

**Town of Mocksville
Regular Board Meeting
August 7, 2018**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, August 7, 2018 at 6:00 p.m. in the Mocksville Town Hall.

Present: Mayor, Will Marklin
Commissioners Present: Eric Southern
Amy Vaughan-Jones
Brent S. Ward
Brian Williams
Absent: Rob Taylor

Others Present:

Leonard Barefoot, Interim Town Manager
Lynn Trivette, Town Clerk
Al Benschhoff, Town Attorney
Todd Penley, Police Chief
Frank Carter, Fire Chief
Chris Vaughn, Parks and Grounds
Brian Moore, Public Works Director

Mayor, Marklin called the meeting to order welcoming everyone in attendance.

The Town of Mocksville Board paused for a moment of silence.

Mayor, Marklin led the Pledge of Allegiance.

Approval of Agenda

A motion was made by Commissioner, Brent Ward to add an item to the agenda 14A; Consider A Request By The NC Department Transportation To Reduce The Scope Of The Contract For The Salisbury Street / 601 Street Project. The motion was seconded by Commissioner, Brian Williams and approved by a unanimous vote. 4-0

A motion was made by Commissioner, Eric Southern to approve the agenda. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 4-0

Approval of Minutes

A motion was made by Commissioner, Amy Vaughan -Jones to approve the minutes of the July 10, 2018 Regular Board Meeting, July 10, 2018 Executive Board Meeting. The motion was seconded by Commissioner, Eric Southern and approved by a unanimous vote. 4-0

Public Comment

Linda Barnette presented Mayor, Marklin with a handout to the Board to read concerning Church Street and the storm drainage issues.

Consider a Resolution Directing the Clerk to Investigate the Sufficiency of an Annexation Petition for Property Located at 187 Koontz Road, Mocksville, NC.

Attached for the Board's consideration was a copy of a resolution directing the town clerk to investigate the sufficiency of an annexation petition for property located at 187 Koontz Road, Mocksville, NC. A copy of the petition was also attached. This is the same property that was considered for annexation earlier this year. The primary impetus for reconsidering this request is the fact that Engineer; Chuck Willis and Interim, Town Manager, Mr. Barefoot both are recommending that the Town enter into an agreement to upgrade the size of the project sewer pump station to accommodate future development in this area. Also, as these adjacent properties develop, Mr. Willis and Mr. Barefoot feel that having all of them in the town limits will make the provision of municipal services more fluid.

A motion was made by Commissioner, Brian Williams to direct the Clerk to investigate the sufficiency of the annexation petition for the property located at 187 Koontz Road, Mocksville, NC. The motion was seconded by Commissioner, Brent Ward and approved by a unanimous vote. 4-0

Consider Acceptance of a Certificate of Sufficiency For the Petition Requesting Annexation for Property Located at 187 Koontz Road, Mocksville, NC and Scheduling Of a Public Hearing on the Matter.

Attached for the Board's consideration was a copy of a Certificate of Sufficiency prepared by Town Clerk, Lynn Trivette for property located at 187 Koontz Road. Upon an affirmative vote by the Board to accept the Certificate, it would be appropriate for the Board to set the date for a public hearing on the matter.

Interim, Town Manager, Mr. Barefoot recommended the Board set the date for September 4, 2018 in the Town Hall Board Meeting Room, beginning at 6:00 PM or as soon thereafter as practical.

A motion was made by Commissioner, Brian Williams to accept the Certificate of Sufficiency prepared by the Clerk for the property located at 187 Koontz Road, Mocksville, NC. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 4-0

Consider Authorization for the Town of Mocksville To Enter into an Agreement with the Developers of the Mocksville Pointe Apartment Complex to Share the Cost Of Upgrading its Sewer Pump Station to Better Serve Future Development in that Area.

Engineer, Chuck Willis and Interim, Town Manager, Mr. Barefoot have worked with the developers of the Mocksville Pointe Apartment Complex to upsize its proposed sewer pump station to allow for future development in that area. Copies of an estimate of the shared cost for the upgrade and a draft copy of the proposed agreement for the Board's consideration were attached for consideration. The Town's portion of the cost for the upgrade is estimated to be \$66,220. However, this expenditure will make sewer available to additional areas for commercial development along the Hwy 601 and US 40 corridors. It will also eliminate the future need for one or more additional pump stations. The agreement as proposed is consistent with recently adopted amendments to Chapter VI, Article 6, Water and Sewer Utility Extensions of the Town of Mocksville Code of Ordinances.

