CALL TO ORDER
Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on September 19, 2017 at 7:00 p.m.

Commissioners Present: Blake Massengill (Mayor Pro-Tem)
Charlie Adcock
Bill Harris
Jason Wunsch
Marilyn Gardner

Commissioners Absent: None

Others Present: Assistant Town Manager Matthews
Deputy Town Clerk Teresa Wilder
Town Attorney Mark Cumalander

Others Not Present: Town Manager Adam Mitchell (Absent due to Medical Leave)
Town Clerk Rose Rich (Absent due a death in the family)

INVOCATION AND PLEDGE OF ALLEGIANCE
Commissioner Wunsch provided the invocation and Cub Scout Pack 444 (Jack, Owen, Isaiah, Samuel, Victor and Nicholas) led the Pledge of Allegiance.

APPROVAL OF THE MINUTES
The September 5, 2017, minutes of the regularly scheduled Town Board of Commissioners meeting, were presented for approval.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULT: Passed Unanimously (5-0)
PRESENTATIONS

Agenda Item No. 4.A: Proclamation - October as Bullying Prevention Month

Mayor Byrne proclaimed October as Bullying Prevention Month in Fuquay-Varina, North Carolina and presented the proclamation to Sheila Reich of Youth Thrive.

PUBLIC COMMENTS:

Greg Morgan with Morgan Development Company spoke regarding Black Creek Estates that would be coming up on the agenda. Mayor stated that he could speak during the Black Creek Estates agenda item.

Lester Stancil with Black Creek Estates wanted to apologize to the Town Board for not showing up to previous Town Board meetings regarding Black Creek Estates.

ITEMS TABLED FROM PREVIOUS MEETING:

Agenda Item No. 6.A: Preliminary Subdivision Plat - Black Creek Estates - SUB-PR-2016-15

Purpose – To consider a preliminary subdivision plat submitted by Stancil and Associates called Black Creek Estates, located at 1955 Eddie Howard Road.

Staff Comments – Assistant Town Manager Matthews advised that the preliminary subdivision, Black Creek Estates, is located at 1955 Eddie Howard Road on 26.382 acres in the Residential Agricultural (RA) Zoning District.

SUBDIVISION INFORMATION: The preliminary subdivision proposes 24 residential lots meeting the standards for conventional subdivision developments. The minimum lot size permitted is 20,000 square feet, and the minimum provided is 22,939 square feet.

TRANSPORTATION: Vehicular access to the project area is provided via a public street entrance onto Eddie Howard Road. Right-of-way improvements are required by the 2006 Town's Community Transportation Plan (CTP), to include curb and gutter and 5-foot sidewalk. This subdivision was submitted under the 2006 CTP. A stub street is proposed to the eastern boundary to provide for future connectivity.

UTILITIES: Public water service will be installed by the developer. Public sewer service is not available. The proposed preliminary subdivision plat meets all Town requirements, as such management and staff recommend approval.

At the July 17, 2017 regular Planning Board meeting, the Planning Board unanimously recommended approval. At the August 7, 2017 regular Town Board
meeting, the Town Board unanimously recommended to table consideration until the September 5, 2017 meeting to gather additional technical information and clarification for their consideration.

**Petitioner Comments** – Mr. Greg Morgan developer of Black Creek Estates stated that he is interested in having a nice neighborhood with houses in the $400,000 range. The property has been voluntary annexed and the houses will be on half acre lots. He stated that the current plan meets all the town requirements. He stated he would be willing to offer a 10-foot planted buffer and would use as much of the vegetation on the northside of the property for a buffer, in addition to the setback and buffer requirements of the Town.

**Board Member Discussion** – Mayor asked Mr. Morgan what communications he had with adjacent property owners. Mr. Norman stated he had not spoken to Ms. Sorrell and had spoken about 7 months ago with the Bowden family.

