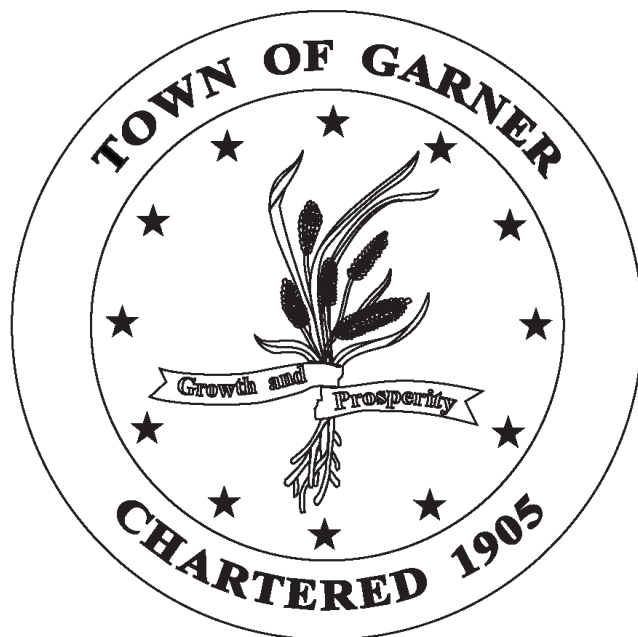


Town of Garner



Town Council Meeting April 25, 2023

Garner Town Hall
900 7th Avenue
Garner, NC 27529

**Town of Garner
Work Session Meeting Agenda
April 25, 2023**

The Council will meet in a Work Session at 6:00 p.m. in the Ronnie S. Williams Council Chambers located at 900 7th Avenue.

A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

B. ADOPTION OF AGENDA

C. PRESENTATIONS

1. Garner Fire Rescue Annual Report
Presenter: Matt Poole, Fire Chief

D. DISCUSSION/REPORTS

1. North Carolina Health Insurance Pool (NCHIP) Page 15
Presenter: Wes Grigston, Public Sector Practice Leader

Representatives from NCHIP will provide information on the Town joining NCHIP in FY24.

Action: Council is requested to provide guidance on moving forward with joining NCHIP in FY24.

2. Railroad Safety and Hazardous Materials Page 48
Presenter: Terri Jones, Town Attorney

Due to recent train derailments around the nation which involved exposure of nearby residents to toxic and hazardous chemicals, Council requested information on options for regulating railroad safety.

Action: For discussion purposes

3. Vehicle Noise Enforcement Page 53
Presenter: Terri Jones, Town Attorney, and Lorie Smith, Police Chief

The Legal and Police Departments recommend amendments to the Town's Noise Ordinance to address recent citizen complaints regarding vehicle noise.

Action: Provide feedback on proposed amendments

- 4. Triangle J Council of Government Charter Page 56
Presenter: Rodney Dickerson, Town Manager

At the beginning of this budget year, the TJCOG governing board authorized staff to move forward with a rebranding effort which included a potential change to the organization's name and logo. They have completed this work and in late March, the TJCOG Board of Delegates unanimously approved changes to the organization's Charter to reflect a change in name from Triangle J Council of Governments to Central Pines Regional Council. They will need 2/3 of the local government members to approve the amended charter for the name change to become official. Their hope is that this can be completed by July 1, 2023.

Action: Place Charter Amendment of Upcoming Consent Agenda

- 5. Meeting Rules and Procedures Page 81
Presenter: Terri Jones, Town Attorney

Revisions to the Town Code of Ordinances and the Town of Garner Meeting Rules and Procedures are recommended. Continued discussion of additional changes to Rules 36, 38, and 42 regarding public hearings, appointments, and decorum.

Action: Provide direction on recommended changes

E. MANAGER REPORTS

- 1. May 2023 Pending Agenda Report

F. COUNCIL REPORTS

G. CLOSED SESSION

Pursuant to N.C. General Statutes Section 143.318.11(a)(5) to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate.

H. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: April 25, 2023		
Subject: Garner Fire Rescue Annual Report		
Location on Agenda: Discussion/Reports		
Department: Garner Fire Rescue		
Contact: Matt Poole, Fire Chief		
Presenter: Matt Poole, Fire Chief		
Brief Summary: Chief Poole will present Garner Fire Rescue's 2022 Annual Report.		
Recommended Motion and/or Requested Action: For information only		
Detailed Notes:		
Funding Source: N/A		
Cost: N/A	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



2022

CALENDAR YEAR

ANNUAL REPORT

STATION 1
503 W. Main St.

STATION 3
1695 Timber Dr.

STATION 2
9115 Sauls Rd.

STATION 4
125 Spaceway Ct.

ADMINISTRATION
914 7th Ave.

TABLE OF CONTENTS

03

MESSAGE FROM
THE FIRE CHIEF

04

GFR GUIDING
PRINCIPLES

05

ADMINISTRATION
ACCOMPLISHMENTS

06

OPERATIONS
ACCOMPLISHMENTS

07

RESPONSE
STATISTICS

08

RESPONSE
STATISTICS CONT

09

GIS Call Locations

10

GIS Unit Responses

CONTACT INFORMATION

Emergency
9-1-1

Administration
(919) 772-1550

Website
www.garnerfire.com

SOCIAL MEDIA

 @Garner Fire-Rescue

 @GarnerFire

 @garnerfire

 @garnerfire85

MESSAGE FROM THE CHIEF

2022 Year in Review

It is my pleasure to share the Garner Fire-Rescue (GFR) 2022 Annual Report. As we have done since our founding in 1952, we are focused on continued administrative and service improvements. We work with our Board of Directors, staff and community partners to keep Garner the great department our residents expect.



In 2022, Garner Fire-Rescue responded to the highest number of emergency incidents in its history. We improved both rural and urban ISO ratings becoming an ISO Class 1 department. This is the best rating a department can obtain. We also have proudly increased our Community Risk Reduction efforts as well as focused on firefighter health and wellness programs such as Peer Support and ongoing cancer prevention initiatives.

As we look forward into 2023, we continue preparations for the construction of our fifth fire station and are committed to preparing for the growth and development that our community is facing.

I continue to be deeply humbled to have the opportunity to lead this great department. The men and women who represent our organization strive to provide the highest level of service to the citizens they respond to. The support we receive from the community pushes us each day to always give our very best and to truly embody "Service Before Self".

Handwritten signature of Matthew R. Poole

Matthew R. Poole
Fire Chief

GFR GUIDING PRINCIPLES

MISSION STATEMENT

Garner Fire-Rescue is dedicated to protecting the life and property of our community by building our future on the foundation of our past.

VISION STATEMENT

To become the best possible fire service organization through well-trained and developed personnel, modern resources and equipment, and continue to be an integral part of our community.

VALUES

Garner fire **FIGHT**ers possess the courage needed to save lives and make our community safe. We will be models of honesty, possess giving hearts, and be grateful for our heritage.

Fortitude

Integrity

Generosity

Honor

Tradition

STRATEGIC GOALS

- GOAL 1** → Organizational commitment toward continuous improvement
- GOAL 2** → Continue fire department merger planning with the Town of Garner
- GOAL 3** → Enhance emergency response capabilities
- GOAL 4** → Enhance departmental training and personnel development
- GOAL 5** → Enhance physical resource allocation and replacement programs
- GOAL 6** → Improve community risk reduction (CRR) efforts
- GOAL 7** → Improve information technology (IT) components such as policies, procedures, security, software, and hardware

ADMIN ACCOMPLISHMENTS

ADMINISTRATION

- Received ISO Class 1 rating from the North Carolina Office of the State Fire Marshal for Town areas and improved to a Class 3 rating for rural areas
 - Successfully migrated to a new records management system
 - Participated in new station 5 groundbreaking ceremony
 - Completed lieutenant, captain, battalion chief, and assistant chief promotional processes
 - Updated 50 guidelines, policies, and/or procedures
- Placed new Pierce mid-mount ladder into service at station 1
 - Ordered two Pierce engines
 - Hosted Garner Firemen's Day Festival
 - Hosted Citizen's Fire Academy program
 - Completed phase two of new community risk assessment/social vulnerability index to determine risk reduction focus areas
 - Participated with Garner PD, Wake County Sheriff's Office, Wake County EMS, and American Red Cross in Festival de Independencia de Guatemala 2022 at Lake Benson Park
- Co-hosted Community CPR & First Aid Course with Wake County EMS
 - Participated in Breast Cancer Awareness Month supporting Relay for Life
 - Participated in educational visit and show-and-tell with Able to Serve, Inc
 - Participated with Garner PD in community event with East Garner Magnet Middle School
 - Participated in two Garner Night Market events downtown
 - Hosted fire prevention and education for Foundation Senior Living
 - Participated with Garner PD and Garner PAAL in National Night Out
- Participated in the National Walk to School Day to encourage families to consider walking, biking, or taking public transit to school
 - Participated in Operation Save a Life event sponsored by WTVD 11, Kidde, North Carolina Office of the State Marshal, National Fire Protection Association, UNC Jaycee Burn Center, and the Home Depot
 - Participated in the 100th Anniversary of National Fire Prevention Week
 - Hosted Business Exchange Breakfast with Garner Chamber of Commerce
 - Participated with Choose Local & Small Y'all as drop off point for socks and clothes as part of Note in the Pocket

OPS ACCOMPLISHMENTS

OPERATIONS

Firefighter of the Year

FF 1st Class Chris Ruhlman

Associate's Degree Scholarship Award Recipients

Captain Robbie Beasley, Lieutenant Scott Rietvelt

Bachelor's Degree Scholarship Award Recipients

Captain Jeff Wommack, Lieutenant Cameron Dupree, Firefighter Grayson Lee

Master's degree Scholarship Award Recipients

Captain Daniel Ward

Promotions & Advancements

Assistant Chief Barrett Penny, Battalion Chief Timothy Rooks, Captain John Booth, Lieutenant Cameron Dupree, Firefighter 1st Class Byron Boyles, Firefighter 1st Class David Holloman, Firefighter 1st Class Seth Mangum, Firefighter 1st Class Cody Workowski

New Hires

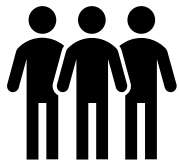
William Colson, Michael Figueroa, Cody Gagne, Hunter Gale, Zack Georgopoulos, James Hines, Nicholas Hollingsworth, Bradley Lamm, Antonio Magana, Daniel Pickett, Dakota Staley, Ryan Swisher, Alex Todd, Micah Ward

Retirements

Assistant Chief Donnie Lindsey

- Completed 22,578 hours of training with an average of 358 hours per full-time employee (FTE)
- Engaged with 10,468 people through non-incident related activities as part of community risk reduction
- Completed annual hose testing on 382 pieces of hose
- Completed boat operation and water rescue training at Lake Benson
- Completed 3 After-Action Reviews for working structure fires
- Completed National Fire Protection Association Standard 1582 annual physicals via SiteMed
- Completed annual physical agility testing
- Hosted four quarterly ISO water haul drills with mutual/auto aid partners
- Participated in joint high-rise training drills with Knightdale and Wendell Fire Departments at Wake County Fire Training Center
- Participated in the NC Victims Assistance 5k Run at Lake Benson Park winning first place in the first responder division
- Participated in Fire Responder Appreciation Night as part of the honor guard and the singing of the National Anthem
- Participated in a live demo at the grand opening of the NCDOT Traffic Incident Management Training and Development Track

RESPONSE STATISTICS



Provide Service for
64,746 Citizens



Service Area
79.62 sq. mi.



Call for Service
7,233



Unit Responses
11,248



Training Hours
22,578



Fire Calls
207



Medical Calls
4,499



Hazardous Calls
153



Fire Alarm Calls
734



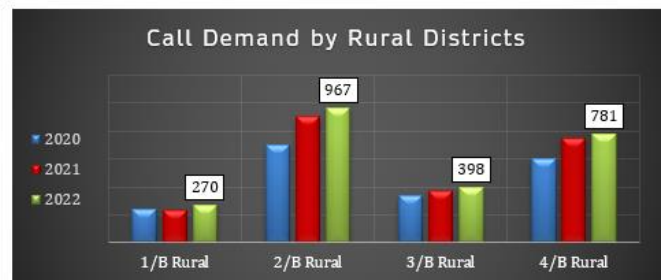
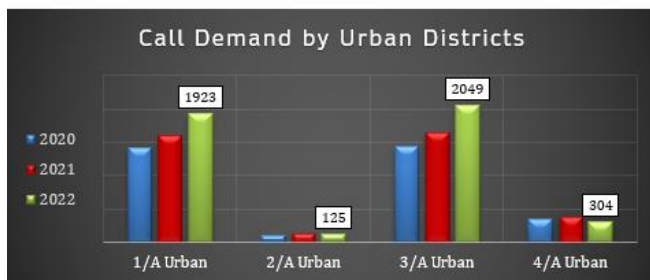
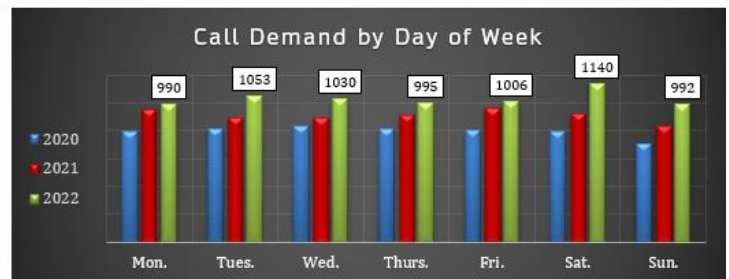
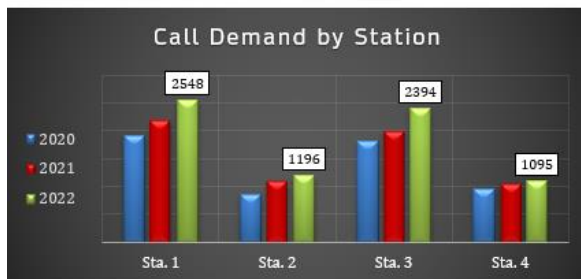
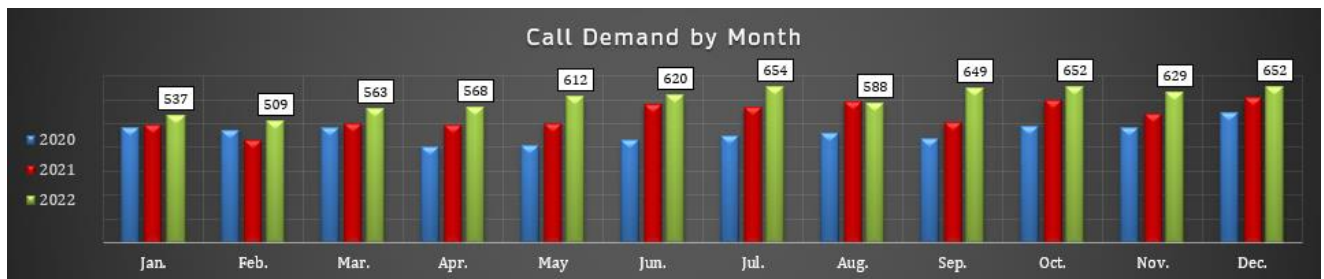
Cardiac Arrest Calls
67

Cost Per Incident: \$1,114.99
Calls per 1,000 Residents: 111.71
Total Property Saved: \$2,002,316
Fire Loss Per Resident: \$6.67

