



Town of Archer Lodge

AGENDA

Regular Council Meeting

Monday, April 7, 2025 @ 6:30 PM

Jeffrey D. Barnes Council Chambers

NCGS § 143-318.17. Disruptions of official meetings.

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

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1. WELCOME/CALL TO ORDER:

2. APPROVAL OF AGENDA:

3. OPEN FORUM/PUBLIC COMMENTS:

4. CONSENT AGENDA:

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4.a. Approval of Minutes:

05 Sep 2023 Regular Meeting Minutes

02 Oct 2023 Regular Meeting Minutes

16 Oct 2023 Work Session Minutes

06 Nov 2023 Regular Meeting Minutes

17 Mar 2025 Budget Planning Retreat Minutes

03 Mar 2025 Regular Meeting Minutes

[Regular Council - Tuesday, 05 Sep 2023 - Minutes - Pdf](#)

[Regular Council - Monday, 02 Oct 2023 - Minutes - Pdf](#)

[Work Session - Monday, 16 Oct 2023 - Minutes - Pdf](#)

[Regular Council - Monday, 06 Nov 2023 - Minutes - Pdf](#)

[Budget Planning Retreat - Monday, 17 Mar 2025 - Minutes - Pdf](#)

[Regular Council - Monday, 03 Mar 2025 - Minutes - Pdf](#)

5. RECOGNITION/PRESENTATION:

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- 5.a. Proclamation - Parkinson's Awareness Month
[Parkinson's Awareness Month Proclamation 4.2025](#)

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

7. TOWN ATTORNEY'S REPORT:

8. TOWN ADMINISTRATOR'S REPORT:

9. MAYOR'S REPORT:

10. COUNCIL MEMBERS' REMARKS:

11. ADJOURNMENT:



Regular Council - Minutes Tuesday, September 5, 2023

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Jackson
Council Member Purvis
Council Member Wilson

STAFF PRESENT:

Bryan Chadwick, Town Administrator
Marcus Burrell, Town Attorney
Brandon Emory, Town Planner
Kim P. Batten, Assistant Town Administrator/Finance Officer
Chris Allen, Parks & Recreation Director
Jenny Martin, Human Resources Officer/Town Clerk

COUNCIL ABSENT:

MEDIA PRESENT:

None

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1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:30 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Jackson offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance to the US Flag.

2. APPROVAL OF AGENDA:

a) Mayor Mulhollem called for a motion to approve.

Ms. Martin asked the Mayor to remove Agenda Item 8 a) Assistant Town Administrator/Finance Officer's Report and add it to the September 18, 2023 Town Council Work Session agenda.

Mayor Mulhollem asked Council Member Wilson if he would amend his motion as presented, to include the removal of Item 8 a).

Moved by: Council Member Wilson

Seconded by: Mayor Pro Tem Castleberry

Approved the Agenda as presented with the exclusion of Agenda Item 8 a) Assistant Town Administrator/Finance Officer's Report and add it to the September 18, 2023, Town Council Work Session.

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed; 3 minutes per person)

a) No Public Comments.

4. **CONSENT AGENDA:**

- a) **Approval of Minutes:**
20 Mar 2023 Special Meeting Minutes
20 Mar 2023 Budget Planning Retreat Continued Minutes

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Approved Consent Agenda.

CARRIED 4 to 1 (Bruton Opposed)

5. **DISCUSSION AND POSSIBLE ACTION ITEMS:**

- a) **Discussion and Possible Action of Appointing a Town of Archer Lodge Representative for the Triangle J Council of Governments**

Mayor Mulhollem shared that he had recently discussed this item with Mr. Chadwick and that he had an idea but would need more time before discussing. Mayor Mulhollem asked for volunteers. Having no volunteers, it was decided to postpone discussion until the October 2023 Town Council Regular Meeting Agenda.

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- b) **Discussion and Possible Action of Adopting Budget Amendment for Fiscal Year Ending June 30, 2024 ~ (BA 2024 01)**

Ms. Batten and Mr. Chadwick explained the following reasons for amending the budget:

- Funds affected by BA 2024 01 are as follows: General Fund and Capital Reserve Fund.
- Funds for elements of the Park not budgeted: Change orders for G&G Builders, Phase I Landscaping, Sod for Ballfields, Dugout Roofs, Electronic Security for the Park, and WIFI.

Discussion followed. Mayor Mulhollem called for a motion.

The signed Budget Amendment for Fiscal Year Ending June 30, 2024 ~ (BA 2024 01) is attached below.

Moved by: Council Member Purvis
Seconded by: Council Member Wilson

Adopted Budget Amendment for Fiscal Year Ending June 30, 2024 ~ (BA 2024 01)

CARRIED UNANIMOUSLY

[BA 2024 01 Signed](#)

- c) **Discussion and Possible Action of Approving the Planning Director Job Description**

Ms. Martin gave an overview of the job description and informed that original title of the position had been changed from Town Planner to Planning Director and explained some additional changes that was made to the job description. Ms. Martin reminded everyone that the Planning Director's position was proposed during the Budget Sessions. Mr. Chadwick commended Ms. Martin for incorporating everything that is needed in the job description, including code enforcement. Mr. Emory confirmed that towns are now using the title Planning Director. Mr. Chadwick informed that the plan is to have someone incorporated in the position by January 1st. Discussion followed. Mayor Mulhollem called for a motion.

Moved by: Council Member Jackson
Seconded by: Council Member Wilson

Approved the Planning Director Job Description, as presented.

CARRIED UNANIMOUSLY

- d) **Discussion and Possible Action of Adopting the Town of Archer Lodge Vacation Leave Policy**

Ms. Martin informed that all of the policies that are included on the agenda are already in the handbook and are just being updated. She explained that the update for this policy was removing the section regarding religious holidays. We have floating holidays that the employees could use for that. We could also go through an accommodation process if an employee was needing leave for that. Having no discussion, Mayor Mulhollem called for a motion.

Moved by: Council Member Jackson

Seconded by: Mayor Pro Tem Castleberry

Adopted the Town of Archer Lodge Vacation Leave Policy, as presented.

CARRIED UNANIMOUSLY

e) Discussion and Possible Action of Adopting the Town of Archer Lodge Vacation Leave: Use by Probationary Period Employees Policy

Ms. Martin informed that the policy was updated to allow employees to use their vacation after a 3-month period of probation instead of a 6-month period. The probationary period will still be 6-months. Discussion followed. Mayor Mulhollem called for a motion.

Moved by: Mayor Pro Tem Castleberry

Seconded by: Council Member Bruton

Adopted the Town of Archer Lodge Vacation Leave: Use by Probationary Period Employees Policy, as presented.

CARRIED UNANIMOUSLY

f) Discussion and Possible Action of Adopting the Town of Archer Lodge Vacation Leave: Accrual Rate Policy

Ms. Martin informed that she updated the policy by converting days to hours for employees that work 10 hours days and part-time positions. Ms. Martin also added verbiage regarding transfer of time from other agencies. We would transfer over years of service for vacation leave accruals. Having no discussion, Mayor Mulhollem called for a motion.

Moved by: Council Member Purvis

Seconded by: Council Member Jackson

Adopted the Town of Archer Lodge Vacation Leave: Accrual Rate Policy, as presented.

CARRIED UNANIMOUSLY

g) Discussion and Possible Action of Adopting the Town of Archer Lodge Vacation Leave: Maximum Accumulation Policy

Ms. Martin explained that the only update was that she converted days to hours on this policy. Having no discussion, Mayor Mulhollem called for a motion.

Moved by: Council Member Purvis

Seconded by: Council Member Jackson

Adopted the Town of Archer Lodge Vacation Leave: Maximum Accumulation Policy, as presented.

CARRIED UNANIMOUSLY

h) Discussion and Possible Action of Adopting the Town of Archer Lodge Vacation Leave: Manner of Taking Policy

Ms. Martin explained that the only update was that she added that approval would be required prior to taking leave time. Having no discussion, Mayor Mulhollem called for a motion.

Moved by: Council Member Jackson

Seconded by: Council Member Purvis

Adopted the Town of Archer Lodge Vacation Leave: Manner of Taking Policy, as presented.

CARRIED UNANIMOUSLY

i) Discussion and Possible Action of Adopting the Town of Archer Lodge Vacation Leave: Payment Upon Separation Policy

Ms. Martin explained that she converted days to hours to be consistant. She also added in information regarding leave rollover. Discussion followed. Mayor Mulhollem called for a motion.

Moved by: Council Member Wilson
Seconded by: Mayor Pro Tem Castleberry

Adopted the Town of Archer Lodge Vacation Leave: Payment Upon Separation Policy, as presented.

CARRIED UNANIMOUSLY

j) Discussion and Possible Action of Adopting the Town of Archer Lodge Vacation Leave: Payment Upon Death Policy

Ms. Martin explained that she added hours to this policy. Discussion followed. Mayor Mulhollem called for a motion.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Adopted the Town of Archer Lodge Vacation Leave: Payment Upon Death Policy, as presented.

CARRIED UNANIMOUSLY

9 - 10

k) Discussion and Possible Action of Adopting the Town of Archer Lodge Sick Leave Policy

Ms. Martin explained that she updated the Workers' Comp section of this policy. Discussion followed. It was requested to add eye exams to the policy. Mayor Mulhollem called for a motion.

The amended Sick Leave Policy is attached below.

Moved by: Council Member Jackson
Seconded by: Mayor Pro Tem Castleberry

Adopting the Town of Archer Lodge Sick Leave Policy, as amended.

CARRIED UNANIMOUSLY

[Sick Leave Policy](#)

l) Discussion and Possible Action of Adopting the Town of Archer Lodge Sick Leave: Accrual Rate and Accumulation Policy

Ms. Martin explained that she just clarified some of the verbiage and combined the transfer of time policy to this policy. She also changed days to hours to be consistent. Discussion followed. Mayor Mulhollem called for a motion.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Adopted the Town of Archer Lodge Sick Leave: Accrual Rate and Accumulation Policy, as presented.

CARRIED UNANIMOUSLY

m) Discussion and Possible Action of Adopting the Town of Archer Lodge Sick Leave: Medical Certification Policy

Ms. Martin explained the only change was to clarify the verbiage for FMLA. Discussion followed. She recommended that the Town implement FMLA so that when the Town gets to a point where we are required to comply with FMLA, it will already be in place. Mr. Chadwick reiterated Ms. Martin's

recommendation as a safety matter for the Town. Discussion followed.
Mayor Mulhollem called for a motion.

Moved by: Council Member Jackson
Seconded by: Council Member Purvis

Adopted the Town of Archer Lodge Sick Leave: Medical Certification Policy, as presented.

CARRIED UNANIMOUSLY

n) Discussion and Possible Action of Adopting the Town of Archer Lodge Leave Pro-Rated Policy

Ms. Martin explained that she added part-time employees and added some examples. Discussion followed. Mayor Mulhollem called for a motion.

Moved by: Council Member Jackson
Seconded by: Mayor Pro Tem Castleberry

Adopted the Town of Archer Lodge Leave Pro-Rated Policy, as presented.

CARRIED UNANIMOUSLY

6. TOWN ATTORNEY'S REPORT:

a) Attorney Burrell shared that he missed everyone last month and noted that he would discuss more during the Closed Session.

7. TOWN ADMINISTRATOR'S REPORT:

a) Mr. Chadwick reported the following:

- Mr. Chadwick informed that he has been discussing Emergency Operations Plan (EOP) with Staff. He gave a brief overview of the operation details and noted he would be discussing more in future meetings.
- ETJ discussions will happen next week with the Town of Clayton discussing the needs for both Archer Lodge and Clayton. He noted that the meeting is scheduled to be at the Archer Lodge Town Hall and will include Archer Lodge Staff, Mr. Chad Meadows, CodeWright Planners, LLC, and the Town of Clayton Staff.
- Mr. Chadwick provided a summary of the topics discussed with the members of the Johnston County Regionalization Study that he and Ms. Batten attended last week. He noted that the discussions would be on-going regarding water and sewer.
- He informed Council that at the September 16, 2023 Work Session, there will be a discussion regarding a cell tower ordinance and also a discussion considering alcohol being allowed at special events.
- Mr. Chadwick shared that he would like to meet individually with each Council Member every quarter, via phone or in person, for an update and/or general discussions.
- It was the consensus from the Town Council to schedule a Town Shred It Event for October 21, 2024. Discussion followed. Mr. Chadwick shared that plans are to include a Food Truck. The hours are from 9:00 a.m. - 1:00 p.m. Mayor Mulhollem shared that Boy Scout Troop 421 might have some volunteers to help, if needed.

No further discussion.

8. ASSISTANT TOWN ADMINISTRATOR/FINANCE OFFICER'S REPORT:

a) Interim Financial Reports for July 2023

Approved to move Item 8. to the Work Session on September 18, 2023.

9. HUMAN RESOURCES OFFICER/TOWN CLERK'S REPORT:

- a) **Ms. Martin informed that she will be having School of Government Clerk classes on-line for 2 days to complete classes that were cancel due to a incident at the school (UNC). She also shared that she will have one more week of Clerk classes in October 2023 to finish up her Clerk certification.**

She plans to present more personnel policies for approval in the future. Discussion followed.

10. PARKS AND RECREATION DIRECTOR'S REPORT:

- a) **Mr. Allen reported the following:**

- We are moving forward with finalizing the electricity and picnic shelter at the park within the next couple of weeks.
- NRFA Soccer (Neuse River Futbol Alliance) practice has begun for ages 9 and above. Plans are for the Town to offer soccer in the Spring for ages 8 and below.
- Parks & Recreation Baseball will begin next Monday having 3 games per night.
- Registration for Fall Baseball has 325 participants registered.
- Per the Town agreement with Johnston County Little League, the Town has provided the apparel, equipment, fields, and staff needed to be available for the games.
- Working with local schools for the opportunity to offer Winter Programming.

No further discussion.

11. PLANNING/ZONING REPORT:

11 - 29

- a) **Planning/Zoning Update**

Mr. Emory shared a draft copy of the proposed Minimum Housing Ordinance, which is attached below, for Council to review at their leisure and asked that they contact him with any questions or suggestions. He noted that the ordinance would be beneficial for the Town to implement. Mr. Emory shared that the turn around time for permitting is within a week or less. He reminded Council that Planning works for the Town approximately 16 hours per week.

[DRAFT Minimum Housing Regulations Ordinance](#)

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- b) **Code Enforcement Monthly Report**

Mr. Emory went over the Code Enforcement Report which reported that 7 cases have been abated in the last month, 11 new cases have been opened, 146 cases overall have been opened and 129 cases have been abated with Code Enforcement working 10 hours a week. Discussion followed.

12. MAYOR'S REPORT:

- a) **Mayor Mulhollem had no report.**

13. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

- a) **Council Member Wilson asked if there were any plans for the upcoming Veterans Day Ceremony. Mayor Mulhollem shared that he would relay his question to the persons planning the event.**
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- b) Council Member Jackson discussed buildings that are located in the Town that have historical value to see if there is anything that the Town can do to help preserve these buildings. Discussion followed.
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- c) Council Member Purvis had no remarks.
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- d) Council Member Castleberry had no remarks.
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- e) Council Member Bruton shared that she would not be available to attend the Town Council Work Session on September 18, 2023.
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14. CLOSED SESSION - ATTORNEY CONSULTATION
§ 143-318.11(a)(3)

- a) Attorney Burrell advised Council to enter into Closed Session for attorney consultation for a potential litigation as permitted by §143-318.11(a)(3).

Moved by: Council Member Wilson

Seconded by: Council Member Bruton

Approved to enter into Closed Session at 8:45 p.m.

CARRIED UNANIMOUSLY

15. RETURN TO OPEN SESSION:

- a) Mayor Mulhollem called for a motion to return to Open Session.

Moved by: Council Member Wilson

Seconded by: Mayor Pro Tem Castleberry

Approved to return to Open Session at 9:01 p.m.

CARRIED UNANIMOUSLY

16. POTENTIAL ACTION:

- a) No potential action.

17. ADJOURNMENT:

- a) Having no further business, Mayor Mulhollem called for a motion to adjourn.

Moved by: Council Member Wilson

Seconded by: Mayor Pro Tem Castleberry

Approved to adjourn meeting at 9:02 p.m.

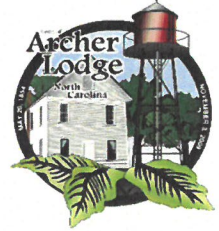
CARRIED UNANIMOUSLY

Matthew B. Mulhollem, Mayor

Jenny Martin, Town Clerk

Town of Archer Lodge
Fiscal Year Ending June 30, 2024

BA 2024 01



Budget Amendment # BA 2024 01

Date: 05-Sep-23

Gen Fund/Cap Res Fund

Account	Account Number	Budget	Amendment	Amended Budget
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Revenues:

Gen/Transfer from Capital Reserve Fund 30	10-3900-3930	-	125,000.00	125,000.00
Gen/Fund Balance Appropriated	10-3990-0000	347,846.00	152,154.00	500,000.00
Cap Res Fnd/Fund Balance Appropriated	30-3990-0000	-	125,000.00	125,000.00
Total Increase (Decrease) in Revenues			402,154.00	

Expenditures:

Gen/Public Buildings/Supplies-Buildings	10-4190-2000	3,000.00	3,389.00	6,389.00
Gen/Public Buildings/Solid Waste-Garbage	10-4190-3300	-	6,000.00	6,000.00
Gen/Public Buildings/Contracted Services	10-4190-3500	20,000.00	229,500.00	249,500.00
Gen/Public Buildings/Building Permits	10-4190-5900	-	7,000.00	7,000.00
Gen/Parks & Rec/Contracted Services	10-6120-3500	26,000.00	29,565.00	55,565.00
Gen/Parks & Rec/Insurance Workers Compensation	10-6120-4550	4,735.00	1,700.00	6,435.00
Cap Res Fnd/Transfer to General Fund 10	30-9900-0010	-	125,000.00	125,000.00
Total Increase (Decrease) in Expenditures			402,154.00	

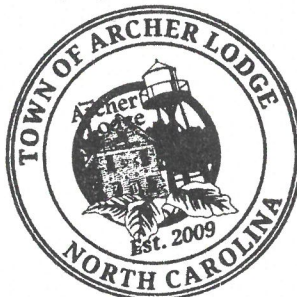
Justification for Budget Amendment:

To appropriate or reappropriate unanticipated revenues and expenditures as recorded.

Adopted this 5th day of September 2023

ATTEST:


Jenny Martin, Town Clerk




Matthew B. Mulhollem, Mayor


Bryan Chadwick, Budget Officer



TOWN OF ARCHER LODGE

14094 Buffalo Road
Archer Lodge, NC 27527
Main: 919-359-9727
Fax: 919-359-3333

Mayor:

Matthew B. Mulhollem

Council Members:

Clyde B. Castleberry

Mayor Pro Tem

Teresa M. Bruton

J. Mark Jackson

James L. (Jim) Purvis, III

Mark B. Wilson

Sick Leave Policy

Sick leave with pay is a privilege granted to employees by the Town, not a right, and may be used only for the purposes described in this policy. Abuse of sick leave privileges will subject the employee to disciplinary action up to and including termination.

Employees serving a probationary period following initial employment will accumulate sick leave at the applicable rate and may be permitted to take sick leave during the probationary period.

Sick leave may be used for the following reasons: sickness, bodily injury, required physical/dental/eye examinations or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others.

Sick leave may also be used when an employee must care for a member of his or her immediate family who is ill; however, sick leave may not be used to care for healthy children when the regular care giver is sick.

Immediate family is defined as spouse, child, parent, guardian, children, sister, brother, grandparent, grandchildren, plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named.

Sick leave, if available, will be used to supplement worker's compensation disability leave during the waiting period of seven (7) days before worker's compensation benefits begin. Sick leave may be used to supplement the remaining one third (1/3) of salary after worker's compensation benefits begin, up to one (1) week out of work.

Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave or no later than the start of the scheduled workday.

MINIMUM HOUSING REGULATIONS

Statutory reference:

Repair, closing or demolition of abandoned structures, see G.S. 160D-1203

GENERAL PROVISIONS

SCOPE.

The provisions of this chapter and of the regulatory codes herein adopted shall apply to the following:

- (A) The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use and occupancy of every dwelling or any appurtenances connected, attached or used in connection with any dwelling;
- (B) The installation, erection, alteration, repair, use and maintenance of plumbing systems consisting of building sewers, building drains, waste and vent systems, hot and cold-water supply systems, and all fixtures and appurtenances thereof;
- (C) The installation, erection, alteration, repair, use and maintenance of mechanical systems consisting of heating, ventilating, air conditioning or refrigerating systems, fuel burning equipment, and appurtenances thereof; and
- (D) The installation, erection, alteration, repair, use and maintenance thereof.

JURISDICTION.

The provisions of this chapter and of the regulatory codes herein adopted shall apply within the corporate limits of the town and within the town's extraterritorial jurisdiction beyond and surrounding the corporate limits as shown on the official zoning map of the town (if applicable).

STATE BUILDING CODE ADOPTED

The current version of the North Carolina State Building Code is hereby adopted, and any later adopted versions of the State Building Code shall be deemed adopted by the town without further action by the Town Council.

COMPLIANCE WITH THE STATE BUILDING CODE

All dwellings, nonresidential buildings and other structures which are hereafter constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished or moved shall conform to the requirements of the North Carolina State Building Code.

MINIMUM HOUSING STANDARDS

FINDING; PURPOSE.

(A) Pursuant to G.S. § 160D-1203, it is hereby found and declared that there exist in the town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering the dwellings unsafe or unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the town.

(B) In order to protect the health, safety and welfare of the residents of the town, as authorized by G.S. § 160D-1203et seq., it is the purpose of this chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by G.S. § 160D-1203.

DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BASEMENT. A portion of a building which is located partly underground, having direct access to light and air from windows located above the level of the adjoining ground.

CELLAR. A portion of a building located partly or wholly underground having an inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

DETERIORATED. A dwelling which is unfit for human habitation and can be repaired, altered or improved to comply with all of the minimum standards established by this chapter, at a cost not in excess of 50% of its value, as determined by finding of the Inspector.

DILAPIDATED. A dwelling which is unfit for human habitation and cannot be repaired, altered or improved to comply with all of the minimum standards established by this chapter at a cost not in excess of 50% of its value, as determined by a finding of the Inspector.

DWELLING. Any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith, except that a “dwelling” does not include any manufactured home or mobile home, which is used solely for a seasonal vacation purpose, or other temporary housing. See, “Temporary Housing,” below.

DWELLING, DWELLING UNIT, ROOMING HOUSE, ROOMING UNIT, PREMISES. Shall be construed as though they were followed by the words or any part thereof.

DWELLING UNIT. Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

EXTERMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the Inspector.

GARBAGE. The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

HABITABLE ROOM. A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers or communicating corridors, closets and storage spaces.

INFESTATION. The presence, within or around a dwelling, of any insects, rodents or other pests in a number as to constitute a menace to the health, safety or welfare of the occupants or the public.

INSPECTOR. A Building Inspector or any other official or employee of the town authorized by ordinance to exercise the powers and duties of this chapter. The term "Inspector" shall have the same meaning as "public officer," as that term is used in G.S. Chpt. 160A, Art. 19., Part 6, "Minimum Housing Standards."

MANUFACTURED HOME. Means a structure as defined in G.S. § 143-145(7). A manufactured home may also be referred to as a "mobile home."

MULTIPLE DWELLING. Any dwelling containing more than two dwelling units.

OCCUPANT. Any person over one year of age, living, sleeping, cooking or eating in, or having actual possession of a dwelling unit or rooming unit.

OPERATOR. Any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.

OWNER. The holder of fee simple title to real property and every mortgagee of record.

PARTIES IN INTEREST. All individuals, associations and corporations who have interests of record in a dwelling and any who are in possession thereof.

PLUMBING. All of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, mechanical garbage disposal units (mechanical sink grinder), waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basin, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

PUBLIC AUTHORITY. The Town Housing Authority or any officer who is in charge of any department or branch of the government of the Town of Archer Lodge or Johnston County or the State of North Carolina relating to health, fire, building regulations or other activities concerning dwellings in the town.

ROOMING HOUSE. Any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband and wife, son or daughter, mother or father or sister or brother of the owner or operator.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit, used or intended to be used for living and sleep, but not for cooking or eating purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage and ashes, and the term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust.

SUPPLIED. Paid for, furnished or provided by, or under the control of, the owner or operator.

TEMPORARY HOUSING. Any tent, trailer or other structure used for human shelter which is designed to be transportable, and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days.

UNFIT FOR HUMAN HABITATION. Conditions which exist in a dwelling which violate or do not comply with one or more of the minimum standards of fitness or one or more of the requirements established by this chapter.

FITNESS OF DWELLINGS AND DWELLING UNITS.

(A) Every dwelling and dwelling unit used as a human habitation, or held out for use as a human habitation, shall comply with the North Carolina State Building Code and all of the minimum standards of fitness for human habitation and other requirements this code.

(B) No person shall occupy as owner-occupant or let to another for occupancy or use as a human habitation, any dwelling or dwelling unit which does not comply with the North Carolina State Building Code and all of the minimum standards of fitness for human habitation and other requirements of this code.

STRUCTURAL CONDITION.

(A) Walls or partitions or supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.

(B) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

(C) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.

(D) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in a condition that they will not fail or collapse.

5. (E) Adequate facilities for egress in case of fire or panic shall be provided.

6. (F) Interior walls and ceilings of all rooms, closets and hallways shall be finished of suitable

materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in a manner so as to enable the occupants to maintain reasonable privacy between various spaces.

(G) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather and watertight.

(H) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in a condition or location as to constitute a fire hazard.

(I) There shall be no use of the ground for floors, or wood floors on the ground.

BASIC EQUIPMENT AND FACILITIES.

(A) Plumbing system.

(1) Each dwelling unit shall be connected to a potable water supply and to the public sewer or other approved sewage disposal system.

(2) (a) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water.

(b) All water shall be supplied through an approved pipe distribution system connected to a potable water supply.

(3) All plumbing fixtures shall meet the standards of the North Carolina State Building Code and shall be maintained in a state of good repair and in good working order.

(4)(a) All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of the same.

(b) The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

(B) *Heating system.* Every dwelling and dwelling unit shall have facilities for providing heat in accordance with either division (B)(1) or (B)(2) below.

(1) *Central and electric heating systems.* Every central or electric heating system shall be of sufficient capacity, and shall be connected, so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to a minimum temperature of 70°F measured as a point three (3) feet above the floor.

(2) *Other heating facilities.* Where a central or electric heating system is not provided, each dwelling and dwelling unit shall be provided with sufficient fireplaces, chimneys, flues or gas vents whereby heating appliances may be connected so as to heat all habitable rooms to a minimum temperature of 70°F measured three (3) feet above the floor.

(3) *Portable kerosene heaters.* Portable kerosene heaters are not acceptable as a permanent source of heat but may be used as a supplementary source in single family dwellings and duplex units. An owner who has complied shall not be held in violation of this subsection where an occupant of a dwelling unit uses a kerosene heater as a primary source of heat.

(C) Electrical system.

(1)(a) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two (2) floor or wall-type electric convenience receptacles, connected in a manner as determined by the North Carolina State Building Code.

(b) There shall be installed in every bathroom, water closet room, laundry room and furnace room, at least one supplied ceiling, or wall-type electric light fixture.

(c) In the event wall or ceiling light fixtures are not provided in any habitable room, then each habitable room shall contain at least three floor or wall-type electric convenience receptacles.

(2) Every public hall and stairway in every multi-dwelling shall be adequately lighted by electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the North Carolina State Building Code.

VENTILATION.

(A) General.

(1) Every habitable room shall have at least one (1) window or skylight facing directly to the outdoors.

(2) The minimum total window area, measured between stops, for every habitable room shall be 10% of the floor area of the room.

(3) Whenever walls or other portions of structures face a window or any room and the light-obstructing structures are located less than five (5) feet from the window and extend to a level

above that of the ceiling of the room, the window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area.

(4) Whenever the only window in a room is a skylight-type window in the top of the room, the total window area of the skylight shall equal at least 15% of the total floor area of the room.

(B) Habitable rooms.

(1) Every habitable room shall have at least one (1) window or skylight which can easily be opened, or other device as will adequately ventilate the room.

(2) The total openable window area in every habitable room shall be equal to at least 45% of the minimum window area size or minimum skylight-type window size as required, or shall have other approved, equivalent ventilation.

(C) Bathroom and water closet rooms. Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

SPACE, USE AND LOCATION.

(A) Room sizes. Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the North Carolina State Building Code.

(1) Every dwelling unit shall contain at least 150 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable area for each of the next three (3) occupants, and at least seventy-five (75) square feet of additional habitable floor area for each additional occupant.

(2) In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each occupant under twelve (12) years of age.

(B) Ceiling height. At least one-half (1/2) of the floor area of every habitable room shall have a ceiling height of not less than seven (7) feet and six (6) inches.

(C) Floor area calculation.

(1) Floor area shall be calculated on the basis of habitable room area. However, closet area and wall area within the dwelling unit may count for not more than 10% of the required habitable floor area.

(2) The floor area of any part of any room where the ceiling height is less than four and one-half (4 1/2) feet shall not be considered as part of the floor area computing the total area of the room to determine maximum permissible occupancy.

4. (D) *Cellar*. No cellar shall be used for living purposes.

5. (E) *Basements*. No basement shall be used for living purposes unless:

(1) The floor and walls are substantially watertight;

(2) The total window area, total openable window area and ceiling height are equal to those required for habitable rooms; and

(3) The required minimum window area of every habitable room is entirely above the grade adjoining the window area, except where the window or windows face a stairwell, window well or access way.

SAFE AND SANITARY MAINTENANCE.

(A) *Exterior foundation, walls and roofs*.

(1) Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, shall be kept in sound condition and good repair, shall be capable of affording privacy; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

(2) Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.

(B) *Interior floors, walls and ceilings*. Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

(C) *Windows and doors*. Every window, exterior door, basement or cellar door, and hatchway shall be substantially weather tight, watertight and rodent proof, and shall be kept in sound working condition and good repair.

(D) *Stairs, porches and appurtenances*. Every outside and inside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.

(E) *Bathroom floors*. Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit the floor to be easily kept in a clean and sanitary condition.

(F) *Supplied facilities.* Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

(G) *Drainage.* Every yard shall be properly graded so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water.

(H) *Noxious weeds.* Every yard and all exterior property areas shall be kept free of species of weeds or plant growth which are noxious or detrimental to health.

(I) *Egress.* Every dwelling unit shall be provided with adequate means of egress as required by the North Carolina State Building Code.

CONTROL OF INSECTS, RODENTS AND INFESTATIONS.

(A) *Screens.* In every dwelling unit, for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied and installed screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens installed.

(B) *Rodent control.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or other approved device as will effectively prevent their entrance.

(C) *Infestation.*

(1) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination whenever his or her dwelling unit is the only one infested.

(2) Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the owner.

(3) Whenever infestation exists in two or more dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

(D) *Rubbish storage and disposal.* Every dwelling and every dwelling unit shall be supplied with approved containers and covers for storage of rubbish as required by town ordinances, and the owner, operator or agent in control of the dwelling or dwelling unit shall be responsible for the removal of rubbish.

(E) *Garbage storage and disposal.* Every dwelling and every dwelling unit shall be supplied with an approved garbage disposal facility, which may be an adequate mechanical garbage disposal unit (mechanical sink grinder) in each dwelling unit or an incinerator unit, to be approved by a Town Building Inspector, in the structure for the use of the occupants of each dwelling unit, or an approved outside garbage can as required by town ordinances.

ROOMING HOUSES; EXCEPTIONS.

All of the provisions of this chapter, and all of the minimum standards and requirements of this chapter, shall be applicable to rooming houses, and to every person who operates a rooming house, or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following divisions.

(A) Water closet, hand lavatory and bath facilities.

(1) At least one (1) water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four (4) rooms within a rooming house wherever the facilities are shared.

(2) All the facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one (1) story removed from any of the persons sharing the facilities. at all times.

(3) Every lavatory basin and bathtub or shower shall be supplied with hot and cold water

(4) The required facilities shall not be located in a cellar.

(B) *Minimum floor area for sleeping purposes.* Every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least (fifty) 50 square feet of floor area for each occupant (twelve) 12 years of age and over and at least (thirty-five) 35 square feet of floor area for each occupant under (twelve) 12 years of age.

(C) *Sanitary conditions.* The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house; and he or she shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

(D) *Sanitary facilities.* Every water closet, flush urinal, lavatory basin and bathtub or shower required by subsection (A) above shall be located within the rooming house and within a room or rooms which afford privacy and are separate from the habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein.

RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

(A) *Public areas.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

(B) *Cleanliness.* Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he or she occupies and controls.

(C) *Rubbish and garbage.*

(1) Every occupant of a dwelling or dwelling unit shall dispose of all his or her rubbish and garbage in a clean and sanitary manner.

(D) *Supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of the same.

(E) *Care of facilities, equipment and structure.* No occupant shall willfully destroy, deface or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit.

INSPECTOR; POWERS AND DUTIES.

(A) *Inspector appointed.* The Town Administrator is hereby appointed to serve as the Minimum Housing Inspector. The Town Administrator may delegate these duties to any town employee or contractor.

(B) *Duties.* It shall be the duty of the Inspector:

(1) To investigate the dwelling conditions, and to inspect dwellings and dwelling units located in the town, in order to determine which dwellings and dwelling units are unfit for human habitation, and for the purpose of carrying out the objectives of this chapter with respect to the dwellings and dwelling units;

(2) To take action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;

(3) To keep a record of the results of inspections made under this chapter and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed; and

(4) To perform the other duties as may be herein prescribed.

(C) *Powers.* The Inspector is authorized to exercise the powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter including the following powers in addition to others herein granted:

- (1) To investigate the dwelling conditions in the town in order to determine which dwellings therein are unfit for human habitation;
- (2) To administer oaths and affirmations, examine witnesses and receive evidence;
- (3) To enter upon premises for the purpose of making examinations and inspections; provided, the entries shall be made in accordance with law and in the manner as to cause the least possible inconvenience to the persons in possession; and
- (4) To appoint and fix the duties of the officers, agents and employees as he or she deems necessary to carry out the purpose of this chapter.

(D) Relief from personal liability. Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of the official duties described herein.

PROCEDURE FOR ENFORCEMENT; SERVICE OF COMPLAINTS AND ORDERS.

(A) Procedure for enforcement.

(1) Preliminary investigation; notice; hearing.

- (a) Whenever a petition is filed with the Inspector by a public authority or by at least five (5) residents of the town charging that any dwelling or dwelling unit is unfit for human habitation, or whenever it appears to the Inspector, upon inspection, that any dwelling or dwelling unit is unfit for human habitation, he or she shall if his or her preliminary investigation discloses a basis for the charges, issue and cause to be served upon the owner of and parties in interest in the dwelling or dwelling unit a complaint stating the charges and containing a notice that a hearing will be held before the Inspector at a place therein fixed, not less than ten (10) nor more than thirty (25) days after the serving of the complaint.
- (b) The owner or any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint.
- (c) Notice of the hearing shall also be given to at least one of the persons signing a petition relating to the dwelling.
- (d) Any person desiring to do so may attend the hearing and give evidence relevant to the matter being heard.
- (e) Hearings before the Inspector shall be quasi-judicial in nature. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Inspector.

(2) Procedure after hearing.

(a) After the notice and hearing, the Inspector shall state in writing his or her determination whether the dwelling or dwelling unit is unfit for human habitation. If the Inspector determines the dwelling or dwelling unit is unfit for human habitation, then her or she shall also determine whether the structure is deteriorated or dilapidated.

(b) 1. If the Inspector determines that the dwelling or dwelling unit is deteriorated, he or she shall state in writing his or her findings of fact in support of the determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter and improve the dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter within a specified period of time, not to exceed ninety (90) days. 2. If the Inspector determines that the dwelling or dwelling unit is deteriorated, the order may also require that the property be vacated and closed. The Inspector may issue an order to vacate and close only if the Inspector determines in writing that continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of eighteen (18) or occupants with physical or mental disabilities.

(c) If the Inspector determines that the dwelling is dilapidated, he or she shall state in writing his or her findings of fact to support the determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to either repair, alter and improve the dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter or else vacate and remove or demolish the same within a specified period of time not to exceed ninety (90) days. However, notwithstanding any other provision of law, if the dwelling is located in a historic district of the town and the town's Historic District Commission determines, after a public hearing as provided by ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with G.S. § 160D-1203.

(d) An order issued shall also state:

(i) That the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order, and

(ii) That any person aggrieved by the order may appeal the decision to the Zoning Board of Adjustment within thirty (30) days from the rendering of the decision or service of the order.

(B) Whenever the Inspector orders a dwelling be vacated and closed or removed or demolished, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of forty-five (45) days from the mailing of such notice shall be given before removal or demolition by action of the Inspector, to allow the opportunity for any organization to

negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Inspector or Town Clerk shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the Inspector to wait forty-five (45) days before causing removal or demolition.

(C) Methods of service of complaints and orders.

(1) Complaints or orders issued by the Inspector shall be served upon persons either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within ten (10) days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

(2) If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the Inspector in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by registered or certified mail, and the Inspector makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the town at least once no later than the time at which personal service would be required under this chapter. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

FAILURE TO COMPLY WITH AN ORDER.

(A) Failure to comply with an order – in personam remedy. Pursuant to G.S. § 160D-1203, if the owner of any deteriorated dwelling or dwelling unit shall fail to comply with an order of the Inspector to repair, alter or improve the same within the time specified therein, or if the owner of a dilapidated

dwelling shall fail to comply with an order of the Inspector to vacate and close, and remove or demolish the same within the time specified therein, the Inspector may submit to the Town Council a resolution directing the Town Attorney to institute any appropriate action in the Johnston County Superior Court for an order directing the owner and/or occupants to comply with the order of the Inspector; to otherwise prevent the unlawful erection, construction, reconstruction, alteration or use; to restrain, correct or abate the violation; to prevent the occupancy of the dwelling; or to prevent any illegal act, conduct or use in or about the premises of the dwelling.

(B) Failure to comply with an order – in rem remedy.

(1) If the owner of any deteriorated or dilapidated dwelling or dwelling unit shall fail to comply an order of the Inspector issued pursuant to this chapter, the Inspector may petition the Town Council adopt an ordinance authorizing the Inspector to carry the Inspector's order into effect.

Upon adoption of said ordinance, the Inspector shall proceed to cause the dwelling or dwelling unit to be repaired, altered or improved to comply with the minimum standards of fitness established by this chapter or to be vacated and closed and removed or demolished, as directed by the ordinance of the Town Council and shall cause to be posted on the main entrance of the dwelling or dwelling unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(2) No ordinance adopted by the Town Council shall direct the Inspector to take an action other than those actions specified in the Inspector's written order, except that the Council may allow additional time to repair a dwelling.

(3) No ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with the town Minimum Housing Code.

(4) Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(B) Each ordinance shall be recorded in the office of the Johnston County Register of Deeds and shall be indexed in the name of the property owner in the grantor index.

COSTS A LIEN ON PREMISES; SALE OF MATERIALS.

(A) As provided by G.S. § 160D-1203, the amount of the cost of any repairs, alterations or improvements, or vacating and closing, or removal or demolition, caused to be made or done by the Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in G.S. Chapter. 160D-1203.

