timeframe be set, a solid fence would be required for and around the perimeter of this site, and that time frame be specified. I would recommend that it be completed within 90 days, that they obtain their zoning and their building permit, that they obtain those prior to any further operations, and that it be for the maintenance and storage yard for this business, Interstate Outdoor Advertising. That's my understanding of about what this request is. If a fence is built, that it be built on their property.

Mayor Oliver

Versus the right-of-way.

Planning Director Julie Maybee

If a new structure is built, that it not be built within anybody's right-of-way, and that fence be maintained.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember Tommy Holmes to close the public hearing. Motion carried unanimously. 7:17 p.m.

Mayor Oliver stated that they have heard the contingencies from Planning Director Maybee, which included a solid fence on the owner's property up within 90 days and to be maintained going forward, obtain zoning and building permits prior to any further operation, and that it be solely for maintenance and storage of

Interstate Outdoor. Mayor Oliver asked if that covered all the Planning Board's contingencies.

Planning Director Maybee stated that the Planning Board recommended that that they get the permit for the sign that is installed on the building, that they get zoning and construction permits, that they install a side fence adjacent to the residential zoning district contingent upon getting an easement from the Town if they can't that they move the fence, that they get an encroachment agreement from CSX, and the poles would have to be placed taller than the fence, and the fence be maintained. She said that she needed to amend her recommendation to include that the poles would not be placed taller than the fence.

Mayor Oliver asked if she would like to address that the solid fence was not just along Raiford Street, but also across the part view from Ricks except for the gate.

Planning Director Maybee stated that if they were looking from Ricks Road and were turning to get onto Raiford Street, there is a chain-linked gate that goes into that site that is a chain-linked gate. She said that the Planning Board recommended that adjacent to the residential zoning district that they would like to incorporate screening material so that you would not be able to see through the fence.

We have the hours of operation as 8 a.m. to 5 p.m. as specified in the application.

Mayor Oliver asked they would need to come back to Town Council if buildings were erected on the property.

Planning Director Maybee stated that she would take a look at it to first determine if it was a major or minor modification. She said that if it was a major change, it would go back before Council.

Councilmember Overby asked that they be consistent across Town.

Mayor Oliver stated that it was recommended for Mr. Stancil to obtain planning and building permits prior to any further operation.

Planning Director Maybee stated that they were using that site, they do not have zoning approval, they do not have the building permit, they do not have permits for the signs erected on the building. She said that staff has received complaints regarding that.

Ms. Maybee stated that as with anyone, when there is an issue, they try to work with the applicant to bring the site into compliance. She said that they have been working with this applicant to bring the site into compliance. Ms. Maybee stated that they do that with everyone.

Mayor Oliver asked Town Council if they were generally in favor of approving the special use permit with the contingencies.

Mayor Pro-tem Lacy stated that she thought so.

Mayor Oliver reviewed the contingencies again, which included: a solid fence on the owner's property along Raiford Street and that viewable from Ricks Road to be constructed within 90 days and maintained going forward, obtain zoning and building permits prior to any further operation.

Councilmember Holmes stated that he didn't think that they should shut the business down.

Mr. Stancil asked if he could have until noon the next day to obtain his permits.

Town Council was in agreement.

Mayor Oliver stated that the maintenance and storage is for Interstate Outdoor only, sign permits to be obtained, poles will not be taller than the fence, the gates will have fiberglass or something that would make it so that you cannot see through it. She said that staff would approve those. Mayor Oliver asked if there were any other contingencies.

Councilmember Overby stated that Mr. Stancil is being granted 90 days. He wanted to make sure that if Mr. Stancil runs into a conflict and cannot make the 90 days that he make Council aware of it.

Planning Director Maybee stated that she would also look at it that midway through if nothing has happened, she would advise Council as well.

Planning Director Maybee stated that there was one point for clarification, if they have a solid fence, would they be able to keep the existing chain-linked fence in private.

Mayor Oliver stated no.

Councilmember Holmes asked if the chain-linked fence was going to be hidden, why it needed to be taken down.

Councilmember Overby stated that it was on the right-of-way of the Town.

Mayor Oliver stated that all the fencing would be off the right-of-way and on the owner's property.

Mayor Oliver stated that the chain-linked fence is to be removed for the new fence to be approved, and would need to be done within the same 90 day timeframe.

Planning Director Maybee asked that Council go through and vote on each the findings of fact as they did before, and then by motion approve the special use permit with the contingencies as discussed.

1. All applicable specific conditions pertaining to the proposed use have been or will be satisfied. All in favor. Motion carried unanimously.
2. Access roads, or entrance and exit drives are or will be sufficient in size or properly located to insure automotive and pedestrian safety and convenience traffic flow and control, and access in case of fire or other emergency. All in favor. Motion carried unanimously.
3. All necessary public and private facilities and services will be adequate to handle the proposed use. All in favor. Motion carried unanimously.
4. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways will not impair the integrity or character of adjoining properties in the general area and will not have adverse impact to public health, safety, and general welfare. All in favor. Motion carried unanimously.
5. The use or development conforms to general plans for the physical development of the Town's planning jurisdiction as embodied in this chapter of the Town's Land Use Plan or other development policies as adopted by the Town Council. All in favor. Motion carried unanimously.

Mayor Oliver stated that the findings of facts were approved with the following contingencies:

1. A solid fence will be constructed on the owner's property, along South Raiford Street and area visible from Ricks Road. The chain-linked fence that is existing along South Raiford Street be removed within 90 days. The solid fence is to be maintained going forward.