Commissioner Adcock asked about the choice of the proposed stub street location, and the thought process behind not providing a stub to the Bowden property to the Northeast. Mr. Morgan stated that his builder informed him that the lots would need to be 105 feet wide so that they would be able to accommodate a side entry garage on the houses. Mr. Stancil stated that the plan was to build four bedroom houses and three car garages with side entrances. An additional stub street at that location would require narrowing several lots below the builder's needed width for the preferred lot layout or the loss of a buildable lot.

Commissioner Adcock asked staff how to go about adopting the buffer that Mr. Morgan presented. Planning Director Smith stated that the subdivision would be approved with the condition of adding the additional 10-foot buffer on the identified property boundaries (lots 10-13, 17 and 18). Mr. Lester stated that the 10-foot buffer would be evergreen hedges that would present no problem for cows sticking their heads through the fence. The hedges would not grow out of the 10-foot buffer and would be five to eight feet in height.

Commissioner Wunsch stated he understood the requirements of Town have been met and he appreciated the additional buffer beyond what is required by the Town ordinances.

Commissioner Adcock asked Town Attorney how much leeway does the Town Board have on approval of preliminary plats. Town Attorney Cumalander stated that all the requirements had been met, the Town Board is in position to approve.

**Recommendation** – Approve the Black Creek Estates preliminary subdivision plat, SUB-PR-2016-15, located at 1955 Eddie Howard Road as presented and recommended, with the addition of the 10-foot evergreen hedge buffer on lots 10-13, 16, and 17 as offered by the petitioner.

**MOTION**: Commissioner Gardner  
**SECOND**: Mayor Pro-Tem Massengill  
**MOTION RESULTS**: Passed Unanimously (5-0)
PUBLIC HEARINGS:


Purpose – To consider an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by JWM-PB, LLC (D. Watson Adcock Property), located at 6428 Johnson Pond Road, containing approximately 17.694 acres, PIN 0677167308.

Staff Comments – Assistant Town Manager Matthews advised that the subject property contains approximately 17.694 acres and it has road access at 6428 Johnson Pond Road. The property is contiguous to the Town's corporate limits and water and sewer is available to the property.

At the September 5, 2017 meeting, the Town Board instructed the Town Clerk to investigate the sufficiency of the applicant's petition for voluntary annexation and the Town Clerk certified at that time that the petition was sufficient and meets the requirements prescribed by the North Carolina General Statutes. The Town Board also adopted a resolution setting a public hearing for September 19, 2017 Town Board meeting.

Motion to Recuse – Mayor Pro-Tem Massengill requested to be recused from discussion and action on the Voluntary Annexation – ANX-2017-17 due to personal financial interest.

MOTION: Commissioner Wunsch
SECOND: Commissioner Harris
MOTION RESULTS: Passed Unanimously (4-0)

Public Hearing – Mayor Byrne declared the public hearing open and he asked if anyone wished to speak in favor of, or in opposition to the annexation petition. No one chose to speak in favor of, or in opposition to the proposed annexation petition. Mayor Byrne declared the public hearing closed.

Board Member Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by JWM-PB, LLC (ANX-2017-17) as presented and recommended. Motion was corrected to reflect annexation number ANX-2017-17.

MOTION: Commissioner Harris
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

Ordinance No. N-17-35
CONSENT AGENDA

All items on the Consent agenda were approved except for Item D.


**Purpose** – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition and to adopt a resolution setting a public hearing for October 2, 2017, following the receipt of a petition for voluntary annexation of property owned by Eason-Reese Construction Property, located at 6412, 6416, and 6420 Johnson Pond Road, containing approximately 2.973 acres, PIN 0677261851, 0677261731, and 0677260598.

**Recommendation** – Approve the resolution instructing the Town Clerk to investigate the voluntary annexation petition, and adopt the resolution setting the public hearing for a voluntary annexation petition on October 2, 2017, for property owned by Eason-Reese Construction Property (ANX-2017-18) as presented and recommended.