(B) If the real property upon which the cost was incurred is located within the corporate limits of the town, then the amount of the cost is also a lien on any other real property of the owner located within the town limits or within one (1) mile thereof except for the owner's primary residence. The additional lien provided in this subdivision is inferior to all prior liens and shall be collected as a money judgment.

(C) If the dwelling is removed or demolished by the Inspector, he or she shall sell the materials of the dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Johnston County Superior Court by the Inspector, shall be secured in a manner directed by the Court, and shall be disbursed by the Court to the persons found to be entitled thereto by final order or decree of the Court. Nothing in this subsection shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

ABANDONMENT OF INTENT TO REPAIR.

(A) If (i) the Town Council has adopted an ordinance as provided in this chapter or the Inspector has issued an order determining a structure is deteriorated and ordering a dwelling to be repaired or vacated and closed and (ii) the dwelling has been vacated and closed for a period of one (1) year pursuant to the ordinance or order, then the Council may conduct a hearing to determine whether the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation. If after a hearing, the Council finds that the owner has abandoned his or her intent to repair the dwelling and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the town in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State, then in such circumstances, the Council may, after the expiration of such one (1) year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

(1) If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within ninety (90) days; or

(2) If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within ninety (90) days.

(B) This ordinance shall be recorded in the Johnston County Register of Deeds and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this ordinance, the Inspector shall effectuate the purpose of the ordinance.

ALTERNATIVE AND SUPPLEMENTAL REMEDIES.

(A) Neither this chapter nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their abatement by summary action or otherwise, or to enforce this chapter by criminal process as authorized by G.S. § 14-4.

(C) The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

(D) If any occupant fails to comply with an order to vacate a dwelling, the Inspector, with authorization from the Town Council, may file a civil action in the name of the town to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying such dwelling. The Johnston County Clerk of Superior Court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date and place not to exceed ten (10)

days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. § 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served, and if at the hearing the Inspector produces a certified copy of an ordinance adopted by the Town Council pursuant to this chapter authorizing the Inspector to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. § 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. § 7A-228, and the execution of such judgment may be stayed as provided in G.S. § 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least thirty (30) days before the filing of the summary ejectment proceeding that the Town Council has ordered the Inspector to proceed to exercise his or her duties pursuant to this chapter to vacate and close or remove and demolish the dwelling.

APPEALS.

(A) An appeal from any decision or order of the Inspector may be taken to the Zoning Board of Adjustment by any person aggrieved thereby or by any officer, board or Council of the town. Any appeal from the Inspector shall be taken within thirty (30) days from the rendering of the decision or service of the order by filing a notice of appeal with the Inspector, which notice shall specify the grounds upon which the appeal is based.

(B) Upon the filing of any notice of appeal, the Inspector shall promptly transmit to the Zoning Board of Adjustment all the papers, photographs and other documents constituting the record upon which the decision appealed from was made.

(C) When an appeal is from a decision of the Inspector refusing to allow the person aggrieved thereby to do any act, his or her decision shall remain in force until modified or reversed. When any appeal is from a decision of the Inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Zoning Board of Adjustment, unless the Inspector certifies to the board, after the notice of appeal is filed with him or her, that because of facts stated in the certificate (a copy of which shall be furnished to the appellant), a suspension of his or her requirement would cause imminent peril to life or property. In that case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one (1) day's written notice to the Inspector, by the board, or by a court of record upon petition.

(D) The Zoning Board of Adjustment shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make any decision and order that in its opinion ought to be made in the matter, and to that end it shall have all the powers of the Inspector, but the concurring vote of a majority of the members of the board shall be necessary to reverse or modify any decision or order of the Inspector. The board shall have power also in

passing upon appeals, when practical difficulties or unnecessary hardships would result from carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

(E) Every decision of the Zoning Board of Adjustment shall be subject to review by proceedings in the nature of certiorari instituted in the Johnston County Superior Court within fifteen (15) days of the decision of the board, but not otherwise.

(F) Any person aggrieved by an order issued by the Inspector, or a decision rendered by the Zoning Board of Adjustment may petition the Johnston County Superior Court for an injunction restraining the Inspector from carrying out the order or decision and the court may, upon such petition, issue a temporary injunction restraining the Inspector pending a final disposition of the cause. The petition shall be filed within thirty (30) days after issuance of the order or rendering of the decision. Hearings shall be had by the court on a petition within twenty (20) days and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. It shall not be necessary to file bond in any amount before obtaining a temporary injunction under this subsection.

CONFLICT WITH OTHER PROVISIONS.

In the event any provision, standard or requirement of this chapter is found to be in conflict with any provision of any other ordinance or code of the town, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the town shall prevail.

VIOLATIONS.

(A) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in the order, and each day that any failure, neglect or refusal to comply with the order continues shall constitute a separate and distinct offense.

(B) It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to this chapter, to occupy or permit the occupancy of the same after the time prescribed in the order for its repair, alteration or improvement or its vacation and closing, and each day that the occupancy continues after the prescribed time shall constitute a separate and distinct offense.

PENALTY AND ENFORCEMENT.

(A) In addition to the other remedies provided here in, any provision of this chapter may be enforced by any remedy, including but not limited to civil penalties as provided in Code Section 10.99 and G.S. § 160D-1203.

Adopted by the Town of Archer Lodge Council the _____ day of _____
20____.



**Regular Council - Minutes
Monday, October 2, 2023**

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Jackson
Council Member Purvis
Council Member Wilson

STAFF PRESENT:

Bryan Chadwick, Town Administrator
Kim P. Batten, Assistant Town Administrator/Finance Officer
Brandon Emory, Town Planner
Jenny Martin, Human Resources Officer/Town Clerk
Marcus Burrell, Town Attorney
Chris Allen, Parks & Recreation Director

COUNCIL ABSENT:

MEDIA PRESENT:

None

1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:30 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Jackson offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance to the US Flag.

2. APPROVAL OF AGENDA:

a) No changes or additions.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson
Approved the Agenda.

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed; 3 minutes per person)

a) No Public Comments.

4. CONSENT AGENDA:

**a) Approval of Minutes:
03 Apr 2023 Regular Council Meeting Minutes
01 May 2023 Regular Council Meeting Minutes**

Moved by: Council Member Wilson
Seconded by: Council Member Purvis
Approved Consent Agenda.

CARRIED 4 to 1 (Bruton Opposed)

5. PLANNING/ZONING REPORT:**a) Planning/Zoning Update**

Mr. Emory shared that he had made some modifications to the proposed Minimum Housing Ordinance after having met with the Planning Board. He gave an overview of the changes to the ordinance. Discussion followed.

Mr. Emory also discussed a meeting he had regarding extraterritorial jurisdiction (ETJ) and advised council to look into the Town's ETJ. Discussion followed.

Mayor Mulhollem asked the Council to review the proposed ordinance and to reach out to Town Staff with any questions.

b) Code Enforcement Monthly Report

Mr. Emory presented Ms. Kerry Barnes', Code Enforcement Officer, report.

6. DISCUSSION AND POSSIBLE ACTION ITEMS:**a) Discussion and Possible Action of Appointing a Town of Archer Lodge Representative for the Triangle J Council of Governments**

Mayor Mulhollem shared that he was currently the delegate for CAMPO (NC Capital Area Metropolitan Planning Organization Executive Board). He shared that he would be willing to serve as a representative on the TJCOG Board (Triangle J Council of Governments) if a Council Member could serve on the CAMPO Board in place of him. Mayor Mulhollem noted that he would not be available to serve both boards and informed that he would reach out to individuals on the Board to discuss.

7. TOWN ATTORNEY'S REPORT:**a) Attorney Burrell had no report.**

8. TOWN ADMINISTRATOR'S REPORT:**a) Mr. Chadwick reported the following:**

- Mr. Chadwick shared that the Town will be sending out a press release to announce that the Town is now in a partnership with the Archer Lodge Community Center and Johnston County Little League.
- He discussed the possibility of a committee forming to discuss multiple options for water and sewer. He noted that he would provide more information as it becomes available.
- Mr. Chadwick shared that he visited with the Town of Clayton Management and the Johnston County Development Board to get acquainted with everyone.
- He expressed appreciation for Ms. Donna White placing a \$2.365 Million request in the State Budget for the Archer Lodge Town Park. He shared that Ms. White announced at the last Archer Lodge Community Center Meeting that the Town was funded the full amount.
- Mr. Chadwick reminded everyone that a Work Session is scheduled for Monday, October 16, 2023.
- The Town Shred-It-Event will be held on Saturday, October 21, 2023, from 9:00 a.m. - 1:00 p.m., at the Town Park.
- Staff will be scheduling Planning Sessions in the coming months to include state and local agencies in attendance.

No further comments or discussion.

9. ASSISTANT TOWN ADMINISTRATOR/FINANCE OFFICER'S REPORT:

a) Interim Financial Reports for July 2023

Ms. Batten shared the interim summary for all funds ending July 31, 2023. The General Fund took in a little less than \$45,000 in revenue and most of that came from Parks & Recreation. She shared that we usually go into our savings this time a year until we can make up for it with our revenues. She also shared that investment earnings are almost at 28% collected. The actual to date net difference between revenues and expenditures in the General Fund is a little more than \$48,000.

Regarding the Capital Reserve Fund 30, Ms. Batten mentioned that the investment earnings were \$625.76.

Regarding the Park Reserve Fund 31 and the Public Safety Reserve Fund 32, Ms. Batten mentioned that the only activity has been investment earnings.

When comparing the revenues in July 2022 with July 2023 in the General Fund, Ms. Batten mentioned that we are at around \$34,000 more this year. Ms. Batten shared that the expenditures for this year were around \$25,000 more than last year. The difference is about \$7,000 between the two years.

No further comments or discussion.

b) Interim Financial Reports for August 2023

Ms. Batten shared the interim summary for all funds ending August 31, 2023. She explained that August is when we make our Park Land Loan payment and that's the biggest difference between last month and this month. The revenues weren't as much as the expenditures in August. The actual to date net difference between revenues and expenditures in the General Fund is around \$200,000.

Regarding the Capital Reserve Fund 30, Ms. Batten mentioned that the only transaction for the month is the investment earnings.

Regarding the Park Reserve Fund 31, Ms. Batten mentioned the activity of the investment earnings and the \$0.02 transfer for the taxes. She also mentioned again about the loan payment.

Regarding the Public Safety Reserve Fund, Ms. Batten mentioned that the only activity was a little bit of investment earnings and to be expecting a budget amendment coming up.

When comparing revenues in August 2022 with August 2023 in the General Fund, Ms. Batten mentioned that the biggest difference was the grant money that we received last year. Ms. Batten stated that the difference between the two years is around \$114,000.

No further comments or discussion.

c) Up-To-Date Project Funds

Ms. Batten shared that the Town has only received \$450,000 of the PARTF grant because they are holding \$50,000 of the grant until we close out. The Town has spent around \$964,000 as of September 27th.

Regarding the ARPA Funds, Ms. Batten mentioned that the Town has \$32,329.16 left to encumber.

Regarding the SCIF Funds, Ms. Batten mentioned that the Town has spent around \$285,000. The Town has around \$419,000 left to encumber.

Ms. Batten let Council know that the audit is underway.

No further comments or discussion.

10. HUMAN RESOURCES OFFICER/TOWN CLERK'S REPORT:

a) Ms. Martin reported the following:

- Ms. Martin informed Council that she had posted the Planning Director position. She noted that so far there have been 3 applicants that have applied. She noted that the posting will close in 2 weeks.
- She has also posted the athletic supervisor and athletic aide part-time positions for Parks & Recreation. She noted that these positions will help with managing games.
- Open enrollment is coming up for the Town State Health Plan insurance.
- Ms. Martin shared that she will be updating the Council Members' documentation on file and will advise them of any information that they will need to provide.
- Evaluation for employees will be coming up soon along with evaluation training for Staff.
- Ms. Martin will be attending her last class for her clerk's certification by the end of October.

No further comments or discussion.

11. PARKS AND RECREATION DIRECTOR'S REPORT:

a) Mr. Allen reported the following:

- Mr. Allen gave an update on the Park.
- He is waiting for Food Trucks to confirm attendance for the Shred-It-Event.
- Fall baseball season is in full swing.
- Basketball registration is open for ages 9-10, 11-12, and will be adding ages 13-14 at a later date. He informed that the lower age groups cannot be included at this time due to the height of the goals cannot be adjusted.
- Mr. Chadwick shared that due to the Town using the Archer Lodge Middle School gym the Town will be partnering in the expense for the maintenance of the gym floor.
- Mr. Allen shared that our Parks Maintenance Specialist, Mr. Miguel Galvan, will be in South Carolina taking a 3-day course and testing for his Certified Playground Safety Inspector (CPSI) certification.
- Mr. Allen informed that he will be out next week for the NRPA (National Recreation & Parks Association) Annual Conference in Dallas, Texas.
- Mr. Allen informed Council that he and Jason McCray were selected to present a presentation at the National State Conference in Wilmington, NC in December 2023.
- Ms. Martin expressed appreciation in having qualified employees on Staff that are working on their certifications and that are being asked to present at conferences. She expressed that the Town is very blessed to have the employees that we do. Mayor Mulhollem concurred.
- Discussion followed.

No further comments or discussion.

12. MAYOR'S REPORT:

- a) Mayor Mulhollem reiterated the appreciation of NC Representative Donna White helping the Town to receive a grant from the State in the amount of \$2.365 Million, and expressed appreciation to Staff for having helped to making it happen. He shared that he had reached out to several scouting units to help with the Shred-It-Event at the Town Park.

13. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

- a) Council Member Wilson reminded everyone of the Veterans Day Ceremony, Saturday, November 11, 2023 at 7:30 p.m. at Town Hall. He noted that a meeting of the Veterans Committee will be held on Thursday, November 9, 2023 in the Archer Lodge Council Chambers.

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- b) Council Member Jackson had no remarks.

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- c) Council Member Purvis had no remarks.

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- d) Mayor Pro Tem Castleberry had no remarks.

-
- e) Council Member Bruton had no remarks.

14. ADJOURNMENT:

- a) No further business.

Moved by: Council Member Wilson

Seconded by Mayor Pro Tem Castleberry

Approved to adjourn meeting at 8:46 p.m.

CARRIED UNANIMOUSLY

Matthew B. Mulhollem, Mayor

Jenny Martin, Town Clerk



Work Session - Minutes
Monday, October 16, 2023

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Jackson
Council Member Purvis
Council Member Wilson

STAFF PRESENT:

Bryan Chadwick, Town Administrator
Marcus Burrell, Town Attorney
Kim P. Batten, Assistant Town Administrator/Finance Officer
Brandon Emory, Town Planner
Chris Allen, Parks & Recreation Director
Jenny Martin, Human Resources Officer/Town Clerk

COUNCIL ABSENT:

MEDIA PRESENT:

None

1 DINNER

a) Dinner was served at 5:45 p.m.

2 WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:03 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Purvis offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance to the US Flag.

3 TOWN BUSINESS:

a) Extraterritorial Jurisdiction (ETJ)

Mr. Chadwick provided an explanation of the proposed specifics for both the Town of Clayton and Town of Archer Lodge for a possible ETJ. Mr. Chadwick shared that he would like to continue conversations with the Town of Clayton and work together with them on an ETJ for the Town. Mayor Mulhollem agreed with Mr. Chadwick. Mr. Emory gave a brief explanation of the requirements for establishing an ETJ. There were discussions throughout the session.

b) Accessory Structures

Mr. Chadwick explained that Accessory Structures had been added to the Agenda due to current House Bills 474, Senate Bill 317, and House Bill 409, being presented to the NC General Assembly. Ms. Bruton shared information on the Bills. Mr. Chadwick explained that none of those Bills have moved forward. Mr. Emory explained the specifics of an accessory structure and noted that the ordinances that are in place will be sufficient to cover the Town. Discussion followed.

c) Discussion on Cell Towers

Mr. Chadwick stated that he put this on the agenda to discuss cell towers and any kind of limitations that the Council wanted to put in place. Ms. Bruton shared some of the restrictions that she had been informed about by the County before a cell tower can be installed on private property. She expressed her concerns of the specifics of a cell tower and them not being included in the Town Ordinances. Mr. Emory explained that the Town ordinances address towers but doesn't specifically mention a cell tower. He recommended cell towers be included in the ordinances. Mr. Emory added that the majority of cell tower requests will require a special use permit. Discussion followed.

d) Regionalization Study

Mr. Chadwick and Mayor Mulhollem shared information received from meetings attended regarding the Regionalization Study for Sewer. Mayor Mulhollem noted that Council Member Purvis, Mayor Pro Tem Castleberry, Mr. Chadwick, and himself attended some of the meetings. Mr. Chadwick informed that the newly formed steering committee will hold their first meeting, Tuesday, October 24, 2023. Discussion throughout session.

e) Service and Consumption of Alcohol at Events on Town Property

Mr. Chadwick shared that in the future the Town may receive requests for alcohol to be served on property that is owned by the Town due to events, programs, and rentals. Discussion followed regarding the need for a policy to be put in place to protect the Town. It was mentioned that the Town should request an ABC permit and on-site security be paid for by renters. Discussion followed. Mr. Chadwick shared that Staff will be looking into creating a policy.

f) Central Pines Regional Council (TJCOG) Representative

Mr. Chadwick stated that he knows that there has been some discussions regarding a representative. He shared that TJCOG meetings can be attended virtually. Discussion followed. Mr. Chadwick informed that Council Member Wilson would be recognized for his services at the October 25, 2023 TJCOG meeting.

g) Budget & Planning Discussion

Mr. Chadwick informed everyone that there will be some budget meetings that will be held during the day to facilitate the speakers that will be attending. He asked the Council to provide dates that they will be available to attend the budget meetings, allowing Staff time to put together a Budget Meeting Schedule. He noted that the schedule will be included in the November 2023 Town Council Meeting agenda for approval. Ms. Batten and Mr. Chadwick asked Council to provide Staff ideas of what they would like to include in the budget long term.

h) Council Meeting Minutes

Mr. Chadwick shared the requirements for preparing the minutes. He noted that the audio recording is available if requested after the meetings. Mr. Chadwick asked the Council to provide input of what they would like to have included in the Town minutes. Attorney Burrell shared an explanation of the Statue requirements for open and closed sessions. Ms. Batten explained the retention requirements. Discussion followed. It was the consensus of the Council that presentations and documents can be attached to the minutes and to keep the recordings of the meetings at least one year.

i) Personnel Policies

Ms. Martin provided an explanation of a few personnel policies and the changes that had been made. Discussion followed. She noted that the updated versions will be included in a future Town Council Meeting Agenda for approval.

4 ADJOURNMENT:

- a) Mayor Mulhollem shared a reminder that the Shred-It Event is this Saturday, October 21, 2023 from 9:00 a.m. to 1:00 p.m.**

Having no further business, Mayor Mulhollem adjourned the meeting at 8:15 p.m.

Matthew B. Mulhollem, Mayor

Jenny Martin, Town Clerk



**Regular Council - Minutes
Monday, November 6, 2023**

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Jackson
Council Member Purvis
Council Member Wilson

STAFF PRESENT:

Bryan Chadwick, Town Administrator
Marcus Burrell, Town Attorney
Kim P. Batten, Assistant Town Administrator/Finance Officer
Chris Allen, Parks & Recreation Director
Jenny Martin, Human Resources Officer/Town Clerk

COUNCIL ABSENT:

MEDIA PRESENT:

None

Page

1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:30 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Jackson offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance to the US Flag.

2. APPROVAL OF AGENDA:

a) As requested by Mr. Chadwick, Mayor Mulhollem asked that Agenda Item 4.a. Code Enforcement Monthly Report be removed from the agenda due to the absence of the Code Enforcement Officer.

Mayor Mulhollem called for a motion to approve the Agenda with the amendment of removing Item 4.a.

Moved by: Council Member Wilson
Seconded by: Mayor Pro Tem Castleberry

Approved Agenda as amended to remove Item 4.a. Code Enforcement Monthly Report.