2. Zoning and Building permits will be obtained prior to any further operations. Town Council gave Mr. Stancil until noon, April 13, 2016 for the permits to be issued.
3. This property is to be used for maintenance and storage for only.
4. Sign permit will be obtained.
5. Poles will not be taller than the fence.
6. The gate will be a solid fence and be approved by staff.

Attorney Hewett stated that should Mr. Stancil sell his business the SUP would stay with the land, not the entity. He said that it was an operational issue, not an ownership issue.

Mayor Oliver asked if it should be changed to a maintenance and storage facility.

Attorney Hewett stated that they needed to include for a sign business.

Mayor Oliver restated Maintenance and storage for a sign business.

Mr. Stancil questioned removal of the chain-linked fence. He said that it was discussed earlier to remove the chain-lined fence along Raiford Street and the part that fronts Ricks Road.

Mayor Oliver stated that was correct.

Planning Director questioned the height of the fence.

Mayor Oliver stated that it should be 8 foot in height.

Councilmember Overby questioned the language of a sign business.

Mayor Oliver questioned if needed to state billboard sign business.

Town Attorney Hewett stated that one step that was missing was in the General Business with a Special Use Permit (SUP) they may lose the SUP, but may still qualify under General Business. He said that he thought it would be permissible to make smaller signs (political signs given as an example) inside the building. Attorney Hewett stated that was probably permissible under some kind of exception to the General Business as a use.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember William Overby to approve the special use permit request with the contingencies that were defined. Motion carried unanimously.

**Request to Schedule a Public Hearing for the Consideration of a Text Amendment Pertaining to the Board of Adjustment:**

Planning Director Maybee stated that in response to citizen and staff requests, a text amendment has been prepared by the Town Attorney that enables the Planning Board to serve in the capacity of the Board of Adjustment. She said that the Board of Adjustment has not met since 2010; and it has been difficult to recruit volunteers to serve as Board members. Ms. Maybee stated that the Board of Adjustment considers variances, dimensional requirements, and appeals. She said that they do not overrule any decision made by Town Council. Ms. Maybee stated that they would act separately from the Planning Board, and would comply with North Carolina General Statutes. Ms. Maybee requested that a public hearing on this text amendment be set for May 10, 2016. She said that she had included a resolution (Exhibit #2) in the agenda package.

Mayor Oliver stated that they were seeing so much more economic development activity. She said that there was an example tonight, and asked if there were other examples coming where a true Board of Adjustment would address.

Planning Director Maybee stated there were.

Mayor Oliver asked if they needed to make another run at getting volunteers.

Planning Director Maybee stated that she did not think this could be delayed any longer. She said that she had worked in other areas where the Planning Board served as the Board of Adjustment. Ms. Maybee stated that if there were a Board of Adjustment item, they would convene as the Board of Adjustment, request representation by Council so that they could move forward and not delay applications. She said that these applicants needed to have their matter considered. Ms. Maybee stated that by General Statutes, there are findings of fact that need to be made.

Town Attorney Hewett stated that the UNC School of Government stated that this is becoming more of the norm than the exception. He said that larger cities have a separate independent board because there were so many people to choose from. He said that the new statute that was being proposed would allow for the Planning Board in smaller towns to function as the Board of Adjustment. Attorney Hewett stated that they would be seeing a lot of that mainly for the reason of recruitment and keeping a quorum. He said that it was hard for a lot of Towns to get a quorum.

Councilmember Overby stated that he would like to volunteer to be on that Board without a voting interest.

Attorney Hewett stated that for now, they need to schedule a public hearing.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember Tommy Holmes approve a resolution to schedule a public hearing for May 10, 2016. Motion carried unanimously.

**Request to Schedule a Public Hearing for the Consideration of a Text Amendment Pertaining to Produce Stands:**

Planning Director Julie Maybee requested that a public hearing be scheduled for the May 10, 2016 meeting for a proposed text amendment dealing with the sale of produce. She said that the Planning Board deliberated on this request and recommended approval by a 4 to 1 vote.

Mayor Oliver stated that the discussion that they had about produce stands was where it was not the principle use of the property, and could be in another zoning district other than General Business. She said that this was specific to the General Business Zoning District, and specific to primary use. Mayor Oliver stated that it did not address the other stands that could pop up.

Planning Director Maybee stated that one way that could be looked at was as home occupation when it is something on your own property and living in the residence. She said that one of the concerns that was brought to her attention was the produce stands on individual lots. Planning Director Maybee stated that she would be glad to go back and look at the ordinance to address the other situation. She said that one thing she would caution them about is that where you have a residential area that is generating more traffic, where do you draw the line with traffic coming in, is the produce grown on the lot or brought in. Ms. Maybee stated that this was something that needed to be carefully considered. She said that sometimes with these accessory uses, they can be located in such a way that they are in the road right-of-way. She said that she would be glad to go back and look at something that is grown on someone's own personal piece of land.

Councilmember Overby asked if they would have to get a permit.

Planning Director Maybee stated that they would need a permit.

Councilmember Holmes questioned that a child on his/her own property, selling produce, has to have a permit.

Planning Director Maybee stated that she would go back and look at the ordinance to clarify that.

A motion was made by Councilmember William Overby and seconded by Council Mark Petersen to approve the resolution to schedule a public hearing for May 10, 2016 at 6:00 p.m. in the Jernigan Building for the consideration of a text amendment concerning produce stands. Motion carried unanimously.

