

**TOWN OF SELMA  
REGULAR COUNCIL MEETING  
JERNIGAN BUILDING  
110 E. ANDERSON STREET  
NOVEMBER 14, 2017**

**PRESENT:** Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmember William Overby, Councilmember Mark Petersen, Town Manager Elton Daniels, and Town Attorney Alan “Chip” Hewett.

Councilmember Tommy Holmes was unable to attend tonight’s meeting due to illness.

**OTHER STAFF PRESENT:** Finance Director Karen Johnson, Planning/Economic Development Director Julie Maybee, Police Chief Richard Cooper, Fire Chief Phillip McDaniel, Recreation/Library Services Director Joe Carter, Electric Utility Director Donald Baker, and Town Clerk Brenda Thorne.

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

Mayor Oliver led in prayer.

**PLEDGE TO FLAG:** Mayor Pro-Tem Jackie Lacy led in The Pledge of Allegiance.

**APPROVAL OF AGENDA:** Mayor Oliver asked that items 6a. Suzanne Mitchell, Principal of Selma Elementary School and 6b. Ann Williams, Selma Civic Center Update be added to the agenda.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember Mark Petersen to approve the agenda as amended. Motion carried unanimously.

**CONSENT AGENDA:** **Minutes**  
Regular Meeting – October 10, 2017

A motion was made by Councilmember Mark Petersen and seconded by Mayor Pro-Tem Jackie Lacy to approve the Consent Agenda as presented. Motion carried unanimously.

**RECOGNITIONS/  
PRESENTATIONS –  
Recognition of Fire  
Engineer/Inspector Brannan  
Barbee for Completion of  
Bachelors of Fire  
Administration:** Fire Chief Phillip McDaniel recognized Fire Engineer/Inspector Brannan Barbee for receiving his Bachelor of Science in Fire Administration and for receiving a *Magna Cum Laude* award.

**OPEN FORUM/ CITIZENS’  
REQUESTS –  
Suzanne Mitchell, Principal  
of Selma Elementary School:**

Principal Suzanne Mitchell presented Town Council with T-shirts, which represents the SSStrong movement. She said that the third Friday of each month is SSStrong Day. Ms. Mitchell stated that there were many wonderful things happening at Selma’s local schools and invited everyone to stop in to see what is going on. She said that they have recently had three school visits including Wayne County’s Assistant Superintendent who came to see the Dual Language Program.

Ms. Mitchell stated that Selma Elementary School has moved away from awards day and are now participating in Celebrations of Learning. She said that family members get to see what the student has learned.

Ms. Mitchell thanked Town Council for supporting Selma Elementary. She said that Selma Elementary was recognized at the Board of Education’s meeting for having the highest number of participants in the Jump Rope for Heart campaign through the American Heart Association.

Town Council thanked Ms. Mitchell for the update on Selma Elementary, and thanked her for her leadership.

**Ann Williams, Selma Civic  
Center Update:**

Ms. Ann Williams stated that she was present to update Town Council on the Civic Center. She said that materials have arrived for the bathroom addition, but have had to stop twice. Ms. Williams stated that she expected work to resume within the next couple of days.

Ms. Williams stated that the Civic Center Committee has received two additional donations. She said that a donation of \$20,000 was received from the North Carolina Department of Commerce for a 2017/2018 Downtown Revitalization/Economic Development Grant. Ms. Williams stated that the donation was a grant in the amount of \$5,000.00 through the Hillsdale Foundation, which is associated with Lunsford Richardson who formulated Vick’s Vapor Rub.