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed, 3 minutes per person)

a) Mr. Tony Manning, President of the North Carolina Game Breeders Association, spoke on behalf of a member of the Association, who is a citizen of Archer Lodge, asking if Council would consider allowing him to have 4 or 5 roosters on his property. Mayor Mulhollem thanked Mr. Manning for attending the meeting.

- b) **Mr. Christopher Casey of 219 Kentucky Drive shared that in 2020 he and his wife moved to Archer Lodge from New England. He was appreciative of the updated Land Use Plan Letter Agreement that was included on the Agenda (Item 6.c.) and of the Water and Sewer Authority (Item 6.d.). Mr. Casey offered his assistance, if needed. He asked the Council to elaborate on the support that the Town receives from the Central Pines Regional Council of Government (formerly TJCOG) (Item 6.e.) during their discussion on that agenda item. Mayor Mulhollem thanked Mr. Casey.**

4. PLANNING/ZONING REPORT:

- a) **Code Enforcement Monthly Report**

Approved to remove from the Agenda.

5. RECOGNITION/PRESENTATION:

10

- a) **Proclamation - Veterans Day 2023**

Mayor Mulhollem honored and recognized the Veterans of the Military for their service by reading the Veterans Day 2023 Proclamation.

The signed Veterans Day 2023 Proclamation is attached below.

[Proclamation - Veterans Day 2023 Signed](#)

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

11

- a) **Discussion and Possible Action of Approving the Resolution Adopting the 2024 Town Council Meeting Schedule (Resolution# AL2023-11-06a)**

Ms. Martin advised the Council of the changes to the Town Council Meeting Schedule for 2024 compared to previous years. Mr. Chadwick informed everyone of the modifications to the upcoming budget planning sessions. Discussion followed.

Mayor Mulhollem called for a motion.

The signed Resolution# AL2023-11-06a adopting the 2024 Town Council Meeting Schedule is attached below.

Moved by: Council Member Wilson

Seconded by: Mayor Pro Tem Castleberry

Adopted Resolution# AL2023-11-06a the 2024 Town Council Meeting Schedule, as presented.

CARRIED UNANIMOUSLY

[AL2023-11-06a Resolution Adopting the 2024 Town Council Meeting Schedule Signed](#)

12

- b) **Discussion and Possible Action of Approving the Resolution Adopting the 2024 Holiday Schedule (Resolution# AL2023-11-06b)**

Ms. Martin informed the Council that the Town follows the North Carolina State holiday schedule. Discussion followed.

Mayor Mulhollem called for a motion.

The signed Resolution# AL2023-11-06b adopting the 2024 Holiday Schedule is attached below.

Moved by: Council Member Jackson
Seconded by: Council Member Bruton

Adopted Resolution# AL2023-11-06b the 2024 Holiday Schedule, as presented.

CARRIED UNANIMOUSLY

[AL2023-11-06b Resolution Adopting the 2024 Holiday Schedule Signed](#)

13 - 18

c) Discussion and Possible Action of Approving the CodeWright Land Use Plan Update Letter Agreement

Mr. Chadwick read and explained the Land Use Plan update letter agreement. Discussion followed. Mayor Mulhollem confirmed with Mr. Chadwick that the agreement was already in the budget.

Mayor Mulhollem called for a motion.

The signed CodeWright Land Use Plan Update Letter Agreement is attached below.

Moved by: Council Member Wilson
Seconded by: Mayor Pro Tem Castleberry

Approved the CodeWright Land Use Plan Update Letter Agreement, as presented.

CARRIED UNANIMOUSLY

[CodeWright Land Use Plan Letter Agreement Signed](#)

19 - 20

d) Discussion and Possible Action of Approving the Resolution Supporting the Study of a Water and Sewer Authority in Johnston County (Resolution# AL2023-11-06c)

Mr. Chadwick reminded the Council that the Town is participating in a Water/Sewer Authority Study to discuss the needs for Johnston County. He informed Council that the Study is at the point of appointing representatives to a Steering Committee. Mr. Chadwick shared that no funding has been committed to date. Mayor Mulhollem shared that Council Member Purvis had agreed to be considered as the appointee on the Steering Committee and added that he, Mayor Mulhollem, was volunteering to be an alternate. Mayor Mulhollem elaborated on what Mr. Chadwick shared and expressed the importance for the Town to be a part of the study.

Mayor Mulhollem called for a motion.

The signed Resolution# AL2023-11-06c Supporting the Study of a Water and Sewer Authority in Johnston County is attached below.

Moved by: Council Member Wilson
Seconded by: Mayor Pro Tem Castleberry

Adopted Resolution# AL2023-11-06c Supporting the Study of a Water and Sewer Authority in Johnston County, as presented.

CARRIED UNANIMOUSLY

[AL2023-11-06c Resolution Supporting the Study of a Water and Sewer Authority in Johnston County Signed](#)

e) Discussion and Possible Action of Appointing a Town of Archer Lodge Representative for the Central Pines Regional Council (Formerly TJCOG)

Mr. Chadwick and Council Member Wilson discussed how Central Pines Regional Council benefits local governments. Mr. Chadwick shared that Council Member Wilson is retiring from the Board. Mayor Mulhollem commended Council Member Wilson for having represented the Town for numerous years and for his willingness to serve on the Board. Mayor

Mulhollem shared that he will be willing to step down from the CAMPO Board and serve as the Town representative for the Central Pines Regional Council.

Mayor Mulhollem called for a motion.

Moved by: Council Member Jackson
Seconded by: Mayor Pro Tem Castleberry

Appointed Town of Archer Lodge Representative, Mayor Mulhollem, for the Central Pines Regional Council (Formerly TJCOG).
CARRIED UNANIMOUSLY

21

f) Discussion and Possible Action of Adopting the Town of Archer Lodge Bereavement Leave Policy

Ms. Martin shared that this is a policy that has already been discussed with Council and reminded Council of the modification. Discussion followed.

Mayor Mulhollem called for a motion.

Council approved with the following change to be included:

- Keep the policy wording consistent by changing "grandchildren" to "grandchild" in the second paragraph of the policy.

The updated Bereavement Leave Policy is attached below.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Adopted the Town of Archer Lodge Bereavement Leave Policy, with change noted above.
CARRIED UNANIMOUSLY
[Bereavement Leave Policy](#)

22

g) Discussion and Possible Action of Adopting the Town of Archer Lodge Personal Leave Policy

Ms. Martin shared that this is a policy that has already been discussed with Council and reminded Council of the modification. Discussion followed.

Mayor Mulhollem called for a motion.

Council approved with the following changes to be included:

- Correct misspelling in third paragraph: If the employee voluntarily fails to return to the service of and remain in the employ, (Change to "employment"), of the Town for the equal duration of the leave received, they will reimburse the town for all costs of associated benefits received while on Personal Leave.
- Add: "and approved" in the third paragraph and last sentence: "Failure to report at the expiration date of leave, unless an extension has been requested and approved, shall be considered a resignation."

The updated Personal Leave Policy is attached below.

Moved by: Council Member Jackson
Seconded by: Mayor Pro Tem Castleberry

Adopted the Town of Archer Lodge Personal Leave Policy, with changes noted above.
CARRIED UNANIMOUSLY
[Personal Leave Policy](#)

h) Discussion and Possible Action of Adopting the Town of Archer Lodge Leave Without Pay Policy

Ms. Martin shared that this is a policy that has already been discussed with Council and noted that she spelled out the abbreviated wording of FMLA and USERRA in the proposed policy.

No discussion followed.

Mayor Mulhollem called for a motion.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Adopted the Town of Archer Lodge Leave Without Pay Policy, as presented.

CARRIED UNANIMOUSLY

i) Discussion and Possible Action of Adopting the Town of Archer Lodge Family and Medical Leave Policy

Ms. Martin shared that this is the first time that she is discussing this policy with Council. She stated that this policy was all Federal Law. She explained that it has been asked of her to see if the Town will allow common law, even though the Federal Law doesn't include common law. Attorney Burrell shared his thoughts for the legality of including common law in the policy. Discussion followed.

Mayor Mulhollem asked that Staff revisit the policy with Attorney Burrell and reword as needed.

j) Discussion and Possible Action of Adopting the Town of Archer Lodge Family and Medical Leave - Retention and Continuation of Benefits Policy

Ms. Martin shared that this policy is law also and gave an explanation of the policy. Discussion followed.

Mayor Mulhollem asked that Staff revisit policy with Attorney Burrell and research whether the Town pays the Town portion of the employees' insurance while on FMLA if they are on Leave Without Pay.

23 - 24

k) Discussion and Possible Action of Adopting the Town of Archer Lodge Family and Medical Leave - Leave Process and Certification Policy

Ms. Martin shared that this policy is also law, and she gave an explanation of the policy. Discussion followed.

Council approved with the following changes to be included:

- 2nd Page, 1st paragraph revise as follows: FLMA forms (remove: "should", add: "must be") completed by a medical professional and submitted to the Human Resources Officer within fifteen (15) calendar days.
- 2nd Page, 3rd paragraph revise as follows: The employee is expected to return to work at the end of the allotted time stated in the medical certification form unless (remove: "he/she has requested additional time", add: "additional time has been approved" at the end of the sentence).

The updated Family and Medical Leave - Leave Process and Certification Policy is attached below.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Adopted the Town of Archer Lodge Family and Medical Leave - Leave Process and Certification Policy, with changes noted above.

CARRIED UNANIMOUSLY

25 - 44

I) Discussion and Possible Action of Adopting the Town of Archer Lodge Family and Medical Leave - Paid Leave Policy

Ms. Martin presented a presentation, attached below, and explained the proposed policy. She shared statistics from the State of North Carolina and Federal Agencies that are offering some kind of paid medical leave. Discussion followed.

Mayor Mulhollem expressed his appreciation for the presentation and for the good discussion. He encouraged Council to discuss with Staff and to do a little research on their own. He shared that this will be discuss more at a later date.

[Paid FMLA Presentation](#)

7. TOWN ATTORNEY'S REPORT:

- a) Attorney Burrell reminded Council that Mr. Emory presented the proposed Minimum Housing Ordinance and encouraged Council to review it and meet with Staff or himself if they have any questions or concerns. He added that it could possibility be included on an agenda in the near future.**

8. TOWN ADMINISTRATOR'S REPORT:

- a) Mr. Chadwick shared the following:**
- The December 4, 2023 Town Council Meeting agenda will include a declaration for the farmhouse on the west side of the park as surplus property due to the upgrades being cost prohibited.
 - The Archer Lodge Christmas parade will be held Saturday, December 2, 2023, at 3:00 p.m., and will include a tree lighting. BBQ plates are being sold. He added that the Town will have a float in the parade.
 - Mr. Chadwick reminded Council that the Council Meeting December 4, 2023 will include an annual Christmas Appreciation Celebration after the meeting.
 - Mentioned that the Archer Lodge Community Center will be selling cooked ham on December 23, 2023 and will be taking orders until December 15, 2023. Discussion followed regarding the specifics of the sale.

9. ASSISTANT TOWN ADMINISTRATOR/FINANCE OFFICER'S REPORT:

a) Interim Financial Reports for September 2023

Ms. Batten shared an interim summary for all funds ending September 30, 2023. She stated that we are less than 25% completed for the fiscal year. The actual to date net difference between revenues and expenditures in the General Fund is around \$362,000. Discussion followed.

Regarding the Capital Reserve Fund 30, Ms. Batten mentioned that the only transaction for the month is the investment earnings. In the expenditures, you will see where we moved \$125,000 to the General Fund.

Regarding the Park Reserve Fund 31, Ms. Batten mentioned that the only activity has been the investment earnings and the \$0.02 transfer for the taxes. We have collected around \$5,000 for the month and around \$7,000 for the year for revenues. The overall net is in the negative because of the loan payment. She shared that our only goal is to make the loan payment with the \$0.02 being transferred in.

Regarding the Public Safety Reserve Fund 32, Ms. Batten shared that the revenues is around \$5,500 for the year.

When comparing revenues for September 2022 with September 2023 in the General Fund, Ms. Batten mentioned that we are at around \$341,000 more this year due to the grants that the Town has received. Ms. Batten shared that the expenditures were less this year. The Town is still in the red about \$235,000. Discussion followed.

b) Up-To-Date Project Funds

Ms. Batten shared that the Town has almost come to a close with the PARTF grant.

Regarding the ARPA Funds, Ms. Batten mentioned that this information includes recent checks that go through October. She shared that the Town has about \$30,000 left to encumber.

Regarding the SCIF Funds, Ms. Batten shared that there are a few projects that still need to be completed. The Town has around \$420,000 left to encumber.

No further comments or discussion.

10. HUMAN RESOURCES OFFICER/TOWN CLERK'S REPORT:

- a) Ms. Martin reported that the Planning Director position has closed with 6 candidates. After having reviewed all applications, the selected applicants have been scheduled for interviews on November 28, 2023. Discussion followed. She noted that Mr. Chad Meadows, CodeWright Planners, LLC will be sitting in on the interviews.**
- Ms. Martin informed that there were 2 applicants that applied for the pre-approved Parks & Recreation part-time positions as Athletic Aide and Supervisor for programs that are coming up. She shared that her and Mr. Allen will work on scheduling interviews for those positions.**
- Ms. Martin expressed appreciation for the support of staff during open-enrollment for the State Health Plan Medical Insurance and shared that it was a success.**
- Ms. Martin informed that yearly evaluations for employees are due. She shared that even though there will not be merit increases, Staff will still be given an evaluation. She explained that she will be conducting a training for staff regarding the new evaluation form that she created.**
- Ms. Martin shared that she and Ms. Joyce Lawhorn will be attending the North Carolina Association of Municipal Clerks (NCAMC) Conference, in Beaufort, NC for updates and new information regarding Clerks.**
- No further comments or discussion.**

11. PARKS AND RECREATION DIRECTOR'S REPORT:

- a) Mr. Allen reported the following:**
- Basketball registration for youth is currently open and has been extended through Sunday, November 19, 2023.**

- At the park, the restrooms and the outfield fence are being completed and the lights are installed. He noted that there was a lot of work in process.
- In December, he and Mr. Miguel Gavan will be attending a State Conference in Wilmington, NC. Mr. Allen will be presenting at a couple of sessions during the conference, with one being the steps that we have been taking at the Town of Archer Lodge in it's beginning stages.
- Johnston County Little League will be finishing their games on Friday, that will complete the Fall Season. The spring season is in the process of getting most of the details worked out.
- Council Member Bruton commended the Parks & Recreation Staff on the ground maintenance at the Park.
- Mr. Chadwick mentioned that at the Archer Lodge Community Center, there are 9 ballfield lights that are not working. Mr. Chadwick is getting quotes for replacement bulbs. He is looking at the possibility of receiving grants in the future that will help with the purchase of LED lighting for the fields. Mayor Mulhollem concurred. Mr. Allen expressed appreciation to Mr. Dene Castleberry for loaning his portable lighting system to keep left field from being completely dark.

No further comments or discussion.

12. MAYOR'S REPORT:

- a) **Mayor Mulhollem asked that everyone keep Jerry Medlin, Mayor of Benson, NC in their prayers due to the passing of his wife.**

He reminded Council that the Veterans Day Memorial Ceremony will be held on Saturday, November 11, 2023, at the Archer Lodge Veterans Memorial site, weather permitting. He also reminded everyone of Election Day on Tuesday, November 6, 2023.

Mayor Mulhollem recognized Council Member Wilson for his time served on the TJCOG/Central Pines Regional Council and shared that Mr. Wilson was recognized at the last TJCOG/Central Pines Regional Council meeting, Mr. Wilson's wife, Ms. Jane Wilson, was also in attendance. Mayor Mulhollem commented that it was a pleasure for him and Mr. Chadwick to attend. He expressed how much compassion was shown to Mr. Wilson by the organization and thanked him for representing the Town.

13. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

- a) **Council Member Wilson thanked Mayor Mulhollem for his recognition and for him and Mr. Chadwick attending the meeting.**

-
- b) **Council Member Jackson discussed if there was a certification/registration with the North Carolina Game Breeder Association with Mr. Manning.**

He also shared that he and Mayor Mulhollem attended the White Oak Baptist Church Trunk or Treat at the Archer Lodge Community Center last weekend and it went well.

-
- c) **Council Member Purvis reminded everyone that the Municipal Elections will be held at the Archer Lodge Community Center and that the Senior Activities Group will be meeting at White Oak Baptist Church tomorrow for lunch.**

He suggested adding another full-time staff member at the Town Park to help with maintaining the grounds due to the increase in labor during the Spring.

- d) Mayor Pro Tem Castleberry suggested putting "no turn around" signs at the Town Park for overweight vehicles due to damage to the park pavement and grounds.
- e) Council Member Bruton wished everyone a safe and happy Thanksgiving holiday.

14. ADJOURNMENT:

- a) Having no further business, Mayor Mulhollem called for a motion to adjourn meeting.

Moved by: Council Member Jackson
Seconded by: Council Member Wilson
Adjourned Meeting at 9:23 p.m.

CARRIED UNANIMOUSLY

Matthew B. Mulhollem, Mayor

Jenny Martin, Town Clerk



Proclamation



VETERANS DAY - 2023

WHEREAS, for decades America has paused on the 11th of November, the anniversary of the armistice that concluded World War I, to remember and to honor our veterans of military service in proud and grateful recognition of the hardships and sacrifices by the millions of men and women who have defended our land in war and in peace; and

WHEREAS, the freedoms we enjoy have been purchased and maintained at a high price, as Americans have been willing, throughout our history, to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, Americans owe a great debt to all those who have served in defense of this nation throughout the generations; for their sacrifices, often resulting in permanent injury or death, which have preserved our unique form of government dedicated to human rights and respect for the individual, and preserved our freedoms and promise of liberty as an example for oppressed persons of the world; and

WHEREAS, in honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of a people dedicated to the principle of freedom and democracy.

NOW, THEREFORE, LET IT BE PROCLAIMED by the Honorable Mayor and the Town Council of the Town of Archer Lodge, North Carolina, that November 11, 2023 be recognized as

Veterans' Day

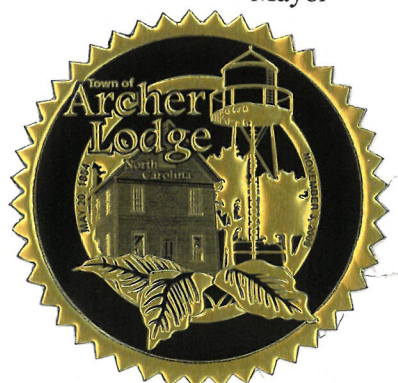
The town encourages citizens to commend its observance.

Proclaimed this the 6th day of November 2023.


Matthew B. Mulhollem
Mayor

ATTEST:


Jenny Martin
Town Clerk





**TOWN OF ARCHER LODGE
RESOLUTION ADOPTING THE 2024
TOWN COUNCIL MEETING SCHEDULE**

WHEREAS, the Archer Lodge Town Council exists to conduct the business of the citizens; and

WHEREAS, the Regular Town Council meetings for the Archer Lodge Town Council are held the first Monday of the month at 6:30 p.m. in the Jeffrey D. Barnes Council Chambers, unless otherwise noted; and

WHEREAS, the Work Sessions for the Archer Lodge Town Council are held the third Monday of the month at 6:00 p.m. in the Jeffrey D. Barnes Council Chambers, unless otherwise noted; and

WHEREAS, each meeting of the Archer Lodge Town Council is open to the public, except as provided by NC G.S. 143-318.11; and

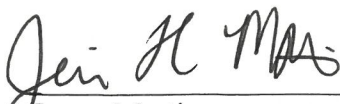
WHEREAS, the Archer Lodge Town Council may amend the yearly meeting schedule in accordance with NC G.S. 143-318.12:

TOWN OF ARCHER LODGE 2024 CALENDAR TOWN COUNCIL MEETINGS			
MONTH	REGULAR MEETING	WORK SESSION	BUDGET RETREAT
January	Monday, Jan 8	Monday, Jan 22	
February	Monday, Feb 5		Monday, Feb 19
March	Monday, Mar 4		Monday, Mar 18
April	Monday, Apr 1	Monday, Apr 15	
May	Monday, May 6	Monday, May 20	
June	Monday, Jun 3		
July	Monday, Jul 8		
August	Monday, Aug 5		
September	Monday, Sep 9	Monday, Sep 23	
October	Monday, Oct 7	Monday, Oct 21	
November	Monday, Nov 4	Monday, Nov 18	
December	Monday, Dec 2		

NOW, THEREFORE, BE IT RESOLVED that the Archer Lodge Town Council hereby adopts the 2024 Town Council Meeting Schedule as presented.