**Request to Schedule a  
Public Hearing for the  
Consideration of a Text  
Amendment Pertaining to  
Cluster Subdivisions:**

Planning Director Julie Maybee stated that it was the consensus of Town Council at the March 8, 2016 meeting to draft ordinance provisions pertaining to cluster subdivisions. She said that those provisions were drafted and prepared by the Town Attorney. Ms. Maybee stated that the ordinance mirrors a similar ordinance in South Port. She said that the Planning Board did deliberate on the request; and asked that Town Council schedule a public hearing for May 10, 2016. Planning Director Maybee stated that the Planning Board recommended by a 5 to 0 vote to deny cluster subdivisions in this area at this time.

A motion was made by Councilmember Tommy Holmes and seconded by Councilmember Mark Petersen to schedule a public hearing for May 10, 2016, at 6:00 p.m. in the Jernigan Building for the consideration of a text amendment concerning cluster subdivisions. Voting Yes: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmember Tommy Holmes and Councilmember Mark Petersen. Voting No: Councilmember William Overby. Motion carried.

**PLANNING & ZONING  
REPORT AND  
RECOMMENDATIONS –  
Discussion of Text  
Amendment Pertaining to  
Food Trucks:**

Planning Director Julie Maybee stated that she wanted to request direction from Town Council. She said that she had been approached by an individual who wanted to be able to have a mobile soup kitchen, which would be mobile kitchen pulled by a vehicle. Ms. Maybee stated that it would be for a non-profit organization. She said that looking at Council minutes, there was a request to consider ordinance provisions pertaining to food trucks. Ms. Maybee stated that she was looking for direction on what Council was looking for. She said that this was discussed with the Planning Board, and they voted to not change the Town's ordinance to allow food trucks or a mobile soup kitchen in the Town of Selma by a 5 to 0 vote. Ms. Maybee stated that one concern was food trucks competing with existing businesses that are already paying taxes and trying to keep in operation at their locations. She said that the Planning Board felt that there were existing facilities where folks could come in to be served. Ms. Maybee stated that there was a special events permit that are considered by Town Council. She said that she could clarify the language in the ordinance.

Councilmember Holmes stated that he would not want to turn down a church group that wanted to feed the homeless.

Councilmember Overby stated that on February 22<sup>nd</sup>, it was the consensus of Council to present a draft ordinance to allow food trucks in the Town of Selma. He said that it should include special events and where they can set up.

Town Manager Barlow stated that there are provisions in the special events permit ordinance that allows food trucks. He said that they were looking for more guidance outside special events. Mr. Barlow stated that there were many issues brought up by the Planning Board that caused them concern.

Mayor Oliver stated that she brought up the topic of food trucks and brought up the idea of food truck rodeos. She asked if that would be covered under special events. Mayor Oliver also asked about the potential event Gazebo Galleria that is being considered to be held one Saturday each month. She said that if they would like to augment it with a food truck or two to draw more folks, how do they do that.

Town Attorney Hewett stated that a special event permit would cover that.

Mayor Oliver stated that she did not envision a food truck parked in the downtown area seven days a week.

Planning Director Maybee stated that would help her a great deal.

Councilmember Overby stated that this would eliminate food trucks at manufacturing places.

Planning Director Maybee stated that would need to be addressed in the ordinance as a permitted accessory use.

Attorney Hewett stated that if you research Raleigh on the web, they had a bid issue with this. He said that they went from an almost non-regulatory to a very heavily regulated. Attorney Hewett stated that part of it was regulated by the State Health Department, and was commercial. He said that the Town tells them where they can go and what they can do.

Mayor Oliver asked Council for some feedback on food trucks outside of a formal event.

Councilmember Holmes stated that if you let one do it, you have to let all of them do it. He said that the best thing to do was leave it alone.

Attorney Hewett stated that he had not heard how to fit the mobile soup kitchen in what they were talking about.

Mayor Oliver stated that the mobile soup kitchen unit that she knew about, the food would be prepared in a building, is put on the truck, driven to a location, and is distributed. She said that it was a food distribution vehicle, as opposed to a kitchen with a refrigerator, stove, etc., and is for a non-profit. Mayor Oliver stated that the food would not be sold, but given away free.

Mayor Pro-Tem Lacy asked if there would be a health issue.

Mayor Oliver asked if churches were exempt.

Planning Director Maybee stated that she had talked with the Health Department, when food is given away, they are not subject to the same standards for food preparation. She said that as far as waste disposal, they are.

Mayor Oliver stated that private property with approval from the property owner would be the answer. She said that this had been done in mobile home parks.

Attorney Hewett stated that Council could do an ordinance to permit a mobile soup kitchen, and just tailor it so that it is only on private property; state a non-profit, charitable organization; the food has to be given away; and comply with any Health Department requirements. He said that they could not discriminate on the non-profit organization.

Councilmember Overby stated that we have that going on now. He said that several churches are doing it now by going to homes, Meals-on-Wheels.

Council asked if they would need a permit.

Town Manager Barlow stated that they should have one, but now they do not have to have one.

Councilmember Holmes stated that he did not see where a non-profit would have to be charged for a permit. He said that they are willing to give the food away, and they are going to be charged a permit fee. Councilmember Holmes stated that he was not for that.

Mayor Oliver stated that Councilmember Overby mentioned Meals-on-Wheels that is delivered everyday into homes. She said that it is prepared in a facility so that all that is on the mobile soup kitchen is exactly what is like on Meals-on-Wheels.

Councilmember Overby stated that was correct.