Historical Call Demand for 2022

13.43% call demand increase as compared to 2021

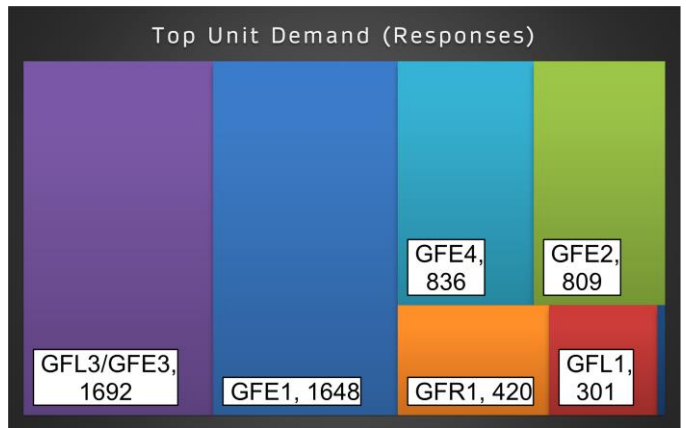
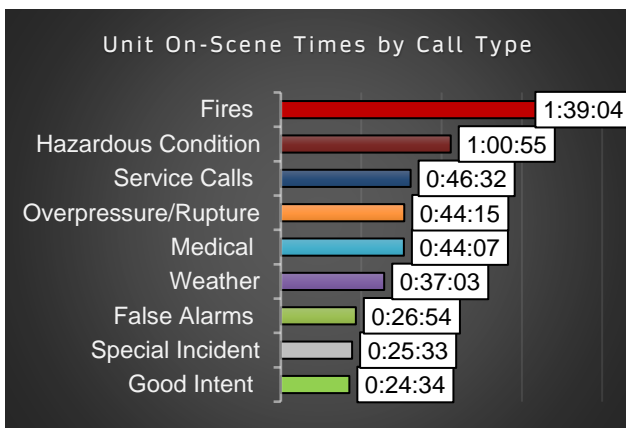
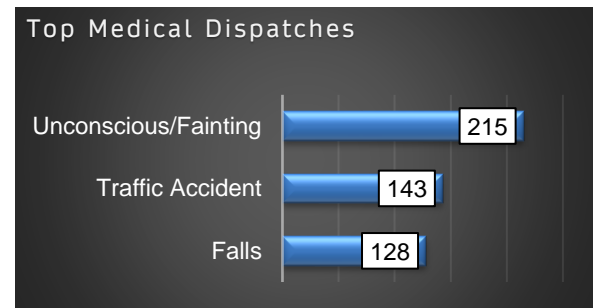
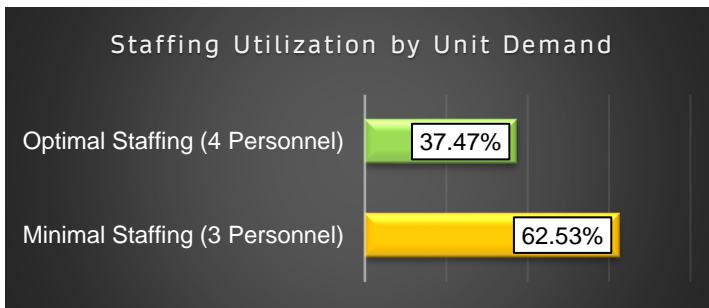
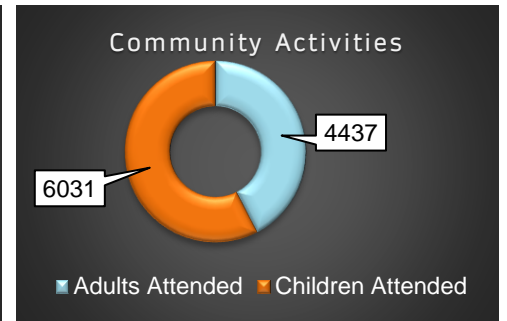
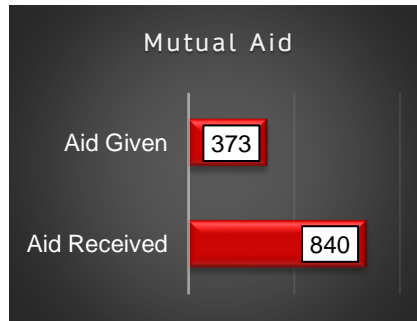
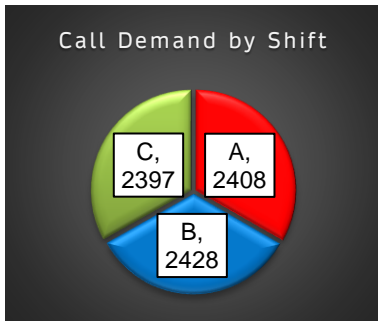
5.04% unit response increase as compared to 2021



RESPONSE STATISTICS

90th Percentile Emergency Response Time Performance

Alarm Handling (All Calls) 911 Call - FD Notification	Turnout (All Units) FD Notification - Enroute	Travel (1st Unit) Enroute - 1st Arrival	Travel (ERF) Enroute - ERF Arrival	Total Response (1st Unit) 911 Call - 1st Arrival	Total Response (ERF) 911 Call - ERF Arrival
03:24	01:30	07:31	10:24	10:55	14:39



90th Percentile Turnout Times

Unit	A	B	C
GFE1	0:01:22	0:01:30	0:01:34
GFE2	0:01:16	0:01:49	0:01:37
GFL3	0:01:24	0:01:14	0:01:28
GFE4	0:01:40	0:01:27	0:01:35
GFL1	0:01:30	0:01:26	0:01:35
GFR1	0:01:25	0:01:10	0:01:59

90th Percentile Travel Times

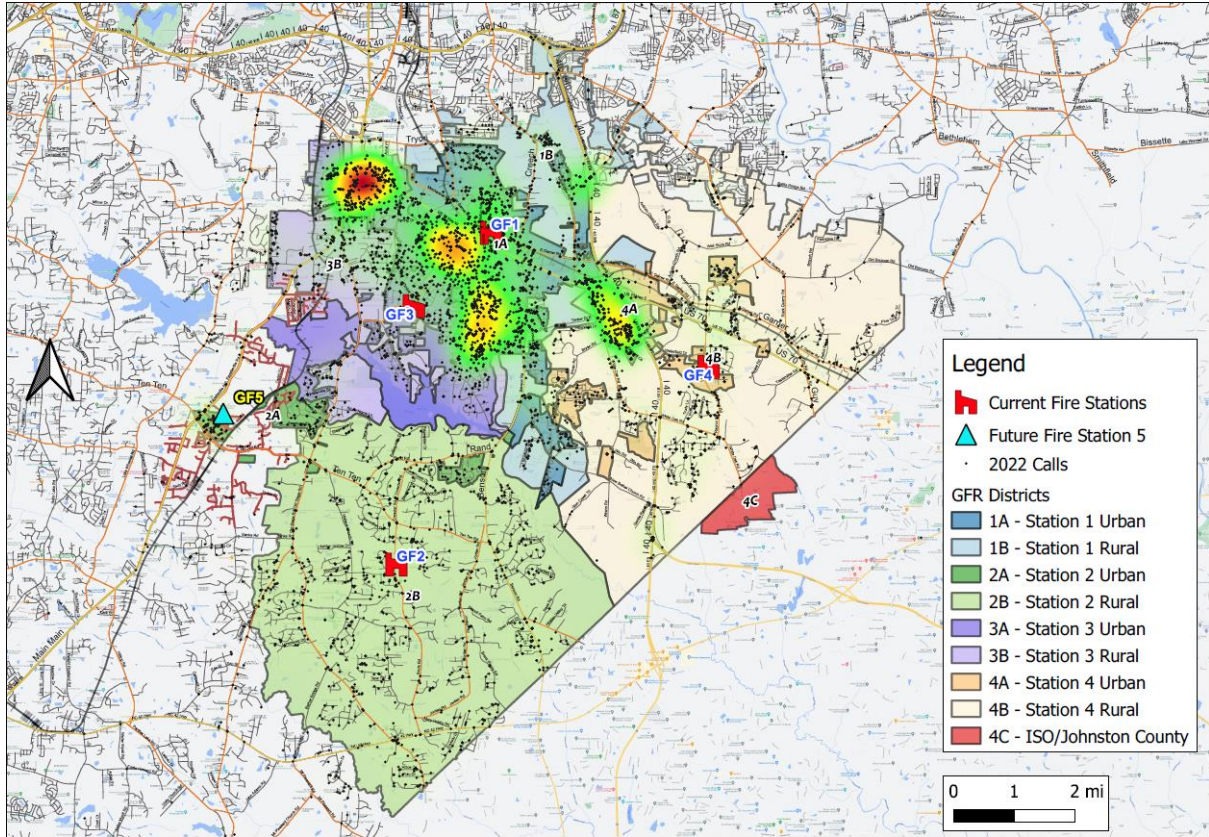
Unit	A	B	C
GFE1	0:06:55	0:07:20	0:06:38
GFE2	0:08:00	0:09:09	0:07:39
GFL3	0:06:58	0:06:47	0:06:43
GFE4	0:09:27	0:08:43	0:09:22
GFL1	0:06:43	0:07:04	0:06:07
GFR1	0:06:25	0:09:44	0:08:42

90th Percentile On-Scene Times

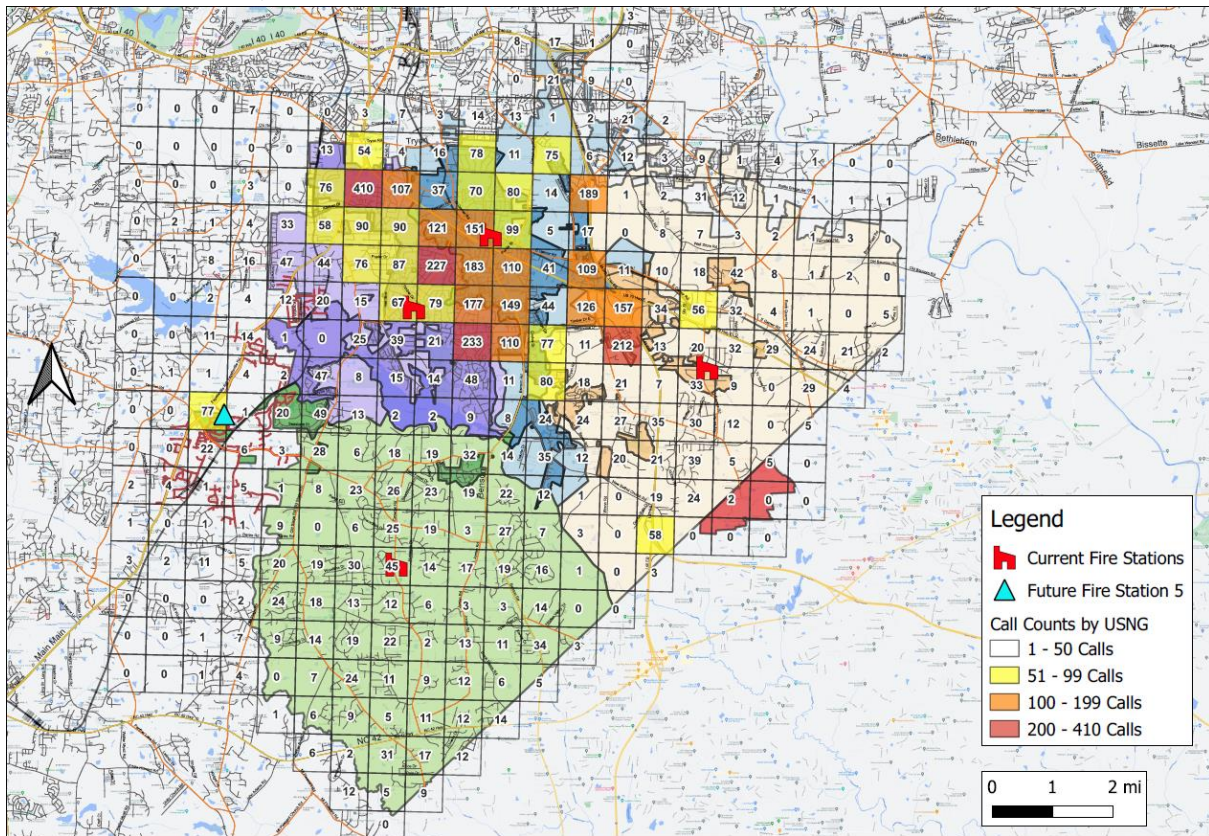
Unit	A	B	C
GFE1	0:41:12	0:40:17	0:42:24
GFE2	0:51:48	0:52:51	0:42:41
GFL3	0:34:49	0:40:03	0:36:56
GFE4	0:57:02	0:56:05	0:55:43
GFL1	0:40:20	0:35:40	0:40:34
GFR1	0:25:11	0:47:35	1:10:51

2022 CALL LOCATIONS

2022 Call Locations & Hot Spots

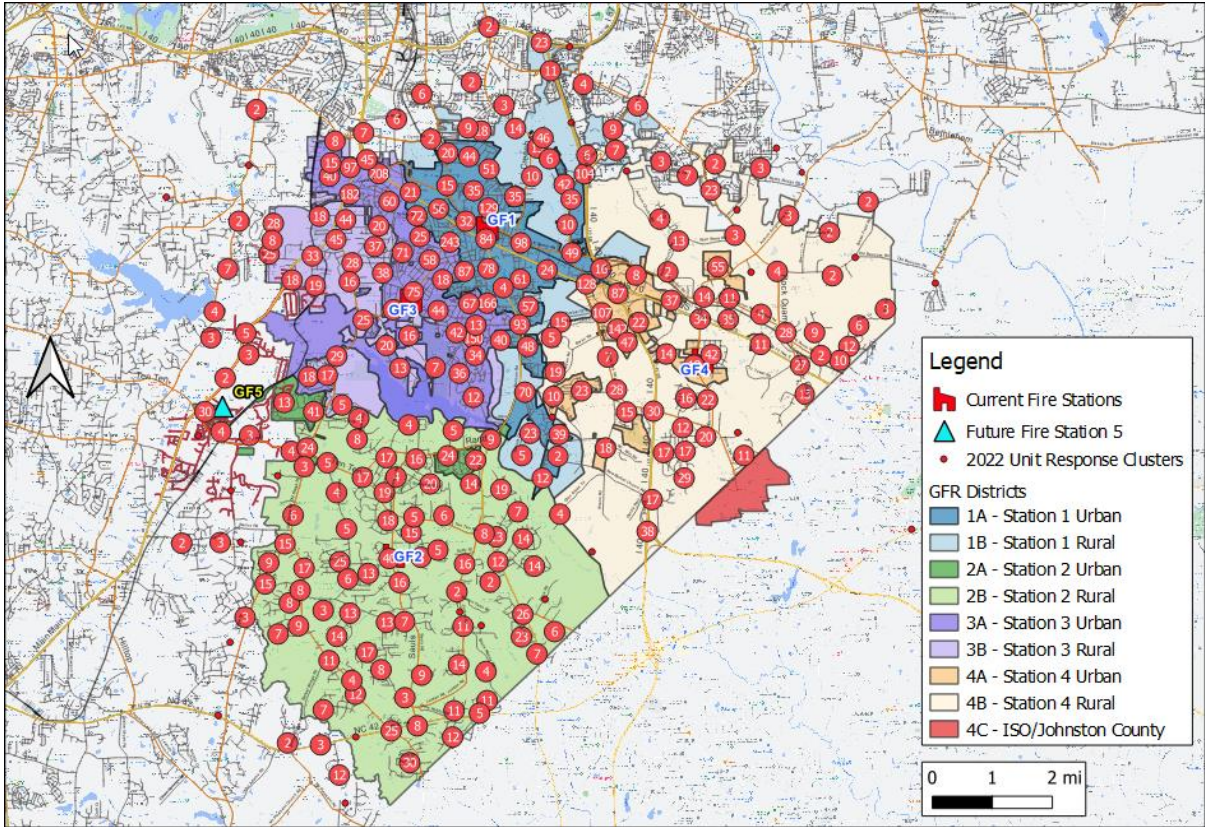


2022 Call Counts by USNG

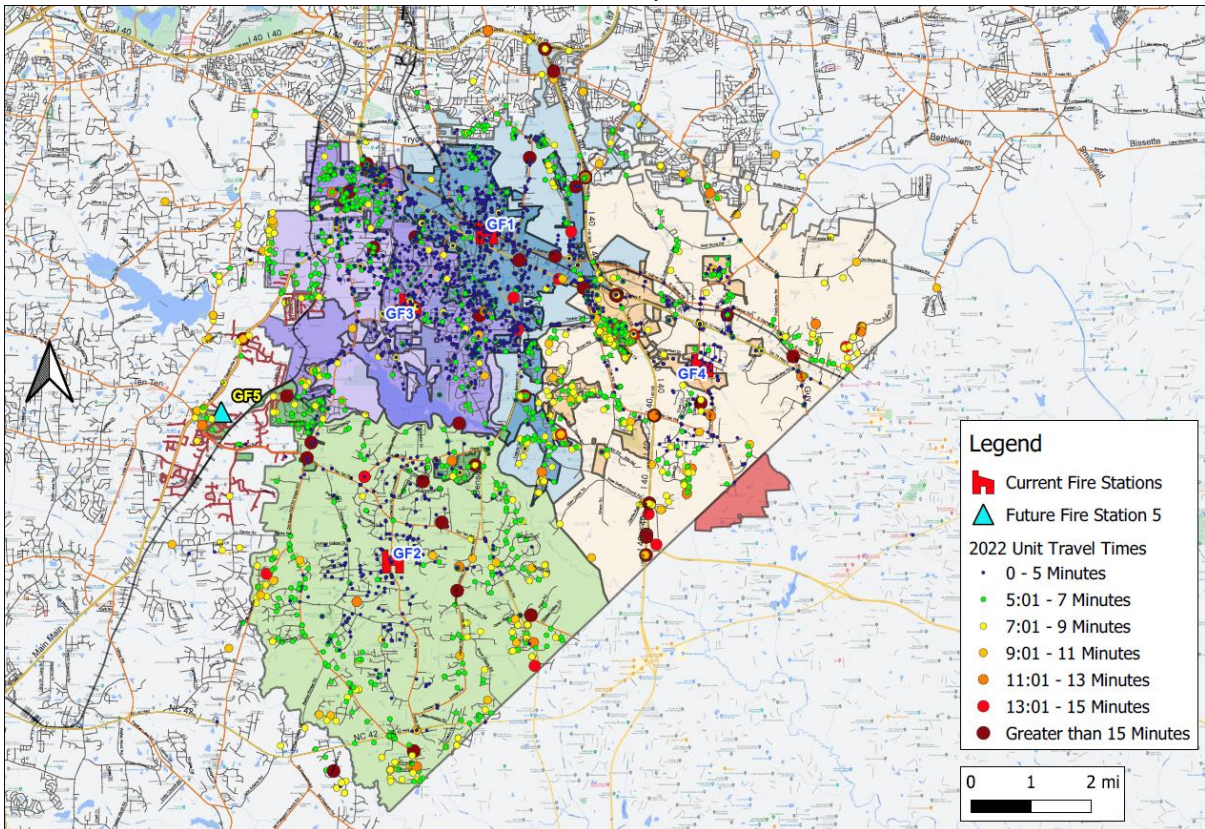


2022 UNIT RESPONSES

2022 1st Unit Response Clusters | Emergency Traffic Only



2022 1st Unit Travel Times (Enroute-Arrival) | Emergency Traffic Only



Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: April 25, 2023		
Subject: North Carolina Health Insurance Pool (NCHIP)		
Location on Agenda: Discussion/Reports		
Department: Human Resources		
Contact: Sabrina McDonald		
Presenter: Wes Grigston, Public Sector Practice Leader		
Brief Summary: Representatives from NCHIP will provide information on the Town joining NCHIP in FY24.		
Recommended Motion and/or Requested Action: Council is requested to provide guidance on moving forward with joining NCHIP in FY24.		
Detailed Notes: Staff and I are evaluating options to improve our plan and lower cost escalations. I believe this is a viable option to meet our short and long term goals.		
Funding Source: General Fund		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Together, we can do *more*.