DULY ADOPTED ON THIS 6th DAY OF NOVEMBER 2023 WHILE IN REGULAR SESSION.

ATTEST:


Jenny Martin
Town Clerk



 (SEAL)
Matthew B. Mulhollem
Mayor



TOWN OF ARCHER LODGE
RESOLUTION ADOPTING THE 2024 HOLIDAY SCHEDULE

WHEREAS, it is the policy of the Town to follow the holiday schedule provided by the State of North Carolina for its employees; and

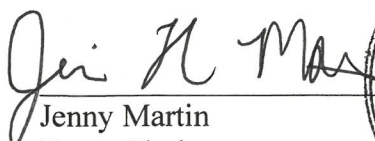
WHEREAS, the below 2024 Holiday Schedule was retrieved from the State of North Carolina website <https://oshr.nc.gov/state-employee-resources/benefits/leave/holidays#2024-2618>

2024 Holiday Schedule		
Holiday	Observance Date	Day of Week
New Year's Day	January 1st	Monday
Martin Luther King Jr's Birthday	January 15th	Monday
Good Friday	March 29th	Friday
Memorial Day	May 27th	Monday
Independence Day	July 4th	Thursday
Labor Day	September 2nd	Monday
Veterans Day	November 11th	Monday
Thanksgiving	November 28th & 29th	Thursday & Friday
Christmas	December 24th, 25th & 26th	Tuesday, Wednesday & Thursday

NOW, THEREFORE, BE IT RESOLVED that the Archer Lodge Town Council hereby adopts the 2024 Holiday Schedule as presented.

DULY ADOPTED ON THIS 6th DAY OF NOVEMBER 2023 WHILE IN REGULAR SESSION.

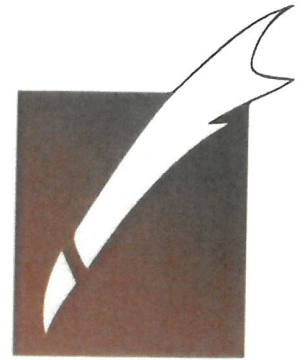
ATTEST:


Jenny Martin
Town Clerk



 (SEAL)
Matthew B. Mulhollem
Mayor

To: Brian Chadwick, Manager, Town of Archer Lodge
From: Chad Meadows, CodeWright
Date: 10-16-23
CC: Angie Manning, Angie Manning Consultants
RE: Land Use Plan Update Letter Agreement



(Sent via electronic mail)

LETTER AGREEMENT

This document is a letter agreement that includes a scope of work update to Archer Lodge's Land Use Plan. This agreement sets out seven tasks, a five-month schedule, and a not-to-exceed budget of \$30,000 for the completion of a land use plan update.

The Town's current Land Use Plan was adopted in 2015 and is in need of an update. The current Plan relies on census data from 2000, and includes land use goals that have largely been accomplished. In 2019 the General Assembly overhauled the State's planning enabling legislation and included Section 150D-501 which mandates the adoption and 'reasonable maintenance' of a land use plan for local governments who wish to exercise zoning authority (while the Statutes stop short of mandating a plan update schedule, 5-to-10 years between updates is generally considered reasonable). In addition, the Town is in the process of considering its first extraterritorial jurisdiction request from Johnston County, and needs to show a good faith effort in planning for the area that may be included within an ETJ request.

This scope of work for a land use plan update includes the following seven tasks:

1. Existing Conditions Report
2. Public Forum 1 (Existing Conditions)
3. Citizen Survey (on-line)
4. Vision & Goals
5. Public Forum 2 (Vision & Goals)
6. Draft Plan/Future Land Use Map
7. Adoption Process

Given this year's experience with the General Assembly and House Bill 675, a bill to abolish extraterritorial jurisdiction altogether, time is of the essence if the Town is to request the establishment of an extraterritorial jurisdiction. As such, this project has an expedited schedule of approximately five months, with completion anticipated by mid-March 2024 (assuming the Town is able to execute this agreement before the end of October). The not-to-exceed budget for this effort amounts to \$30,000, not including the preliminary efforts associated with data collection and mapping that have already been undertaken (see Taks 1 for description for details).

The following paragraphs go into greater detail about the scope of work, schedule, and budget. This agreement includes a signatory block on Page 5, and is followed by basic contractual provisions. CodeWright is prepared to commence completion of this work upon execution of this agreement.

Task 1 Existing Conditions Report

The Existing Conditions Report is a comprehensive update of the demographic and socio-economic data for the Town of Archer Lodge. It also includes a map of existing land uses for the Town and the area beyond the corporate limits that may be the subject of an ETJ request to Johnston County. It also includes a set of population projections for the Town. This information is prepared in the form of a stand-alone report but is formatted to become the first chapter of the updated Land Use Plan.

Work on the data collection, mapping, and population projections has already begun based on prior conversations with Town staff. Data collection, mapping, and population projection has a budget of \$4,000, and is billed under the Continuing Services contract. Organization of the existing conditions information into a report and presentation of this report to the Town Council is included under Task 1.

The data and maps will be assembled into a basic document format that will be used throughout the updated Land Use Plan. Following preparation of the document, the consulting team will travel to Archer Lodge to present this information to the Town Council during a work session (the Town may wish to make this work session a joint session with the Planning Board, who is the body charged with the preparation of a land use plan under the General Statutes). The team will overview the project scope and schedule, discuss the new data, existing land use map, and population forecasts. The team will answer questions, collect feedback, and make any necessary revisions following the work session.

Task 2 Public Forum 1 (Existing Conditions)

Approximately one week after completion of the work session described in Task 1, the consulting team will conduct Public Forum One. This is a series of two open house meetings conducted at Town Hall; one during the day, and one at 6:30 PM. Each open house meeting will last for 1.5 hours and consist of a formal presentation of the project scope and schedule, discussion of the rationale behind the ETJ extension opportunity, and an overview of the Existing Conditions Report presented in Task 1. Each open house meeting will also include an opportunity for participants to ask questions about the project and provide feedback that will be included in the report on Public Forum One to be included in the Plan's Appendix. Most importantly, the open house meetings will notify participants about the upcoming on-line citizen's survey about issues for the Town to address in the updated land use plan.

Task 3 Citizen Survey (on-line)

One week after completion of Public Forum 1 (Task 2), the consulting team will forward a draft set of questions to be included within an on-line survey for Town staff review and comment. The survey will be conducted on-line through Survey Monkey, and will include a series of questions about the issues and challenges facing the Town, areas in need of more attention, identification of future goals, and questions about establishment of an ETJ. The survey will include a blend of questions with discrete answer choices and blocks where open-ended responses may be provided.

Following review and comment on the questions by Town staff in early December, the consulting team will modify the survey and publish it. Respondents will have two weeks to complete the on-line survey. We recommend the Town maintain paper copies at Town Hall for those unwilling to complete the digital version. It would be a good idea for the Town to provide some sort of notice to the community about the survey (including the sign at Town Hall, utility billing, a newsletter, or other means).



Following the two-week window for completion of the survey, the consulting team will compile the results and prepare a report for inclusion in the Plan. The report will be forwarded to Town staff for distribution to Town officials and members of the public. Feedback in the survey (and collected from Tasks 1 & 2) will be used to prepare the draft versions of the Vision and plan goals in Task 4.

Task 4 Vision & Goals

Approximately one week after completion of the on-line survey report in Task 3, the consulting team will assemble a draft vision statement intended to refine the current vision found on Page 54 of the current land use plan. The consulting team will also prepare a short series of land use goals for the future based on the feedback collected to date. Goals will be organized into one or more different themes. The total number and breadth of land use goals should not exceed the realm of what is possible within a five-to-seven-year timeframe, given the Town's current resources.

Upon completion, the draft versions of the vision statement and proposed land use goals will be forwarded to Town staff for review.

Task 5 Public Forum 2

Shortly after transmittal of the draft vision and land use goals prepared in Task 5, the consulting team will return to Archer Lodge for Public Forum 2. The second public forum will be structured more like a public workshop than an open house. Following an initial presentation of the results of the citizen survey conducted in Task 3, participants will be asked to consider the vision statement and provide anonymous feedback on individual reactions. The workshop will also include an overview of the proposed goals, and ask participants to rank the goals and identify any missing goals for the Town's consideration.

As with Public Forum 1, two sessions will be held, one during the day, and one in the evening. It is hoped that Town officials (Town Council and Planning Board members) can attend the session planned for the day. Feedback collected during the public forum will be included in the report on Public Forum Two in the Plan's Appendix.

A portion of each workshop should be devoted to the issue of ETJ expansion with a focus on collecting input from affected residents and answering their questions about the process.

Task 6 Draft Plan/Future Land Use Map

Immediately following completion of Public Forum 2, the consulting team will begin preparing the Land Use Plan update. The first chapter will include the Existing Conditions data compiled and discussed in Tasks 1 and 2. The results of public engagement in Tasks 2 through 5. The vision statement and goals assembled in Task 4. A draft future land use map that identifies future land use designations, allowable densities, and corresponding zoning district classifications (including land to be located within the potential ETJ request area). An action plan, or implementation schedule for pursuing the goals identified in the plan. Appendices of supporting material, such as the survey results document and the input collected during at public forums.

After plan drafting and assembly, a draft version of the land use plan and a draft of the future land use map will be sent to Town staff for review. The consulting team will facilitate a teleconference meeting with Town staff to answer questions, collect feedback, and make revisions. Shortly after completion of revisions, the consulting team will return to Archer Lodge



for a joint workshop presentation to the Town Council and Planning Board to overview the draft Land Use Plan and future land use map. This workshop should take place in early February 2024

Task 7 Adoption Process

Following completion of the work session in Task 6, the consulting team will make all identified revisions and produce the Adoption version of the Land Use Plan and associated future land use map. The Adoption Version will be forwarded to Town staff for posting and advertisement. The consulting team will make two trips to Archer Lodge to present the Plan to the Planning Board and the Town Council (during the adoption hearing).

Following adoption, the consulting team will make all necessary revisions to the Plan text and future land use map, produce the adopted versions, and forward all digital files (including GIS shapefiles) to Town staff for their use. This scope of work anticipates the adoption process to be completed within 4 weeks, or no later than mid-March, 2024.

Assistance with the request to Johnston County for establishment of an extraterritorial jurisdiction would take place under the existing Continuing Services Agreement between CodeWright and Archer Lodge rather than this Agreement, which is solely for the update of the Town's Land Use Plan.

Proposed Schedule

The following table sets out a tentative schedule for the project, that may be revised as the project progresses. Time is of the essence given the potential likelihood for a revised ETJ abolition bill that may be promulgated during the upcoming "short" session in 2024. The proposed schedule is optimistic and anticipates adoption of the updated plan within a five-month window assuming execution of this agreement before November 1, 2023.

Archer Lodge Land Use Plan Update Schedule	
Task Number and Name	Anticipated Date of Completion
Agreement Execution	Before October 31, 2023
Task 1: Existing Conditions Report	2 nd half of November, 2023
Task 2: Public Forum One	Early December, 2023
Task 3: Citizen Survey	December 31, 2023
Task 4: Vision & Goals	1 st week of January, 2024
Task 5: Public Forum Two	2 nd week of January, 2024
Task 6: Draft Plan/Future Land Use Map	Mid-February, 2024
Task 7: Adoption Process	Mid-March, 2024



Proposed Budget

The following table sets out a proposed project budget, with a not-to-exceed amount of \$30,000. As mentioned previously, data collection, existing land use mapping, potential ETJ boundary identification, and population forecasting is billed under separate cover. This budget includes the assembly and presentation of existing conditions identified in Task 1. With the exception of Task 6, which is billed in two increments, tasks are billed individually upon completion.

Archer Lodge Land Use Plan Update Budget	
Task Number and Name	Task Amount
Task 1: Existing Conditions Report	\$2,500
Task 2: Public Forum One	\$3,000
Task 3: Citizen Survey	\$4,000
Task 4: Vision & Goals	\$3,500
Task 5: Public Forum Two	\$3,750
Task 6: Draft Plan/Future Land Use Map	\$9,250
Task 7: Adoption Process	\$4,000
TOTAL (not-to-exceed)	\$30,000

Signature Block

CODEWRIGHT PLANNERS

TOWN OF ARCHER LODGE

BY:



Chad Meadows, Principal

BY:



Brian Chadwick, Town Administrator

DATE: 10-16-23

DATE: 11/6/2023

The next page includes basic contractual provisions included in this agreement.



Contractual Provisions

- 1. Scope of Services.** The Contractor agrees to provide professional services identified on Pages 1-5 of this Letter Agreement.
- 2. Time of Performance.** The services of the Contractor are to commence on the date of execution of this Agreement by both Client and Contractor, and will be undertaken and completed consistent with the schedule agreed to both parties.
- 3. Method of Payment & Total Project Amount.** The Client shall compensate Contractor for its services in accordance with information included in this Letter of Agreement. Client will pay Contractor within 30 days of receipt of the invoice, as long as the work is satisfactorily completed. By mutual agreement, the Client and Contractor may reallocate the budget among project tasks if the total budget amount remains unchanged.
- 4. Termination of Agreement.** Both the Client and the Contractor shall have the right to terminate this Agreement, with or without cause, by giving written notice to the other party of such termination and specifying the effective date thereof. Notice shall be given at least 30 days before the effective date of such termination. In such event all finished or unfinished documents, data, studies and reports prepared by the Contractor pursuant to this Agreement shall become the Client's property. Contractor shall be entitled to receive compensation in accordance with the Agreement for any satisfactory work completed pursuant to the terms of this Agreement prior to the date of termination.
- 5. Changes.** The Client may, from time to time, request changes in the scope of services of the Contractor to be performed hereunder. Such changes, including the increase or decrease in the amount of the Contractor's compensation, which are mutually agreed upon between the Client and the Contractor, shall be in writing and upon execution shall become part of the Agreement.
- 6. Assignability.** Any assignment or attempted assignment of this Agreement by Contractor without the prior written consent of the Client shall be void; provided, however, that claims for money due or to become due to the Contractor from the Client under this Agreement may be assigned to a bank, or other financial institution, without such approval. Notice of any such assignment or transfer shall be furnished to the Client.
- 7. Audit.** The Client or any of its duly authorized representatives shall have access to any books, documents, papers, and records of Contractor which are pertinent to Contractor's performance under this Agreement, for the purposes of making an audit, examination, or excerpts. The Contractor shall maintain records for three years after the agreement ends.
- 8. Ownership of Documents.** Drawings, specifications, guidelines and other documents prepared by Contractor in connection with this Agreement shall be property of the Client. However, Contractor shall have the right to utilize such documents in the course of its marketing, professional presentations, and for other business purposes.
- 9. Use of Work.** Contractor assigns to Client the right to: 1) reproduce the work prepared under this Agreement; 2) distribute copies to the public; and 3) display the work publicly. Contractor shall have the right to use materials produced in the course of this contract for marketing and other business purposes.
- 10. Governing Law.** This Agreement has been executed by the parties hereto on the day and year first above written and shall be governed by the laws of the State of North Carolina. Contractor shall also comply with all applicable state and federal laws and regulations and resolutions of Client, and shall commit no trespass on any public or private property in the performance of any of the work embraced by this Agreement.
- 11. Indemnification.** The Contractor agrees to protect, defend, indemnify and hold the Client and its officers, employees, and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance hereof and caused by the negligence of the Contractor or subcontractors.
- 12. Independent Contractor.** Contractor is an independent contractor. Notwithstanding any provision appearing in this Agreement, all personnel assigned by Contractor to perform work under the terms of the Agreement shall be and remain at all times, employees of the Contractor for all purposes. The Contractor, its agents and employees, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees of Client.
- 13. Extent of Agreement.** This Agreement represents the entire and integrated agreement between the Client and the Contractor and supersedes all prior negotiations, representations or agreement, either written or oral. This Agreement may be amended only by written Agreement signed by both the Client and the Contractor.
- 14. Mediation.** All claims, disputes, and other matters in question between the parties to this Agreement arising out of or relating to this Agreement concerning a breach thereof, may be submitted to non-binding mediation upon agreement of the parties. The cost of said mediation shall be split equally between the parties. Mediation conducted under this Agreement shall occur in Raleigh, North Carolina.
- 15. Severability.** In the event that any provision of this Agreement shall be held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain valid and binding upon the parties hereto.





TOWN OF ARCHER LODGE
RESOLUTION SUPPORTING THE STUDY OF A WATER AND SEWER AUTHORITY
IN JOHNSTON COUNTY

WHEREAS, water and wastewater services are essential to ensuring a community's public health, environmental health, and economic development; and

WHEREAS, Johnston County is among the fastest-growing counties in the state and will continue to see more demand for high-quality water and wastewater services; and

WHEREAS, Johnston County local elected officials have been discussing cooperative opportunities in water and wastewater for several years and wish to move the discussion to action; and

WHEREAS, the Archer Lodge Town Council, supports the provision of safe, reliable, and cost-effective water and sewer services to the residents and businesses of the Town of Archer Lodge; and

WHEREAS, communities working together have proven to be a method to assure reliability, economy of scale, and shared cost when growing, maintaining, and operating water and wastewater system; and

WHEREAS, a discussion group was convened by the Chair of the Johnston County Board of Commissioners with municipal leaders on April 19, 2023. During the meeting, a consensus was reached to formalize an effort to study a water and sewer authority in Johnston County. Further, it was agreed that each local government would be requested to adopt a resolution indicating their support of moving forward with studying the feasibility of a water and sewer authority; and

WHEREAS, those in attendance at the April 19, 2023, meeting asked Central Pines Regional Council of Governments (Triangle J Council of Governments) to provide a draft resolution for the local governments to consider, which would formalize their interest in studying a water and sewer authority and create a Steering Committee for the study; and

WHEREAS, the group asked Central Pines (Triangle J) to take the lead in facilitating the Steering Committee; and

WHEREAS, the Town of Archer Lodge desires to be a supportive and active regional partner for any forthcoming countywide water and sewer authority study,

NOW THEREFORE, BE IT RESOLVED by the Archer Lodge Town Council, we support researching the development of a countywide water and sewer authority, and we support Central Pines Regional Council of Governments (Triangle J Council of Governments) facilitating a Johnston County Water/Sewer Authority Steering Committee. The Steering Committee will include one elected official from each participating community.



Further, we direct staff to collaborate with the effort and participate as requested by the steering committee and/or Triangle J. Further, we appoint Council Member James (Jim) Purvis, III, as the Steering Committee Appointee to represent the Town of Archer Lodge and Mayor Matthew B. Mulhollem to serve as the alternate to the Steering Committee.

This resolution shall take effect immediately.

**DULY ADOPTED THIS 6th DAY OF NOVEMBER 2023
WHILE IN REGULAR SESSION.**

Matthew B. Mulhollem, Mayor

ATTEST:

Jenny Martin, Town Clerk



TOWN OF ARCHER LODGE

14094 Buffalo Road
Archer Lodge, NC 27527
Main: 919-359-9727
Fax: 919-359-3333

Mayor:

Matthew B. Mulhollem

Council Members:

Clyde B. Castleberry

Mayor Pro Tem

Teresa M. Bruton

J. Mark Jackson

James L. (Jim) Purvis, III

Mark B. Wilson

Bereavement Leave Policy

The Town grants an employee up to three (3) days of bereavement leave at full pay for the death of an immediate family member. Additional time or time for those not covered by the immediate family definition may be charged to compensatory time, vacation, or leave without pay. If an employee has a compensatory balance, then they will be required to use that time first.