**TOWN MANAGER'S  
REPORT AND  
RECOMMENDATIONS-  
Consideration of a  
Resolution Authorizing the  
Acceptance of the NC  
Department of  
Environmental Quality  
Division of Water  
Infrastructure FY 15  
CDBG Infrastructure  
Grant:**

Town Manager Barlow stated that the Town made an application for a Community Development Block Grant (CDBG) for an infrastructure sewer project. He said that this was to upgrade some force mains and lift stations in the in the Preston Street area and to sewer Ricks Mobile Home Park. Mr. Barlow stated that they were currently on a septic system and have a number of failing septic systems. He said this would greatly make environmental improvements to that area.

Mr. Barlow stated that Selma was fortunate to be one of the Towns to receive funding in the amount of \$1,289,000. He said that there was a local match of only \$5,000. Mr. Barlow stated that there was some private investment, which is not part of the Town's obligation.

Town Manager Barlow stated that the first part of the process was to accept the grant award.

Mayor Oliver stated that she would like to change the second paragraph to read that Now, Therefore, be it resolved that the Town Council of Selma, North Carolina has accepted the CDBG infrastructure allocation of \$1,289,000 to make it easier to read.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to approve a Resolution Authorizing the Acceptance of the NC Department of Environmental Quality Division of Water Infrastructure FY 15 CDBG Grant in the amount of \$1,289,000 with a \$5,000 match from the Town of Selma. Motion carried unanimously.

Town Manager Barlow stated that the next step was to advertise for proposals for engineering and administrative services for this project. He said that the Town only received one bid. Mr. Barlow stated that by law they have to re-advertise again. He said that regardless this would be on the May agenda.

**Harrison Building Roof  
Replacement Project  
Update:**

Town Manager Barlow stated that in February, a storm blew off a large section of the roof of the Harrison Building. He said that three estimates were obtained for the Town's insurance company to

consider. Mr. Barlow stated that the project was awarded to Baker Roofing Company in the amount of \$63,946 with the Town's portion of that project being only \$500. He said that the insurance company would also pay for the temporary roof that was installed.

**License Plate Agency  
Application Update:**

Town Manager Barlow stated that the Town recently made application to operate a license plate agency

Town recently made application to operate a license plate agency in the old Town Hall located at 100 North Raiford Street. He said that the current operation in Smithfield was closing, and were looking for a new location. Mr. Barlow stated that NCDMV sub-contracts these locations out. He said that there were 117 locations throughout the state with seven other counties and cities that offer this service. He said that the Town of Selma did get an interview with an expected answer within three weeks. Mr. Barlow stated that as of today, he has not heard from that interview. He said that as far as he knew, Selma was still in the running for that operation.

**Power Rate Comparison  
Study Results:**

Town Manager Barlow stated that this was a request from Town Council to see what other Towns in Johnston County, specifically Smithfield, Clayton, and Benson, what their electric rates looked like now that the asset sale to Duke Energy was complete. He said that everyone had gone through their rate studies, and put their new rates in place for the current fiscal year. Town Manager Barlow stated that this was something that they see each fiscal year, and does not change from year-to-year; however, this one changed a lot. He said that everyone went through the cost of service study process, and everyone was feeling confident at this point, of where their rates are. Mr. Barlow stated that Selma was not the highest or lowest, but was very competitive with the entire region including Duke Energy. He said that they have to look at the basic fees and kWh charges.

Mayor Oliver stated that Council would not need as many examples that were in the initial presentation, but something that would help them understand some marketing thing that they might do.

Town Manager Barlow stated that he would bring back some scenarios.

**Crosswalk Installation  
Request at Lizzie Street  
and Selma Original Free  
Will Baptist Church:**

Councilmember Overby stated that Selma Original Free Will Baptist Church is located at the intersection of Lizzie and Pollock Streets. He said that he had received a request for a crosswalk to be put in place from the fellowship hall across Lizzie Street to their parking area of the church. Councilmember Overby asked that two crosswalk signs also be installed on Lizzie Street. He said that he

was advised by the Town Manager that this being a state highway, it would have to be cleared with the NCDOT.

Town Manager Barlow stated that if Council approves the idea, a request would be sent to the state to do a study.

Councilmember Overby stated that he was asking tonight that Council adopt that resolution to get the crosswalk put in place.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember Tommy Holmes to approve a request with NCDOT to authorize the Town of Selma to paint and stripe a crosswalk on Lizzie Street, and install two signs in their right-of-way. Motion carried unanimously.

**Budget Ordinance  
Amendments:**

Finance Director Karen Johnson presented the following budget amendments for FY 2015/2016.

Finance Director Johnson stated that Budget Ordinance Amendment #15 was for money that was not expected for fire protection.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve Budget Ordinance Amendment #15. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT #15  
FISCAL YEAR 2015/2016**

BE IT ORDAINED by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and Meeting in Budget Session this 12th day of April 2016 that the Town Budget adopted on June 16<sup>th</sup> 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. To amend the Fire Protection-Selma Petroleum Terminals (Fund 28) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town’s Fire Protection-Selma Petroleum Terminals (Fund 28) accounts are to be amended as follows:

<u>Account No.</u>	<u>Debit</u>	<u>Credit</u>	
28-3434-0000 (R) Contributions - Terminal		26,500.00	Increase
28-4340-3110 (E)	26,500.00		Increase

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of April, 2016.

Finance Director Karen Johnson stated that Budget Ordinance Amendment #16 was for hazard clean-up money that was received.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember William Overby to approve Budget Ordinance Amendment #16. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT #16  
FISCAL YEAR 2015/2016**

BE IT ORDAINED by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and Meeting in Budget Session this 12th day of April 2016 that the Town Budget adopted on June 16<sup>th</sup> 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town's General Fund (Fund 10) accounts are to be amended as follows:

Account No	Debit	Credit	
10-5300-2600 (E) Supplies & Materials	2350		Increase
10-3535-0100 (R) Fire Inspections Fees		2350	Increase

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of April, 2016.