**PUBLIC HEARINGS –  
Public Hearing and  
Consideration of  
Amendments to the Selma  
Municipal Code, Chapter 17  
– Unified Development  
Ordinance, Article II –  
Definitions, Article VI –  
Permits and Subdivision  
Plat Approval, and Article  
XVII – Amendments:**

Planning/Economic Development Director Julie Maybee stated that at its September 25, 2017 meeting, the Planning Board considered amendments to the Town’s Unified Development Ordinance. She said that the proposed amendments were drafted in response to recent changes in state law, and was after the adoption of the Town’s Unified Development Ordinance in February 2017. Ms. Maybee stated that North Carolina Session Law, which was ratified on April 27, 2017, provided a regulatory relief on a number of things. She said that that as it pertains to Town’s Unified Development Ordinance, it addressed the definition of exempt subdivisions, the

findings for zoning map amendments and text amendments, and provisions pertaining to the consistency statement. Ms. Maybee stated that when the Town has rezoning and text amendments, findings are made as to whether the proposed amendment or rezoning is consistent with the Comprehensive Plan. She said that Session Law 2017-27, which was ratified on May 30, 2017, addressed plats, subdivision provisions, and mapping provisions.

Ms. Maybee stated that the Planning Board has recommended approval of the text amendments, which are included as Exhibit #1. She said that the Planning Board also made consistency statement findings, and is included in the agenda. Ms. Maybee stated that since this was a public hearing, she would be glad to present draft consistency statement findings for the proposed amendments to Town Council.

A motion was made by Councilmember Mark Petersen and seconded by Mayor Pro-Tem Jackie Lacy to open the public hearing. Motion carried unanimously. 6:09 p.m.

With no one present to address Town Council, a motion was made by Councilmember Mark Petersen and seconded by Mayor Pro-Tem Jackie Lacy to close the public hearing. Motion carried unanimously. 6:10 p.m.

Ms. Maybee included a draft Consistency Statement for Town Council's review (Exhibit #3). She asked that the Consistency Statement be considered before considering the amendment to the Ordinance (Exhibit #4).

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

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve the following Ordinance amendment. Motion carried unanimously. 6:11 p.m.

**AN ORDINANCE TO AMEND THE SELMA TOWN CODE OF ORDINANCES TO ADOPT A REVISED CHAPTER 17 – UNIFIED DEVELOPMENT ORDINANCE**

BE IT ORDAINED BY THE SELMA TOWN COUNCIL AS FOLLOWS:

SECTION 1. As moved by Councilmember William Overby and seconded by Councilmember Mark Petersen and approved by a 4 to

0 vote that the Selma Code of Ordinances, Chapter 17 – Unified Development Ordinance is hereby amended as described below:

**Article II – Definitions, Sec. 17-200 Definitions.** *Add subsection E to the definition of Subdivision as follows.*

E. The division of a tract into parcels in accordance with the terms of a probate will or in accordance with intestate succession under Chapter 29 of the North Carolina General Statutes.

**Article VI – Permits and Subdivision Plat Approvals, Part 2 – Major and Minor Subdivisions, Section 17-652.B.ii and Section 17-655.C** *to read as follows:*

State of North Carolina  
Town of Selma

I, \_\_\_\_\_ certify that this map was drawn under my supervision from an actual survey map under my supervision (deed description recorded in Johnston County Registry at Book \_\_\_\_\_ Page \_\_\_\_\_); that the boundaries not surveyed are clearly indicated as shown as drawn from information found in Johnston County Registry at Book \_\_\_\_\_, Page \_\_\_\_\_; that the ratio of precision or positional accuracy as calculated is 1:\_\_\_\_\_; that this map was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Seal or Stamp  
Professional Land Surveyor

\_\_\_\_\_  
License Number

**Article XVII – Amendments, Section 17-1701.A.3(e)** *to read as follows:*

(e) A concise statement of the reasons why the petitioner believes the proposed map or text amendment would be reasonable and in the public interest and explain how the request is consistent with the Comprehensive Plan. If the request is not consistent with the Comprehensive Plan, a statement explaining why the Plan should be amended and how it is reasonable and in the public interest to do so.