Immediate family is defined as spouse, child, parent, guardian, sister, brother, grandparent, grandchild, plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named.



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Council Members:

Clyde B. Castleberry

Mayor Pro Tem

Teresa M. Bruton

J. Mark Jackson

James L. (Jim) Purvis, III

Mark B. Wilson

Personal Leave Policy

A full or part-time employee may be granted Personal Leave for a period of up to twelve (12) months by the Town Administrator. Personal Leave is for situations where the leave or the employee doesn't qualify for Family Medical Leave (FMLA). Personal Leave may be used for reasons of birth or adoption of a child, personal disability, sickness or disability of immediate family members, continuation of education, special work that will permit the Town to benefit by the experience gained or the work performed, or for other reasons deemed justified by the Town Administrator. Employees will be required to exhaust all eligible paid compensatory time, sick leave, and vacation leave before going on a leave without pay status. If an employee has a compensatory balance, then they will be required to use that time first.

The employee shall apply in writing to the Town Administrator for leave. The employee is obligated to return to duty within or at the end of the time determined appropriate by the Town Administrator. Upon returning to duty after being on Personal Leave, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay.

If the employee voluntarily fails to return to the service of and remain in the employment of the town for the equal duration of the leave received, they will reimburse the town for all costs of associated benefits received while on Personal Leave. If the employee decides not to return to work, the Town Administrator should be notified immediately. Failure to report at the expiration of leave, unless an extension has been requested and approved, shall be considered a resignation.



TOWN OF ARCHER LODGE

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Matthew B. Mulhollem

Council Members:

Clyde B. Castleberry

Mayor Pro Tem

Teresa M. Bruton

J. Mark Jackson

James L. (Jim) Purvis, III

Mark B. Wilson

Family and Medical Leave – Leave Process and Certification Policy

The employee must submit the request for the use of Family and Medical Leave (FMLA) to the Human Resources Officer. Eligibility will be determined; and the request will be approved or denied by the Human Resources Officer. When the leave is foreseeable the employee must submit the request in writing to the Human Resources Officer thirty (30) days in advance or as soon as practical. Unforeseeable leave requests must be made as soon as practical.

Within five (5) business days of receipt of a request for FMLA or knowledge that the leave may be FMLA qualifying, the Human Resources Officer will determine if the employee is eligible for FMLA and provide the employee with a written response using the form **WH-381: Notice of Eligibility and Rights and Responsibilities**. The Human Resources Officer will also notify the Department Head of the request. If the employee is not eligible for FMLA, the Human Resources Officer will also notify the employee within five (5) business days.

The Human Resources Officer will supply the employee that's requesting leave with the necessary medical certification forms. One of the following forms, specific to the type of request, may be supplied to the employee:

1) **Form WH-380E or WH-380F: Certification of Health Care Provider for Serious Health**

www.archerlodgenc.gov

Condition

- 2) Form WH-384: Certification of Qualifying Exigency or Military Family Leave**
- 3) Form WH-385: Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave**

FMLA forms must be completed by a medical professional and submitted to the Human Resources Officer within fifteen (15) calendar days. The Human Resources Officer may contact the health care provider only to authenticate the source of the information or to clarify a meaning of a response. If the certification form is not received within the allotted time, the Town reserves the right to deny leave until the necessary documentation has been received.

FMLA leave approval or denial notices will be given to the employee within five (5) business days of receiving a completed medical certification form or otherwise acquiring enough knowledge to determine whether an employee qualifies for FMLA leave. The Human Resources Officer will provide the employee with form **WH-382: Designation Notice** indicating approval or denial of FMLA leave. After receiving notice of initial approval of FMLA leave, the supervisor and/or the Department Head shall note absences on all subsequent timesheets pertaining to FMLA leave.

The employee is expected to return to work at the end of the allotted time stated in the medical certification form unless additional time has been approved. To return to work, the employee must provide a fitness-for-duty certification.

After a reasonable period of leave, the employee must respond to the employer's request for information about the status and intent to return to work. The Town will follow the provisions of the Family and Medical Leave Act.



Paid Family and Medical Leave (FMLA)

North Carolina Executive Order No. 95



Federal Employee Paid Leave Act (FEPLA)



U.S. DEPARTMENT OF LABOR

TOPICS ▾ AGENCIES ▾ FORMS ▾ ABOUT US ▾ NEWS ▾

Home ▸ Careers at DOL ▸ Benefits ▸ Paid Parental Leave

Paid Parental Leave

Summary of Paid Parental Leave

The Federal Employee Paid Leave Act (FEPLA) makes paid parental leave available to Federal employees covered under Title 5 following in connection with a qualifying birth of a son or daughter or the placement of a son or daughter with an employee for adoption or foster care. As a result, the Family and Medical Leave Act (FMLA) provisions were amended in Title 5, United States Code (U.S.C.) to provide up to 12 weeks of paid parental leave to covered Federal employees in connection with the birth or placement (for adoption or foster care) of a child occurring on or after October 1, 2020.

Paid parental leave granted in connection with a qualifying birth or placement under FEPLA is substituted for unpaid FMLA leave and is available during the 12-month period following the birth or placement. In order to be eligible for paid parental leave under FEPLA, a Federal employee must be eligible for FMLA leave under 5 U.S.C. 6302(a)(1)(A) or (B), and must meet FMLA eligibility requirements.

Paid parental leave under FEPLA is limited to 12 work weeks and may be used during the 12-month period beginning on the date of the birth or placement involved. Within these 12 work weeks, paid parental leave is available as long as an employee has a continuing parental role with the child whose birth or placement was the basis for the leave entitlement.

Under FEPLA, an employee may not use any paid parental leave unless the employee agrees in writing, before commencement of the leave, to subsequently work for the applicable employing agency for at least 12 weeks. This 12-week work obligation begins on the employee's first scheduled workday after such paid parental leave concludes.

Detailed guidance on DOL's paid parental leave application process is made available for DOL employees upon entry to the Department.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2022
II HOUSE BILL 141 I

Short Title: Paid Parental Leave for State Employees (Public)
Sponsors: Representatives Ligon, A. Baker, Crawford, and Willingham (Primary Sponsor)
For a complete list of sponsors, refer to the North Carolina General Assembly web site.
Referred to: Rules, Calendar, and Operations of the House

February 20, 2023

A BILL TO BE ENTITLED
AN ACT TO PROVIDE PAID PARENTAL LEAVE TO STATE EMPLOYEES AND OTHER STATE-SUPPORTED PERSONNEL.
The General Assembly of North Carolina enacts:
SECTION 1. Article 2 of Chapter 126 of the General Statutes is amended by adding a new section to read:
§ 126-8.6. Paid parental leave for State employees and State-supported personnel.
(a) **Full-Time Employees.** The State Human Resources Commission shall adopt rules and policies to provide that a permanent, full-time State employee may take up to eight weeks of paid parental leave in addition to any other leave available to the employee. The employee must have been continuously employed by the State for at least 12 months immediately preceding the first request for paid parental leave.
(b) **Part-Time Employees.** The State Human Resources Commission shall adopt rules and policies to provide that a permanent, part-time State employee may take a pro-rata amount of up to five weeks of paid parental leave in addition to any other leave available to the employee. The employee must have been continuously employed by the State for at least 12 months immediately preceding the first request for paid parental leave.
(c) **Reserve Recruitments.** The paid parental leave authorized by this section:
(1) is provided (i) for the birth of the parent's child and (ii) up to one year for the adoption or foster care placement and adoption of a child and care for the child;
(2) is available without exhaustion of the employee's sick and vacation leave;
(3) is in addition to, and not in lieu of, other leave under G.S. 126-8.3, or other leave authorized by federal or State law;
(4) may not be used for retirement purposes;
(5) takes each rule into account from employment;
(d) **Applicability.** This section applies to all (i) State employees and (ii) State-supported personnel with the appropriate governing board adopting rules and policies to provide paid parental leave in its conditions as provided by this section.
(e) **Reporting.** By May 1, 2024, and then annually thereafter, the State Human Resources Commission, the State Board of Education, the State Board of Community Colleges, and all State agencies, departments, and institutions shall annually report to the Office of State Human Resources on the paid parental leave program.
SECTION 2. G.S. 126-8 is amended by adding a new subsection to read:



House Bill 141



Paid Family and Medical Leave (FMLA)

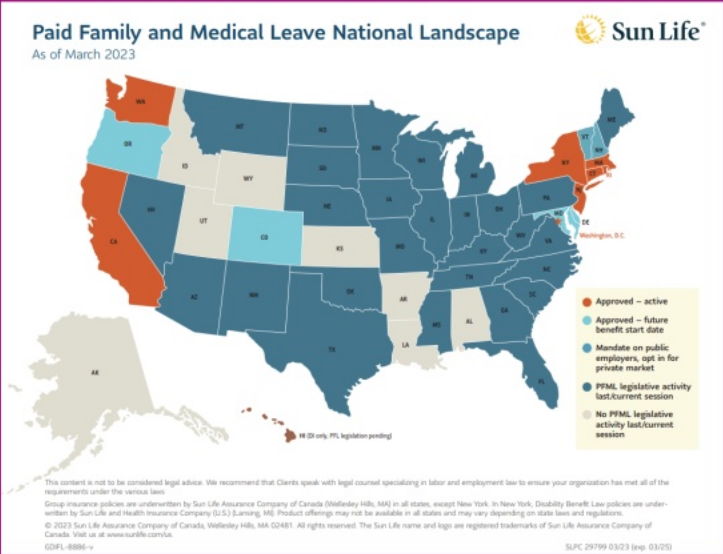


- *Durham*
- *Mecklenburg*
- *New Hanover*
- *Orange*
- *Person*
- *Wake*

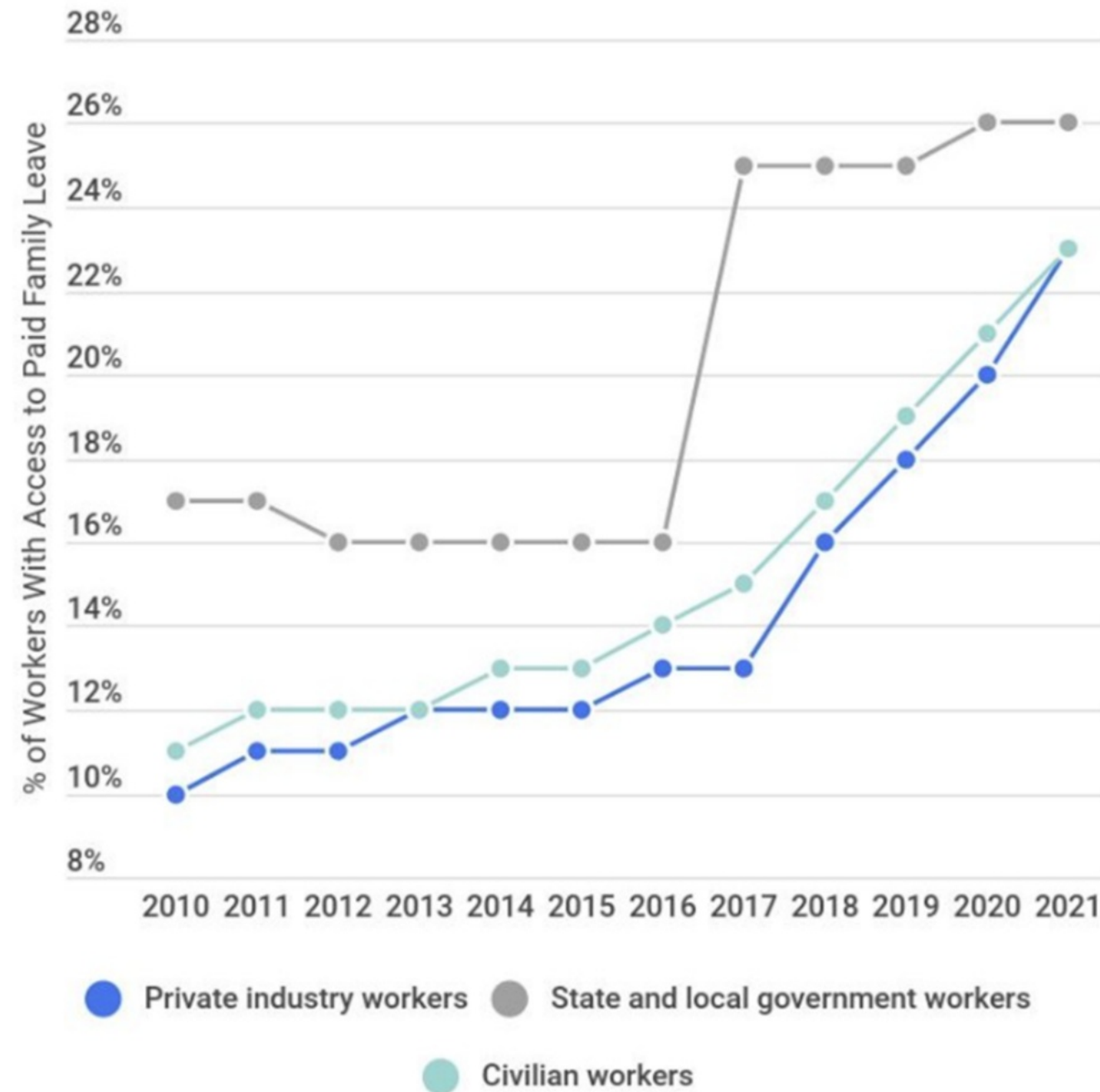


- *Apex*
- *Cary*
- *Chapel Hill*
- *Charlotte*
- *Greensboro*
- *Hillsborough*
- *Morrisville*
- *Rolesville*



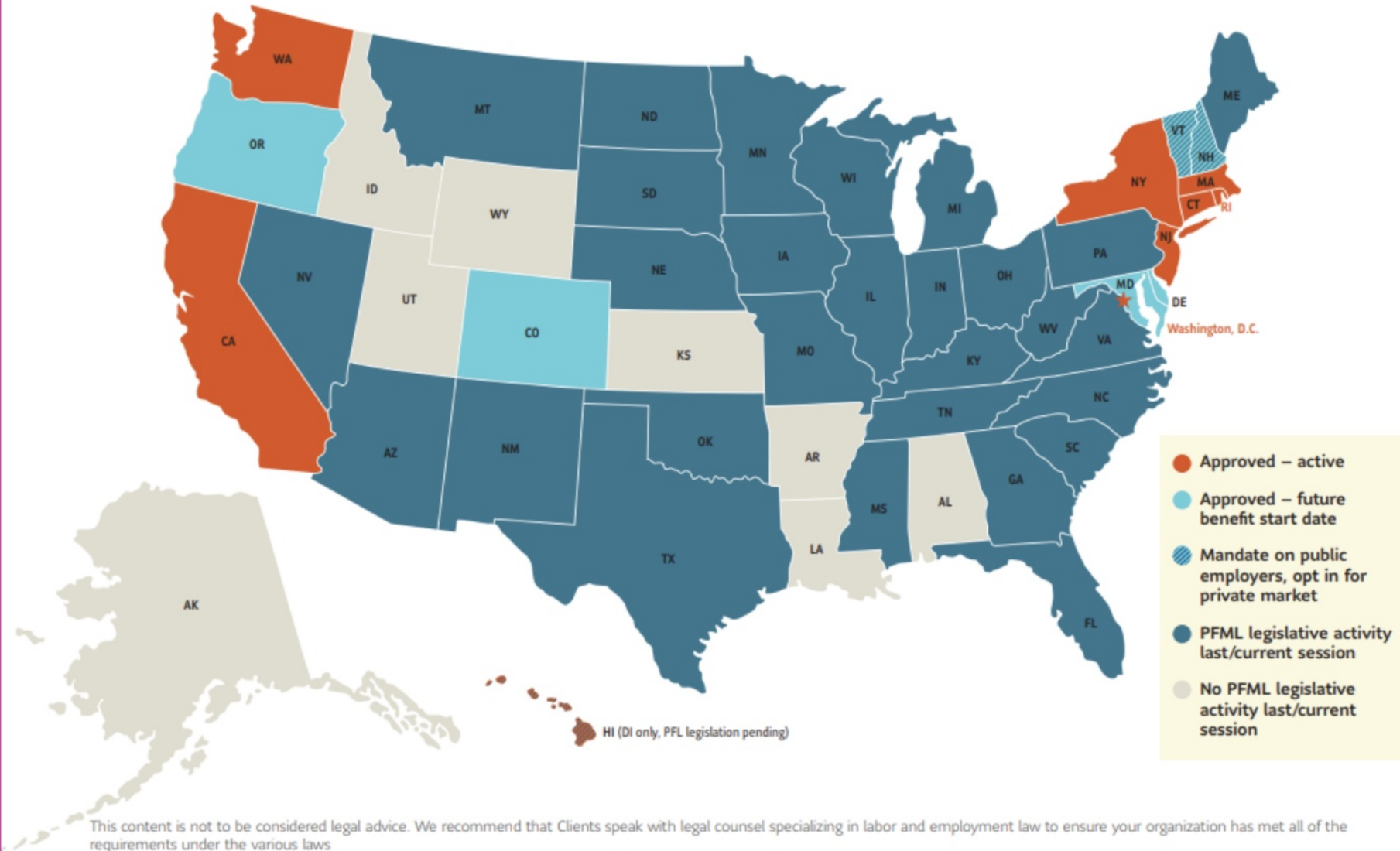


PERCENT OF WORKERS WITH ACCESS TO PAID FAMILY LEAVE 2010-2021



Paid Family and Medical Leave National Landscape

As of March 2023



This content is not to be considered legal advice. We recommend that Clients speak with legal counsel specializing in labor and employment law to ensure your organization has met all of the requirements under the various laws

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GDIFL-8886-v

SLPC 29799 03/23 (exp. 03/25)





Paid Family and Medical Leave (FMLA)

- *Extra Benefit for the Employees*
- *Boost Employee Morale*
- *Good for Recruiting*
- *No Extra Cost to the Town*
- *Helps with Years of Service*
- *Helps with Retirement*





Paid Family and Medical Leave (FMLA)



Town Employee Example



Town Employee Example



Paid Family and Medical Leave (FMLA)

Thank You!



Budget Planning Retreat - Minutes
Monday, March 17, 2025

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Jackson
Council Member Buzzelli
Council Member Wilson

STAFF PRESENT:

Bryan Chadwick, Town Administrator
Kim P. Batten, Assistant Town Administrator/Finance Officer
Jason Kress, Town Planner
Marcus Burrell, Town Attorney
Chris Allen, Parks & Recreation Director
Jenny Martin, Human Resources Officer/Town Clerk

COUNCIL ABSENT:

MEDIA PRESENT:

None

Page

1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the Budget Retreat/Work Session to order at 6:33 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Jackson offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance to the US Flag.

2. PLANNING DISCUSSIONS CONTINUED:

4 - 7

a) Discussion Points:

- Bryan Chadwick, Town Administrator, opened the meeting and reminded Council to make appointments to come meet with him if they have not met with him yet. He shared that staff is still collecting data on the numbers for the benefits and what their associated cost would be. He reminded the Council that Archer Lodge is in the same boat with other municipalities changing their insurance offerings due to the North Carolina League of Municipalities (NCLM) not offering coverage for the upcoming budget year. He shared that there will hopefully be an update in the coming weeks as they are waiting to hear back from three potential providers. Jenny Martin, Human Resources Officer/Town Clerk, added that the town has provided the information to these providers and they are simply just waiting to hear back from them. Mr. Chadwick shared that the Johnston County Tax that had been contested by approximately 5,700 people are currently under investigation. Based on this, the Town staff is working on the budget based on what the final decision on the taxes might be. He shared that the goal is to get the numbers as accurate as possible; however, this is a challenge since the concrete numbers have not been provided. He hopes that the numbers are shared within the next few weeks.