A motion was made by Commissioner, Brent Ward to approve the proposal for the sewer pump station upgrade estimated at \$66,220. The motion was seconded by Commissioner, Brian Williams and approved by a unanimous vote. 4-0

Discussion Article 5: Speed Limits – Power point, Intern Brandon Edwards

Mr. Edwards started off by introducing himself and recognizing the other Interns, Charlie Chapman and Josh Dull, which helped with this Speed Limit Ordinance project. (Article 5; Chapter 10) Mr. Edwards

introduced the speed limit ordinance audit, and recognized that at the last Board meeting Commissioner, Amy Vaughan-Jones suggested that the Interns do an audit on the Town's Speed Limit Ordinance.

Mr. Edwards gave an overview of the presentation to show what the Interns, had worked on. Mr. Edwards described the Ordinance as it stands and what streets have Ordinances on them. Mr. Edwards showed the Board maps of where the speed limits were and compared them to where the speed limit signs were. Mr. Edwards also included where "stop" intersections were listed on the Ordinance and showed a map of that. Mr. Edwards discussed where the school zones were located, and Chief Todd Penley included that a school zone could not be added by the Town on a State maintained road. Mr. Edwards showed a map of where there could be other "stop" intersections listed on the Ordinance.

Mr. Edwards showed a map of the Town's residential neighborhoods, one on a private road and one on a public road. He explained that the speed limit for the public roads within the Town is 35 unless otherwise posted based on G.S. 20-141, however this may not be a safe speed limit for residential neighborhoods.

Mr. Edwards concluded the presentation by showing the recommendations that the other Interns and himself had made.

No action was taken and the Board concluded that they would like to find a way to fix the issue with residential areas before amending the ordinance.

Consider Additional Appointments to the Comprehensive Plan Advisory Committee

During the last meeting it was decided that each Board member would provide the names of two additional members to serve on the Comprehensive Advisory Committee. To date the following names are listed below:

Commissioner, Brent Ward	Heber Wentz Alice Haynes
Commissioner, Amy Vaughan-Jones	Diane Foster Jenny Stevenson
Commissioner, Rob Taylor	Brandy Koontz Brad Chapman
Commissioner, Eric Southern	Regina Graham Steven Walker
Commissioner, Brian Williams	Alan Lakey Carl Lambert
Mayor, Will Marklin	Clint Junker Neil Cheek

It is my recollection that these will be additional appoints to the committee.

A motion was made by Commissioner, Eric Southern to approve the Advisory Committee as listed but add Brent Ward and Brian Williams totaling fourteen members. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 4-0

Consider Authorization for the Town Manager to Declare a Fire Truck as Surplus Property to be sold To a Local Volunteer Fire Department

The Mocksville Fire Chief, Frank Carter proposed an agreement to sell an aging Mocksville Fire Department truck along with ancillary equipment to the Cornatzer-Dulin Fire Department of Davie County. Chief Carter’s letter describes the truck in detail and notes a proposed sale price of \$20,000.

The Town Charter reads that the Town Manager has the authority to dispose of surplus property valued at less than \$30,000. As a newly appointed Interim Manager, considering the value of the property, Mr. Barefoot would respectfully ask the Board to confirm its desire to surplus the property in the manner being requested by Chief Carter.

A motion was made by Commissioner, Brent Ward to approve the Mocksville fire truck with ancillary equipment as surplus for \$20,000 to Cornatzer-Dulin Fire Department. The motion was seconded by Commissioner, Brian Williams and approved by a unanimous vote. 4-0

Proclamation for the Towns of Bermuda Run, Cooleemee and Mocksville Declaring the Month of September as “Davie Respect Initiative Month”

Mayor, Marklin read the Proclamation.

The Towns call upon all citizens, community and County agencies, faith groups, elected leaders and businesses to increase their participation in efforts to engage and support the youth in Davie County to enhance the level of expressed respect in all of the communities in which we live.

Budget Approval of a Budget Amendment 2018-2019 Number (1)

Budget Amendment Number One (1) and support material was presented for the Board’s review. The expenditure became necessary last fiscal year at the water plant as explained in the attached email exchange. The repair was not completed until the new budget year and we are now getting billed for payment in the amount of \$40,773.97. This expenditure was an emergency for which there was no appropriation and would have required an amendment last year if it had been completed in time.