**Article XVII – Amendments, Section 17-1702.D** *to read as follows:*

Prior to consideration by the Town Council of the proposed amendment (zoning map or text amendment), the Planning Board shall advise and comment on whether the proposed amendment is consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendment by the Town Council.

**Article XVII – Amendments**, *Re-number pages in Table of Contents, delete Section 17-1704.B in its entirety, and replace with new Section 17-1704.B to read as follows:*

Prior to adopting or rejecting any zoning map or text amendment, the Council shall adopt one of the following statements, which shall not be subject to judicial review:

1. A statement approving the zoning amendment (zoning map amendment or text amendment) and describing its consistency with an adopted Comprehensive Plan explaining why the action taken is reasonable and in the public interest;
2. A statement rejecting the zoning amendment (zoning map amendment or text amendment) and describing its inconsistency with an adopted Comprehensive Plan and explaining why the action taken is reasonable and in the public interest.
3. A statement approving the zoning amendment (zoning map or text amendment) and containing at least all of the following:
  - a) A declaration that the approval is also deemed an amendment to the Comprehensive Plan. The Selma Town Council shall not require any additional request or application for amendment to the Comprehensive Plan.
  - b) An explanation of the change in conditions by the governing board, the Selma Town Council, took into account in amending the zoning ordinance to meet the development needs of the community.
  - c) Why the action was reasonable and in the public interest.
4. As used in this section “Comprehensive Plan” includes a Unified Development Ordinance and any other officially adopted plan that is applicable.

SECTION 2. This Ordinance is effective upon adoption.

DULY ADOPTED THIS 14<sup>TH</sup> DAY OF NOVEMBER 2017.

**TOWN MANAGER'S  
REPORT &  
RECOMMENDATIONS –  
General Comments:**

Town Manager Elton Daniels stated that he wanted to keep Town Council updated on times that he will be out of the office. He said that some of these events, Town Council is welcome to attend.

Mr. Daniels stated that over the last couple of weeks, he has been busy. Mr. Daniels stated that he, Police Chief Cooper, and other law enforcement officers attended the Johnston County Leadership Forum for opioid abuse. He said that Selma was the leading Town in presenting the Narcan Policy. Mr. Daniels stated that a summary from that event would be available shortly, and he would forward that to Town Council.

Mr. Daniels stated that he attended Crisis Intervention Training (CIT). He said that five officers were CIT certified. He said that within the next year, Selma would be the only law enforcement agency in Johnston County where all officers are fully CIT certified.

Police Chief Cooper stated that it was his goal by the end of February 2018 to have all police officers CIT certified. He said that this course gives officers an in-depth look at how to handle mental health issues or drug addictions.

Mr. Daniels stated that the North Carolina Rural Center is holding its Annual Rural Assembly on November 16<sup>th</sup> and 17<sup>th</sup>.

Mr. Daniels stated that he would be attending the Board of Commissioners meeting for the North Carolina Eastern Municipal Power Agency at the Wilson Operations Center at 10 a.m.

**Update on Jones Street 12”  
Sanitary Sewer  
Rehabilitation:**

Town Manager Daniels stated that the Town requested bids for repair and rehabilitation of 285 feet of badly deteriorated concrete sewer pipe along Jones Street between South Sumner Street and South Massey Street. He said that once excavation began and exposed the pipe, it was determined that it was not going to be an easy fix. Mr. Daniels stated that another option was presented for excavation, removal, and replacement of the existing pipe. He said that because the initial fix was approved, staff was able to negotiate the price down to \$42,120.60 to fit within the Town's budget. Mr. Daniels recommended entering into an agreement with R.D. Braswell Construction to remove the existing sewer pipe and replace with new pipe.

Councilmember Overby asked if they needed to amend the motion from September 12, 2017 instead of making a new one.