Resolution No. 17-1485
Resolution No. 17-1486

Agenda Item No. 8B: Annexation Agreement - Stephen & Jodie Sgroi - 6500 Vintage Ridge Lane - PIN 0668536128 - ANX-2017-05

**Purpose** – To consider an annexation agreement for property owned by Stephen & Jodie Sgroi, located at 6500 Vintage Ridge Lane, PIN 0668536128, containing approximately 0.7 acres.

**Recommendation** – Adopt the annexation agreement for property owned by Stephen & Jodi Sgroi (ANX-2017-05) as presented and recommended.

Agenda Item No. 8.C: Budget Amendment - Re-appropriating Economic Development Incentive Grant - Bob Barker Expansion - $207,500

**Purpose** – To consider approval of budget amendment (BA-2018-3), which re-appropriates $207,500 from General Fund Balance to Economic Development Projects.

**Recommendation** – Approve Budget Amendment BA-2018-3 as presented and recommended.

Agenda Item No. 8.D: Amateur Radio Repeater System - Jones Road Tank
Purpose – To consider a request from Kenn Kubacki to install an Amateur Radio Repeater System on a Town water tank.

Recommendation – Approve the request to install an Amateur Radio Repeater System, subject to an installation agreement with terms and conditions acceptable to the Town Manager and Town Attorney, on the Jones Road water tank as presented.

This item was removed from the Consent Agenda by Commissioner Adcock for further consideration.

A motion was made to approve all items (A-C) on the Consent Agenda as recommended.

MOTION: Commissioner Adcock  
SECOND: Mayor Pro-Tem Massengill  
MOTION RESULTS: Passed Unanimously (5-0)

9. ITEMS REMOVED FROM CONSENT AGENDA

Agenda Item No. 8.D: Amateur Radio Repeater System - Jones Road Tank

Purpose – To consider a request from Kenn Kubacki to install an Amateur Radio Repeater System on a Town water tank.

Staff Comments – Assistant Town Manager Matthews stated the Town has two water tanks, the 200,000-gallon tank at 529 Main Street (the Hill tank) and the 500,000-gallon tank at 307 Jones Street. The Town entered into an agreement in 2005 Utility Service Group, for the maintenance of the Town’s water tanks. The services provided include annual inspections, annual cleaning, and periodic painting.

In addition to the providing water storage for the Town, the tanks’ heights lend themselves well for wireless communication antennas. The Town’s IT Department has communication equipment mounted on the both tanks. AT&T leases space on the Main Street tank, Sprint leases space on the Jones Road tank. A subsidiary of Utility Service Group, Utility Service Communications Co., Inc. manages the revenue-generating wireless communications on the Town’s tanks.

The Town has received a request from Kenn Kubacki to install an amateur radio repeater system on a Town water tank, the specifically the Hill tank. In his request, Mr. Kubacki states that the repeater system would enhance the communications of amateur radio operators in the Fuquay-Varina area and provide communications for public events such as the holiday parades, Run the Quay, and possibly the WRAL Freedom Balloon festival. The equipment would include a 24-foot antenna that would be mounted at the top of the tank and coax cable from antenna to a repeater housed in a fiber glass enclosure.

Staff discussed the request with Utility Service Communications Company, and since this is a non-revenue generating installation it would not fall under their management services. However, the installation would need to meet the specifications for mounting equipment per our maintenance program with Utility Service Group.

Staff recommends allowing the installation with the following provisions:
- An installation agreement with appropriate termination, indemnification, and insurance requirements approved by the Town Attorney
- Equipment mounting will meet the specifications of Utility Service Group in general accordance with the Town’s Tank Maintenance Program
  - The antenna be located on the Jones Road Tank

Assistant Town Manager Matthews further stated that nominal cost of electricity each month will be absorbed within the current fiscal year budget and planned for in future fiscal years. Anticipated cost is less than $5/month.

Commissioner Adcock asked if the HAM radio operators in attendance had any additional information to add. Amateur radio operator Mr. Kenn Kubacki stated that hand held radios offers a special emergency system. When the grid goes down or a cell tower goes down these radios are a way to reach out to people. They have a 18-25-mile radius. He stated that there are 100 members and they are a non-profit organization.