Finance Director Karen Johnson stated that Budget Ordinance Amendment #17 was to move some funds within the budget for the non-profit organization Selma Development Partnership.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to approve Budget Ordinance Amendment #17. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT #17  
FISCAL YEAR 2015/2016**

BE IT ORDAINED by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and Meeting in Budget Session this 12th day of April 2016 that the Town Budget adopted on June 16<sup>th</sup> 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town's General Fund (Fund 10) accounts are to be amended as follows:

Account No.	Debit	Credit	
10-4300-3800 (E) Marketing		500	Decrease
10-4300-4100 (E) Selma Dev. Partnership	500		Increase

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of April, 2016

Finance Director Karen Johnson stated that Budget Ordinance Amendment #18 was for minor adjustments in each department.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember Tommy Holmes to approve Budget Ordinance Amendment #18. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT # 18  
FISCAL YEAR 2015/2016**

BE IT ORDAINED by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and Meeting in Budget Session this 12<sup>th</sup> day of April 2016 that the Town Budget adopted on June 16<sup>th</sup> 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2015. The Town's General Fund (Fund 10) accounts are to be amended as follows:

<u>Account No.</u>		<u>Debit</u>		<u>Credit</u>	
<b>Governing Body</b>					
10-4100-1920	Legal Services (E)	300.00			Increase
10-4100-2000	S.U.R.F. Grants (E)		800.00		Decrease
10-4100-3110	Travel/Training (E)	360.00			Increase
10-4100-4401	Moccasin Creek Drainage (E)	140.00			Increase
<b>Finance</b>					
10-4130-1920	Legal Services (E)		200.00		Decrease
10-4130-2600	Finance Supplies & Material (E)	340.00			Increase
10-4130-3110	Travel/Training (E)		2400.00		Decrease
10-4130-3990	Contracted Service (E)		1700.00		Increase
10-4130-4400	Software Contract (E)	500.00			Increase
10-4130-5300	Dues and Subscriptions (E)	60.00			Increase
<b>Administration</b>					
10-4200-2590	Gasoline (E)		200.00		Increase
10-4200-3250	Postage (E)		300.00		Increase
10-4200-3510	Maintenance & Repair(E)		40.00		Increase
10-4200-3990	Contract Services (E)		800.00		Decrease
10-200-4510	Property/Liability Insurance (E)	260.00			Increase
<b>Planning &amp; Economic Devel</b>					
10-4910-3110	Travel/Training (E)		240.00		Decrease
10-4910-3210	Telephone (E)		40.00		Increase
10-4910-3990	Contract Services (E)	200.00			Increase

Section II. Copies of this Budget Ordinance Amendment # 2 shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12<sup>th</sup> day of April 2016.

Finance Director Karen Johnson stated that Budget Ordinance Amendment #19 was for minor adjustments in the Water Department.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve Budget Ordinance Amendment #19. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT # 19  
FISCAL YEAR 2015/2016**

BE IT ORDAINED by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and Meeting in Budget Session this 12<sup>th</sup> day of April 2016 that the Town Budget adopted on June 16<sup>th</sup> 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. To amend the Water Fund (Fund 60) for unanticipated/unbudgeted revenues and expenses during FY 2015. The Town's Water Fund (Fund 60) accounts are to be amended as follows:

<u>Account No.</u>		<u>Debit</u>	<u>Credit</u>	
Water Administration				
60-7110-1940	Engineering (E)		9300.00	Decrease
60-7110-3200	VC3 Cloud Services (E)	9000.00		Increase
60-7110-4510	Property/Liability Insurance (E)	300.00		Increase
Water Operations				
60-7130-3520	Maintenance & Repair(E)		6000.00	Decrease
60-7130-9501	Purchase for inventory (E)	6000.00		Increase

Section II. Copies of this Budget Ordinance Amendment # 2 shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12<sup>th</sup> day of April 2016.

Finance Director Karen stated that Budget Ordinance Amendment #20 was for the changing of line items in the Electric Fund.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember Tommy Holmes to approve Budget Ordinance Amendment #20. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT # 20  
FISCAL YEAR 2015/2016**

BE IT ORDAINED by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and Meeting in Budget Session this 12<sup>th</sup> day of April 2016 that the Town Budget adopted on June 16<sup>th</sup> 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. To amend the Electric Fund (Fund 63) for unanticipated/unbudgeted revenues and expenses during FY 2015. The Town's Electric Fund (Fund 63) accounts are to be amended as follows:

<u>Account No.</u>		<u>Debit</u>	<u>Credit</u>	
Administration				
63-7210-1220	Overtime (E)	95.00		Increase
63-7210-1861	Unemployment Reserve		4000.00	Decrease
63-7210-1940	Engineering (E)		8000.00	Decrease
63-7210-1950	Banking Fees (E)	5.00		Increase
63-7210-3200	VC3 Cloud Services (E)	8000.00		Increase
63-7210-3995	Exceleron Contract Fee (E)	3640.00		Increase
63-7210-4510	Property/Liability Insurance (E)	260.00		Increase
63-7210-7500	RBC Centura Loan Principal (E)	224.00		Increase
63-7210-7510	RBC Centura Loan Interest (E)		224.00	Decrease

Section II. Copies of this Budget Ordinance Amendment # 2 shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12<sup>th</sup> day of April 2016.