Attorney Hewett stated that Town Council does need a motion to accept the current bid. He said that including in the motion that this amends the previous bid would make the minutes more accurate.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to amend an agreement to rehabilitate the existing sewer pipe on Jones Street with Tri-State Utilities for \$29,370 for excavation, removal, and replacement of the existing pipe on Jones Street by R.D. Braswell Construction for \$42,120.60. Motion carried unanimously.

**Consideration of “Food for Fines Week” at the Selma Public Library:**

Town Manager Elton Daniels stated that the next recommendation was for Town Council to consider December 4 – 9, 2017 as Food for Fines Week at the Selma Public Library.

Recreation/Library Services Director Joe Carter stated that this was a tradition that all Johnston County libraries do this time of the year. He said that each branch accepts food in lieu of fines, and each branch donates food received to a local food bank in its community.

Mr. Carter stated that the Selma Library has had success with this program with library patrons bringing in food that actually do not owe any fines.

Councilmember Overby asked if the Town recently did something like this.

Mr. Carter stated that he could not remember.

Councilmember Overby asked if there was some way that this could be handled without coming to Council each year.

Mr. Daniels stated that he did not think there would be an issue.

Mr. Carter stated that this gives public exposure and lets patrons know that they can return their books at no charge. He said that this helps the Library get books back, which is a goal of this program.

Mr. Daniels stated that he could work with Joe Carter and Johnston County to get those dates in advance. He said that could be presented at the next Council meeting for approval. Mr. Daniels stated that he could include the information in his comments to Town Council with the same publicity without having to vote on the item.

A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to approve December 4 –

9, 2017 as Food for Fines Week at the Selma Public Library. Motion carried unanimously.

**Consideration of New Fire Department Standard Operating Guidelines:**

Town Manager Elton Daniels stated that this was an update to the Standard Operating Procedures for the Fire Department. He said that Fire Chief McDaniel would be presenting two updates for Town Council's consideration.

Fire Chief McDaniel reviewed the Standard Operating Guidelines for Electronic Data (SLD45). He said that this was something that the Fire Department was already doing, but the ISO Inspector for North Carolina recommended that the Fire Department have a policy in place.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve SLD45, the Electronic Data Policy for the Fire Department. Motion carried unanimously.

Fire Chief McDaniel stated that SLD46 was a policy for the Cadet Program that was recently approved by Town Council. He said that the staff needed a policy to follow. Mr. Daniels stated that the plan was to be in Smithfield-Selma High School by Christmas break because the new semester begins at that time. He said that this serves as a guide for students, teachers, and the parents.

Mr. Daniels reviewed some of the highlights with Town Council. He said that students must maintain a "C" average, for cadets that would be a 77% and for cadet officers an 82%. Mr. Daniels stated that students must attend one of two scheduled training meetings per month, and must serve a minimum of 15 hours per month at the fire station. He said that this would be a good recruiting tool so they can get a job with the Town after graduation from high school.

Mayor Oliver asked Chief McDaniel to explain Item 6 – The number of Cadets allowed on the roster will be determined by the annual Town of Selma Budget.

Chief McDaniel stated that a student could start the program in their Freshman year and advance to Public Safety. He said that in the Sophomore year, the student would start taking fire classes. Chief McDaniel stated that there would be no Junior or Senior classes this current school year. He said that next year, the Sophomore students would be in the Junior program, with a new group of Freshmen. Chief McDaniel stated that within three years, there would be ninth graders through twelfth graders in the program. He said that he did not know at this time what they will be able to do in four years. Chief McDaniel stated that he did not think they could handle 40

cadets. He said that the program would have to be monitored as it grows. Mr. Daniels stated that they might be seeking outside funds in two to three years due to gear requirements.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve SLD 46 – Cadet Program. Motion carried unanimously.