Mr. Mike Ramsey stated that the radios were a way that in a disaster to relieve some of the pressure off the service people. They fill in the gap and are all volunteers. He indicated that he and some of his fellow radio operators were currently listening for and relaying requests for assistance coming from areas that were impacted by the recent hurricanes.

Mayor Byrne asked both amateur radio operators if they receive any revenue for operating this repeater, and they stated that amateur radio is required by the FCC to operated as not for profit.

**Recommendation** – Approve the request to install an Amateur Radio Repeater System, subject to an installation agreement with terms and conditions acceptable to the Town Manager and Town Attorney, on the Jones Road water tank as presented.

**MOTION:** Commissioner Adcock  
**SECOND:** Mayor Pro-Tem Massengill  
**MOTION RESULTS:** Passed Unanimously (5-0)

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**ADMINISTRATIVE REPORTS**

Agenda Item No. 10.A:  
Infrastructure Agreement - Hidden Valley

**Purpose** – To consider approval of an Infrastructure Agreement between the Town of Fuquay-Varina and Pulte Home Company, LLC for utility improvements related to the Hidden Valley Subdivision

**Staff Comments** – Assistant Town Manager Matthews advised that Pulte Home Company, LLC (Pulte) intends to develop the former Hidden Valley Golf Course, more specifically Wake County Parcel Nos. 675-14-1029, 675-23-2939, 675-23-0880, 665-84-9465, and 665-74-6312, as a single-family neighborhood. Pulte received
Preliminary Plat approval from the Fuquay-Varina Board of Commissioners during its regular meeting on April 3, 2017. The preliminary plat includes 505 single family home lots. Utilities for the proposed subdivision include a sanitary sewer pump station with an oversized gravity sewer extended to the north to the adjacent property and an extension of a water line along the subdivision’s frontage on NC55.

To serve the proposed Hidden Valley subdivision with sewage collection, a 225-gpm pump station with a 6-inch diameter force main extended along Purfoy Road and discharging into the existing Amber Ridge subdivision collection system is proposed. The Town discussed with Pulte increasing the size of the pump station to 500-gpm with an ultimate pumping capacity of 900-gpm to be able to serve the entire area designated as the Purfoy-Holland Road Preferred Growth Area and areas east of NC55. The Town’s plan is for the pump station to ultimately be sized expanded to a 900-gpm pump station that could serve up to an additional 1,728 homes in these areas. The result of increasing the size of the pump station is a larger force main, 10-inch diameter, with a discharge point down Rogers Lane. The change is discharge points is due to the capacity of the collection system at Amber Ridge Subdivision being insufficient for the increased flow. Also, the water line along NC55 would be increased from an 8-inch diameter line to a 12-inch diameter line per the Town’s water system master plan, and a gravity sewer line extended to the north to serve the Holland-Purfoy Road Preferred Growth Area would be increased in size from an 8-inch diameter line to a 12-inch diameter line.

To establish reimbursement for the upsizing and over-sizing of the infrastructure, an Infrastructure Agreement was prepared. Elements of the agreement proposed for consideration are as follows:

1. The Developer shall design, build, and construct the Development in accordance with Town Development Standards.
2. The Developer shall pay all applicable development fees, including capacity fees, recreation unit fees, and other applicable fees as prescribed by the Town’s Code of Ordinances and Annual Budget Ordinance and Fee Schedule.
3. The Town shall be indemnified and held harmless from any claims for damage of any kind.
4. To determine the reimbursement amount for upsizing the pump station and forcemain, the project will be publicly bid in accordance State law.
5. Over-sizing the gravity sewer line and the water main will be based on the Town’s over-sizing adopted fee schedule.
6. The Town’s reimbursement will not exceed $740,000. (Note that if bids exceed estimates that the Town Board may re-visit the agreement to either increase reimbursement amount or agree to construction of the smaller pump station and forcemain to serve only the Hidden Valley Subdivision, or alternatively Pulte may elect to accept the bids and the reimbursement).

The Development Agreement has also been made pursuant to N.C.G.S. §160A-320.