**Financial Statements:**

Town Manager Barlow reviewed the summary page for month ending March 2016. He said that the Town was three-quarters through the year. Mr. Barlow stated with the General Fund Revenues, with property taxes collections being fantastic this year. He said that all the General Fund Revenues were right on target at 82% with expenditures at 73%.

Town Manager Barlow stated that over the last couple of months, he has had some concern with the Water Fund. He said that the water sales were lagging; however, revenues are at 75%. He said that it is getting better and expected things to pick up within the next couple of months.

Town Manager Barlow reviewed the Electric Fund. He said that the original budget was based on some old figures before the asset sale. Mr. Barlow stated that the revenues were nowhere near what that they thought they would be this time of the year at 64%, but expenditures were only at 60%. He said that power purchases were down considerably. Mr. Barlow stated that 90% of Electric's expenditures are power purchases. He said that as of today, the Electric Fund was about \$300,000 to the good.

Town Manager Barlow reviewed the Sewer Fund. He stated that the revenues were right where they needed to be at 75%. He said that the estimates were good there. Mr. Barlow stated that expenditures had taken a turn, which were at about 78%. He said that you can pinpoint to one problem, which was wastewater treatment costs. He said that right now, they were at 91% as of March, but did not represent March since they operate a month in arrears.

Mayor Oliver asked if the Town's costs increased this fiscal year from Johnston County.

Town Manager Barlow stated that the rates were built in as to what the cost is going to be. He said that it was based on per thousand gallons. Mr. Barlow stated that it was the Town's flow, and referred Council to the chart that he had handed out. He said that the total amount of sewer treated for July 2015 was about 26 million. Mr. Barlow stated that when you get to February 2016, sewer treated was 55 million. He said that the next column reflects the gallons sold in water, which was consistent with anywhere from 16 to 18 million gallons of water sold every month. Mr. Barlow stated that the flows for July, August, and September were about the same each month when it is dry. He said that when it starts raining in the fall, wastewater increases. Mr. Barlow stated that he had never seen a February at 55 million or 326% of what was sold. He said that they could not predict or set rates when you have got to cover 325%. Mr. Barlow stated that was three gallons of wastewater to every one gallon of water sold.

Town Manager Barlow referred to the backside of the page, which referenced data for the past six years. He said that they were running at about 160%. Mr. Barlow stated that last year, 2014/2015, 199%, 2013/2014 206%, this year they were on track to do 217%. He said that the projects that the Town was doing on Noble and Preston Street were going to help, as well as the one-offs that they do here and there. Mr. Barlow stated that they have received the bill for this month that was at 33 million, which was still 200%. He said that you could see where the operation costs had sharply increased.

Councilmember Overby stated that it wasn't just the Town of Selma having this problem, but Smithfield as well.

Town Manager Barlow stated that Raleigh was no different. He said that it wasn't that the lines were bad, but tended to be the joints. Town Manager Barlow stated that they were doing things like slip lining and point repairs, but would be an ongoing battle.

Councilmember Overby asked if Johnston County was looking at the line that runs from Selma to there.

Town Manager Barlow stated that they have problems on their side.

Councilmember Overby asked if that was costing the Town.

Mr. Barlow stated that it was not. He said that once it went through the regional pump station at the old wastewater plant at Noble

Street, there is a meter there that once the Town pumps it, it becomes their problem.

Mr. Barlow stated that it could be worse. He said that they got the rates up. Mr. Barlow stated that he thought they were going to be okay this year; but could not continue with those kind of flows.

Councilmember Overby stated that he had asked if there was a way to gauge per pump if there was more water flowing through there at certain times. He said that if they could identify that, they knew that there was an issue on those lines at that point. Councilmember Overby stated that the attention right now was on Noble Street, but he would like for the other pump stations be looked at. He said that if the water increases or decreases, they new they had runoff going in there and could look at sleeving some of that as well.

Mr. Barlow stated that with the SCADA System, they could see the run times.

Councilmember Overby stated that at some point they need to identify the next problem and work on that as well.

Mr. Barlow stated that they have done some small projects this year, such as the one on Highway 96, but there are so many of those. He said that there is more money in this upcoming year's budget to do again next year.

**TOWN ATTORNEY'S  
REPORT –  
Council Code of Ethics:**

Town Attorney Hewett stated that he was asked to prepare the Code of Ethics. He said that there were a couple of grammatical errors that he needed to bring to their attention. Attorney Hewett stated that nothing to any substance had changed. He said that on Page 5 under Confidentially Agreement, there was an extra "the" there, so that was taken out and made it ix for 9. Attorney Hewett stated that there was a cut and paste issue. He said that it says at the bottom "the Council agrees". Attorney Hewett stated that it did reference "the undersigned Council", but they took out undersigned. He said that it would have A, B, and C, and just to make it consistent, under B, they took out "formally agrees". Attorney Hewett stated all that was grammatical. He said that paragraph 4D was very confusing. Attorney Hewett stated that he thought the intent was to say "Council is not to solicit employees for confidential information." He said that they took out the confusing wording so that it now reads "No member is to solicit employees for confidential information."

Attorney Hewett stated that the agreement was up for Council consideration in terms of a resolution

Mayor Oliver stated that she appreciated Attorney Hewett doing this. She said that it was something that they had talked about for a while.

Councilmember Holmes stated that in C4, Administration Responsibility, where it says “A Councilmember that becomes aware of improper conduct of a Town employee should inform the Mayor, or in the case of the Town employees who report directly to Council...” should that be the Town Manager.

Attorney Hewett stated that was up to Council. He said that it would be appropriate since they were a Manager form of government. Attorney Hewett stated that it would not be in error to say to the Manager or Mayor.

