

**Town of Mocksville
Regular Board Meeting
May 1, 2018**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, May 1, 2018 at 6:00 p.m. in the Mocksville Town Hall.

Present:	Mayor, Will Marklin	Absent:	None
Commissioners Present:	Brian Williams Eric Southern Amy Vaughan-Jones Brent S. Ward Rob Taylor		

Others Present:

Marcus Abernethy, Town Manager
Lynn Trivette, Town Clerk
Al Benschhoff, Town Attorney
Todd Penley, Police Chief
Frank Carter, Fire Chief
Rustin Harpe, Parks Director
Brian Moore, Public Works Director
Tami Langdon, Community Development

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, Eric Southern to approve the agenda but adding (10B) Public Hearing on Zoning Text Amendment Wireless Telecommunication Facilities, (13) Proclamation A Day of Prayer In Mocksville and (14A) Update On Church Street Storm Water Improvements. The motion was seconded by Commissioner, Rob Taylor and approved by a unanimous vote. 5-0

Approval of Minutes

A motion was made by Commissioner, Brent Ward to approve the minutes of the April 11, 2018 Regular Board Meeting, April 11, 2018 Executive Board Meeting and April 12, 2018 Budget Work Session. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 5-0

PUBLIC COMMENT

Ms. Gaither addresses the Board concerning the ABC Store and that her heart is heavy for this generation/ youth and just wishes something could be built as part of the Mocksville growth other than an ABC Store. At the March meeting there were some discussion concerning Duke Energy and the Town not being happy with their customer service on fixing the 15 to 20 lights that were out around Town and Commissioner, Ward made the comment, “just don’t pay the bill”. Ms. Gaither made this point because she asked at the March meeting if the Town could fix the drain on Hill Street that gets the over flow from the Central Davie drain and she hopes her request is still being looked upon because she cannot tell the Town she just want pay her taxes because the Town want come out and service her request.

Ms. Knootz addresses the Board to circle back discussing the denial of the annexation for 184 Knootz Road. The first denied voluntary annexation in the Mocksville history. Ms. Knootz is disappointed not only as a tax payer but a citizen and business owner and someone who serves the Mocksville community daily. Ms. Vaughn-Jones and other Board Members chose to be a blind eye and turn the needs down of this community by voting down the involuntary annexation. It has put a burden and hurdle on that property being used. Ms. Knootz says, you can call it market rate, housing or affordable housing but the property could be used to put in a multi-family dwelling complex that would truly mean a need for the community. DCED has put in a lot of money and time to pay for a study which determined the desperate need for housing in this community and not just people coming into Mocksville but the citizens who live here now. Teachers and manufacture employees driving forty minutes to work because Mocksville cannot provide them a place to live. There were discussion concerning the children and how the schools were over crowed but some of these children are homeless and live in the Scottish Inn, Lakewood Motel and campground. Providing them a home would not impact anybody's capacity numbers it would serve the existing people of this community. This is what this project could do. When the Board discusses the Utilities for outside that is on the agenda Ms. Knootz encouraged and asked that the Board please think about their decisions with common sense and a conscious along with the needs of the people that voted for each of them hoping that good decisions would be made for this community. Ms. Knootz asked that the Board not to take the power away from management at the staff level in making decisions for outside utility services because it seemed this item was placed on the agenda just, so this project would not take place. Stop denying the citizens housing, opportunities for growth, and opportunities for services. Growth generates Town revenues and also allows possibility for other developments on that side of the County. Think about all these positive points when making a decision.

Mr. Rick Bell a resident in Davie County who lives in the Advance area addresses the Board to comment on the last meeting. He does not live in Mocksville but at the meeting he watched people stand up and speak for the Knootz Road annexation and witnessed no one speaking against the project. Terry Bralley, ECD has worked extremely hard with growth in Mocksville, examples being Gildan and Ashley Furniture. These two companies are recruiting people from a 40 to 50-mile radius and even though they are not the greatest paying jobs they average in the \$30,000 range and that is good for this County. Mr. Bell's son just graduated from college and would like to work in Davie County but where can young people his age live starting out that is pleasant and not run down. Bermuda Run came up with the idea that no apartments would be in their ETJ only over retail. Terry Bralley is bringing in the businesses and the Board has got to let the people keep coming into this County, so Terry can continue doing his job. The unemployment rate is 3.7% which means Davie County has employment for people. The Board is sending the wrong message to its people voting down the annexation when Terry and John are messaging new businesses with the opposite dialogue.