Town management and staff have worked closely with the Town Attorney and Pulte Homes on this development agreement, which advances the goals of town's 2035 Community Vision Land Use Plan as well as infrastructure goals discussed over multiple Town Board Strategic Planning Retreats, by providing for availability of Sewer in this preferred growth area. The proposed developer agreement provides a
unique opportunity to advance these goals in a cost-effective manner through a public-private partnership, and as such management recommends approval.

Regarding the fiscal note, the following are the estimated reimbursement amounts for the construction the infrastructure associated with the Infrastructure Agreement as described:

**Upsizing of the Pump Station and Forcemain** - $600,000.00 not to exceed

**Upsizing Ancillary Costs** (includes engineering, construction management, permitting, and other miscellaneous costs incurred beyond those required by construction of the base pump station and forcemain) - $55,000 not to exceed

**Easements** (easement costs beyond those required for base pump station and forcemain) - $45,000 not to exceed

**Oversizing of gravity sewer main and water line** - $40,000 not to exceed

**Total not-to-exceed reimbursement amount** - $740,000

$700,000 was budgeted in the 2017-2018 fiscal year enterprise for upsizing the Hidden Valley pump station and forcemain, and $100,000 was budgeted for water and sewer line over-sizing.

In addition to the Hidden Valley Subdivision’s proposed 505 lots, which would generate $1,614,250 in sewer capacity fees, another estimated 1,728 homes could ultimately be served by this pump station and generate an additional $5.6 million in sewer capacity fees under the current fee schedule.

**Board Discussion** – Commissioner Adcock stated that the Town has done this in similar agreements in the past. He inquired about other opportunities to facilitate the participation of others in the cost. Assistant Town Manager Matthews responded that there were avenues contemplated in the fee schedule to capture the cost of the Town’s investment in infrastructure, and in this case there was a unique opportunity based on timing to plan and budget for a cost effective public-private partnership to upsize infrastructure to serve a large preferred growth area the Town Board identified as a priority to extend infrastructure in.

Mayor Byrne stated that we have a unique preferred growth area and to be able to have these areas helps other areas in the Town.

Mayor Pro Tem Massengill stated that the investment made by private developers in these areas mean a cost savings to our citizens for getting the infrastructure built, and upsizing infrastructure is better than having it piecemealed.

Mayor Byrne stated that it has taken several years to identify the preferred growth areas and that Commissioner Adcock initiated having it put on our website so the public could see the Town Board planning for the future.

**Recommendation** – Adopt the proposed Infrastructure Agreement between the Town of Fuquay-Varina and Pulte Home Company, LLC as presented and to authorize the Town Manager to execute the Agreement. The Development Agreement has been reviewed by the Town Attorney as to form and is in the interest of the public.
MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

Agenda Item No. 10.B: Wake County - Funding Agreement and Project Ordinance Amendment - Fleming Loop Park - $500,000

Purpose – To consider a funding agreement and project ordinance amendment for the Fleming Loop Park Project.

Staff Comments – Assistant Town Manager Matthews stated that Fleming Loop Park is an undeveloped park located at 301 Fleming Loop Road in Fuquay-Varina. The park covers approximately 38 acres and has primarily been used as a sports facility serving as the location of youth football, flag football, soccer, tackle football, and adult flag football practices and games. Fleming Loop Park is also a host site for CASL’s National Showcase Tournaments and in 2016 became the host site for the WRAL Freedom Balloon Festival.

In October of 2014, the Town Board adopted a Parks, Recreation and Cultural Resources Facility Master Plan that identifies improvements to Fleming Loop Park in FY 2017/2018. Infrastructure enhancements include stormwater improvements, curb and gutter, an asphalt parking lot, extensive grading and proposed amenities. Amenities include seven lighted full size multi-purpose fields, irrigation, a restroom / concession building, two storage buildings w/restrooms, a picnic shelter, playground and a ten-foot-wide walking/biking track that extends around the entire park and connects to the pedestrian entrance from SE Judd Parkway. In August of 2016, The Town of Fuquay-Varina began working with Withers & Ravenel on the design components and developing construction drawings to allow for soliciting bids for construction by June of 2017. In November 2016, the Wake County Board of Commissioners approved award of $500,000 in Wake County Major Facilities Grant Funding made available from the County's hotel, motel, and prepared food and beverage tax for development of Fleming Loop Park.