- Chris Allen, Parks and Recreation Director, shared current enrollment numbers that have all increased since the previous year besides baseball. Flag football increased from 19 players to 41 players. Basketball increased from 16 players to 39 players. Senior Baseball had 24 players last year and this year we did not fill a team due to field availability. He stated that he is sure that we would have had more players than last year. Mr. Allen shared that he currently has approximately 90 hours of comp time and this comes from the additional programs that the town is offering. He has been working on the weekends to staff the practices and games. He shared that he has attempted to flex his hours by coming in later to make sure that he is not accruing as much comp time. Council Member Bruton asked if he could adjust his schedule to not come to work on a regular workday to alleviate this issue. Mr. Allen agreed that doing something like that or similar could be an option, but he fears that the programs might lose something by him not being present during the regular work week. Council Member Jackson asked what Mr. Allen thinks would be a good solution to this problem. Mr. Allen shared that his goals are to train the part-time staff to do more, and that he is also short a supervisor and score keeper. He hopes that by hiring someone, he is able to cut down his comp time hours. Council Member Bruton asked to look at the numbers of participants that live outside of Archer Lodge and to possibly cut down on the programs if they are not benefitting solely the Archer Lodge residents. Mr. Chadwick shared that there is a 50% increase in prices for non-residents to offset the cost. Mr. Allen shared that the numbers for enrollment are just based on the natural growth of the Parks and Recreation program. Mr. Chadwick asked the Council to look at the offerings of the town and think about what it would be to cut back these programs that are naturally growing and have residents that want to participate. Council Member Bruton presented the idea of telework. Discussion followed. Discussion regarding the idea of having some type of volunteer system. Mr. Chadwick asked what Mr. Allen thinks would help to alleviate this issue. Mr. Allen shared that, in his opinion, he thinks that there could be additions to the staff and also training the current staff to do some work with the programming. Mr. Allen shared that in the future there is potential for growth with adult, senior, or preschool offerings and those programs and services will require an increase in the staff. Another offering that they have already trained staff for is archery but, they have not started to offer the classes due to a limitation on time and availability. Jason Kress, Town Planner, shared that there has been a lot of investment in the Town's Parks and Recreation department thus far in the history of Archer Lodge and in order to continue the growth the investment of time and energy will increase as the program itself increases.
- John Oglesby, Chair of Archer Lodge Planning Board, asked to speak and shared that, in his opinion, the Parks and Recreation Department is doing well and bringing in revenue and with that revenue, the town should be able to hire Mr. Allen some help to run his department effectively. Mr. Oglesby shared that, in his opinion, everything is a competition of who can provide the best programs, and he thinks it is a shame that someone here in Archer Lodge as a resident might have to take their child to a different place to participate in a sport. He explained that in order to have a competitive program, there has to be some kind of investment made from the town. A comment was made, by a citizen, that there should be a basis for volunteers to increase community involvement and a door-to-door campaign to get volunteers. Mayor Mulhollem shared that there are complications with the idea of volunteers. Ms. Martin explained that there are limits to what volunteers can do due to the town's liability. Mayor Mulhollem presented the idea that if there are volunteer coaches, their children get free or reduced discounts to participate in the program. Mr. Allen shared that it is a possibility, but a question to consider is if the Council is willing to lose the revenue from those charges in order to offer that discount. Discussion followed. Kim Batten, Assistant Town

Administrator/Finance Officer, asked Mr. Allen to share how Archer Lodge compares in parks and recreation staff to other municipalities. Mr. Allen shared the information that he could. A suggestion was made, by a Planning Board Member, to post the need for volunteers on the Johnston County Parks and Recreation website.

- Mr. Chadwick shared that the current lease for the reel mower is about to end. Mr. Allen shared with Council our options that he is looking into. He stated that he will share more with Council once he gets all of the information. Discussion followed. Council Member Buzzelli shared that he would prefer to lease the mower due to the maintenance.
- Council Member Buzzelli brought up a discussion regarding the middle school, access to the fields and gym and the change in availability for Archer Lodge. Discussion followed. Council Member Buzzelli shared that he would like to get back to where the town can use the facilities again.
- Mayor Mulhollem brought up a discussion regarding foul balls from the baseball fields. Mr. Allen shared the options of either getting netting or to increase the fence backstop for the baseball fields. Mr. Allen shared that he will investigate the price of adding something like that to ensure safety.
- Mr. Allen shared that in order to offset the cost of umpires, he intends for the budget to show an increase in the fee schedule for baseball and softball. He shared that he is seeking out a contract that will provide higher quality services to the residents because he has had issues with umpires not showing up to the games and hindering the program.
- Ms. Batten shared that there are 12 lights out on the baseball field at the Community Center. Council Member Buzzelli suggested using light carts. Council Member Bruton suggested that the Community Center should be sharing the cost associated with this. Discussion followed regarding the cost and the estimates that have been received thus far. Council Member Jackson suggested looking for grants for the town or the community center to help with the costs associated with the lights.
- Jason Kress, Town Planner, shared the current planning report and provided copies to Council, which is attached below. Mr. Kress shared that so far this fiscal year there have been 48 applications for permits. Last fiscal year there were 46 applications total. On the documentation provided to the Council, there is a table that describes the different types of permits that were issued. He shared the updates from the planning report to Council. Discussion followed. Mr. Kress also shared that the legislative planning and permitting updates were sent out to Council based on what Chad Meadows, with Code Wright Planners, sent him. He shared that the legislation is looking to change the permit/zoning process by adding strict time limits.
- Mr. Chadwick passed out and explained the Year-to-Date Revenue Report, which is attached below. He shared that the numbers presented on his handout were as of the date of the meeting.

[Planning and Zoning Report FY2025 July-Current](#)
[Year to Date Revenue Report](#)

3. ADJOURNMENT:

Having no further business, Mayor Mulhollem adjourned the Budget Work Session at 8:30 p.m.

Matthew B. Mulhollem, Mayor

Jenny Martin, Town Clerk



Town of Archer Lodge Planning and Zoning Report for FY2025 JUL-Current

Permits FY2025

- 48 Applications for Zoning Permits received (46 Total in 2024) to date
- 46 Zoning Permits issued to date
- 4 Recombinations were approved
- 11 New Residences approved

Highlights

- New Full-time Town Planner
- UDO Amendments
- Updates to Comprehensive Land Use Plan Ongoing
- Variance Hearing
- New Planning Board Member Francine Echols

FY2025

Permit #	Zoning District	Type	Sub-type
25-00001	SFR-1	Addition	Accessory Structure - Office & Studio Shed
25-00002	SFR-1	Addition	Accessory Structure - Storage Shed
25-00003	SFR-1	Addition	Addition - Roof Mounted Solar Panels
25-00004	AR	Addition	Addition - Residential Swimming Pool
25-00005	AR	Addition	Addition - Garage
25-00006	SFR-1	Addition	Addition - Residential Swimming Pool
25-00007	SFR-1	Addition	Addition - Garage
25-00008		Addition	Addition - Car port
25-00009	SFR-1	Addition	Addition - Residential Swimming Pool

25-00010	SFR-1	Addition	Addition - Garage
25-00011		Addition	Addition - Deck
25-00012	AR	Addition	Addition - Residential Swimming Pool
25-00013	SFR-1	Addition	Addition - Deck
25-00014	SFR-1	Addition	Addition - Screened Porch
25-00015	AR	Addition	Addition - Open Air Pole Barn
25PLAT01	AR	Exempt SD	Recombination
25PLAT02	AR	Exempt SD	Recombination
25PLAT03	AR	Exempt SD	Recombination
25PLAT04	SFR-3	Minor SD	Minor Subdivision
25PLAT05	AR	Exempt SD	Recombination
25-00016	SFR-1	Addition	Accessory Structure - ADU
25-00017	AR	Addition	Addition - Deck
25-00018	AR	Residential	MFH Replacement
25-00019	AR	New Residential	New SF Home
25-00020	SFR-1	Addition	Addition - Fence
25-00021	AR	New Residential	New SF Home
25-00022	AR	New Residential	New SF Home
25-00023	SFR-1	Addition	Accessory Structure - ADU & Storage
25PLAT05	AR	Minor SD	Minor Subdivision
25-00024	SFR-1	Addition	Addition - Garage
25-00025	AR	New Residential	New SF Home
25-00026	AR	New Residential	New SF Home
25-00027		Addition	Addition - Deck
25-00028	AR	New Residential	Model Home/Sales Office & Parking Lot
25-00029		Addition	Addition - Front & Rear Porch Replace
25-00030	AR	New Residential	New SF Home
25-00031		Addition	Roof mounted Solar Panels
25-00032		New Residential	New SF Home
25-00033		Addition	Addition - Perimeter Fence
25-00034		Addition	Addition - Sunroom
25-00035		Addition	Addition - Screened Porch & Deck
25-00036		New Residential	New SF Home
25-00037		Addition	Accessory Structure - Detached Garage
25-00038		Addition	Accessory structure - shed
25-00039		Addition	Accessory Structure - Storage Shed
25-00040		New Residential	New SF Home

Town of Archer Lodge
Statement of Revenue and Expenditures - Abbreviated

03/17/2025
06:25 PM

Revenue Account Range: 10-0000-0000 to 11-0000-0000

Expend Account Range: Not Selected

Print Zero YTD Activity: No

Include Non-Anticipated: Yes

Include Non-Budget: No

Year To Date As Of: 03/17/25

Prior Year: Thru 03/17/24

Revenue Account	Description	Prior Yr Rev	Anticipated	YTD Rev	Excess/Deficit	% Real
10-3113-0000	2013 Property Taxes	4.14	0.00	0.00	0.00	0
10-3119-0000	2019 Property Taxes	0.00	0.00	7.30	7.30	0
10-3121-0000	2021 Property Taxes	6.24	0.00	2.20	2.20	0
10-3122-0000	2022 Property Taxes	66.11	0.00	0.00	0.00	0
10-3123-0000	2023 Property Taxes	1,106,414.07	0.00	216.30	216.30	0
10-3123-0120	2023 Vehicle Taxes	116,673.88	0.00	0.00	0.00	0
10-3124-0000	2024 Property Taxes	0.00	1,150,000.00	1,193,529.71	43,529.71	104
10-3124-0120	2024 Vehicle Taxes	0.00	175,000.00	138,247.23	36,752.77-	79
10-3180-0000	Penalties and Interest	2,175.89	3,000.00	2,391.43	608.57-	80
10-3239-0000	Article 39 1% Sales Tax	99,812.17	170,000.00	119,992.20	50,007.80-	71
10-3240-0000	Article 40 1/2% Sales Tax	71,628.50	120,000.00	83,093.10	36,906.90-	69
10-3242-0000	Article 42 1/2% Sales Tax	52,842.01	89,000.00	63,550.58	25,449.42-	71
10-3244-0000	Article 44 1/2% Sales Tax	0.00	0.00	0.29	0.29	0
10-3244-0524	Article 44 NCGS 105-524 Sales Tax	13,029.22	20,000.00	15,019.10	4,980.90-	75
10-3322-0000	Alcohol Beverage Tax	0.00	22,000.00	0.00	22,000.00-	0
10-3324-0000	Electric Franchise Tax	66,354.76	133,000.00	75,150.58	57,849.42-	56
10-3325-0000	Telecommunications Franchise	10,056.41	18,000.00	9,481.03	8,518.97-	53
10-3337-0000	ABC Profits Johnston Co.	10,455.19	20,000.00	9,504.72	10,495.28-	48
10-3340-0000	Permits and Fees	4,265.00	5,000.00	4,425.00	575.00-	88
10-3345-0000	Fee in Lieu of Recreation	0.00	54,000.00	0.00	54,000.00-	0
10-3348-0000	Animal Control Fees	0.00	500.00	150.00	350.00-	30
10-3350-0000	Parks & Recreation Fees	60,730.00	70,000.00	69,735.00	265.00-	100
10-3351-0000	Parks & Recreation Rentals	6,685.00	20,000.00	8,103.50	11,896.50-	41
10-3361-0000	Cable TV Franchise Fees	4,978.69	9,000.00	4,747.26	4,252.74-	53

Town of Archer Lodge
Statement of Revenue and Expenditures

03/17/2025
06:25 PM

Revenue Account	Description	Prior Yr Rev	Anticipated	YTD Rev	Excess/Deficit	% Real
10-3452-0000	Carolina Panthers Community Grant	1,000.00	0.00	0.00	0.00	0
10-3461-0000	PEG Channel Support	25,806.44	60,000.00	39,701.25	20,298.75-	66
10-3484-0000	Regional Economic Develop Res Grant*24	2,365,000.00	0.00	0.00	0.00	0
10-3492-0000	Jo Co Tourism Authority Grant	5,000.00	5,000.00	5,000.00	0.00	100
10-3800-0000	Miscellaneous Revenues	6,091.95	5,000.00	7,643.50	2,643.50	153
10-3830-0000	Veterans Brick Revenues	555.00	500.00	530.00	30.00	106
10-3831-0000	Investment Earnings	47,066.73	60,000.00	28,755.64	31,244.36-	48
10-3833-0000	Contributions	300.00	0.00	0.00	0.00	0
10-3900-3930	Transfer from Capital Reserve Fund 30	125,000.00	0.00	0.00	0.00	0
10-3900-3931	Transfer from Park Reserve Fund 31	58,000.00	56,000.00	56,000.00	0.00	100
10-3900-3932	Transfer from Public Safety Res Fnd 32	0.00	250,000.00	0.00	250,000.00-	0
10-3990-0000	Fund Balance Appropriated	0.00	353,955.00	0.00	353,955.00-	0
	General Fund Revenue Totals	4,259,997.40	2,868,955.00	1,934,976.92	933,978.08-	67



**Regular Council - Minutes
Monday, March 3, 2025**

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Jackson
Council Member Wilson

STAFF PRESENT:

Bryan Chadwick, Town Administrator
Marcus Burrell, Town Attorney
Jason Kress, Town Planner
Kim P. Batten, Assistant Administrator/Finance Officer
Jenny Martin, Human Resources Officer/Town Clerk

COUNCIL ABSENT:

Council Member Buzzelli
Page

STAFF ABSENT:

Chris Allen, Parks & Recreation Director

1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:31 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Jackson offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance of the US Flag.

2. APPROVAL OF AGENDA:

a) Proposed change to agenda to add closed session between items 12 and 13.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Motion to Approve Agenda as Amended with Closed Session Added Between Items 12 and 13.

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed; 3 minutes per person)

a) Roger Skinner of 885 South Murphrey Road shared that he was pleased to see that the ordinance that caused his permit to be handled through a variance is on the agenda. He shared that he felt that the changes to the ordinance that Jason proposed is a little better than what is currently the ordinance. He is in support of the proposed change to the ordinance.

4. DISCUSSION AND POSSIBLE ACTION ITEMS:

a) Discussion and Possible Action of Renewing the Deer Urban Archery for 2026 in the Town of Archer Lodge

Mayor Mulhollem shared that this is a legal activity that the town has been participating in for a long time, and he hopes that the Town continues to be able to participate. Council Member Castleberry explained that he believes that the Town has been participating for approximately 12 to 13 years. Council Member Castleberry shared that he believes that due to the large lot sizes still being prevalent in the Town, it is important to continue to offer Deer Urban Archery to the residents of Archer Lodge. Mayor Mulhollem confirmed that this is not something that would make it "opening season" but would continue to allow the Town to offer this as a legal activity for town residents. Mayor Mulhollem called for a motion.

Moved by: Mayor Pro Tem Castleberry

Seconded by: Council Member Wilson

Approved to Renew the Deer Urban Archery Application for 2026 in the Town of Archer Lodge, as Presented.

CARRIED UNANIMOUSLY

6 - 15

b) Discussion and Possible Action of Approving the Proposed Zoning Amendments

Jason Kress presented the presentation attached below. Council Member Bruton requested that the ordinance be changed to a 5 acre lot in order to have a mobile home. Discussion followed. Mayor Mulhollem shared that the UDOs that the Town has is a living document that can be changed as the Council and Planning Board see fit to benefit the needs of the citizens. Mayor Mulhollem shared his opinion that making these proposed changes moves the Town in the direction that residents of Archer Lodge want to see the Town go. Attorney Burrell shared information that was presented at the Planning Board meeting by John Oglesby, Chair of Planning Board. Mayor Mulhollem called for a motion.

Moved by: Council Member Jackson

Seconded by: Mayor Pro Tem Castleberry

Approved Both Zoning Amendments, as Presented.

CARRIED UNANIMOUSLY

[PZ Presentation for Council Meeting 3.4.25](#)

5. TOWN ATTORNEY’S REPORT:
Town Attorney Marcus Burrell had nothing to report.

6. TOWN ADMINISTRATOR’S REPORT:

- a)
- Mr. Chadwick reminded the Council that the Budget Work Session is scheduled in two weeks from the date of this meeting. He encouraged Council to schedule meetings to come to Town Hall and speak with him directly regarding their perspectives for the budget so that a preliminary budget can be prepared for the meeting on March 17th.
 - He shared that the North Carolina League of Municipalities (NCLM) benefit changes will take place on June 30, 2025 as they will be ending the health benefits trust. He explained that Jenny Martin, Human Resources Officer/Town Clerk, has been investigating options to see where the Town needs to go. This directly impacts employees’ dental, vision, and life insurance.
 - Mr. Chadwick informed the Council that the accessibility grant has been submitted to the State of North Carolina and is hopeful that the Town will receive a response by mid-June.
 - He also shared that an appointment is scheduled for March 4th for asbestos testing to be done to the farm house on Castleberry Road.
 - Mr. Chadwick informed the Council that on March 29th from 9 a.m. to 1 p.m. there will be a shredding event at the Town Park. The Town will be advertising and hopes that it will be as successful as it has been in the past.

7. ASSISTANT TOWN ADMINISTRATOR/FINANCE OFFICER'S REPORT:

16 - 19

- a)
- Ms. Batten presented and shared the information from the reports that end January 31, 2025, which are attached below.
 - Ms. Batten presented that the General Fund was at 58% completed for the fiscal year. She shared that the collection rate for current revenues is 55%. She shared that the investment earnings are going down. She shared that expenditures are right on target. The Parks & Recreation fees are currently at 94% collected.
 - She shared that the only activity for the Capital Reserve Fund 30 is the investment earnings.
 - She explained that the only activity for the Park Reserve Fund 31 is the investment earnings and the \$0.02 transfer to the General Fund. The only expenditure was the transfer of the funds to make the loan payment.
 - Ms. Batten shared that the only activity for the Public Safety Reserve Fund 32 is the investment earnings.
 - Ms. Batten reviewed the financial comparison between January 2024 and January 2025. As of this year so far, we have had over a \$208,000 turnaround.
 - She reminded council of the upcoming budget session on March 17th and shared historical fiscal year data with the council, which is attached below. She explained the progression of the town throughout the fiscal years and their respective tax rates each year.

[JANUARY 2025 - ALL FUNDS](#)[JANUARY 2025 - YTD COMP](#)[Tax Rate Per Fiscal Year](#)

8. HUMAN RESOURCES OFFICER/TOWN CLERK'S REPORT:

- a)
- Ms. Martin shared that there are two contingent offers to fill the part-time athletic aide positions pending successful completion of their drug tests and background checks.
 - Ms. Martin shared that the Parks and Recreation department will also be seeking out a new supervisor as the former supervisor is unable to continue due to needs at his full-time job.
 - Ms. Martin explained the topic of NCLM dropping the insurance offering and that several other municipalities have been effected as well. She hopes that there will be an answer for rate options in the near future as she has had meetings scheduled for the coming weeks. She explained that there has been no reasoning released behind why the league decided to drop the offering of insurance at this time as they had already sent out information for open enrollment. Mayor Mulhollem asked how many options there are for the insurance offerings. Ms. Martin explained that there are a lot of options; however, she is seeking out agencies that already have other municipalities with them. She shared that hopefully they are able to find an insurance agency that has a big enough pool to ensure that cost won't be as high. She hopes that they are able to find an option that keeps costs at a similar rate but will know more after the meetings coming up.