April 25, 2023

Presented by: Wes Grigston



NCHIP

In association with



Page 16

Today's Agenda



What Is
NCHIP?



The
Model



NCHIP
Proposal



Next Steps



Q&A

About Gallagher & Your Team

Garner & Gallagher

About Gallagher

A Global Snapshot.

Founded in
1927

850+
Offices in
68 countries

\$6.9B
Total Adjusted
Brokerage & Risk
Management
Revenues (2021)



130
Countries
served

**Global Reach
Local Presence**
Shared values
Passion of excellence
Promises delivered

2022 WORLD'S MOST
ETHICAL
COMPANIES
WWW.ETHISPHERE.COM

39,000+
Employees worldwide



*World's Most Ethical Companies™ and *Ethisphere™ names and marks are registered trademarks of Ethisphere LLC. Arthur J. Gallagher & Co. named one of the World's Most Ethical Companies® since 2012.

NCHIP | Gallagher Team

Your Core Consulting Team



Wes Grigston, Area VP
Lead Consultant

- 15 years of experience
- 11 years with Gallagher



Dave Costa, UW
Benefit Consultant

- 12 years of experience
- 12 years with Gallagher



Terri Bowden
Sr. Client Manager

- 12 years of experience
- 3 years with Gallagher



Allison Shambro
Client Manager

- 2 years of experience
- 2 years with Gallagher

Your Specialty Consulting Team



John Tournet, CEO—U.S.
Executive Sponsor

- 25 years of experience
- 20 years with Gallagher



Michael Nelson
HR Technology Practice Leader

- 10+ years of experience
- 1 year with Gallagher



Rani Collins
Wellbeing & Engagement

- 20+ years of experience
- 5 years with Gallagher



Matt Cadle
SE Region, Voluntary Benefits
Practice Leader

- 15 years of experience
- 3 years with Gallagher



Bob Jordan
Senior Healthcare Actuary

- 25+ years of experience
- 8 years with Gallagher



Danielle Chanut
Compliance Consultant

- 18 years of experience
- 18 years with Gallagher



Matt Patella
Pharmacy Consulting Practice

- 25+ years of experience
- 4 years with Gallagher

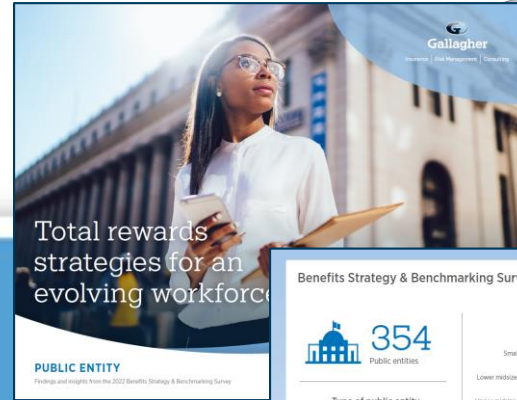


Pete Luca, Area Senior VP
P&C Lead

- 25+ years of experience
- 16 years with Gallagher

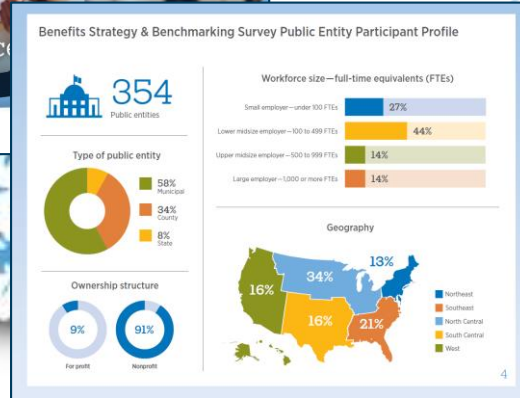
Thought Leadership - Public Sector in NC & National

Benchmarking & Industry Trends



NCHIP MEMBER	15	16	17	18	19	20
Actual Value	79.10%	91.80%	78.30%	83.60%	88.10%	80.00%
TOTAL PREMIUM	City of Charlotte	Rowland Trust	City of Newton	City of Business	Town of Boone	Northampton County
Employee Only	\$705.53	\$1,050.00	\$660.00	\$917.44	\$794.13	\$750.00
Employee + Spouse	\$1,481.71	\$1,835.00	\$1,339.84	\$1,906.90	\$1,380.89	\$1,376.00
Employee + Child	n/a	n/a	\$915.11	\$1,305.15	n/a	n/a
Employee + Children	\$1,430.83	\$1,542.00	\$1,188.32	\$1,338.83	\$1,228.34	\$1,132.00
Employee + Family	\$2,237.28	\$2,114.00	\$2,315.96	\$2,812.31	\$2,415.00	\$2,415.00
Employee Contributions	City of Charlotte	Rowland Trust	City of Newton	City of Business	Town of Boone	Northampton County
Employee Only	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Employee + Spouse	\$776.18	\$805.00	\$856.84	\$347.12	\$608.76	\$710.00
Employee + Child	n/a	n/a	\$153.11	\$153.11	\$153.11	\$153.11
Employee + Children	\$761.90	\$551.00	\$206.12	\$154.44	\$154.44	\$154.44
Employee + Family	\$1,538.08	\$1,356.00	\$1,265.96	\$664.67	\$916.71	\$916.71
% EC Costs	City of Charlotte	Rowland Trust	City of Newton	City of Business	Town of Boone	Northampton County
Employee Only	0%	0%	0%	0%	0%	0%
Employee + Spouse	55%	53%	65%	38%	76%	51%
Employee + Child	n/a	n/a	17%	23%	7%	7%
Employee + Children	90%	88%	43%	49%	30%	30%
Employee + Family	69%	52%	65%	35%	35%	35%

NCHIP MEMBER	15	16	17	18	19	20
Actual Value	79.10%	91.80%	78.30%	83.60%	88.10%	80.00%
Medical	City of Charlotte	Rowland Trust	City of Newton	City of Business	Town of Boone	Northampton County
Annual Deductible for Self-Coverage	\$2,500	\$1,000	\$1,500	\$1,500	\$900	\$1,000
Annual Deductible for Family Coverage	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$4,000
Out-of-Pocket Maximum for Self-Coverage	\$10,000	Met: \$6,800 Rt: \$10,000	\$4,500	\$1,500	\$2,500	\$4,500
Out-of-Pocket Maximum for Family Coverage	\$10,000	Met: \$11,200 Rt: \$10,000	\$9,000	\$4,600	\$5,000	\$9,000
Physician Office Visit	\$25	\$30	\$25	\$20	\$20	\$30
Specialist Office Visit	\$50	\$60	\$50	\$40	\$50	\$55
Emergency Room Visit	\$100 (w/25% copay if admitted)	\$250	\$300	\$100 (w/25% copay if admitted)	\$100 (w/25% copay if admitted)	\$100 (w/25% copay if admitted)
Urgent Care	\$50	\$100	\$50	\$40	\$30	20% after deductible
Inpatient Hospital	20% after deductible	30% after deductible	20% after deductible	30% after deductible	10% after deductible	20% after deductible
Outpatient Hospital	20% after deductible	30% after deductible	20% after deductible	30% after deductible	10% after deductible	20% after deductible
Prescription Copays	\$10/\$35/\$60/25%	\$10/\$35/\$60/25%	\$10/\$35/\$60/25%	\$10/\$35/\$60/25%	\$10/\$35/\$60/25%	\$10/\$35/\$60/25%
Preventive Care	Covered at 100%	Covered at 100%	Covered at 100%	Covered at 100%	Covered at 100%	Covered at 100%
Toothbrush	\$10	\$10	\$10	\$0	\$10	\$10

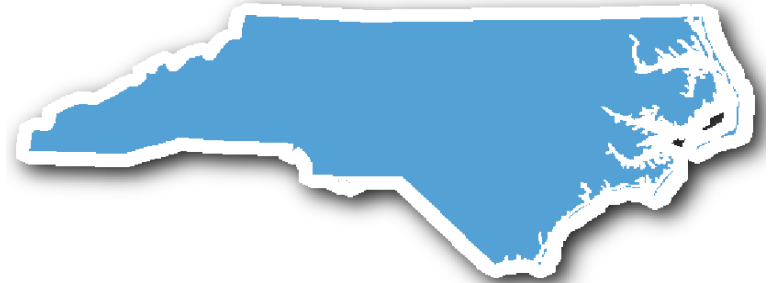




What is NCHIP?

What is NCHIP?

- Intergovernmental agreement
- Allowed by the State, Regulated by the North Carolina DOI
- Member Driven
- Financial vehicle
- Preserve plan design freedom
- Conservatively funded and reserved
- Managed by the State's preeminent public sector vendors
- Fully-transparent
- **Stable, Budgetable, and Predictable**



History, Membership and Governance

History

Established
July 1, 2018

27 Governments

Membership

Open to Counties, Cities
and Towns with 75+
enrolled on Health Plan

1 year membership term
(July 1 Renewal)

New members admitted
by recommendation of
Board of Trustees

Governance

Members own the Trust

Each government
appoints a member to
the Board of Trustees

The Board consists of a
Chair, Vice Chair,
Treasurer and Secretary

NCHIP Today

5

Years in Operation

27

of Governments

9,800+

Total Covered
Employees

14,000+

Total Covered
Members

Who's In?

7.1.2018

7.1.2019

7.1.2020

7.1.2021

7.1.2022



105 employees



1,035 employees



1,050 employees



1,205 employees



195 employees



TOWN of WAKE FOREST

340 employees



95 employees



250 employees



290 employees



420 employees



275 employees



330 employees



550 employees



330 employees



130 employees



NEWTON
BRILLIANT LEGACY + BRIGHT FUTURE

200 employees



210 employees



265 employees



PIEDMONT TRIAD
REGIONAL COUNCIL

76 employees



180 employees



200 employees



150 employees

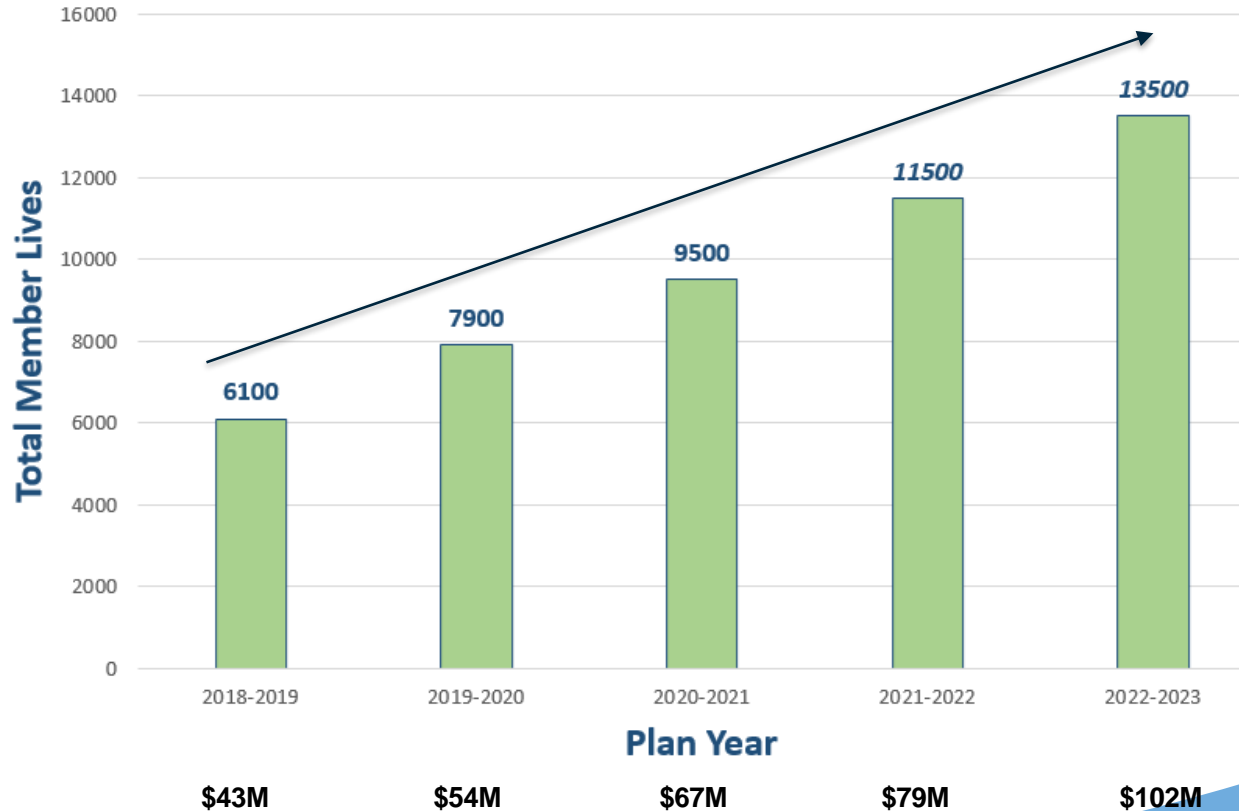


330 employees

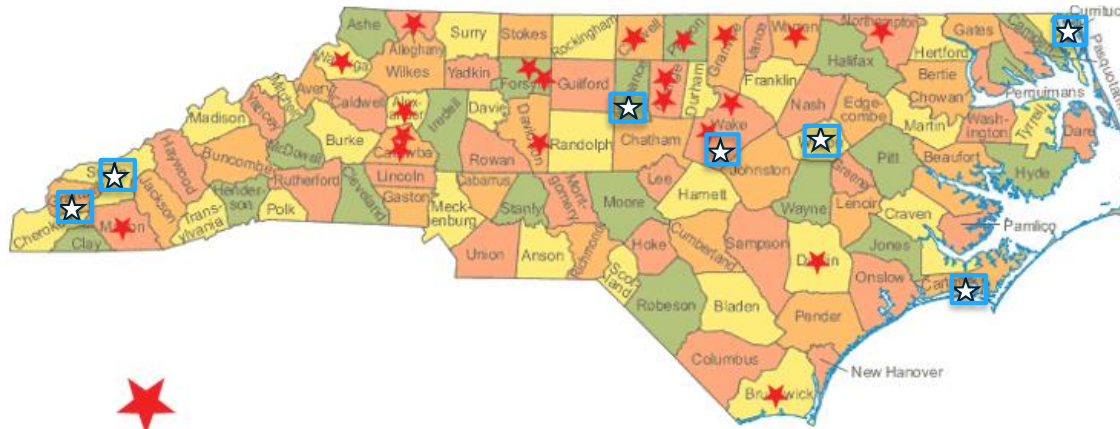


750 employees

Membership Growth

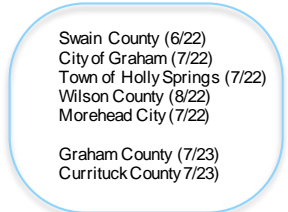


NCHIP Footprint – July 1, 2022



Current Member

- Alleghany County (7/18)
- Brunswick County (7/18)
- Catawba County (7/18)
- Orange County (7/18)
- Town of Hillsborough (7/18)
- Town of Wake Forest (7/18)
- Town of Morrisville (7/18)
- Town of Kernersville (7/19)
- Macon County (7/19)
- City of Oxford (7/19)
- Caswell County (7/19)
- Alexander County (7/20)
- Duplin County (7/20)
- Warren County (7/20)
- City of Thomasville (5/21)
- City of Roxboro (7/21)
- City of Newton (8/21)
- Town of Boone (7/21)
- Piedmont Triad (7/21)
- Northampton County (7/21)
- Swain County (6/22)
- City of Graham (7/22)
- Town of Holly Springs (7/22)
- Wilson County (8/22)
- Morehead City (7/22)
- Graham County (7/23)
- Currituck County (7/23)