ABC Board Member Appointments

The Town Board needed to appoint three ABC Board Members to the Mocksville Cooleemee ABC Board. The Town of Mocksville and Cooleemee has executed the inter-local agreement to create a merged ABC Board. The initial term of one of these Board Members, shall be one year. The initial term of the other Board Member shall be two years. Both Mocksville and Cooleemee get two of these Board Members. The Town of Mocksville shall appoint one Board Member, who will serve for a term of three years; this appointee shall serve as the Chairman. At the expirations of the initial terms, all seats will be re-appointed for three-year terms. The Town has received applications from Mr. Arthur Herber Wentz, Mr. Alex Thompson, and Mr. Glen Stanley but, you may appoint whomever you would like to serve. Two other candidates are Mr. Ken Boger and Mr. Benny Randall.

A motion was made by Commissioner, Brent Ward to appoint Alex Thompson 1- year term, Benny Randall 2- year term and Ken Boger Chairman 3- year term to the ABC Board. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 5-0

A motion was made by Commissioner, Brent Ward to withdraw the above motion. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 5-0

A motion was made by Commissioner, Brent Ward to appoint Alex Thompson 1- year term, Ken Boger 2- year term and Benny Randall Chairman 3- year term to the ABC Board. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 5-0

ART. 4 Addressing and Road Naming

This Ordinance amendment removes the current Ordinance text that assumes road naming authority and maintenance outside Town limits in the ETJ. The Town’s addressing and road naming authority does not extend into the ETJ or the County, so this amendment would clarify and correct that.

A motion was made by Commissioner, Rob Taylor to approve the amendment to the Ordinance Chapter IX, Article 4 Addressing and Road Naming. The motion was seconded by Commissioner, Eric Southern and approved by a unanimous vote. 5-0

Discussion and Approval of Main Street Park Rules

Town Manager, Marcus Abernethy introduced a Main Street Park Usage Policy draft to receive input from the Board so the Ordinance could be amended. The rules and use of Main Street Park might be different than those at Rich Park. The Board can add or delete some or all of these rules so the Ordinance format provides more formal authority to the Police Department in enforcing the rules that would be put in place. Discussion included the Main Street Park, Rich Park, signage, tobacco, hours, alcohol, children, fountain, trespassing, runners, usage etc. After numerous suggestions on rules for the park the Board decided that staff should bring a finished product back to the June meeting.

A motion was made by Commissioner, Rob Taylor to table the Main Street Park Usage Policy until the June meeting. The motion was seconded by Commissioner, Brent Ward and approved by a unanimous vote. 5-0

Discussion of Movies at Main Street Park

The Board indicated an interest in seeing movies in Main Street Park. Community Development, Tami Langdon shared some of her findings and costs pertaining to movies in the park. A company in Greensboro, “FunFlicks” sent a quote of \$353.00 per movie. They provide the screen, speakers, projector, set up, take down and a friendly host. Additional funds have been added in next year’s budget starting in July for these programs.

The Board would like the movies to start in June through September.

Update to Town Ordinances under NCGS 160A-312 Annexation – Utility Connection Guidelines

The staff has been reviewing the Town’s Ordinance section on Utility Connection Guidelines and how they pertain to annexation requests. The Town needs an update to the Ordinance that will clarify the Board’s wishes for utility connection rules and procedures. Utility connections and requests are currently handled at the staff level for properties in the Town limits, and for outside water connection requests. The Town does not currently require an annexation petition for outside water customers that desire a water tap. The Town’s practice has required sewer connections outside the Town limits to be first petition to annex. Approved annexations are connected after. The General Statute gives the Town full authority to protect and regulate any public enterprise system and the staff needs direction on the process the Board would want the staff to follow or what involvement, if any the Board would care to have in approving

outside utility connections. Does the Board want to keep the approvals at staff level? Does the Board want an annexation petition to be required? Does the Board want to approve individual requests?