On May 1, 2017; the Town Board was presented and approved the final design of Fleming Loop Park and supported advertising the project for bid. The project was advertised and bids solicited in May/June 2017. After two rounds of bid solicitation, one bidder at the second bid opening, and bid prices significantly higher than the project budget, Town management recommended deferral of the project for one year in an effort to solicit more competitive bids and so that alternate funding strategies could be identified. The project will be rebid in Spring 2018, with construction planned to begin in June immediately following the 2018 Freedom Balloon Festival. The proposed funding agreement reflects the revised project schedule.

The projected time of construction will be 8-10 months, which is required to allow for the establishment of turfgrass sod prior to hosting games or festivals such as the Freedom Balloon Festival, which is planned to be hosted for at least the next four years at Fleming Loop Park.

Management recommends approval of the proposed funding agreement, which commits $500,000 in Wake County Funding towards the project. The Town's
obligations under the agreement are to meet certain performance goals as outlined in the agreement, specifically 25 "event days" per year. Large events such as Freedom Balloon Festival or travel tournaments would count as multiple event days under the terms and conditions outlined in Article VI Performance Goals. For example, Freedom Balloon Festival typically count as 6-8 event days as a 3-4 day event drawing over 2,000 visitors per day. A North Carolina FC (formerly CASL) showcase tournament would typically count as 10-15 event days as a 3-day event with 800+ attendees. Town staff will report to the County the actual events and event days towards a performance target of 25 event days per year until the 7-year cumulative performance target is met, and if for some reason the Town fell short the Town would identify a plan to the County Manager to achieve performance goals.

Town Management has reviewed the performance targets and funding agreement requirements with the Parks, Recreation, and Cultural Resources Director and both are recommending approval.

Board Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation – Approve the Funding Agreement for the Fleming Loop Park Project and Project Ordinance Amendment for Fleming Loop Park as presented.

MOTION: Commissioner Adcock
SECOND: Commissioner Harris
MOTION RESULTS: Passed Unanimously (5-0) Ordinance No. N-17-36

Agenda Item No. 10.C: Contract Award - S.T. Wooten Corporation- Sunset Lake Road/ Purfoy Road/ North Main Street Intersection Project - $246,463

Purpose – To award a contract to S.T. Wooten in the amount of $246,463.00 for the construction of improvements to the Sunset Lake/Purifoy Road/North Main Street intersection.

Staff Comments – Assistant Town Manager Matthews stated he was excited to present the first construction contract for award as a part of the Town's 2015 Transportation Bond Program. As part of the program the Town has planned for improvements to the Sunset Lake Road, Purfoy Road, and North Main Street intersection. The first phase of this project is being completed in cooperation with NCDOT and as a part of a Locally Administered Projects Program (LAPP) grant. The $858,000 grant required a 20% Town match of $211,600. Following award of the LAPP grant, Town staff worked with NCDOT to incorporate a portion of the construction into their resurfacing project on US 401. Assistant Town Manager Matthews advised that this Town project completes the remaining work designed as part of the short-term improvements to Sunset Lake, Purfoy Road, and North Main Street, which is 80% funded by a LAPP Grant. The coordination of the resurfacing work resulted in a significantly reduced cost for this project because much of the originally planned work was resurfacing to support re-striping lanes. Since NCDOT resurfaced and left the paint light on the striping, the Town project will involve permanently striping rather than reworking much of the pavement, resulting in significant cost savings below the original $858,000 budget.
A bid opening was held on September 14, 2017 and S. T. Wooten Corporation was the low bidder with a bid of $246,463.00. Four bidders bid on the project and their bids are summarized in the prepared bid tab. The Town's matching commitment for the project is $49,292.60 (20%). Assistant Manager Matthews reported to the Board that S. T. Wooten is a well-known construction contractor in the area and is more than qualified to complete the work. He further advised that because of the federal funds involved, NCDOT will have to provide concurrence in the Town Board's award. The contract time is 90 days and because of weather restrictions mandated by NCDOT standards, the Town will be working with the contractor to complete the bulk of the work including all striping prior to November 30. A copy of the proposed contract, the project plans, Engineer’s cost estimate and a certified bid tabulation were provided to the Town Board.