NCHIP Membership:

9,800+ Employees
 14,000+ Members
 27 governments



The Model



Public Sector Expertise



600+
Public Sector Entities

650K
Members

Public Sector Advisory Board

- 2-way forum
- Groups representing towns, cities and counties
- Exchange ideas, networking, roundtable discussion, input on programs, services, benefits

Making The Unpredictable...Predictable

\$200K Stop-Loss | BCBS-NC

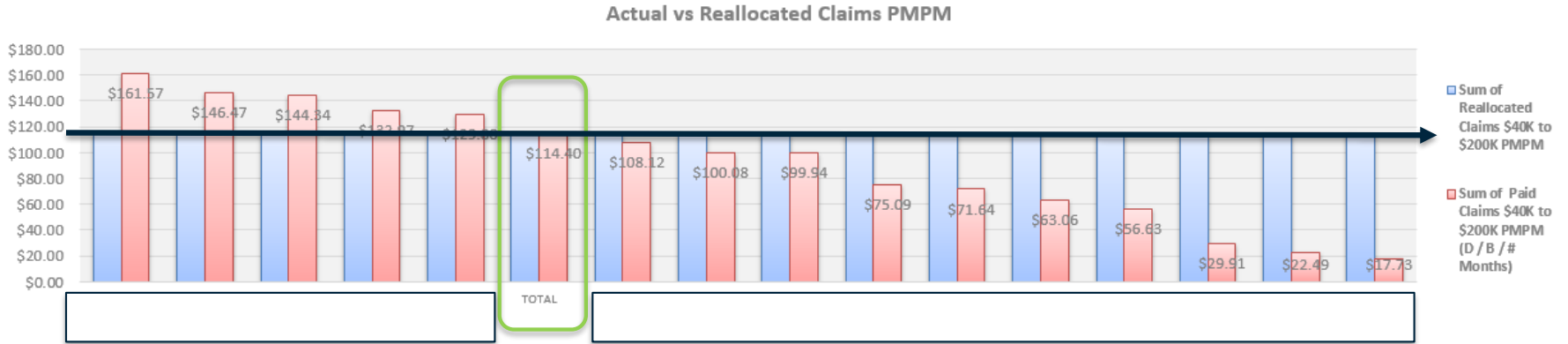


Why It Works

NCHIP Members share risk in all claims over \$40,000.

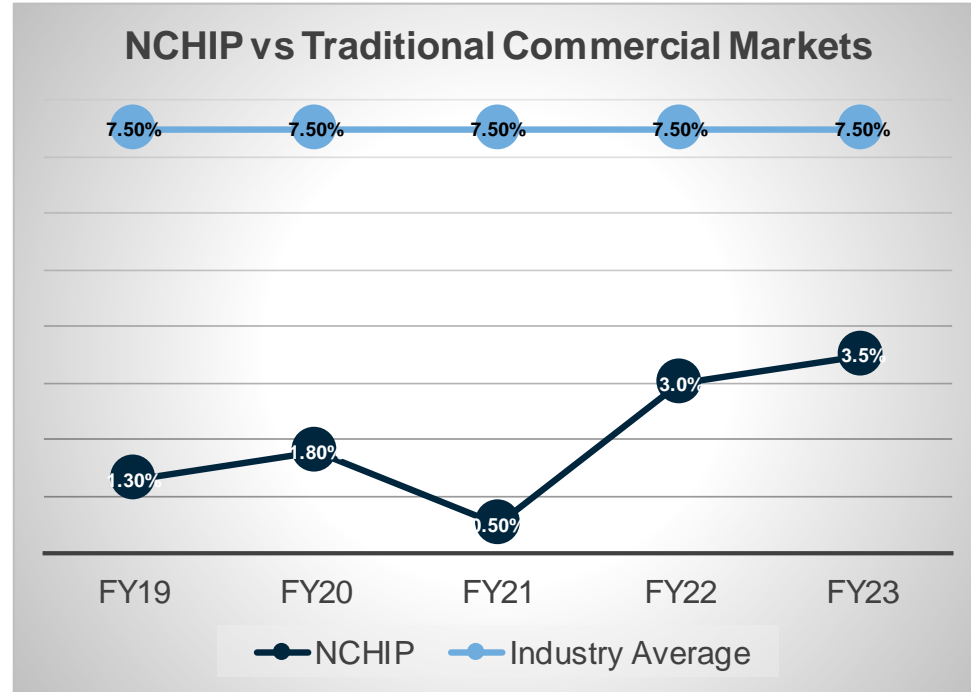
No one high claimant will disproportionately impact any NCHIP Member.

Making The Unpredictable...Predictable



NCHIP Renewal History

	ALL NCHIP
Plan Year	Average Renewal
FY19 (7)	1.3%
FY20 (11)	1.8%
FY21 (14)	0.5%
FY22 (20)	3.0%
FY23 (25)	3.5%
5-Year Average	2.0%



Key Statistics



Member Retention



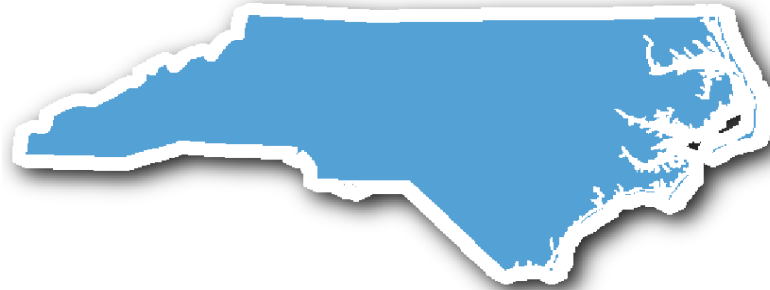
Year-to-Year Pool Growth (Enrollment)



Average Annual Renewal Increases



Current Reserves



NCHIP Board of Trustees

	Member Government	Primary Delegate	Secondary Delegate	NCHIP Board Role	Position	Class of:
1	Town of Wake Forest	Aileen Staples	Angela McCray	Delegate	HR Director	2018
2	Orange County	Brenda Bartholomew*	Tanya Parker	Chair	HR Director	2018
3	Town of Morrisville	Martha Paige*	Lauri Shedlick	Treasurer	Town Manager	2018
4	Catawba County	Cynthia Eades	Amy McDonald	Delegate	HR Director	2018
5	Brunswick County	Melanie Turrise	Lisa Cooper	Delegate	Benefits Manager	2018
6	Town of Hillsborough	Haley Bizzell	Eli Valsing	Delegate	Interim HR Director	2018
7	Alleghany County	April Hamm	N/A		HR Director	2018
8	Town of Kernersville	Crystal Tanner*	Angie Whitley	Vice Chair	HR Director	2019
9	Macon County	Lori Hall	Derek Roland	Delegate	Finance Director	2019
10	City of Oxford	Alan Thornton	Melissa Labar	Delegate	City Manager	2019
11	Caswell County	Bryan Miller	Mindy Satterfield	Delegate	County Manager	2019
12	Alexander County	Sylvia Turnmire	Brandi Jones	Delegate	HR Director	2020
13	Duplin County	Davis Brinson	Semeka Perry	Delegate	County Manager	2020
14	Warren County	Vincent Jones*	Beverly Foster	Secretary	County Manager	2020
15	City of Thomasville	Alisa Quick	Thomas Avant	Delegate	HR Director	2021
16	City of Roxboro	Pamela Rodgers	Brooks Lockhart	Delegate	HR Director	2021
17	City of Newton	Brandon Elrod	Kim Robinson	Delegate	HR Director	2021
18	Piedmont Triad Regional Council	Matthew Dolge	Matt Reece	Delegate	Executive Director	2021
19	Northampton County	Sheila Watford	Karen Garris	Delegate	HR Director	2021
20	Town of Boone	Amy Davis	Dale Presnell	Delegate	Finance Director	2021
21	Wilson County	Tim Bilderback	Ron Hunt	Delegate	HR Director	2022
22	Town of Morehead City	Susan Nixon	N/A	Delegate	HR Director	2022
23	City of Graham	Lorrie Andrews	Megan Garner	Delegate	HR Director	2022
24	Town of Holly Springs	Jaime Joyner	Antwan Morrison	Delegate	Asst Town Manager	2022
25	Swain County	Lottie Barker	Kevin King	Delegate	HR Director	2022

*Executive Board Member

Duties of the NCHIP Board

- Review financials
- Evaluate vendor relationships
- Discuss trends and innovative strategies
- Plan for the future
- Evaluate new member/partners



We're in it together!

Together, We Can Do More

'22 NCHIP Summit

NCHIP

In association with



Page 36



2023-24 NCHIP Proposal

NCHIP Review Process

NCHIP DATA REQUEST

- Employee Census**
 - Please include Plan Elections (PFD, HCHIP, etc.), Coverage Ter, Date of Birth, Gender, and Zip Code
- Current Plan Design/Summary Plan Description**
 - If plan design changes have been made in the last 24 months, please include the prior plan design in addition to the current plan design
- Aggregate paid status and enrollment by month**
 - Please break 24 months broken out by plan (if applicable) and broken out by Medical and Rx (if possible)
 - If possible, enrollment should be broken out by plan and coverage tier: SE, SE-COMB, SE-CLASS, EE/Family
- Large claimant report for each of the past 3 plan years (YTD and 2 prior plan years)**
 - The report should list claimants over \$40,000 per person.
- Large claimant report for the most recent 12 month period as well as the 12 month periods prior**
 - The claim report should list claimants over \$40,000 per person. For example, if the most recent month is June 2018, then the periods would be: 7/1/17 through 6/30/2018 and 7/1/16 through 6/30/17
- Current Premiums for fully insured groups**
 - If you are currently self-funded, please include the premium equivalents
- Current TPAMethods (self funded) or Carrier (fully insured)**
 - If hospital or carrier has changed in the prior 24 months, list out the prior network or carrier and effective dates.
- What period do you consider your plan year? (for example: 1/1, 7/1, etc)**

North Carolina Health Insurance Pool
In association with

Data Request



CONFIDENTIAL INFO

Number of employees: 264
 Current Funding Type: Fully Insured
 Current Carrier: Low
 NCHIP Insured Activities: Manufacturing, MI
 NCHIP Insured Location: Wake Forest
 County/Town Manager: Wake Forest
 MI Number: Wake Forest

Current & Proposed Rates

Rate Tier	Enrollment	Current		NCHIP - Current Plan Design	
		Monthly Premium Rate (7/1/18)	Current Rate (\$/FTE)	Monthly Premium Rate (7/1/17)	Monthly Premium Rate (7/1/16)
Single	158	\$203.05	\$100.175	\$94.01	\$94.448
Single + Sp	16	\$1,386.06	\$33.177	\$1,306.82	\$33.909
Single + L	2	\$2.00	\$0	\$0.00	\$0
Single + Ch	11	\$1,187.05	\$42.260	\$1,124.62	\$57.340
Family	88	\$4,931.60	\$74.218	\$1,461.46	\$68.975

NCHIP Accounting Illustration

Year	2018	2017	2016
Self-Insured Retention	\$54	\$54	\$54
Self-Insured Retention %	20.4%	20.4%	20.4%

NCHIP Year 1 Funding

Category	2018	2017	2016
Estimated NCHIP Year 1 Funding	\$1,214,497	\$1,214,497	\$1,214,497
Estimated NCHIP Claims and Fund Costs	\$2,032,374	\$2,032,374	\$2,032,374
Estimated Funding - Current System (NCHIP Change)	\$817,877	\$817,877	\$817,877
Estimated 2018 FTEs	62,212	62,212	62,212
Estimated 2017 FTEs	62,212	62,212	62,212
Estimated 2016 FTEs	62,212	62,212	62,212

Required Layer Analysis

Category	2018	2017	2016
Estimated Self-Funded Layer - Without Actuarials	\$177.78	\$177.78	\$177.78
Estimated Non-Insured Required Layer	\$14.43	\$14.43	\$14.43
Estimated Self-Funded Layer - With Actuarials	\$192.21	\$192.21	\$192.21
Estimated Self-Funded Layer - With Actuarials	\$192.21	\$192.21	\$192.21
Estimated Impact to Current NCHIP Secretary Required Layer (2018)	\$8.55	\$13.53	\$13.75

Risk Assess



North Carolina Health Insurance Pool

To: Town of Kernersville
 From: NCHIP Executive Board
 Date: February 20, 2018
 RE: Letter of Approval

Mr. Swisher and Ms. Tanner,
 On behalf of the NCHIP Board of Trustees, we are excited to extend this letter of approval to Town of Kernersville for entry into NCHIP effective July 2, 2018.

After a thorough review of Town of Kernersville's risk analysis prepared and presented by Arthur J. Gallagher, the NCHIP Board voted to approve Town of Kernersville's request to join our current membership in our common mission of providing long-term stability and greater predictability to our health insurance programs.

We thank you for your interest in NCHIP, and we look forward to working with you in the years to come. Please reach out to me with any questions.

Sincerely,

 Virginia Jones
 NCHIP Chair
 Town of Wake Forest
 303 S. Beulah Street
 Wake Forest, NC 27587
 vjones@wakeforestnc.gov
 (319) 435-9491

CC: Martha Page (Town of Morrisville), NCHIP Vice Chair
 Bob Mirarch (Catawba County), NCHIP Treasurer
 Brenda Bartholomew (Orange County), NCHIP Secretary

NCHIP
In association with

Board Review



NCHIP Approval | 7/1/23 – 6/30/24

NCHIP

In association with



North Carolina Health Insurance Pool

To: Town of Garner
From: NCHIP Executive Board
Date: April 12, 2023
RE: Letter of Approval

Mr. Dickerson, Ms. Miller, and Ms. McDonald,

On behalf of the NCHIP Board of Trustees, we are excited to extend this letter of approval to the Town of Garner for entry into NCHIP effective July 1, 2023.

After a thorough review of the Town's risk analysis prepared and presented by Arthur J Gallagher, the NCHIP Board voted on April 12, 2023 to approve the Town's request to join our current membership in our common mission of providing long-term stability and predictability to our health insurance programs.

We thank you for your interest in NCHIP, and we look forward to working with you in the years to come. Please reach out to me with any questions.