9. PARK AND RECREATION DIRECTOR'S REPORT:

- a) **Mr. Allen was not present to report as he was at Parks and Recreation basketball practice.**

10. TOWN PLANNER'S REPORT:

- a)
- Mr. Kress presented Town Planner's Report, which is part of the presentation that was in item 4b.
 - Mr. Kress provided an update for permits for the fiscal year: 46 applications were processed, 29 were additions and accessory uses,

11 were residential - manufactured home replacements or single family, 6 plats - recombination or minor subdivisions.

- He shared that the model home for Castlewood is up so there is progress being made in that subdivision.
- He explained that the land use plan update is in the works of processing with CodeWright Planners and is something that will be presented soon.
- Mr. Kress informed that some legislative changes may be made for the state that will impact the town and Chad Meadows, with CodeWright Planners will assist to ensure that Archer Lodge is up to date.
- Mr. Kress reminded the council of the Johnston County trail survey that was emailed out last week. He encouraged council to complete the survey if they haven't already.

11. MAYOR’S REPORT:

- a) Mayor Mulhollem shared that there has been interest in showing the changes that have taken place to the country stores that Archer Lodge has. He said that he would like to have pictures of the stores and have something written up to share the history of the stores. Mayor Mulhollem wants these to be posted somewhere in Town Hall.

12. COUNCIL MEMBERS’ REMARKS:

- a) Council Member Wilson had nothing to report.
- b) Council Member Jackson reminded everyone that Mardi Gras is March 4th, and he encouraged everyone to remember former Council Member Jim Purvis and his love for Mardi Gras.
- c) Mayor Pro Tem Castleberry agreed with Mayor Mulhollem's proposal to get the pictures up in town hall of the stores before it is too late. He thanked those who have reached out to him regarding his health.
- d) Council Member Bruton informed Council that the NCDOT will be holding a public meeting regarding HWY42 on Wednesday from 5 p.m. to 7 p.m. The meeting is regarding the desire to widen HWY42 from 70 to 50.

13. CLOSED SESSION: § 143-318.11(A)(5)

- a) **Attorney Burrell advised Council to enter into Closed Session as permitted by § 143-318.11(a)(5).**

Moved by: Council Member Jackson

Seconded by: Mayor Pro Tem Castleberry

Approved to enter into Closed Session at 7:45 p.m.

CARRIED UNANIMOUSLY

14. RETURN TO OPEN SESSION:

- a) **Mayor Mulhollem called for a motion to return to Open Session.**

Moved by: Council Member Jackson

Seconded by: Council Member Wilson

Approved to return to Open Session at 8:07 p.m.

CARRIED UNANIMOUSLY

15. ADJOURNMENT:

a) Having no further business, Mayor Mulhollem called for a motion to adjourn.

Moved by: Council Member Jackson
Seconded by: Council Member Wilson
Approved to adjourn meeting at 8:07 p.m.

CARRIED UNANIMOUSLY

Matthew B. Mulhollem, Mayor

Jenny Martin, Town Clerk

Zoning Amendments & Planners Report

March 3rd 2025

ARCHER LODGE TOWN COUNCIL MEETING
PLANNING AND ZONING



Contents

1. Amendments to the Unified Development Ordinance

- a. Manufactured Homes as Accessory Dwelling Units
- b. Accessory Use Standards in relation to lots >5 acres

2. Planner's Reports



1. Amendments to the UDO

1.a – Manufactured Homes (MFH) as Accessory Dwelling Units (ADU)

Purpose: To restrict the use of MFH as ADU's in residential districts outside of Agricultural-Residential (AR) to maintain the character and spirit of neighborhood subdivisions.

1.b – Accessory Use Standards in relation to lots >5 acres

Purpose: To allow for properties with lots larger than 5 acres to build an Accessory structure up to 100% of the principal structure, an increase from the 50% standard. It was identified by staff that there was a need from affected citizens to be granted a greater range to build accessory structures from, with no adverse impacts to community character or neighboring properties.



1.a – Manufactured Homes as ADUs

Article 5. - Division 3. – Use Standards – Sec. 30-5302 – Residential Uses

- (d) *Manufactured dwelling.* A manufactured dwelling shall comply with § 160D-910 of the North Carolina General Statutes, and the following standards:
- (1) All class A and B manufactured homes, regardless of availability of public utilities, shall have a minimum lot size of one acre when serving as a principal use of the lot;
 - (2) When serving as a principal use of the lot, Class A manufactured homes shall have a minimum 80-foot-wide front yard width and shall front on and the front door shall be parallel to the roadway and/or the access road;



1.a – Manufactured Homes as ADUs

Article 5. - Division 4. – Accessory uses – Sec. 30-5405 – Specific Standards for common accessory uses

Standards for a specific accessory use or structure shall apply to the particular individual accessory use or structure regardless of the zoning district in which it is located or the review procedure by which it is approved, unless otherwise specified in this Ordinance. This section sets forth and consolidates the standards for all accessory uses and structures for which a reference to this section is provided in the “Acc. Use Standards” column of the Common Accessory Use Table. These standards may be modified by other applicable standards or requirements in this Ordinance.

(7) An ADU shall be served by public or private potable water and wastewater treatment system and may be served by water, sanitary sewer, gas, and electrical utilities shared with the principal use.

~~(7)~~(8) Except on lots within the AR district, a manufactured or mobile home may not be used as an ADU. In no instance shall an individual manufactured home space within a manufactured home park contain more than one manufactured home structure.



Questions or Discussion



1.b – Accessory Use Standards

Article 5. - Division 3. – Use Standards – Sec. 30-5302 – Residential Uses

(6) *Maximum size.*

- a. Except on lots of five acres in area or greater, ~~In no instance shall~~ the cumulative total square footage of all accessory uses or structures on a lot shall not exceed more than 50 percent of the total square footage of the principal structure or structures on the same lot.
- b. In the case of an open air principal use, the cumulative total square footage of all accessory uses or structures on a lot shall not exceed more than 40 percent of the total square footage of the area devoted to the principal use.
- b-c. In the case of lots of five acres or more in area, the cumulative square footage of all accessory uses or accessory structures shall not exceed 100 percent of the total square footage of the principle structure(s) on the lot.

Questions or Discussion

1.a – Manufactured Homes (MFH) as Accessory Dwelling Units (ADU)

Purpose: To restrict the use of MFH as ADU's in residential districts outside of Agricultural Residential (AR) to maintain the character and spirit of neighborhood subdivisions.

1.b – Accessory Use Standards in relation to lots >5 acres

Purpose: To allow for properties with lots larger than 5 acres to build up to 100% of the principal structure, an increase from the 50% standard. It was identified by staff that there was a need from affected citizens to be granted a greater range to build accessory structures from, with no adverse impacts to community character or neighboring properties.

Requested Action: To adopt the discussed amendments to the UDO as presented.



2. Planner's Report

Permitting FY25

Permit Applications Processed: **46**

- Additions & Accessory (Screened Porch, Garage, Deck, etc) : **29**
- Residential (MFH replacement, new SF) : **11**
- Plats (Recombination, Minor Subdivisions): **6**

Updates

- Land Use Plan Update is in the works with Codewright
- UDO Amendments will be coming with respect to Legislative changes
- JC Greenways & Trails survey



Thank you.





TOWN OF ARCHER LODGE FINANCIAL SUMMARY REPORT FOR MONTH END JAN 31, 2025

GENERAL FUND 10				
<i>REVENUES</i>	AMENDED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
AD-VALOREM & MOTOR VEHICLE TAXES	1,328,000.00		1,138,986.05	85.77%
SALES TAXES	399,000.00		192,891.55	48.34%
FRANCHISE TAXES	160,000.00		49,746.91	31.09%
ALCOHOL BEV TAXES/JO CO ABC DIST	42,000.00		4,752.36	11.32%
PERMITS AND FEES	5,500.00		3,725.00	67.73%
FEE IN LIEU OF RECREATION	54,000.00		0.00	0.00%
PARKS & RECREATION FEES	70,000.00		65,800.00	94.00%
PARKS & RECREATION RENTALS	20,000.00		7,178.50	35.89%
PEG CHANNEL SUPPORT	60,000.00		20,833.32	34.72%
MISCELLANEOUS/ALVM BRICK REVENUES/CONTRIBUTIONS	5,500.00		8,173.50	148.61%
CAROLINA PANTHERS COMMUNITY/JO CO TOURISM/JO CO OPEN SPACE GRANT	5,000.00		5,000.00	100.00%
REG ECONOMIC DEVELOP RES GRANT '24	0.00		0.00	#DIV/0!
INVESTMENT EARNINGS	60,000.00		28,755.64	47.93%
TRANSFER IN FROM CAP RES FUND 30	0.00		0.00	#DIV/0!
TRANSFER IN FROM PARK RES FUND 31	56,000.00		56,000.00	100.00%
TRANSFER IN FROM PUBLIC SAFE RES FUND 32	250,000.00		0.00	0.00%
FUND BALANCE APPROPRIATION	353,955.00		0.00	0.00%
TOTALS	2,868,955.00	0.00	1,581,842.83	55.14%
<i>EXPENDITURES</i>	AMENDED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	58,300.00		24,675.85	42.33%
ADMINISTRATION	465,350.00		247,718.20	53.23%
JO CO TAX COLLECTION FEES	37,000.00		28,211.25	76.25%
LEGAL	18,000.00		6,200.00	34.44%
PROPERTY TAXES	100.00		61.86	61.86%
PUBLIC BUILDINGS	195,395.00		85,379.47	43.70%
PEG MEDIA PARTNERS	60,000.00		20,833.32	34.72%
PUBLIC SAFETY	852,250.00		473,394.55	55.55%
TRANSPORTATION-PUBLIC WORKS	23,000.00		12,139.50	52.78%
PLANNING & ZONING	256,975.00		124,977.75	48.63%
CULTURAL & RECREATION	623,460.00		340,878.47	54.68%
DEBT SERVICES	140,125.00		103,366.45	73.77%
TRANSFER TO CAP RESERVE	0.00		0.00	#DIV/0!
TRANSFER TO PARK RESERVE	139,000.00		67,238.94	48.37%
TRANSFER TO PUBLIC SAFETY RESERVE	0.00		0.00	#DIV/0!
TRANSFER TO REG ECON DEVELOP RES GRANT	0.00		0.00	#DIV/0!
				#DIV/0!
	2,868,955.00	0.00	1,535,075.61	53.51%
Y-T-D GENERAL FUND INCREASE (DECREASE)		0.00	46,767.22	

CAPITAL RESERVE FUND 30				
<i>REVENUES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
INVESTMENT EARNINGS	1,000.00		695.40	69.54%
TRANSFER FROM GEN FUND 10	25,000.00		0.00	0.00%
FUND BALANCE APPROPRIATED	0.00		0.00	#DIV/0!
TOTALS	26,000.00	0.00	695.40	2.67%
<i>EXPENDITURES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
TRANSFER TO GEN FUND 10	0.00		0.00	#DIV/0!
TRANSFER TO FUND BALANCE	26,000.00		0.00	0.00%
TOTALS	26,000.00	0.00	0.00	0.00%
Y-T-D CAP RESERVE FUND INCREASE (DECREASE)		0.00	695.40	

PARK RESERVE FUND 31				
<i>REVENUES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
INVESTMENT EARNINGS	1,000.00		1,634.79	163.48%
TRANSFER FROM GEN FUND 10	139,000.00		67,238.94	48.37%
TRANSFER FROM AL TOWN PRK FND 41	0.00		8,090.51	#DIV/0!
TOTALS	140,000.00	0.00	76,964.24	54.97%
<i>EXPENDITURES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
RECREATION DEVELOPMENT	84,000.00		0.00	0.00%
TRANSFER TO GEN FUND 10	56,000.00		56,000.00	100.00%
TRANSFER TO FUND BALANCE	0.00		0.00	#DIV/0!
TOTALS	140,000.00	0.00	56,000.00	40.00%
Y-T-D PARK RESERVE FUND INCREASE (DECREASE)		0.00	20,964.24	

PUBLIC SAFETY RESERVE FUND 32				
<i>REVENUES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
INVESTMENT EARNINGS	1,000.00		10,801.93	1080.19%
TRANSFER FROM GEN FUND 10	25,000.00		0.00	0.00%
FUND BALANCE APPROPRIATED	224,000.00		0.00	0.00%
				#DIV/0!
TOTALS	250,000.00	0.00	10,801.93	4.32%
<i>EXPENDITURES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
TRANSFER TO GEN FUND 10	250,000.00		0.00	0.00%
TRANSFER TO FUND BALANCE	0.00		0.00	#DIV/0!
TOTALS	250,000.00	0.00	0.00	0.00%
Y-T-D PUB SAFE RES FUND INCREASE (DECREASE)		0.00	10,801.93	



Kim P. Batten

FINANCE OFFICER

ASSISTANT TOWN ADMINISTRATOR



**TOWN OF ARCHER LODGE
FINANCIAL SUMMARY REPORT
FISCAL YEAR COMPARISON FOR
PERIOD ENDING JANUARY 31**

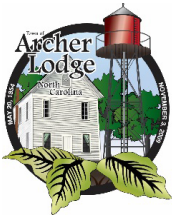
GENERAL FUND				
REVENUES		Jan-25	Jan-24	DIFFERENCE
	AD-VAL & MOTOR VEHICLE TAXES	1,138,986.05	1,057,601.31	81,384.74
	SALES TAXES	192,891.55	165,732.45	27,159.10
	FRANCHISE TAXES	49,746.91	43,011.64	6,735.27
	ALCOHOL BEV TAXES/JO CO ABC DIST	4,752.36	10,455.19	(5,702.83)
	PERMITS AND FEES	3,725.00	3,015.00	710.00
	FEE IN LIEU OF RECREATION	0.00	0.00	0.00
	PARKS & RECREATION FEES	65,800.00	58,950.00	6,850.00
	PARKS & RECREATION RENTALS	7,178.50	5,955.00	1,223.50
	PEG CHANNEL SUPPORT	20,833.32	12,903.22	7,930.10
	MISCELLANEOUS/ALVM BRICK REVENUES/CONTRIBUTIONS	8,173.50	6,898.95	1,274.55
	INVESTMENT EARNINGS	28,755.64	41,501.65	(12,746.01)
	GRANTS (ARPA, SCIF, JOCO OPEN SPACE & TOURISM, CAROLINA PANTHERS)	5,000.00	1,000.00	4,000.00
	GRANT-REG ECON DEVEL RES (24REDR)	0.00	0.00	0.00
	TRANSFER IN FROM CAPITAL RES FND 30	0.00	125,000.00	(125,000.00)
	TRANSFER IN FROM PARK RESERVE FND 31	56,000.00	58,000.00	(2,000.00)
	TRANSFER IN FROM PUBLIC SAFE RES FND 32	0.00	0.00	0.00
Y-T-D INCREASE (DECREASE)		1,581,842.83	1,590,024.41	(8,181.58)
EXPENDITURES		Jan-25	Jan-24	DIFFERENCE
	GOVERNING BODY	24,675.85	27,686.02	(3,010.17)
	ADMINISTRATION	247,718.20	316,335.67	(68,617.47)
	JO CO TAX COLLECTION FEES	28,211.25	27,096.10	1,115.15
	LEGAL	6,200.00	4,950.00	1,250.00
	PROPERTY TAXES	61.86	1.56	60.30
	PUBLIC BUILDINGS	85,379.47	174,712.62	(89,333.15)
	PEG MEDIA PARTNERS	20,833.32	12,903.22	7,930.10
	PUBLIC SAFETY	473,394.55	353,319.93	120,074.62
	TRANSPORTATION-PUBLIC WORKS	12,139.50	8,662.00	3,477.50
	PLANNING & ZONING	124,977.75	98,951.07	26,026.68
	CULTURAL & RECREATION	340,878.47	564,190.94	(223,312.47)
	DEBT SERVICES	103,366.45	95,003.92	8,362.53
	TRANSFER TO CAP RESERVE	0.00	0.00	0.00
	TRANSFER TO PARK RESERVE	67,238.94	68,200.29	(961.35)
	TRANSFER TO PUBLIC SAFETY RESERVE	0.00	0.00	0.00
	TRANSFER TO ARPA, SCIF, 24REDR FUNDS	0.00	0.00	0.00
		1,535,075.61	1,752,013.34	(216,937.73)
Y-T-D INCREASE (DECREASE)		46,767.22	(161,988.93)	208,756.15

Kim P. Batten

FINANCE OFFICER

ASSISTANT TOWN ADMINISTRATOR

<u>FY</u>	<u>TAX RATE</u>	<u>TOWN</u>	<u>FIRE DEPT</u>	<u>PARK RES</u>	<u>GEN FUND</u> <u>ADOPTED</u> <u>BUDGET</u>
FY09/10	0.08	0.08			\$ 118,638
FY10/11	0.15	0.08	0.07		\$ 332,019
FY11/12	0.15	0.08	0.07		\$ 593,547
FY12/13	0.15	0.08	0.07		\$ 680,017
FY13/14	0.15	0.08	0.07		\$ 751,565
FY14/15	0.15	0.08	0.07		\$ 744,520
FY15/16	0.15	0.08	0.07		\$ 888,497
FY16/17	0.20	0.10	0.07	0.03	\$ 1,035,625
FY17/18	0.20	0.10	0.07	0.03	\$ 1,030,685
FY18/19	0.22	0.10	0.09	0.03	\$ 1,155,760
FY19/20	0.22	0.10	0.09	0.03	\$ 1,391,500
FY20/21	0.22	0.10	0.09	0.03	\$ 1,355,850
FY21/22	0.22	0.10	0.09	0.03	\$ 1,659,545
FY22/23	0.27	0.16	0.09	0.02	\$ 2,632,400
FY23/24	0.30	0.16	0.12	0.02	\$ 2,455,346
FY24/25	0.32	0.16	0.14	0.02	\$ 2,888,000



Proclamation



WHEREAS, Parkinson's disease is a chronic, progressive, neurological disease and is the second most common neurodegenerative disease in the United States; and,

WHEREAS, Parkinson's disease is estimated to affect approximately one million people in the United States and the prevalence will rise to 1.2 million by 2030; and,

WHEREAS, Parkinson's disease is the 14th leading cause of death in the United States according to the Centers for Disease Control and Prevention; and,

WHEREAS, it is estimated that the economic burden of Parkinson's disease is at least \$52 billion annually, including direct and indirect costs, including treatment, social security payments and lost income, to patients and family members; and,

WHEREAS, research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown; and,

WHEREAS, there is no objective test or biomarker for Parkinson's disease, and there is no cure or drug to slow or halt the progression of the disease; and,

WHEREAS, the symptoms of Parkinson's disease vary from person to person and can include tremors; slowness of movement and rigidity; difficulty with balance, swallowing, chewing, and speaking; cognitive impairment and dementia; mood disorders; and a variety of other non-motor symptoms; and

WHEREAS, volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life of persons living with Parkinson's disease and their families; and,

WHEREAS, increased research, education, and community support services such as those provided by the Parkinson's Foundation and other organizations are needed to find more effective treatments and to provide access to quality care to those living with the disease today; and,

NOW, THEREFORE, I, Matthew B. Mulhollem, Mayor of the Town of Archer Lodge in North Carolina, do hereby proclaim April 2025 as

PARKINSON'S AWARENESS MONTH

Given under my hand and the Great Seal of the Town of Archer Lodge on this 7th day of April 2025.

Matthew B. Mulhollem
Mayor