Assistant Manager Matthews advised that this project will improve upon the current layout resulting in a dedicated right turn lane, a dedicated through lane, and two dedicated left turn lanes on southbound Sunset Lake Road. Additionally, this project will remove the concrete median north of the railroad track on Sunset Lake Road allowing motorists to access the left turn lanes earlier. This project will also modify the lanes and concrete median on the northbound Purfoy Road approach to this intersection. The end result will be the activating the second left turn lane (and removing the cones). The Town also plans further improvements to add lanes between the railroad and the back of the Kroger shopping center as a part of the next phase of the 2015 transportation bond program for this road section. The planned budget for the entirety of the 2015 Transportation Bond plan at this intersection is $4.5 million. A contract award, pending concurrence by NCDOT, will position the Town to complete this phase of this high priority 2015 Transportation Bond project by the holidays, and on budget. Assistant Manager Matthews advised that Town management and staff are recommending approval.

Board Discussion – Mayor Pro-Tem Massengill stated that he was very excited to see that this project was coming before the Board for contract approval and that the cones at Purfoy Road and N. Main Street will finally be removed. Mayor Byrne commended staff for continuing to advance the road projects from the 2015 bond program.

Recommendation – Award the contract award to S.T. Wooten in the amount of $246,463.00 pending concurrence by NCDOT for the Sunset/Purfoy/Main Street intersection project and subject to Town Attorney review as to form.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)


Purpose – To consider the grant of an easement to Duke Energy for the relocation of its utilities relating to the NE Judd Intersection Improvements Project.

Staff Comments – Assistant Town Manager Matthews advised that the Town has completed the property acquisition work necessary to support the NE Judd Parkway Intersection project. One remaining item is to grant Duke Energy the necessary easement on Town Property to allow for relocation of their overhead utilities to
support the project. The easement makes room for the pole and guy wire relocation that is required for the widening of Judd Parkway.

Duke Energy will be paying the Town one dollar for the easement acquisition. Management and staff do not recommend a higher fee, as the relocation is being required by a Town transportation project, and as such the cost of utility relocation would be charged back to the Town. For this reason, management and staff recommend the Town Board authorize the Mayor to sign the appropriate documentation to grant the identified utility easement to Duke Energy on behalf of the Town.

Board Discussion – Mayor Pro Tem Massengill stated that this is the second major project moving forward from our 2015 Transportation Bond Program.

Recommendation – Authorize the Mayor to execute utility easement documents for Duke Energy utility relocation associated with the NE Judd Intersection Improvement Project.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Gardner
MOTION RESULTS: Passed Unanimously (5-0)

Agenda Item No. 10.E: FEMA Report - Close Out

Purpose – To receive information on Federal Emergency Management Administration approved reimbursements for Town expenses incurred due to Hurricane Matthew.

Staff Comments – Assistant Town Manager Matthews advised that the as a Federally declared disaster area, the Town of Fuquay-Varina is eligible and has been approved for reimbursement of expenses incurred while responding to Hurricane Matthew in October 2016, including cleanup efforts, as well as damage to public facilities directly attributable to that event. The Town's approved eligible expenditures include reimbursement for personnel and operating expenses in Fire, Police, Public Utilities, Public Works, and Parks, Recreation, and Cultural Resources. Additionally, there are reimbursements approved for property damage to a lift station and sidewalk repairs directly attributable to the storm event. The Town recently executed close out paperwork with FEMA reflecting a total approved reimbursement of $164,118.49. As of September 15, 2017, $90,437.52 in approved reimbursement funding is outstanding.