Sincerely,

Brenda Bartholomew

NCHIP Chair
Orange County
131 West Margaret Lane
Hillsborough, NC 27278

CC: Crystal Tanner (Town of Kernersville), NCHIP Vice Chair
Martha Paige (Town of Morrisville), NCHIP Treasurer
Vincent Jones (Warren County), NCHIP Secretary

NCHIP

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NCHIP Proposal | 7/1/23 – 6/30/24

**Town of Garner
Illustrative NCHIP Rates
7/1/2023 - 6/30/2024**

Rate Tier	Enrollment	Current		NCHIP - Current Plan Designs	
		Monthly Premium Rates 7/1/22 - 6/30/23	Monthly Premium @ Current Rates	NCHIP Funding Rates 7/1/23 - 6/30/24	Monthly Funding @ NCHIP Rates
<u>AWH DUKE - Traditional</u>					
Single	179	\$839.11	\$150,201	\$824.81	\$147,641
Single + Sp.	1	\$1,755.60	\$1,756	\$1,725.68	\$1,726
Single + Ch	18	\$1,453.37	\$26,161	\$1,428.60	\$25,715
Family	3	\$2,607.89	\$7,824	\$2,563.44	\$7,690
<u>AWH DUKE - Choice</u>					
Single	4	\$747.46	\$2,990	\$734.72	\$2,939
Single + Sp.	1	\$1,970.88	\$1,971	\$1,937.29	\$1,937
Single + Ch	14	\$1,294.61	\$18,125	\$1,272.54	\$17,816
Family	5	\$2,323.02	\$11,615	\$2,283.43	\$11,417
Total PPO					
Total Monthly	225		\$220,641		\$216,881
Total Annual			\$2,647,692		\$2,602,568
% Change from Current					-1.7%

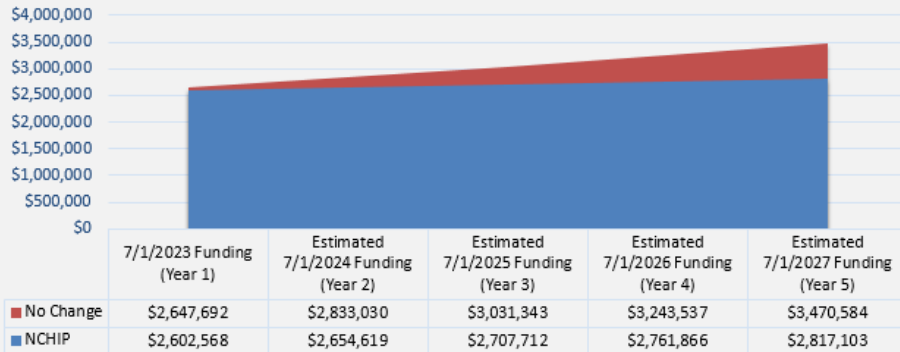
This analysis is for illustrative purposes only, and is not a guarantee of future expenses, claims costs, managed care savings, etc. There are many variables that can affect future health care costs including utilization patterns, catastrophic claims, changes in plan design, health care trend increases, etc. This analysis does not amend, extend, or alter the coverage provided by the actual insurance policies and contracts. Please see your policy or contact us for specific information or further details in this regard.

NCHIP Proposal | 5-Year Funding

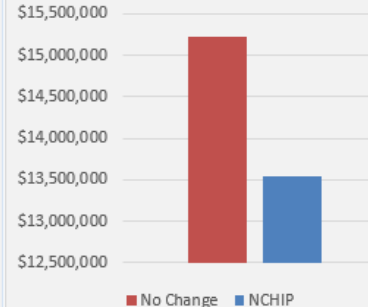
	Town of Garner	NCHIP	Estimated Savings
5 Year Trend	7.0%	2.0%	5.0%
7/1/2023 Funding (Year 1)	\$2,647,692	\$2,602,568	\$45,124
Estimated 7/1/2024 Funding (Year 2)	\$2,833,030	\$2,654,619	\$178,411
Estimated 7/1/2025 Funding (Year 3)	\$3,031,343	\$2,707,712	\$323,631
Estimated 7/1/2026 Funding (Year 4)	\$3,243,537	\$2,761,866	\$481,671
Estimated 7/1/2027 Funding (Year 5)	\$3,470,584	\$2,817,103	\$653,481
Total	\$15,226,186	\$13,543,868	\$1,682,317

TOTAL ESTIMATED SAVINGS

Cumulative Funding - Traditional vs NCHIP



5 Year Total Cost Estimate





Next Steps

2023 Onboarding Timeline

Project Milestones		Apr		May		June		July		Status
		1st - 15th	16th - 30th	1st - 15th	16th - 31st	1st - 15th	16th - 30th	1st - 15th	16th - 31st	
On-Boarding	NCHIP Board Approves (4/19)									●
	Town accepts invitation to join NCHIP									
	AJG and NCHIP "On-boarding Paperwork"									
Consulting	Finalize plan design and contributions									
	Implementation call with BCBS									
Marketing	Non-medical marketing Dental, Vision, EAP, etc. (TBD)									
	Present non-medical proposals									
Open Enrollment	Communication: Customized benefits enrollment guide complete and open enrollment presentation									
	Distribute Open Enrollment materials									
	Open Enrollment 7-15 day window									
	Confirm EE elections to all vendors									
	New Plan Year Effective Date - July 1, 2023									

● Step Pending

● Step Complete

Final Thoughts & Appendix

Why Gallagher & What Makes Gallagher Different?



Local Experts

Charlotte NC Based Team



Public Sector Focus & Market Leverage

Dave & Wes work with over 30+ NC governments



Long Term Partnership

12+ year partnership / Dave & Wes not going anywhere



Tools & Resources

Benefit Technology, Medical + Pharmacy Analytics, Benchmarking



Vision & Passion

We come to work everyday looking to provide the highest level of service and create tools & programs that our clients need to better manage risk & employee satisfaction

Why Consider NCHIP?

NCHIP

In association with



STABLE. BUDGETABLE. PREDICTABLE.

- Owner / Partner
- **Keep Your Plan Design**
- Flat Monthly Premiums
- **Access To Data**
- Group Purchasing Power
- **Access To “Big Company” Programs**
- One Monthly Invoice
- **Long-Term Financial Stability**
- Best-In-Class Carrier Partners
- **Partner With Your Peers**

Thank you!

Gallagher Contact Information

NCHIP

In association with



Wes Grigston

AVP/Public Sector Practice Lead-NC
Health & Welfare

Wes_Grigston@ajg.com

704-971-2561



David Costa

AVP/Benefit Consultant
Health & Welfare

David_Costa@ajg.com

704-971-2555

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: April 25, 2023 <input type="button" value="v"/>		
Subject: Railroad Safety and Hazardous Materials		
Location on Agenda: Discussion/Reports		
Department: Legal, Police, and Fire		
Contact: Terri Jones, Town Attorney		
Presenter: Terri Jones, Town Attorney		
Brief Summary: Due to recent train derailments around the nation which involved exposure of nearby residents to toxic and hazardous chemicals, Council requested information on options for regulating railroad safety.		
Recommended Motion and/or Requested Action: For discussion purposes		
Detailed Notes: During the Petitions and Comments portion of the February 21, 2023, Town Council meeting, a resident raised concerns regarding railroad safety and the Town's ability to respond to an emergency situation in light of the recent derailment and hazardous chemical spill in Ohio. The Town is preempted from regulating cargo on freight trains, however, railroad operators are obligated to provide certain information as well as emergency response plans to emergency responders and law enforcement. While there have been no train derailments or hazardous materials spills or leaks from railcars in Garner in the past ten years; Town and County emergency responders will undergo additional disaster response training involving a train derailment.		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		



TO: Town Council
FROM: Terri Jones
DATE: April 18, 2023
SUBJECT: Railroad Hazardous Materials Safety Report

During the Petitions and Comments portion of the February 21, 2023, Town Council meeting, a resident raised concerns regarding railroad safety and the Town’s ability to respond to an emergency situation in light of the recent derailment and hazardous chemical spill in Ohio. While the Town is largely preempted from regulating cargo on freight trains, railroad operators are obligated to provide certain information as well as emergency response plans to emergency responders, first responders, and law enforcement.

Federal Law – Preemption of Railroad Regulation¹

The Town of Garner is not able to adopt a local ordinance regulating what type of cargo is transported by rail or requiring train or railroad operators to disclose what kind of cargo they are carrying though the Town’s limits due to preemption by federal regulation of railroad safety. State and local regulation of railroad safety is preempted by the Federal Railroad Safety Act (FRSA) and state and local regulation of transportation of hazardous materials is preempted by the Federal Hazardous Materials Transportation Act (HMTA).

Railroad regulations are governed by federal law in order to create national uniformity of railroad regulation. 49 U.S.C. § 20106. The Federal Railroad Administration is tasked with the goal of reducing the number and rates of accidents, incidents, injuries, and fatalities involving railroads including train collisions, derailments, and human factors. A State may adopt or continue a more stringent law, regulation, or order related to railroad safety or security only if the State law or regulation is necessary to eliminate or reduce an essentially local safety or security hazard, not incompatible with a federal law or regulation, and that does not unreasonably burden interstate commerce. A “local safety hazard” under the FRSA has been interpreted as a local situation which is not statewide in character and not capable of being adequately encompassed within national uniform standards. To ascertain if a safety hazard is essentially local in nature, courts must inquire into the nature of the hazard itself to determine

¹ I appreciate the assistance of Campbell Law student, Olivia Suggs, in researching the federal law preemption issues.

whether it is the type of hazard that is properly dealt with on a local level rather than a state or national level.

The Secretary of Transportation is tasked with issuing regulations to require railroads transporting hazardous materials to generate accurate, real-time, and electronic information including the: (i) the identity, quantity, and location of hazardous materials on a train, (ii) the point of origin and destination of the train, (iii) any emergency response information or resources, and (iv) an emergency response point of contact designated by the railroad. In addition, each railroad transporting high-hazard flammable liquids must provide advance notification and information to each State emergency response commission including: (i) a reasonable estimate of the number of high-hazard flammable trains that are expected to travel, per week, through each county within the State, (ii) identification and description of certain flammable liquids being transported on the trains, (iii) applicable emergency response information, (iv) identification of routes, and (v) a point of contact for State emergency response centers and local emergency responders.

The Federal Department of Transportation is authorized to regulate the transportation of hazardous materials under the Hazardous Materials Transportation Act (HMTA). The HMTA also preempts state and local regulations with respect to hazardous materials. 49 U.S.C. 5125. However, this preemption over state and local regulations of the transportation and hazardous materials differs from the preemption provision of the FRSA as the HMTA allows state or local regulation of hazardous materials that are not inconsistent with the requirements of HMTA. While the statutory preemption language in the HMTA is more lenient than the FRSA, federal courts have determined from the language of the Act and the legislative history behind it, that the purpose of the HMTA was not to remove such regulation of hazardous material transportation by rail from the preemption provision of the FRSA. Therefore, state and local regulations attempting to regulate hazardous materials are controlled by the more stringent standard of the FRSA preemption.

As a result, the Town of Garner may not prohibit or restrict the transportation of hazardous materials by train throughout the Town limits. Nor will the Town be able to adopt regulations requiring trains to disclose what cargo they are carrying through the Town's limits, as the FRSA preempts any state law that would regulate the transportation of hazardous materials by railroads. A regulation requiring the disclosure of what trains are carrying would qualify as a regulation of the transportation of hazardous materials, by requiring the trains to disclose the transportation of such materials. While there is an exception to the FRSA's preemption for local safety hazards, that exception is most likely not applicable in this matter. For the local safety hazard exception to apply, the hazard must not be statewide in character and not be able to be encompassed by national uniform standards. The desire to require the disclosure of train cargo is likely to be statewide in character and such requirement can be encompassed by national uniform standards (as currently regulated under the HMTA). Because the FRSA has regulated this matter and no exception applies to FRSA's preemption, it would be highly unlikely that a Town of Garner local regulations requiring trains to disclose the materials they are carrying through the Town's limits would be upheld by the courts.

Federal Law – Public Information Regarding Train Cargo

The Town of Garner may be able to obtain information regarding emergency plans under the Federal Freedom of Information Act and may be able to obtain information from first responders or state agencies, regarding whether trains passing through the Town's limits are carrying hazardous materials. The Hazardous Materials Transportation Safety Improvement Act of 2012 was enacted to obtain information of hazardous materials transportation, in an effort to create better regulations of such practices. The Fixing America's Surface Transportation (FAST) Act was created to collect real-time notification of crude oil and ethanol routes, locations, and other information. The FAST Act requires the Secretary to issue regulations requiring railroads that transport crude oil and ethanol to generate real-time information, and to provide this information confidentially to emergency responders, first responders, and law enforcement.

According to the North Carolina Railroad Company's website, Norfolk Southern and CSX Transportation comprise the freight trains that carry cargo through North Carolina. North Carolina Railroad Company's map shows that Norfolk Southern is the freight train company that travels through the Town's limits. According to Norfolk Southern's website, Norfolk Southern provides information about hazardous materials that they transport to state agencies and first responders. Therefore, information of what hazardous materials each carrier is transporting is made available to first responders.

In addition to being required to provide information about the transportation of hazardous materials, railroad carriers are also required to create and implement emergency plans in case the hazardous materials were to escape. These emergency plans are also disclosed to required state agencies and first responders. Additionally, the State of North Carolina has emergency response plans for hazardous materials disasters which can be found within the North Carolina Emergency Operations Plan.

The Federal Freedom of Information Act (FOIA) provides agency information to the public. However, there are several exemptions to the disclosure requirement of the FOIA. The Act provides an exemption for trade secrets or commercial or financial information that is confidential or privileged. Because the information required to be disclosed by FAST must be confidentially turned over to first responders and the appropriate agencies, the information may be subject to this exemption under the FOIA.

Train Incidents in Garner and Emergency Response

According to Police Department records, there have been seven train incidents in the past ten years within the Town limits. Most of these involved motor vehicles getting stuck on the tracks or ignoring the safety arms. There have been no hazardous materials leaks or spills regarding the railway in the last ten years in Garner.

Similar to trucks and tanker containers, train cars are required to be placarded with diamond shaped symbols that indicate the cargo contains one or more of the seven classes of hazardous

materials: explosives, flammable and toxic gases, flammable and combustible liquids, flammable solids, oxidizers and organic peroxide, poisons, radioactive materials, corrosives, and miscellaneous materials. Placards are to be placed on each side and each end of the railcar.

Although federal law requires disclosure to first responders, the Garner Police Department does not receive real-time information about hazardous materials traveling through Garner Town limits by rail, but instead relies on the North Carolina Emergency Management Division of the State Department of Public Safety and the Garner Fire-Rescue Department.

The Town of Garner is served by the North Carolina Hazardous Materials Response Team 4 which operates out of the Raleigh Fire Department. The Town contributes to the funding for the regional team and is fortunate that the regional team is so close to the Town. Response Team 4 includes hazardous material technicians who are able to undertake mitigation and remediation activities. The Garner Fire-Rescue Department is certified in hazardous materials operations which means they can identify and mitigate some hazardous materials spills. According to Chief Poole, anhydrous ammonia is the most frequently transported hazardous material transported by rail through Garner. All cargo, including hazardous materials, is listed on a train's manifest. In the event of a train derailment, Garner Fire-Rescue would locate the manifest or contact the dispatcher, identify any hazardous materials that have leaked or spilled, evacuate the area as necessary, and defer to Response Team 4 on other mitigation measures. Garner Fire-Rescue does receive a copy of the emergency action plan and conducts annual training with both Norfolk Southern and Amtrak.

Upcoming Training

The Garner Police Department will be conducting an emergency response tabletop training exercise on May 2, 2023 at the Police Department Training Room at 9:00 am. This Senior Official Workshop for All-Hazards Preparedness conducted by Texas A&M Engineering Extension Service (TEEX) will incorporate a train derailment incident near an industrial facility. This training will include representatives of Garner Police Department, Garner Fire-Rescue, Wake County Emergency Management, Wake County Emergency Medical Services, and Amtrak's Emergency Management Division. Representatives of Norfolk Southern and Amtrak and Raleigh's Response Team as well as local stakeholders (property owners and business operators near the railroad) have been invited to participate as well.

cc: Rodney Dickerson, Town Manager
John Hodges, Assistant Town Manager
Jodi Miller, Assistant Town Manager
Lorie Smith, Garner Police Chief
Matt Poole, Garner Fire-Rescue Chief

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: April 25, 2023 <input type="button" value="v"/>		
Subject: Vehicle Noise Enforcement		
Location on Agenda: Discussion/Reports		
Department: Legal and Police		
Contact: Terri Jones, Town Attorney		
Presenter: Terri Jones, Town Attorney, and Lorie Smith, Police Chief		
Brief Summary: The Legal and Police Departments recommend amendments to the Town's Noise Ordinance to address recent citizen complaints regarding vehicle noise.		
Recommended Motion and/or Requested Action: Provide feedback on proposed amendments		
Detailed Notes: Town Council has received several complaints from citizens regarding vehicle noise. The Town's current noise ordinance, Section 11-15 of the Code of Ordinances, contains subjective standards for different types of noise violations, but is dependent on prosecution of criminal cases by the Wake County District Attorney. The Town Attorney and Police Chief will present information on current noise enforcement and propose converting the criminal penalty to a civil penalty and providing a private option for noise enforcement.		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		

Sec. 11-15. Loud, disturbing and unnecessary noises.