A motion was made by Commissioner, Brent Ward to table this discussion. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 5-0

Zoning Text Amendment—Small Wireless Telecommunication Facilities required by HB 310 Background and Public Hearing

In July the Governor signed HB 310, “An Act to Reform Collocation of Small Wireless Communications Infrastructure ...” HB 310 was effective on adoption. HB 310 is addition to amendments about wireless telecommunications technology adopted in 2009 and 2013. The Town incorporated the earlier amendments. The 2017 amendments should be incorporated into the Mocksville Zoning Ordinance to allow the Town to use the limited authority granted by the General Assembly to regulate the placement of small wireless cells in Mocksville and in the Town’s rights-of-way. The new General Statute section 160A-400.55, Use of public right-of-way, mandates that the Town to allow some wireless facilities in Town streets. Many of the new requirements are best dealt with as an encroachment under the streets chapter of the Town Code rather than in the zoning ordinance. Together the two amendments make a complete package and should be considered together for the sake of clarity.

Mayor opened Public Hearing – 6:50pm
No one spoke
Mayor closed Public Hearing

A motion was made by Commissioner, Brian Williams to amend the Zoning Text for Small Wireless Telecommunication Facilities required by HB 310 Background. The motion was seconded by Commissioner, Amy Vaughan-Jones and approved by a unanimous vote. 5-0

MTDA Board Appointments and Discussion of Attendance

The Town Manager, Marcus Abernethy addressed the Board concerned that some of the Town’s Appointed Boards have had issues meeting quorum requirements due to absences from its members. The MTDA bylaws call for potential removal of appointed members after missing two consecutive meetings. The staff brought this to the Board’s attention in case they wanted to discuss further but in the future any time a member misses two consecutive meetings, the Board can consider their removal and replacement at that time.

Tami Langdon, Amy Vaughan-Jones, and Steve Talton’s terms are expiring June 30, 2018. The MTDA recommends Tami Langdon, Amy Vaughan-Jones which wish to serve again, and Caroline Moser is recommended to replace Steve Talton’s seat who has a scheduling conflict and has to come off.

A motion was made by Commissioner, Rob Taylor to approve the recommended Board Appointments for the MTDA; Amy Vaughn-Jones, Tami Langdon and Caroline Moser. The motion was seconded by Commissioner, Brian Williams and approved by a unanimous vote. 5-0

FY 2018-2019 Recommended Budget Message

The Town Manager, Marcus Abernethy read over the recommended budget message and the next scheduled budget workshop is May 17, 2018 at 5:30pm.

Mayoral Proclamation International Firefighter’s Day 2018
Proclamation Recognizing Public Works Week 2018
Proclamation Recognizing Police Week & Peace Officer’s Memorial Day
Proclamation A Day Of Prayer In Mocksville

Mayor, Marklin read the Proclamations to the departments and he appreciates the services they provide to the Town.

Annexation Request – Gildan Drive

The Town received an annexation petition from Mr. Junker for the property on Gildan Drive. The Clerk can review to issue the certificate of sufficiency at the next meeting 5/17/18 of the Town Board and the Public Hearing can be scheduled possibly for the June 5th monthly meeting. This annexation can be researched for the development's impact on Town resources and will be recommended at the staff level.

A motion was made by Commissioner, Brent Ward to adopt the Resolution to instruct the Town Clerk to inspect the parcels on Gildan Drive for sufficiency. The motion was seconded by Commissioner, Rob Taylor and approved by a unanimous vote. 5-0.