A motion was made by Commissioner, Amy Vaughan-Jones to approve the budget amendment (1) for \$40,773.97. The motion was seconded by Commissioner, Eric Southern and approved by a unanimous vote. 4-0

Consider Resolution In Support of Project Door To Expand A Manufacturing Facility in Mocksville, NC.

Project Door proposes to invest \$763,796 and to create at least 22 new full time jobs when the company’s expanded facility is fully operational. The up fit improvements are to an approximate 194,000 square foot existing building to suit the needs of the company’s planned expansion. No cost to the Town; just approval to apply by application.

A motion was made by Commissioner, Brian Williams to approve the Resolution in support of Project Door to expand their manufacturing facility. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 4-0

A motion was made by Commissioner, Brian Williams to approve a Public Hearing at the next meeting September 4, 2018 or when the Project Door's application is approved. The motion was seconded by Commissioner, Eric Southern and approved by a unanimous vote. 4-0

Consider A Request By The NC Department Transportation To Reduce The Scope Of The Contract For The Salisbury Street /601 Street Project.

The project for building water and sewer lines on Salisbury Street and 601 has been going on for quite some time and it's taken longer than expected and Lakey's Backhoe still has a few 100 feet of pipe to lay and connections to make. NC Department of Transportation is ready to move forward with their project and contacted us today and wants us to reduce the scope and stop Lakey's contract which is the last run of pipe from across the road down to the railroad tracks. It only has one customer on it and one fire hydrant and not a critical situation. NCDOT will not reimburse the Town if the Board's decides to continue the project. If you want to proceed with the work and replace that pipeline the Town will spend \$60,000 to \$70,000. The goal is that the NCDOT pays for the entire project. Lakey's will need to be notified after this meeting to stop because if the Board reduces the scope and does not wish to proceed.

A motion was made by Commissioner, Amy Vaughan-Jones to approve the reduced scope of the project and to stop Lakey's Backhoe contract because NCDOT is done and ready to move forward. The motion was seconded by Commissioner, Brent Ward and approved by a unanimous vote. 4-0

Manager's Report

Interim Town Manager

Very busy.

Commissioner Comment Period

Will Marklin –A couple of events on Saturday taking place. At 7pm on the corner of the Square a band and at 5pm a Masonic picnic \$8.00 all you can eat, please come out.

Eric Southern -Thanks to Leonard and Lynn and the entire department heads for what you are doing. Good to see the public out tonight and thanks for coming.

Brian Williams -Thanks to Leonard and its good working with him. Glad to see Todd Penley feeling better. Thanks to Chuck and all the hard work and good to see the citizens here.

Amy Vaughan-Jones-Art Crawl was very well received and keeping the advertising heavy is allowing downtown to become more of a popular place. Thanks to Brandon Edwards for the well put together presentation on speed limit signs and the Town will continue to research revising the ordinance. I was invited to the Fire Department to hear an educational speech on one of our firefighter's Austin Freidt who has a hearing disability and it was great. I appreciate Fire Chief, Carter for being the motivator and instructor to make an individual's dream come true. Thank you to Public Works for all the hard work lately with the storm drains etc. and good to see Todd feeling better. Thanks to Parks and Ground because I know you have been busy.

Rob Taylor -
Brent Ward -

Motion to enter closed session per NC GS 143-318.11 (a)(3), and (5), to preserve the attorney-client privilege, and to discuss acquisition of real property; NC GS 143-318.11 (a)(3), and (6), to preserve the attorney-client privilege, and to discuss personnel matters.; NC GS 143-318.11 (a)(3) to discuss *Hunterir et al. v Mocksville et al.*, US Court of Appeals for the Fourth Circuit

A motion was made by Commissioner, Brian Williams to enter close session. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 4-0

Motion to re-enter into open session.

A motion was made by Commissioner, Brian Williams to re-enter into open session. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 4-0

Adjourn

A motion was made by Commissioner, Amy Vaughan-Jones to adjourn the August 7, 2018 Regular Board Meeting. The motion was seconded by Commissioner, Brian Williams and approved by a unanimous vote. 4-0

William J. Marklin, Mayor

Lynn Trivette, Town Clerk, NCCMC