- (a) *Unreasonable noises prohibited.* Subject to the provisions of this section, the creation of any unreasonably loud, disturbing and unnecessary noise in the town is prohibited. Noise of such character, intensity and duration as to be detrimental to the health and welfare of any individual is prohibited.
- (b) *Particular noises prohibited.* The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but the enumeration shall not be deemed to be exclusive, namely:
- (1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a warning or danger signal; the creation of any unreasonably loud or harsh sound by means of any such signal device, whether or not such device is on any vehicle, and the sounding of any such device for an unnecessary and unreasonable period of time.
 - (2) The playing of any radio, phonograph, television set, record player, sound reproduction device or any musical instrument in such a manner or with such volume, during the hours between 11:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any dwelling house, apartment or other type of residence.
 - (3) The use of any automobile, motorcycle or other vehicle in such manner as to create loud and disturbing noise or unnecessary grating, grinding, screeching of tires or rattling sounds.
 - (4) The discharge into the open air of the exhaust of any stationary internal combustion engine or motor vehicle engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
 - (5) The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.
 - (6) The creation of any excessive noise on any street adjacent to any school while it is in session, any library while open, or any church during services, which unreasonably interferes with the activity of any such institution.
 - (7) The erection, alteration, demolition, repair of or excavation for any building, structure or other improvement in a residential district between the hours of 6:00 p.m. and 7:00 a.m., except in the case of emergency work in the preservation of public health or safety.
 - (8) The creation of loud and excessive noise in connection with loading or unloading any vehicle, or the opening, closing or destruction of any bale, box, crate or container.
 - (9) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced or unless such use is in the preservation of public health, safety or welfare.
 - (10) The use of any drum, loudspeaker or other sound amplifying device for the purpose of creating noise to attract attention to any performance, show or sale or display of merchandise.
 - (11) The playing of any radio, phonograph, television set, record player, sound reproduction device or any musical instrument (cumulatively, "device") or electronic equipment from within any dwelling unit (including structures customarily appurtenant to dwelling units such as a porch, patio, balcony, deck, or from the carport, driveway, yard or sidewalk of a dwelling unit, or from a vehicle parked in a residential district), in such a volume as to be sufficiently audible as to annoy or disturb the quiet, comfort or repose of persons in a dwelling unit between the hours of 10:00 p.m. and 7:00 a.m.

(c) *Penalty.* Violation of this section, or any part thereof, shall be punishable as a civil penalty in accordance with section 1-8.

(d) Enforcement by Private Party.

(1) In recognition that excessive noise violations can occur at any time in any place within the town limits, and in recognition that police offices and other town personnel cannot be present for all excessive noise violations, it is the intent of the town council to create a private cause of action for relief from violations of this section.

(2) Any person who has been harmed by a violation of this section, committed on or after _____, 2023, may file a civil complaint with the appropriate trial division of the General Court of Justice seeking damages or injunctive relief.

(Ord. No. 1380, §§ 1—3, 10-22-74; Ord. No. 2613, § 1, 2-22-94; Ord. No. 33208, § 1, 9-3-02; Ord. No. 3425, 9-5-06; Ord. No. (2022)5091, § 1, 1-3-22; Ord. No. (2023) __, § __, __-__-23)

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 - (4) The discharge into the open air of the exhaust of any stationary internal combustion engine or motor vehicle engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
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 - (8) The creation of loud and excessive noise in connection with loading or unloading any vehicle, or the opening, closing or destruction of any bale, box, crate or container.
 - (9) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced or unless such use is in the preservation of public health, safety or welfare.
 - (10) The use of any drum, loudspeaker or other sound amplifying device for the purpose of creating noise to attract attention to any performance, show or sale or display of merchandise.
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(c) *Penalty.* Violation of this section, or any part thereof, shall be punishable as a ~~misdemeanor by a fine of not more than one hundred dollars (\$100.00), or imprisonment for not more than thirty (30) days~~ civil penalty in accordance with section 1-8.

(d) Enforcement by Private Party.

(1) In recognition that excessive noise violations can occur at any time in any place within the town limits, and in recognition that police offices and other town personnel cannot be present for all excessive noise violations, it is the intent of the town council to create a private cause of action for relief from violations of this section.

(2) Any person who has been harmed by a violation of this section, committed on or after _____, 2023, may file a civil complaint with the appropriate trial division of the General Court of Justice seeking damages or injunctive relief.

(Ord. No. 1380, §§ 1—3, 10-22-74; Ord. No. 2613, § 1, 2-22-94; Ord. No. 33208, § 1, 9-3-02; Ord. No. 3425, 9-5-06; Ord. No. (2022)5091, § 1, 1-3-22; Ord. No. (2023) _____, § _____ - -23)

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: April 25, 2023 <input type="button" value="v"/>		
Subject: Triangle J Council of Government Charter		
Location on Agenda: Discussion/Reports		
Department: Administration		
Contact: Rodney Dickerson, Town Manager		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary: At the beginning of this budget year, the TJCOG governing board authorized staff to move forward with a rebranding effort which included a potential change to the organization's name and logo. They have completed this work and in late March, the TJCOG Board of Delegates unanimously approved changes to the organization's Charter to reflect a change in name from Triangle J Council of Governments to Central Pines Regional Council. They will need 2/3 of the local government members to approve the amended charter for the name change to become official. Their hope is that this can be completed by July 1, 2023.		
Recommended Motion and/or Requested Action: Place Charter Amendment of Upcoming Consent Agenda		
Detailed Notes: TJCOG's focus areas are based on local priorities and the potential for regional impact. While there are many areas of opportunity in the region, these focus areas align with the most pressing challenges for our region that are best addressed through coordination and collaboration: aging and human services, community and economic development, environment and resilience, member support and strategy, and mobility and transportation.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: I recommend that the Town Council approve the amendments to the charter.		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

CENTRAL PINES

REGIONAL COUNCIL

Triangle J Council of Governments (TJCOG) is in the process of changing its legal name to Central Pines Regional Council, an action that was unanimously adopted by our Board of Delegates. This change will formally occur after 2/3 of TJCOG's local government members adopt the charter amendment reflecting the name change.

REBRANDING TIMELINE

CENTRAL PINES

REGIONAL COUNCIL



WHY CENTRAL PINES?

- To distinguish ourselves as an organization within the region
- To be more representative of all communities we serve, in the Triangle and beyond
- To represent the pine tree as the North Carolina state tree
- To nod to the pine tree's rich history in our state through the production of tar, pitch, rosin, & turpentine, and as the main source of lumber for construction
- To reflect our organization's ability to change, grow, and evolve. Pine trees are easily adaptable to any soil conditions, from Moore County's sandy soil to Raleigh's red clay dirt.

MOVING FORWARD

The change will take effect on July 1, 2023 or once 2/3 of members adopt the charter.

TEMPLATE LANGUAGE: Please Adopt Based on Your Local Needs

A RESOLUTION RATIFYING, ACCEPTING AND APPROVING THE AMENDED CHARTER RESOLUTION OF CENTRAL PINES REGIONAL COUNCIL (FORMERLY TRIANGLE J COUNCIL OF GOVERNMENTS)

Whereas, the Councils of Governments system was created by the State of North Carolina in 1970 by Governor Bob Scott designating seventeen Regional Councils to serve across the state and Triangle J Council of Governments (TJCOG), formerly the Research Triangle Regional Planning Commission, as the regional entity serving Chatham, Durham, Johnston, Lee, Moore, Orange, and Wake counties, and the municipalities within those counties;

Whereas, the TJCOG Board of Delegates approved an organization rebrand process in its Fiscal Year 2022-2023 budget to identify and implement a new name, logo, and brand for the organization, and rebranding consultant Carrboro Creative was selected to conduct the process in the Fall of 2022;

Whereas, the proposed rebrand, including a name change from Triangle J Council of Governments to Central Pines Regional Council was presented to the TJCOG Officers, TJCOG Executive Committee, and TJCOG Board of Delegates in December, February, and March of 2023 for consideration;

Whereas, the TJCOG Executive Committee and TJCOG Board of Delegates unanimously approved the name Central Pines Regional Council and approved a proposed amended charter to reflect this change;

Whereas, the charter is TJCOG’s governing document and must be endorsed by all member governments when they join the organization and by a minimum of 2/3 when amendments to the document are made;

NOW, THEREFORE, BE IT RESOLVED BY GOVERNING BODY

that the **INSERT JURISDICTION’S GOVERNMENT BOARD** does hereby ratify, accept, and approve the amended Charter Resolution reflecting the organization’s new name of Central Pines Regional Council. Further, the governing body authorizes that the new name will be effective July 1, 2023, or once 2/3 of the member governments approve the Charter amendment, if it is after July 1, 2023.

Adopted and approved this the X day of X, 2023.

Central Pines Regional Council Charter Resolution

WHEREAS, together with the other county and municipal governmental units adopting concurrent Resolutions identical hereto, recognize that there is a need for such governmental units to consult among themselves and to act in concert with reference to regional matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning or planning development; and

WHEREAS, Central Pines Regional Council is the primary regional organization for its member units of local government and, where feasible, every effort should be made for member units to direct related programs to Central Pines Regional Council rather than to other agencies; now, therefore, be it

RESOLVED, that pursuant to the General Statutes of North Carolina, Chapter 160A, Article 20, Part 2, the following Resolution is adopted for the establishment of a regional council.

ARTICLE I

Short Title - Binding Effect. This Resolution is the "Charter" of this Regional Council; and said Charter, together with all amendments thereto, is binding upon and shall ensure the benefit of all governmental units adopting it.

ARTICLE II

Name. The name of the regional council hereby established is the Central Pines Regional Council.

ARTICLE III

Purpose. The purposes of the Council are:

- 1) To serve as a forum for discussion of governmental problems of mutual interest and concern;

2) To develop and formalize policy recommendations concerning specific matters having an areawide significance which may include but are not limited to the following:

- a) human resource development and human relations.
- b) housing, public and private.
- c) health care and hospital services.
- d) recreation.
- e) sanitation and refuse disposal.
- f) communications.
- g) transportation.
- h) water, sanitary sewer, electric power and other utility services.
- i) air, water and other environmental development.
- j) commercial and industrial development.
- k) law enforcement.
- l) welfare.
- m) fire protection and prevention.
- n) regional land use planning.
- o) workforce development and training,
- p) conservation and development of natural resources.
- q) emergency management. and
- r) community and economic development.

3) To promote inter-governmental cooperation;

4) To provide organizational machinery to insure effective communication and coordination among the participating governmental units and other governmental units.

5) To serve as a vehicle for the collection and distribution of information concerning matters of areawide interest;

6) To review, upon request of any governmental unit within the Central Pines Region, applications of that unit for any grant in aid, federal, state or private; and

7) To provide services to local governments and residents in the area known as the Central Pines Region where appropriate and authorized.

The Council shall strive to promote harmony and cooperation among its members. It shall seek to deal with regional problems in a manner that is mutually satisfactory and shall respect the autonomy of all local governments within the Central Pines Region.

ARTICLE IV

Membership

- 1) The initial membership of the Regional Council shall consist of the general purpose governmental units of and in the counties of Chatham, Durham, Johnston, Lee, Orange, and Wake, known as the Central Pines (formerly Triangle J) Region, which adopted a resolution pursuant to N.C.G.S. 160A-470 on or before June 30, 1972.
- 2) Membership was extended to the general purpose governmental units of and in Moore county in 2001.
- 3) Any municipality or county in the Central Pines Region that is not an initial member of the Council may join this Council by ratifying or adopting this Charter and upon a majority vote of approval by the Board of Delegates. Notice of such application for admission shall be given to existing members of the Council at least ten (10) days prior to the date of the meeting at which the vote is to be taken.
- 4) All rights and privileges of membership in the Council shall be exercised on behalf of the member governments by their delegates to the Council.
- 5) Any special purpose governmental agency in the Central Pines region involved in matters affecting the health, safety, natural resources, welfare or education of the citizens of North Carolina, such as school boards, sanitary districts, and soil and water conservation districts, is eligible to apply for an affiliate membership in the Council. The application may be approved and an affiliate membership granted to such special purpose governmental unit upon the affirmative vote of the Board of Delegates. The affiliate member shall pay no assessment, but the Council may charge each affiliate member a reasonable sum to cover its proportionate share of the direct costs of providing services to the affiliate members, provided such payments are authorized by law. The affiliate member shall have no vote in the Council, but its designated representative may serve on any technical or advisory committee and may otherwise participate in the deliberations of the Council.

ARTICLE V

Withdrawal. Any member may withdraw from the Council at the end of any fiscal year, provided written notice of intent to withdraw is given to each of the other members at least sixty (60) days prior to the end of the fiscal year.

ARTICLE VI

Governing Board.

- 1) The governing board of the Central Pines Regional Council shall be known as the Board of Delegates, which shall be constituted as described below.
- 2) The Board of Delegates shall consist of one delegate from each member governmental unit. Each governmental unit may designate any number of alternate delegates. All delegates and alternates shall be elected members of the governing bodies of the member governmental units they represent. The delegates and alternates, as well as their successors, shall be selected by the member governing bodies in any manner consistent with law and the regulations governing such body, and their names shall be certified to the Council in the manner described by the Bylaws of the Council.
- 3) The term of office of each delegate shall commence upon the date of his/her appointment and certification to the Council by the governing body of the member governmental unit he or she represents; and such terms shall expire when the appointing body has appointed his or her successor and certified such successor to the Council, unless he or she shall sooner resign, or cease to be an elected member of said governing body, in which case his or her term shall expire on the effective date of such event. Each member shall certify to the Council the name of its delegate and any alternate(s) prior to the first Board of Delegates meeting of the calendar year. Only an individual who has been duly appointed and certified to the Council as a delegate or alternate may serve as a voting member of the Board of Delegates.
- 4) The delegates shall be reimbursed, upon submittal of proper receipts, for direct expenses incurred in connection with discharging their duties as delegates to the Central Pines Regional Council.
- 5) It is the intent of this Charter that all delegates to the Council shall have demonstrated an interest in the sound development of the Central Pines Region.

ARTICLE VII

Meeting. Regular meetings of the Board of Delegates shall be held, as provided in the Bylaws to receive reports from its standing committees and to conduct necessary business. The Chair may cancel the regular meeting if he or she determines that there is no need for the

meeting. Special meetings of the Board of Delegates may be called by the Chair, or by any three members thereof. All meetings shall be open to the public.

At least 48 hours written notice of any meeting shall be given to all delegates of the Board of Delegates. It shall state the time, place, and purpose of the meeting, and may be sent by electronic means. At least twenty-four (24) hours written notice (including electronic notice) shall be given of any committee meeting to all committee members. Any member may waive notice of this requirement for himself/herself.

ARTICLE VIII

Quorum and Voting Requirements.

- 1) Except as provided in Paragraph 4 of this Article, each member governmental unit shall be entitled to one vote on all matters coming before the Board of Delegates or before any committee to which such member unit is duly appointed. All votes shall be cast by the delegate, or in his or her absence, by an alternate delegate of the member government.
- 2) The quorum shall be established in the Bylaws. The affirmative vote of a simple majority of members present at any meeting at which a quorum is present shall be required for any action or recommendation of the Board or any Committee, unless this Charter or the Bylaws of the Council require a larger affirmative vote on particular matters.
- 3) Voting shall be by voice, by show of hands, or, upon the request of any three delegates, by a poll of the delegates.
- 4) At the request of any delegate present, any questions shall be determined by weighted voting. Weighted voting shall mean that each participating member local government shall have one vote for each 5,000 units of population, as determined by the most recent decennial census, and for any remaining fraction of 5,000 units within the geographical boundaries of the participating government, except that any participating government whose jurisdiction has a population of less than 5,000 shall have one vote. In the case of any weighted voting question delegates representing local governments with at least two thirds of the aggregate votes of member local governments shall be present and participating. An affirmative vote of at least two thirds of the votes cast shall be required to decide any weighted voting question.
- 5) Proxy voting is not allowed.

- 6) The provisions in this Article VIII apply to all committees and boards of the Council except to the extent such committee or board has adopted different measures.

ARTICLE IX

Board of Delegates

- 1) At the first regular meeting of the Board of Delegates, and annually thereafter as provided by the Bylaws, the Board of Delegates shall elect a Chair, a First Vice Chair, a Second Vice Chair and a Secretary-Treasurer to serve as officers for one year or until their successors have been duly elected. The Board of Delegates may also elect such additional officers as the Board of Delegates finds to be necessary in the proper performance of its duties.
- 2) The Chair shall preside at all meetings of the Board of Delegates and shall conduct said meeting in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be brought to the Board of Delegates. The Chair shall have the same voting rights as other members.
- 3) The Chair may appoint such advisory committees as he or she finds necessary or desirable.
- 4) The First Vice Chair shall perform all of the duties of the Chair in the absence of the Chair, or in the event of the inability of the Chair to act, and shall perform such other duties as the Board of Delegates may delegate to him or her. The Second Vice Chair shall perform all of the duties of the First Vice Chair in the absence of the First Vice Chair or in the event of the inability of the First Vice Chair to act.
- 5) All other officers elected by the Board of Delegates shall perform such duties as may be prescribed by the Board of Delegates.