**Committee Appointments –  
Appearance Commission,  
Wendy Holmes and  
Cemetery Committee,  
Timmy Strickland:**

Town Manager Elton Daniels stated that two citizens have filled out applications to serve on committees. He said Ms. Wendy Holmes has applied for the Appearance Commission and Mr. Timmy Strickland has applied for the Cemetery Committee. Mr. Daniels stated that he recognizes that appointments are made at Council's discretion; therefore, does not offer an opinion.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember William Overby to approve the appointment of Wendy Holmes to the Appearance Commission. Motion carried unanimously.

After discussion by Town Council, a motion was made by Councilmember Mark Petersen and seconded by Mayor Pro-Tem Jackie Lacy to approve the appointment of Timmy Strickland to the Cemetery Committee, and have the Chairperson of the Cemetery Committee enforce attendance requirements. Motion carried unanimously.

Mayor Oliver asked Town Manager Daniels to remind Chairpersons to ensure the attendance policy is enforced.

Mr. Daniels stated that on a quarterly basis, he could provide a report of attendance at upcoming Council meetings.

**Consideration of an  
Amendment to the Current  
Holiday Schedule:**

Town Manager Elton Daniels reviewed the current holiday schedule for the Christmas holiday. He said that this year, staff would observe Monday, December 25, 2017 and Tuesday, December 26, 2017. Mr. Daniels stated that the State observes three days no matter what day Christmas falls on. He said that a lot of municipalities and counties across the state observe three days as well. Mr. Daniels stated that in Johnston County, only three towns have the same policy as Selma. Mr. Daniels asked Town Council to adopt the State Schedule, which will guarantee no matter what day Christmas falls on that the Town employees will receive three days. He said that it is important to remember that the Town never shuts down. Mr. Daniels stated that if someone calls 911, the Police Department and/or Fire Department would show up.

Town Manager Daniels stated that at the next Council meeting, a calendar with upcoming meetings and a holiday schedule would be presented. He said that he would like for Town Council to consider updating the current Personnel Policy by stating that the Town of Selma would observe three days instead of two for the Christmas holiday.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to adopt the proposed Christmas holiday schedule to include December 25, 26, and 27, 2017. Motion carried unanimously.

**Budget Amendments –  
Budget Ordinance  
Amendment #10:**

Town Manager Elton Daniels stated that Budget Ordinance Amendment #10 was for a reconciliation of principal and interest accounts.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve Budget Ordinance Amendment #10. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT #10  
FISCAL YEAR 2017/2018**

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 14<sup>th</sup> day of November 2017 that the Town Budget adopted on June 22, 2017, for FY 2017/2018 is hereby amended and adopted:

Section I. To amend the Electric Fund (Fund 63) for unanticipated/unbudgeted revenues and expenses during FY 2018. The Town's Electric Fund (Fund 63) accounts are to be amended as follows:

<u>Account No.</u>	<u>Debit</u>	<u>Credit</u>
63-7210-7500 RBC/Centura Loan/Princ.(E)	17,428.27 (Increase)	
63-7210-7510 RBC/Centura Loan/Int.(E)		17,428.27 (Decrease)

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.

**DULY ADOPTED THIS 14<sup>TH</sup> DAY OF NOVEMBER 2017.**

**Budget Amendments –  
Budget Ordinance  
Amendment #11:**

Town Manager Elton Daniels stated that Budget Ordinance Amendment #11 was to recognize funds received from a motor vehicle accident.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember William Overby to approve Budget Ordinance Amendment #11. Motion carried unanimously.

**TOWN OF SELMA  
BUDGET ORDINANCE AMENDMENT #11  
FISCAL YEAR 2017/2018**

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 14<sup>th</sup> day of November 2017 that the Town Budget adopted on June 22, 2017, for FY 2017/2018 is hereby amended and adopted:

Section I. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2018. The Town’s General Fund (Fund 10) accounts are to be amended as follows:

<u>Account No.</u>	<u>Debit</u>	<u>Credit</u>
10-5100-3530 Maint. & Repair-Auto(E)	3,682.20 (Increase)	
10-3350-0400 Insurance Proceeds (R)		3,682.20 (Decrease)

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.