Mayor Oliver asked if it was trying to cover if there was improper conduct by the Manager.

Attorney Hewett stated that if Council wanted to specify if it is the Manager that they go to the Mayor, or if it is an employee they should go to the Manager; both of those would be appropriate.

Councilmember Petersen stated that there were a lot of shoulds and shalls. He said that to him, shall was a compulsory thing where should was watered down version of that. Councilmember Petersen stated that on the last page, “. . .the Town Attorney should provide advisory guidance.” He said that it #2 at the bottom, second sentence from the bottom.

Attorney Hewett stated he thought it was there in the event of a conflict. He said that it gives it a flexible shift.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember to approve the Council Code of Ethics as amended. Motion carried unanimously.

**Update on Boys & Girls  
Club Lease with the  
Johnston County Board of  
Education:**

Town Attorney Hewett stated that he picked up the lease agreement today from Smithfield between the Town of Selma and the Johnston County Board of Education. He said that it had already been signed by Mr. Strickland and Mr. Ross Renfrow. Attorney Hewett stated that it requires the signature of the Town Manager and Town Clerk. He said that Council had already approved the lease agreement, but asked that the signature be re-authorized. Attorney Hewett stated that this completes the circle between the Town, Board of Education, and the Boys and Girls Club, and is a 10-year arrangement.

Mayor Oliver asked if there were any other changes in the lease other than the 10 years.

Attorney Hewett stated that was it.

A motion was made by Councilmember Tommy Holmes and seconded by Mayor Pro-Tem Jackie to authorize the 10-year lease agreement. Motion carried unanimously.

**MAYOR'S REPORT &  
RECOMMENDATIONS-  
2016/2017 Budget – Any  
Additional Information  
from Councilmembers?:**

Mayor Oliver asked if there was any new information from Council for the 2016/2017 Budget. She said that Council will receive the draft at the April Work Session.

Mayor Oliver stated that she would like to see I&I addressed. She said that she would like to see if there was a way to be more aggressive. Mayor Oliver asked for guidance on what they need to do. She said that if there were any special grants to pursue to go with it.

**Set Date for Public Input  
on Items Relieved Should  
be Included in the  
2016/2017 Budget:**

Mayor Oliver stated that she would like for a date to be set to receive public input on items to be included in the 2016/2017 Budget. She said that the formal public hearing would be held at the May Council meeting. Mayor Oliver asked Council if they wanted to provide an opportunity at the April Work Session.

Councilmember Overby stated that he would like for both to be done.

Mayor Oliver stated that the idea was to let the public have input before it was finalized.

**Selma Civic Center and  
PEG Channel Update:**

Mayor Oliver stated that tonight, Council was provided four requests for appointments to Committees; two for the Civic Center and two for the PEG Channel. She said that for the PEG Channel, Jackie Lacy and Ray Jaklitsch, and for the Civic Center, Dina Flowers and Gloria Overby. Mayor Oliver stated that these were at-large steering committees that did not need Council approval, but she wanted them to be aware that the applications had been received, and these groups are active. She said that Marjory Regan was the chairperson for the PEG Channel and Ann Williams was the chairperson for the Civic Center.

Mayor Oliver stated that she asked Marjory Regan if there was anything that they should consider for the upcoming Budget. She said that this was something paid for, and thought they were okay going into the budget.

**Smithfield-Selma High  
School Robotics Team  
Request:**

Mayor Oliver stated that she received a call from Joshua Baker who is on the Robotics team at Smithfield-Selma High School. She said that he asked if Council would like to donate towards the first SSS robotics team. Mayor Oliver stated that they were funded for this year and part of next year.

Noah Keizer, President/Captain of the team, stated that this past weekend, they went to UNC Charlotte to compete in a statewide competition. He said that the team had enough ranking points from two previous competitions. He said that was their first year doing robotics. Mr. Keizer stated that the team was given only six weeks to build the robot, and were given only a bucket of pieces, with no manual.

Mayor Oliver thanked them for coming and bringing the robotics team alive so they would know what it is. She thanked them for all that they did.

**General Comments:**

Mayor Oliver stated that it was mentioned in the news that the zika virus had been increased to three states, which included North Carolina. She said that she wanted to mention for the sake of code enforcement. Mayor Oliver stated that she wanted to make sure that they were proactively being sensitive to areas with a lot of standing water. She said that there were a number of drainage issues around Town. Mayor Oliver stated that snakes and other insects have been seen coming out of there. She asked if it was not going to be fixed, could they fill it up. Mayor Oliver stated that there were issues across the road that were railroad related. She asked if anything further had been done.

Town Manager Barlow stated that the best solution would not be to fill it up, but work with CSX. He said that the problem lies with CSX.

Mayor Oliver asked if there was anything that they could cover the grate with that would prohibit things from crawling out of it, and more water from going in.

Mayor Oliver asked that it be brought to the next meeting. She said that if it could be corrected before the next meeting that would be good, if not, an idea.

Mr. Sonny Howard stated that it was the wettest it has ever been. He said that he has seen water standing within eight feet of his cow pasture. Mr. Howard stated that it was CSX's problem.

Mayor Oliver stated that there needed to be a path of escalation.

**Determine April Work  
Session Dates:**

Mayor Oliver stated that this was where they would receive the draft budget. She said that the Budget Calendar mentions April 28<sup>th</sup>.

It was the consensus of Council to meet on April 28<sup>th</sup> at 6:00 p.m.