ARTICLE X

Finance Matters:

- 1) On or before the 15th day of May each year, the Council shall prepare and submit to each participating governmental unit its proposed general budget for the next fiscal year. The Council shall notify member governments of anticipated member assessment on or before the 15th day of April each year.

- 2) The general budget shall set out the proportionate share of the budget to be borne by each member governmental unit by a method established in the Bylaws and reviewed periodically by the Board of Delegates.
- 3) A special budget providing for cooperative arrangements or coordinated action for two or more members may be adopted at the request of members participating in special functions. The share of the special budget to be borne by each participating member shall be determined by the participating members.
- 4) Upon approval of its share of each budget by a member local government, such member shall appropriate its share of the budget, and after adoption of its own budget, shall forward to the budget officer its share of the budget.
- 5) All local appropriations to the Council shall be made in accordance with the Local Government Budget and Fiscal Control Act, as may be appropriate.
- 6) The finance officer shall have authority to collect, deposit, and disburse funds made available to the Council from any source whatsoever, and also perform other duties as prescribed by G.S. 159-25. Finance officers shall be bonded as required by G.S. 159.29. All monies received for the Council shall be deposited into an official depository of the Council for the exclusive use of the Council, and shall be paid out only by check signed by the finance officer and countersigned by the Executive Director or another official designated by the Council. Funds shall be disbursed only when they are within the amount of appropriations made according to the budget of the Council.
- 7) The Board of Delegates may designate a Council employee or, with the agreement of the governing body involved, designate one of the city or county accountants as the finance officer to perform the duties as described in the Local Government Budget and Fiscal Control Act insofar as post-budget approval of expenditures is concerned.
- 8) It shall be the duty of the Board of Delegates to require that all financial records and accounts of the Council be audited annually by a certified public accountant or by an accountant certified by the Local Government Commission as qualified to audit local governmental accounts. A copy of the annual audit shall be forwarded to each member county and municipality and to the secretary of the Local Government Commission.

ARTICLE XI

Committee Structure.

- 1) The Board of Delegates may establish an Executive Committee, other committees of the Board itself, and technical and advisory committees.
- 2) Executive Committee. The Executive Committee shall consist of two delegates from each county in the Region. The officers of the Council and the immediate past Chair shall automatically be members, and will thereby occupy that number of the two seats allotted to their county. Each county government will occupy one seat on the committee. The other seat from each county will be occupied by a municipal delegate from that county. The municipal delegate will be chosen by a vote of all the municipal delegates from that county unless that seat is automatically assigned as provided above. If there are more eligible delegates than available seats for those delegates to serve on the Executive Committee due to the automatic assignments provided above, then the number of Executive Committee members shall be temporarily increased to allow all eligible delegates to serve on the Executive Committee.
- 3) Technical and Advisory Committees. The Chair may appoint technical or advisory committees with broadly representative membership for any of the planning studies and work elements in the Program of Work. These Committees should work directly with the Council staff and its consultants and make periodic reports to the Council. In addition to reviewing periodic progress reports, these advisory committees should directly participate in the planning process.

ARTICLE XII

Annual Report. The Council shall prepare and submit an annual written report of its activities, including a financial statement, to the participating governmental units.

ARTICLE XIII

Powers, Duties and Functions of the Council. Within the limits of funds and personnel available, the Council:

- 1) Shall have and may exercise, in accordance with its Charter and Bylaws, all of the powers which the General Assembly of North Carolina has authorized, and may hereafter from time to time authorize, this Charter to confer upon the Council, including, but not limited to, all of the specific powers enumerated in Section 160A-475 (any amendments thereto) of the General Statutes of North Carolina, which powers are incorporated herein by reference.

2) Shall have, and may exercise, in addition to and not in limitation of the foregoing, the following powers:

- (a) To create such committees as it deems necessary to exercise the powers granted to the Council herein in dealing with problems or problem areas that do not involve all the members of the Council. At least one delegate from each member governmental unit affected by the problem or problem area to be dealt with by the committee is entitled to be a member of that committee. Any two or more member governmental units shall have the right to have a Council committee formed to exercise the powers of the Council with reference to any problem which affects the petitioning governmental units, unless the Council shall reasonably determine that the problem or problem area in question should be assigned to an existing committee, in which case the petitioning member shall be entitled to be represented on said committee. The subject matter over which any committee has jurisdiction to exercise the powers of the Council shall be specifically defined, but may be enlarged or restricted by the Council from time to time. Unless the right of a member of representation on any particular committee granted herein above is asserted, the Chair of the Council shall designate the membership of all committees.
- (b) To accept, receive and disburse in furtherance of the duties, purposes, powers, and functions specified in the Charter all member assessments, funds, grants, and services made available by the State of North Carolina, any other municipality or county or other governmental or quasi-governmental unit or agency, (whether or not a member of such Council) and private and civic sources. The Council may provide matching funds, grants or services, received from any source, to or from any governmental or quasi-governmental agencies established by the Council or any two or more member governmental units in furtherance of the duties, purposes, powers, and functions herein contained. None of the powers contained in this subparagraph may be exercised by any committee except with respect to funds budgeted or appropriated for their use by the Council.
- (c) To meet with, consult with, and act in concert with any county or municipality, any agency of the State or Federal government, any civic organization, or any private organization in the furtherance of the purposes and objects within its jurisdiction.
- (d) To participate, as a unit of local government, in any undertaking with any other unit of local government, whether or not a member of the Council, for the joint exercise of governmental powers in accordance with the provisions of Chapter

160A, Article 20, Part 1 of the General Statutes of North Carolina (and any amendments thereto).

- (e) To contract with any person, firm or corporation for goods and/or services when same have been authorized by budget appropriations or by special resolution of the Council appropriating available funds.
- (f) To adopt Bylaws containing such rules and regulations for the conduct of its business as it may deem necessary for the proper discharge of its duties and the performance of its functions, not inconsistent with the Charter of the laws of North Carolina.
- (g) To create agencies of the Council to act for and on behalf of the Council in the planning and development of particular programs which affect the health, safety, welfare, housing, education, economic conditions or regional development of two or more member governmental units. Such agencies shall have such membership, staff, powers, duties and responsibilities as may be specified in the Council Resolutions establishing such agencies, consistent with powers herein granted to the Council. Provided, however, such agency shall at all times be acting for and on behalf of, and shall be responsible to the Council. The Council may appropriate funds for the use of agency programs which it has received from any source, including member assessments, provided such appropriation is made in accordance with the Charter.
- (h) To contract with and provide services to local governmental units within the Central Pines Region.
- (i) To serve as an informational clearinghouse and, as a reviewing agency with respect to Federal, State and local services or resources available to assist in the solution of problems.
- (j) To request and receive contributions of research assistance from its own agencies, private research organizations, civil foundations, institutions of higher learning, and other organizations.
- (k) To purchase, lease, rent or otherwise acquire real and personal property to the extent necessary to discharge the other powers, duties and functions set forth herein and to the extent such purchases are authorized by general or special budgets and are within the limits of funds appropriated for or provided to the Council by the participating governmental units and others for such purposes.

- (l) To act as the official reviewing agency of the participating governmental units for all programs, Federal, State, or private, requiring regional review.

It is the desire of the membership of this Council to avoid duplication of governmental functions, particularly in the planning and development of future programs in areas of governmental responsibility, and to that end this Council is created, should function, and these powers are given.

ARTICLE XIV

Amendments. Amendments to this Charter shall become effective when adopted by resolution of two-thirds (2/3rds) of the participating governmental units in the Regional Council.

ARTICLE XV

Dissolution. The Council may be dissolved at the end of any fiscal year only (1) upon the adoption of a dissolution resolution by the governing bodies of all member governmental units, or (2) the withdrawal from the Council of all but one (1) of the member governmental units. If such dissolution is affected by resolution of all member governments, such resolutions shall specify the method of liquidating the Council's assets and liabilities. If such dissolution is occasioned by withdrawal of all but one member, the remaining governmental unit shall have the power to liquidate all assets and liabilities and it shall then distribute the net proceeds, if any, to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

Amended: July 1, 1975
February 18, 1976
April 28, 1982
February 14, 1985
March 27, 1996
April 25, 2018
Date, 2023

~~Triangle J Council of Governments~~Central Pines
Regional Council
Charter Resolution

WHEREAS, together with the other county and municipal governmental units adopting concurrent Resolutions identical hereto, recognize that there is a need for such governmental units to consult among themselves and to act in concert with reference to regional matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning or planning development; and

WHEREAS, Central Pines Regional Council is the primary regional organization for its member units of local government and, where feasible, every effort should be made for member units to direct related programs to Central Pines Regional Council rather than to other agencies; now, therefore, be it

RESOLVED, that pursuant to the General Statutes of North Carolina, Chapter 160A, Article 20, Part 2, the following Resolution is adopted for the establishment of a regional council ~~of governments.~~

ARTICLE I

Short Title - Binding Effect. This Resolution is the "Charter" of this Regional Council; and said Charter, together with all amendments thereto, is binding upon and shall ensure the benefit of all governmental units adopting it.

ARTICLE II

Name. The name of the regional council ~~of governments~~ hereby established is the ~~Triangle J Council of Governments~~Central Pines Regional Council.

ARTICLE III

Purpose. The purposes of the Council are:

- 1) To serve as a forum for discussion of governmental problems of mutual interest and concern;
- 2) To develop and formalize policy recommendations concerning specific matters having an areawide significance which may include but are not limited to the following:
 - a) human resource development and human relations.
 - b) housing, public and private.
 - c) health care and hospital services.
 - d) recreation.
 - e) sanitation and refuse disposal.
 - f) communications.
 - g) transportation.
 - h) water, sanitary sewer, electric power and other utility services.
 - i) air, water and other environmental development.
 - j) commercial and industrial development.
 - k) law enforcement.
 - l) welfare.
 - m) fire protection and prevention.
 - n) regional land use planning.
 - o) workforce development and training, and
 - p) conservation and development of natural resources.
 - q) Emergency management. and
 - r) community and economic development.
- 3) To promote inter-governmental cooperation;
- 4) To provide organizational machinery to insure effective communication and coordination among the participating governmental units and other governmental units.
- 5) To serve as a vehicle for the collection and distribution of information concerning matters of areawide interest;
- 6) To review, upon request of any governmental unit within the ~~Triangle~~ Central Pines Region, applications of that unit for any grant in aid, federal, state or private; and
- 7) To provide services to local governments and residents in the area known as the ~~Triangle~~ Central Pines Region where appropriate and authorized.

The Council shall strive to promote harmony and cooperation among its members. It shall seek to deal with regional problems in a manner that is mutually satisfactory and shall respect the autonomy of all local governments within the ~~Triangle~~ Central Pines Region.

ARTICLE IV

Membership

- 1) The initial membership of the ~~Council of Governments~~ Regional Council shall consist of the general purpose governmental units of and in the counties of Chatham, Durham, Johnston, Lee, Orange, and Wake, known as the ~~Triangle~~ Central Pines (~~formerly Triangle~~) Region, which adopted a resolution pursuant to N.C.G.S. 160A-470 on or before June 30, 1972.
- 2) ~~Membership was extended to the general purpose governmental units of and in Moore county in 2001.~~
- 3) ~~Any municipality or county in the ~~Triangle~~ Central Pines Region that is not an initial member of the Council may join this Council by ratifying or adopting this Charter and upon a majority vote of approval by the Board of Delegates. Notice of such application for admission shall be given to existing members of the Council at least ten (10) days prior to the date of the meeting at which the vote is to be taken.~~
- 4) ~~All rights and privileges of membership in the Council shall be exercised on behalf of the member governments by their delegates to the Council.~~
- 5) ~~Any special purpose governmental agency in the ~~Triangle~~ Central Pines region involved in matters affecting the health, safety, natural resources, welfare or education of the citizens of North Carolina, such as school boards, sanitary districts, and soil and water conservation districts, is eligible to apply for an affiliate membership in the Council. The application may be approved and an affiliate membership granted to such special purpose governmental unit upon the affirmative vote of the Board of Delegates. The affiliate member shall pay no assessment, but the Council may charge each affiliate member a reasonable sum to cover its proportionate share of the direct costs of providing services to the affiliate members, provided such payments are authorized by law. The affiliate member shall have no vote in the Council, but its designated representative may serve on any technical or advisory committee and may otherwise participate in the deliberations of the Council.~~

ARTICLE V

Withdrawal. Any member may withdraw from the Council at the end of any fiscal year, provided written notice of intent to withdraw is given to each of the other members at least sixty (60) days prior to the end of the fiscal year.

ARTICLE VI

Governing Board.

- 1) The governing board of the ~~Central Pines Regional Council of Governments~~ shall be known as the Board of Delegates, which shall be constituted as described below.
- 2) The Board of Delegates shall consist of one delegate from each member governmental unit. Each governmental unit may designate any number of alternate delegates. All delegates and alternates shall be elected members of the governing bodies of the member governmental units they represent. The delegates and alternates, as well as their successors, shall be selected by the member governing bodies in any manner consistent with law and the regulations governing such body, and their names shall be certified to the Council in the manner described by the Bylaws of the Council.
- 3) The term of office of each delegate shall commence upon the date of his/her appointment and certification to the Council by the governing body of the member governmental unit he or she represents; and such terms shall expire when the appointing body has appointed his or her successor and certified such successor to the Council, unless he or she shall sooner resign, or cease to be an elected member of said governing body, in which case his or her term shall expire on the effective date of such event. Each member shall certify to the Council the name of its delegate and any alternate(s) prior to the first Board of Delegates meeting of the calendar year. Only an individual who has been duly appointed and certified to the Council as a delegate or alternate may serve as a voting member of the Board of Delegates.
- 4) The delegates shall be ~~compensated~~ reimbursed, upon submittal of proper receipts, for direct expenses incurred in connection with discharging their duties as delegates to the ~~Triangle J Council of Governments~~ Central Pines Regional Council.
- 5) It is the intent of this Charter that all delegates to the Council shall have demonstrated an interest in the sound development of ~~Region J~~ the Central Pines Region.

ARTICLE VII

Meeting. Regular meetings of the Board of Delegates shall be held, as provided in the Bylaws to receive reports from its standing committees and to conduct necessary business. The Chair may cancel the regular meeting if he or she determines that there is no need for the meeting. Special meetings of the Board of Delegates may be called by the Chair, or by any three members thereof. All meetings shall be open to the public.

At least 48 hours written notice of any meeting shall be given to all delegates of the Board of Delegates. It shall state the time, place, and purpose of the meeting, and may be sent by electronic means. At least twenty-four (24) hours written notice (including electronic notice) shall be given of any committee meeting to all committee members. Any member may waive notice of this requirement for himself/herself.

ARTICLE VIII

Quorum and Voting Requirements.

- 1) Except as provided in Paragraph 4 of this Article, each member governmental unit shall be entitled to one vote on all matters coming before the Board of Delegates or before any committee to which such member unit is duly appointed. All votes shall be cast by the delegate, or in his or her absence, by an alternate delegate of the member government.
- 2) The quorum shall be established in the Bylaws. The affirmative vote of a simple majority of members present at any meeting at which a quorum is present shall be required for any action or recommendation of the Board or any Committee, unless this Charter or the Bylaws of the Council require a larger affirmative vote on particular matters.
- 3) Voting shall be by voice, by show of hands, or, upon the request of any three delegates, by a poll of the delegates.
- 4) At the request of any delegate present, any questions shall be determined by weighted voting. Weighted voting shall mean that each participating member local government shall have one vote for each 5,000 units of population, as determined by the most recent decennial census, and for any remaining fraction of 5,000 units within the geographical boundaries of the participating government, except that any participating government whose jurisdiction has a population of less than 5,000 shall have one vote. In the case of any weighted voting question delegates representing local governments with at least two thirds of the aggregate votes of member local

governments shall be present and participating. An affirmative vote of at least two thirds of the votes cast shall be required to decide any weighted voting question.

5) Proxy voting is not allowed.

6) The provisions in this Article VIII apply to all committees and boards of the Council except to the extent such committee or board has adopted different measures.

ARTICLE IX

Board of Delegates

- 1) At the first regular meeting of the Board of Delegates, and annually thereafter as provided by the Bylaws, the Board of Delegates shall elect a Chair, a First Vice Chair, a Second Vice Chair and a Secretary-Treasurer to serve as officers for one year or until their successors have been duly elected. The Board of Delegates may also elect such additional officers as the Board of Delegates finds to be necessary in the proper performance of its duties.
- 2) The Chair shall preside at all meetings of the Board of Delegates and shall conduct said meeting in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be brought to the Board of Delegates. The Chair shall have the same voting rights as other members.
- 3) The Chair may appoint such advisory committees as he or she finds necessary or desirable.
- 4) The First Vice Chair shall perform all of the duties of the Chair in the absence of the Chair, or in the event of the inability of the Chair to act, and shall perform such other duties as the Board of Delegates may delegate to him or her. The Second Vice Chair shall perform all of the duties of the First Vice Chair in the absence of the First Vice Chair or in the event of the inability of the First Vice Chair to act.
- 5) All other officers elected by the Board of Delegates shall perform such duties as may be prescribed by the Board of Delegates.