**DULY ADOPTED THIS 14<sup>TH</sup> DAY OF NOVEMBER 2017.**

**Financial Reports:**

Town Manager Elton Daniels stated that the Town was on target for Fiscal Year 2017/2018. He said that staff was trying to close out the audit, and would have that information available soon. Mr. Daniels asked if there were any questions.

Councilmember Petersen asked if it was an anomaly that the Town was ahead on sewer and behind on water.

Mr. Daniels stated that does not happen often. He said that in the future, he would be giving an update on the I&I reports.

Councilmember Overby stated that it would be interesting to know if the Town's water is well water or if the Town was buying that much water from Johnston County.

Mr. Daniels stated that when they get the I&I reports they would be able to make that assessment then.

Mr. Daniels stated that he has some updated information on the houses scheduled to be burned. He said 106 East Martin Luther King Way and 444 Fire Tower Road are scheduled to be burned sometime in January. Mr. Daniels stated that South Sumner Street and the Boys and Girls Club have not been released.

**TOWN ATTORNEY'S  
REPORT:**

Town Attorney Hewett reminded Town Council that the organizational meeting would be at the Regular December meeting. He said that the Mayor's seat and two Town Council seats would be sworn in. Attorney Hewett stated that Council would reselect a Mayor Pro-Tem, and the 2018 meeting schedule would need to be presented for approval.

Town Attorney Hewett gave an update on the Selma Pool. He said that under the contract, the Town had 30 days for examination. Attorney Hewett stated that the decision has been made to move forward. He said that the Town was now in the second 30 days where it is to be closed on. Attorney Hewett stated that anytime between now and December 9, 2017, the Town would be in a position to close on the pool property.

**MAYOR'S REPORT &  
RECOMMENDATIONS –  
Johnston County Economic  
Development Advisory  
Board Updates:**

Mayor Oliver stated that at the Johnston County Commissioners meeting, the Advisory Board presented Johnston County Industries with the Industry Recognition Award.

Mayor Oliver reminded Town Council and anyone who would like to attend that the Johnston County Association of Chambers would have an Economic Development luncheon on November 29, 2017 from noon to 1:30 p.m.

**Smithfield-Selma Chamber  
of Commerce Annual  
Awards:**

Mayor Oliver stated that the Smithfield-Selma Chamber of Commerce annual awards are given in January of each year. She said the nominations are due by November 29, 2017. Mayor Oliver stated that if anyone would like to nominate one of Selma's businesses they may do so. She said that the awards to be considered are Citizen of the Year, Distinguished Citizen of the Year, Small Business Person of the Year, and the Athena Award.

**Arms Around Selma:**

Mayor Oliver advised that the Arms Around Selma event would be Saturday, November 18, 2017, from 8 a.m. to 1 p.m.

**Christmas Tree Lighting  
and Parade:**

Mayor Oliver stated that at 5 p.m. in front of Town Hall there would be some entertainment with the Christmas tree lighting at 6 p.m. and the parade at 7 p.m.

**General Comments:**

Mayor Oliver reminded everyone that on November 25, 2017, Selma would be participating in Small Business Saturday.

**COUNCILMEMBERS’  
REPORT &  
RECOMMENDATIONS:**

Councilmember Petersen thanked Councilmember William Overby for his service to the Town of Selma over the past four years.

Councilmember Petersen stated that he would like to commend Suzanne Mitchell on the great job she is doing at Selma Elementary School.

Mayor Pro-Tem Jackie Lacy also thanked Councilmember Overby for his service.

Mayor Oliver thanked Johnston County Schools for its Veterans’ Day ceremony.

**CLOSED SESSION:**

Closed Session was removed from the agenda.

**ADJOURNMENT:**

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

The meeting adjourned at 6:58 p.m.

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Brenda W. Thorne, Town Clerk