**Resolution of Support for  
CSX Intermodal Terminal  
Project:**

Mayor Oliver stated that a copy of a Resolution of Support for the CSX Intermodal Terminal Project was before them tonight. She said that this was a resolution to firm up the Council's support of this project.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember William Overby to approve the resolution. Motion carried unanimously.

**TOWN OF SELMA  
RESOLUTION OF SUPPORT FOR AN INTERMODAL  
TERMINAL  
IN JOHNSTON COUNTY**

**WHEREAS**, CSX has planned to develop a new intermodal rail terminal in eastern Johnston County otherwise known as the Carolina Connector (CCX); and

**WHEREAS**, an intermodal terminal has the potential to position Johnston County and North Carolina as a regional hub for logistics and industrial centers, representing a major economic catalyst for the state; and

**WHEREAS**, the CCX Project is anticipated to initially create 350 construction jobs locally and 1500 new jobs statewide throughout the life of the project; encourage secondary industries to locate in Johnston County and other areas of eastern North Carolina; eliminate 717 million truck miles on NC roads which will reduce congestion and improve safety; and reduce 400,000 tons of CO2 emissions in North Carolina; and

**WHEREAS**, the economic impacts of a major infrastructure project like an intermodal terminal represents a substantial opportunity for the long-term growth of Johnston County's economy, which is a benefit for the Town of Selma; and

**WHEREAS**, Johnston County businesses will benefit from the project in reduced shipping costs and access to national and global markets; and

**WHEREAS**, the Selma Town Council will support and offer assistance to the all stakeholders throughout the development process in order to bring an intermodal terminal to Johnston County.

NOW, THEREFORE, BE IT RESOLVED THAT THE SELMA TOWN COUNCIL COMMITS ITS SUPPORT FOR AN INTERMODAL TERMINAL IN JOHNSTON COUNTY.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE TRANSMITTED TO THE GOVERNOR OF NORTH CAROLINA, THE DELEGATION OF GENERAL ASSEMBLY MEMBERS REPRESENTING THE CITIZENS OF SELMA, THE JOHNSTON COUNTY BOARD OF COMMISSIONERS, AND THE REPRESENTATIVES of CSX RAILROAD.

**Resolved, this the 12<sup>th</sup> day of April, 2016.**

**Sound System Discussion:**

Mayor Oliver stated that the sound system that was in place tonight was for a trial run. She said that there was one page that she wanted to distribute that captured all the changes that they requested at the last meeting.

Councilmember Overby stated that he liked the wired over the wireless system. He said that he would like for this to be included in the draft budget.

**COUNCILMEMBERS’  
REPORTS &  
RECOMMENDATIONS –**

Councilmember Holmes stated that Town Manager Barlow has talked to the state about Highway 70 and 301 at Parrish’s Funeral Home. He said that he has had several complaints.

Mayor Oliver stated that that their response was to incorporate it into the 301 project, which was scheduled for like 2018 or so, which she did not like. Mayor Oliver stated that she has gone back to the engineer and advised that the Town could not wait that long. She said that next week, she has an Upper Coastal Plain RPO Transportation meeting, and would meet with him if he is there.

Councilmember Overby stated that he wanted to let everyone know that the Citizens Police Academy started tonight. He said that they would be meeting every Tuesday night for the next couple of months.

Councilmember Overby asked Town Manager Barlow if anything had been looked at as far as Time Warner Cable. He said that this was the biggest problem for things being so slow at Town Hall.

Councilmember Overby stated that they had talked about getting a service that was faster.

Mr. Barlow stated that they had discussed fiber with AT&T.

Councilmember Overby stated that the internet service was slowing down the Town.

Town Manager Barlow stated that was correct. He said that the connection to the cloud was through Time Warner Cable. Mr. Barlow stated that there was only so much that could be pushed through that pipe. He said that the Town was limited by the connection speed.

Councilmember Overby stated that if the Town was to push them a little by letting them know we are going to go somewhere else, we might get a better response.

Mayor Oliver stated that there should be something in our contract about performance level that the Town could play off of. She said that they have a way to tie into your computer to see the speed to see if it is meeting their commitment. Mayor Oliver asked that a call be put in for them to come out and check it.

Councilmember Overby asked if they needed a motion to finalize Mr. Johnson's recommendation for the sound system.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to accept the proposal from RMB according to the April 12, 2016 invoice in the amount of \$12,305.43 to be included in the fiscal year 2016/2017 Budget. Motion carried unanimously.

Councilmember Petersen stated that Selma lost a hero today. He said that Danny Boswell passed away. Councilmember Petersen stated and Mr. Boswell served in the Army in Vietnam. He said that Mr. Boswell was twice decorated with the bronze star, he received a purple heart, he was exposed to agent orange, and died from complications of brain cancer. Councilmember Petersen stated that Selma had truly lost a hero today.

Mayor Pro-Tem Lacy stated that she would like to thank the three departments that give Council reports each month.

Mayor Pro-Tem Lacy asked if the Gazebo Galleria would prevent other activities at the gazebo.

Mayor Oliver stated that Council could determine how often, but still needed an ordinance to allow this to occur.

Mayor Pro-Tem Lacy asked if the “No Thru Trucks” sign for Preston and Highway 301 was being worked on.

Town Manager Barlow stated that to his knowledge, the signs had already been installed.

**CLOSED SESSION:**

This item was removed from the agenda.

**ADJOURNMENT:**

With no further business, a motion was made by Councilmember Mark Petersen and seconded by Councilmember Tommy Holmes to adjourn. Motion carried unanimously.

The meeting adjourned at 9:26 p.m.

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BRENDA W. THORNE, Interim Town Clerk