ARTICLE X

Finance Matters:

- 1) On or before the 15th day of ~~April~~ May each year, the Council shall prepare and submit to each participating governmental unit its proposed general budget for the next fiscal year. The Council shall notify member governments of anticipated member assessment on or before the 15th day of April each year.
- 2) The general budget shall set out the proportionate share of the budget to be borne by each member governmental unit by a method established in the By-laws and reviewed periodically by the Board of Delegates.
- 3) A special budget providing for cooperative arrangements or coordinated action for two or more members may be adopted at the request of members participating in special functions. The share of the special budget to be borne by each participating member shall be determined by the participating members.
- 4) Upon approval of its share of each budget by a member local government, such member shall appropriate its share of the budget, and after adoption of its own budget, shall forward to the budget officer its share of the budget.
- 5) All local appropriations to the Council shall be made in accordance with the Local Government Budget and Fiscal Control Act, as may be appropriate.
- 6) The finance officer shall have authority to collect, deposit, and disburse funds made available to the Council from any source whatsoever, and also perform other duties as prescribed by G.S. 159-25. Finance officers shall be bonded as required by G.S. 159.29. All monies received for the Council shall be deposited into an official depository of the Council for the exclusive use of the Council, and shall be paid out only by check signed by the finance officer and countersigned by the Executive Director or another official designated by the Council. Funds shall be disbursed only when they are within the amount of appropriations made according to the budget of the Council.
- 7) The Board of Delegates may designate a Council employee or, with the agreement of the governing body involved, designate one of the city or county accountants as the finance officer to perform the duties as described in the Local Government Budget and Fiscal Control Act insofar as post-budget approval of expenditures is concerned.
- 8) It shall be the duty of the Board of Delegates to require that all financial records and accounts of the Council be audited annually by a certified public accountant or by an accountant certified by the Local Government Commission as qualified to audit local governmental accounts. A copy of the annual audit shall be forwarded to each member county and municipality and to the secretary of the Local Government Commission.

ARTICLE XI

Committee Structure.

- 1) The Board of Delegates may establish an Executive Committee, other committees of the Board itself, and technical and advisory committees.
- 2) Executive Committee. The Executive Committee shall consist of two delegates from each county in the Region. The officers of the Council and the immediate past Chair shall automatically be members, and will thereby occupy that number of the two seats allotted to their county. Each county government will occupy one seat on the committee. The other seat from each county will be occupied by a municipal delegate from that county. The municipal delegate will be chosen by a vote of all the municipal delegates from that county unless that seat is automatically assigned as provided above. If there are more eligible delegates than available seats for those delegates to serve on the Executive Committee due to the automatic assignments provided above, then the number of Executive Committee members shall be temporarily increased to allow all eligible delegates to serve on the Executive Committee. :
- 3) Technical and Advisory Committees. The Chair may appoint technical or advisory committees with broadly representative membership for any of the planning studies and work elements in the Program of Work. These Committees should work directly with the Council staff and its consultants and make periodic reports to the Council. In addition to reviewing periodic progress reports, these advisory committees should directly participate in the planning process.

ARTICLE XII

Annual Report. The Council shall prepare and submit an annual written report of its activities, including a financial statement, to the participating governmental units.

ARTICLE XIII

Powers, Duties and Functions of the Council. Within the limits of funds and personnel available, the Council:

- 1) Shall have and may exercise, in accordance with its Charter and Bylaws, all of the powers which the General Assembly of North Carolina has authorized, and may

hereafter from time to time authorize, this Charter to confer upon the Council, including, but not limited to, all of the specific powers enumerated in Section 160A-475 (any amendments thereto) of the General Statutes of North Carolina, which powers are incorporated herein by reference.

2) Shall have, and may exercise, in addition to and not in limitation of the foregoing, the following powers:

- (a) To create such committees as it deems necessary to exercise the powers granted to the Council herein in dealing with problems or problem areas that do not involve all the members of the Council. At least one delegate from each member governmental unit affected by the problem or problem area to be dealt with by the committee is entitled to be a member of that committee. Any two or more member governmental units shall have the right to have a Council committee formed to exercise the powers of the Council with reference to any problem which affects the petitioning governmental units, unless the Council shall reasonably determine that the problem or problem area in question should be assigned to an existing committee, in which case the petitioning member shall be entitled to be represented on said committee. The subject matter over which any committee has jurisdiction to exercise the powers of the Council shall be specifically defined, but may be enlarged or restricted by the Council from time to time. Unless the right of a member of representation on any particular committee granted herein above is asserted, the Chair of the Council shall designate the membership of all committees.
- (b) To accept, receive and disburse in furtherance of the duties, purposes, powers, and functions specified in the Charter all member assessments, funds, grants, and services made available by the State of North Carolina, any other municipality or county or other governmental or quasi-governmental unit or agency, (whether or not a member of such Council) and private and civic sources. The Council may provide matching funds, grants or services, received from any source, to or from any governmental or quasi-governmental agencies established by the Council or any two or more member governmental units in furtherance of the duties, purposes, powers, and functions herein contained. None of the powers contained in this subparagraph may be exercised by any committee except with respect to funds budgeted or appropriated for their use by the Council.
- (c) To meet with, consult with, and act in concert with any county or municipality, any agency of the State or Federal government, any civic organization, or any private organization in the furtherance of the purposes and objects within its jurisdiction.

- (d) To participate, as a unit of local government, in any undertaking with any other unit of local government, whether or not a member of the Council, for the joint exercise of governmental powers in accordance with the provisions of Chapter 160A, Article 20, Part 1 of the General Statutes of North Carolina (and any amendments thereto).
- (e) To contract with any person, firm or corporation for goods and/or services when same have been authorized by budget appropriations or by special resolution of the Council appropriating available funds.
- (f) To adopt Bylaws containing such rules and regulations for the conduct of its business as it may deem necessary for the proper discharge of its duties and the performance of its functions, not inconsistent with the Charter of the laws of North Carolina.
- (g) To create agencies of the Council to act for and on behalf of the Council in the planning and development of particular programs which affect the health, safety, welfare, housing, education, economic conditions or regional development of two or more member governmental units. Such agencies shall have such membership, staff, powers, duties and responsibilities as may be specified in the Council Resolutions establishing such agencies, consistent with powers herein granted to the Council. Provided, however, such agency shall at all times be acting for and on behalf of, and shall be responsible to the Council. The Council may appropriate funds for the use of agency programs which it has received from any source, including member assessments, provided such appropriation is made in accordance with the Charter.
- (h) To contract with and provide services to local governmental units within Region the Central Pines Region.
- (i) To serve as an informational clearinghouse and, as a reviewing agency with respect to Federal, State and local services or resources available to assist in the solution of problems.
- (j) To request and receive contributions of research assistance from its own agencies, private research organizations, civil foundations, institutions of higher learning, and other organizations.
- (k) To purchase, lease, rent or otherwise acquire real and personal property to the extent necessary to discharge the other powers, duties and functions set forth herein and to the extent such purchases are authorized by general or special

budgets and are within the limits of funds appropriated for or provided to the Council by the participating governmental units and others for such purposes.

- (l) To act as the official reviewing agency of the participating governmental units for all programs, Federal, State, or private, requiring regional review.

It is the desire of the membership of this Council to avoid duplication of governmental functions, particularly in the planning and development of future programs in areas of governmental responsibility, and to that end this Council is created, should function, and these powers are given.

ARTICLE XIV

Amendments. Amendments to this Charter shall become effective when adopted by resolution of two-thirds (2/3rds) of the participating governmental units in the ~~Council of Governments~~Regional Council.

ARTICLE XV

Dissolution. The Council may be dissolved at the end of any fiscal year only (1) upon the adoption of a dissolution resolution by the governing bodies of all member governmental units, or (2) the withdrawal from the Council of all but one (1) of the member governmental units. If such dissolution is affected by resolution of all member governments, such resolutions shall specify the method of liquidating the Council's assets and liabilities. If such dissolution is occasioned by withdrawal of all but one member, the remaining governmental unit shall have the power to liquidate all assets and liabilities and it shall then distribute the net proceeds, if any, to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

Amended: July 1, 1975
February 18, 1976
April 28, 1982
February 14, 1985
March 27, 1996
April 25, 2018
Date, 2023

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: April 25, 2023 ▼		
Subject: Meeting Rules and Procedures		
Location on Agenda: Discussion/Reports		
Department: Legal		
Contact: Terri Jones, Town Attorney		
Presenter: Terri Jones, Town Attorney		
Brief Summary: Revisions to the Town Code of Ordinances and the Town of Garner Meeting Rules and Procedures are recommended. Continued discussion of additional changes to Rules 36, 38, and 42 regarding public hearings, appointments, and decorum.		
Recommended Motion and/or Requested Action: Provide direction on recommended changes		
Detailed Notes: Ordinance provisions pertaining to Council meetings were adopted in 1959 and codified in Chapter 2 Article II of the Town Code of Ordinances. Many of these provisions are now superseded by State law - Chapter 160A and the Open Meetings Act. The Town of Garner Meeting Rules and Procedures were approved by the Garner Town Council in 2010 and amended in 2015. The revisions were discussed at the March 28, 2023 Work Session and the April 18, 2023 Regular Meeting including additional changes recommended by Councilmember Dellinger.		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		

RULES OF PROCEDURE – Alternative Language Revised 4-19-23

Rule 36. Public Hearings

(a) Calling Public Hearings. In addition to holding public hearings required by law, the council may hold any public hearings it deems advisable. All public hearings shall be called by council as a consent agenda item, unless council delegates that responsibility to the town manager for particular types of hearings.

(b) Public Hearing Locations. Public hearings may be held anywhere within the town or within Wake County.

(c) Rules for Public Hearings.

1. Speakers shall register with the town clerk and provide name and address and other contact information.
2. Twelve copies of any written materials must be provided.
3. Reasonable time limits may be imposed on each speaker or group in accordance with Rule 15.
4. The presiding officer may require the designation of spokespersons for groups of persons supporting or opposing the same positions.
5. The presiding officer may provide for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the meeting room (so long as arrangements are made, in the case of a hearing subject to the open meetings law, for those excluded from the hall to listen to the hearing).
6. The presiding officer may impose additional rules as necessary to provide for the maintenance of order and decorum in the conduct of the hearing.

(d) Notice of Public Hearings. Any public hearing at which a majority of the council is present shall be considered part of a regular or special meeting. Consequently, the relevant notice and related requirements of the Open Meetings Act, as set out in Rules 9 through 12, apply to such hearings. Some statutes mandate additional notice for particular types of hearings, and such notice must be provided together with notice of the meeting during which the hearing will take place.

(e) Continuing Public Hearings. The council may continue any public hearing without further advertisement to a time and place certain, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in open session. Except for hearings conducted pursuant to paragraph (g), if a quorum of the council is not present for a properly scheduled public hearing, the hearing must be continued until the council's next regular meeting without further advertisement.

(f) Conduct of Public Hearings. At the time appointed for the hearing, the mayor shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the council for the hearing. Unless the council extends the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not done so, the mayor shall declare the hearing closed, and the council shall resume the regular order of business.

(g) Public Hearings by Less Than a Majority of Council Members. Nothing in this rule prevents the council from appointing a member or members to hold a public hearing on the council's behalf, except when state law requires that the council itself conduct the hearing.

(h) Quasi-Judicial Hearings. Quasi-judicial hearings shall be conducted in accordance with G.S. 160D-406, 160D-705, and 160D-1402 after council members make any disclosures required by G.S. 160D-109. Witnesses desiring to give evidence shall provide testimony under oath which is to be administered by the town clerk. Parties with standing may cross-examine witnesses.

Rule 38. Appointments [G.S. 160A-63]

(a) Appointments in Open Session. The council must consider and make any appointment to another body or, in the event of a vacancy on the council, to its own membership in open session.

(b) Nomination and Voting Procedure.

(1) The council shall use the following procedure to fill a vacancy of a council seat. Council may not fill a vacancy among its own membership except in open session. The clerk shall cause a public advertisement of the vacancy and shall receive applications from individuals interested in serving on or before the deadline set by council. The council may interview candidates; however, if a quorum of council is present then the interview shall occur in open session. At a regular or special meeting, the mayor shall open the floor for nominations, whereupon council members may put forward and debate nominees. When debate ends, the mayor shall call the roll of the members, and each member shall cast a vote for his or her preferred nominee. The voting shall continue until a nominee receives a majority of votes cast during a single balloting.

(2) The council shall use the following procedure to fill a vacancy in any other body over which it has the power of appointment by Town ordinance or State law. The clerk shall cause a public advertisement of committee and board vacancies on an annual basis and shall at any time receive applications from individuals interested in serving. When positions are scheduled for appointment, a nominations committee (Human Resources) shall be formed of two members of council. The nominations committee may seek advice from staff in the appropriate department regarding qualifications of an applicant. The nominations committee shall review the applications, seek interested and qualified candidates, make a report on nominations received and reviewed, and make its recommendations for appointment(s), if any.

(c) Mayor. The mayor may not vote on appointments except in the event of a tie.

(d) Multiple Appointments. The nominating committee may submit a slate containing as many nominees as there are vacancies to be filled on a particular board. Each council member then votes for or against the slate as presented.

(e) Duty to Vote. It is the duty of each member to vote for as many appointees as there are appointments to be made, but failure to do so shall not invalidate a member's ballot.

(f) Vote by Written Ballot. The council may vote on proposed appointments by written ballot in accordance with Rule 29.

Rule 42. Decorum

During the course of public meetings, elected officials should conduct themselves with professionalism and show courtesy to fellow elected officials, other Town representatives, and the public. Elected officials should approach disagreements in a positive fashion. After a decision is made by a majority of Town Council, the minority should respect and honor the decision. Elected officials should avoid public acts or comments that criticize impugn the Town, the Town staff, or its processes.

TOWN OF GARNER LIAISON POLICY

(adopted August 1, 2022 by Resolution (2022) 2499)

1. The Mayor may assign the Mayor or one or more Councilmembers to serve as liaison to any Town board or committee or any external organization, board, or committee as requested, including State, County, and regional bodies.
2. The Mayor shall make the liaison assignments during the organizational meeting of the Council or at such later time as required by resignation of Councilmembers or requests by external organizations.
3. The term of the liaison assignment will be from the date of the assignment until the next organizational meeting.
4. The duty of the liaison shall be to attend the assigned board or committee meetings and to report back to the full Council. The role of the liaison is to be a representative of the Town and a point of contact for the committee or organization and the public with respect to the purposes and actions of the board or committee.
5. The liaison is not a member of the board or committee and shall have no voting rights, but shall serve in an ex officio capacity.
6. If an external organization, board, or committee requests that the liaison serves as a member of the board or committee, then Town Council shall appoint the Mayor or a Councilmember as an ex officio member of the board or committee in accordance with the Appointments rules and procedures.
7. In order to confirm that Town elected officials are in compliance with State laws regarding dual office holding and transparency, the Mayor and all Councilmembers shall provide the Town Clerk and/or Town Attorney with a list of all appointed positions held by the individual and all organizations for which the individual is an officer or director, and a copy of the bylaws or applicable statutory provisions pertaining to the organization, board, committee, or appointed body.

Reports



Town Manager's Office Memorandum

TO: Mayor and Town Council

FROM: Rodney Dickerson, Town Manager

DATE: April 25, 2023

SUBJECT: May 2023 Pending Agenda Items

The following items are currently planned for the May 2023 Council Meetings. These items are subject to change.

Tuesday, May 2 – Regular Meeting

Presentations

None at this time

Consent

1. Triangle J Charter Amendment
2. Appropriation of PRCR event sponsorships

Public Hearings

1. Pedestrian Plan
2. SUP-SP-22-09 Garner V Highway 70 Industrial

Old/New Business

1. Recommended Budget

Reports

Attorney - Transparency Act Compliance

Tuesday, May 16 – Regular Meeting

Presentations

1. None at this time

Consent

None at this time

Public Hearings

1. Budget
2. Comprehensive Plan - CLUE

Old/New Business

1. None at this time

Reports

None at this time

Tuesday, May 30 – Work Session

Discussion

1. Garner Parks, Recreation & Cultural Resources Comprehensive Master Plan Update (PRCR) - (could be June or July)
2. BRT Project Update - Raleigh (tentative)

Reports

None at this time