The North Carolina Governor's Office recently notified cities and counties in the Hurricane Matthew disaster declared region that FEMA has notified all states that funding is suspended for all Public Assistance categories as well as for the Hazard Mitigation Grant Program due to the response required by Hurricane Harvey and Irma. Therefore, $134.5 million in eligible expenses in the Public Assistance program for North Carolina's Hurricane Matthew recovery is frozen, including $67.4 million in funding for 213 local government Public Assistance projects in the state. While the entire reimbursement award of $164,118.49 is committed by FEMA, Town staff do not expect receipt of the $90,437.52 in approved reimbursements until the FEMA Disaster Relief Fund is replenished by Congress.

having occurred over multiple storm events, mitigation funding is available on a
Board Discussion – Mayor Byrne stated that there were 3 water rescues during Hurricane Matthew, and encouraged residents to heed warnings such as traffic cones identifying closed roads in future storms. Mayor Pro Tem Massengill inquired if we would be reimbursed the additional $90,000, but not as quickly as we thought. Assistant Town Manager Matthews responded that the funding was committed by FEMA, and would be released following a Congressional appropriation.

Recommendation – Information Only - No Action Required

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OTHER BUSINESS

A. Manager’s Report
   Assistant Town Manager Matthews stated that he has been in contact with Town Manager Mitchell during his time on medical leave and that Town operations were continuing as normal.

B. FM2FV Concert - Smile - Thursday, September 21, 2017 - 6:30 p.m. - Centennial Square

C. Fuquay-Varina Downtown Revitalization - BBQ Blues and Brews - Downtown Varina - Saturday, September 23, 2017 - 2:00 - 7:00 pm

D. Out of the Darkness Walk - Jeff Wells Environmental Trail - Sunday, September 24, 2017 - Registration 1:00 pm - Walk 2:00 pm

E. Celebrate Fuquay-Varina Concert - Landsharks Band - Varina Business District - Thursday, October 5, 2017 - 6:30 - 9:30 PM

F. Celebrate Fuquay-Varina Festival - Downtown Fuquay - Saturday, October 7, 2017 - 10:00 am - 4:00 pm

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TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill – Thanked Chief Mauldin and his staff for the hard work and time they put into for the FEMA money that the Town received. Also announced the name of his baby girl to be born in November – Anna Lilley Massengill.

Commissioner Adcock – I look forward to an Anna Lilley Street in Fuquay-Varina.

Commissioner Harris – Enjoyed the Fuquay-Chamber Appreciation Event and enjoyed Commissioner Wunsch song that he sang.

Commissioner Wunsch – Enjoyed Commissioner Harris’s performance at the Fuquay-Varina Chamber Appreciation Event and stated that Commissioner Harris is in
Suburban Living this month. He also is excited about tonight and the votes to improve the intersections. He thanked staff for all their hard work to get this started. The sun shines very bright in Fuquay.

Commissioner Gardner – Stated that is you would like to see Commissioner Harris perform he will be at the Fuquay-Varina Revitalization BBQ, Blues, and Brews festival this weekend. Also, she will be attending the Economic Development portion of the NCLM Conference in Greenville this week.

Mayor Byrne – Stated he attended Town of Garner grand opening of their new Town Hall facility. He will be attending CAMPO on Wednesday and he also attended the Wake County Mayors Association meeting last night.

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CLOSED SESSION – Pursuant to N.C.G.S. 143-318.11 (a) (3) - Attorney Client Privilege and N.C.G.S. 143-318.11 (a) (4) - Economic Development

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

OPEN SESSION – There was nothing to report out from the Closed Session meeting.

ADJOURN
A motion was made to adjourn the meeting at 9:24 p.m.

MOTION: Commissioner Gardner
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

Adopted this the 2nd day of October 2017 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

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John W. Byrne, Mayor

ATTEST:

(RIGHT SEAL)

Rose H. Rich, Town Clerk