Update On Church Street Storm Water Improvements

Engineer, Chuck Willis presented a map and photos for the issue on Church Street. On West Church Street water is coming from the street into several driveways/yards. The Town has a couple of options and the map recognizes these. One option that would be inexpensive is to construct a road side ditch from a maintenance function. Two being more expensive would be to install a piping system along the home owners with curbing gutter and storm drain pipes that run down the creek side. Mr. Willis has investigated more since the last meeting and the survey that was completed show Mr. Willis uncertainties of the capabilities for the existing infrastructure. Per Mr. Willis's request, Brian Moore and the Public Works staff did some televised inspection of the existing piping that was put in when it was built. The test failed. These results were not what Mr. Willis wanted to hear. Water is coming from several homes and the drainage is coming down the street over the curb. Mr. Willis was standing at the top of the hill of Church Street and watched water run down the street instead of into the catch basin (the water does not flow to this direction because the road is sort of cocked sideways) water that comes down Church Street crosses the road and goes over the asphalt curbing down into the yards of the home owners. Installing a ditch across the yards is not really the appropriate solution. Mr. Willis thinks replacing the bell piping and adding some piping to the water on the North side of Church Street would be better. No estimated cost but Mr. Willis has the survey to prepare a plan sheet that will fix the issue and it does not require regulatory or delays. Mr. Willis will get some quotes from vendors and bring them back to the Board for the cost and update. No paving of Church Street will be necessary. Mr. Willis says this is not an overnight fix.

Commissioner, Amy Vaughan- Jones asked that letters be sent to the home owners to let them know the Town is working on this issue and making progress.

Manager's Report

Marcus Abernethy

Brian Moore has hit the ground running as the Town's new Public Works Director. Staff is doing a great job, in preparation for the Daniel Boone Festival; May 5 @ 10:00am – 8:30 Crafts, Kids Area w/Inflatables and Pony Rides, Re-Enactors, Historical Tours, Fort Dobbs, Entertainment at Junker's Mill Outdoor Stage: FREE BRING YOUR OWN CHAIR

- His & Hers (Bluegrass) NOON
- Brad Ratledge & The Happy Ones 1:50 P.M.
- (Rock & Country)
- FROZEN T-SHIRT & HULA HOOP CONTEST 3:30 P.M.
- Taylor Vaden & The Memphis Thunder 4:40 P.M.
- (Elvis)
- HEADLINER: CMA Artist TIM ELLIOTT 6:45-8:30 P.M.

Gunter Store should be demolished by the end of the week. Live power lines have been the delay. This project should be down and cleared within two weeks.

Marcus is developing a potential list of people to serve on the Comprehensive Plan Advisory Committee. Please let Marcus know if you or someone you know might be interested in being on this committee. The meetings are scheduled to start in June. The potential lists of the Advisory Committee Members include:

- The Mayor and one to two members of the Town Board
- One to three members of the Mocksville Planning Board
- Andrew Meadwell or a staff member with the County Planning Department
- Town Manager
- Community Development Coordinator
- A representative with the Davie County Chamber or another Agency
- Terry Bralley or a representative with the Davie EDC
- Two to three Citizens in the Community
- Possibly the County Manager, County Planning Board Member, or County Elected Official

Commissioner Comment Period

Will Marklin – N/A

Brent S. Ward – can the fountain lights change colors for supporting department weeks?

Brian Williams – To all the Resolutions; Public Works, Fire Department and Police Department thank you for your services. Great seeing Fire Chief, Frank Carter on the news with an inspiring story helping one of his own firefighters to become successful. Congratulations to Brian Moore and the new position, thank you Tami, Chuck and Al.

Amy Vaughan-Jones – congratulations to Brian and thank you for stepping it, you like a natural and your staff looks happy. Thank you, Frank, for helping Austin become that firefighter because he was a great student and he is a great kid. The fire truck photos were good. Thanks to the Police Department because the Chief helped me with a well child checkup in Charlotte today. Thank you,

Tami, for all you do and MTDA is struggling with meeting attendance, but it will get better and thank you Lynn for the advice you give helping us at our MTDA meetings. Public Works out working hard this morning on my way to work looked like curbing work. Thank you, Chuck, for all your advice and Church Street citizens will be happy. Thank you, Rustin, for all you do, and the fields look awesome. Big shout out to the Mayor and his wife at the Share to Love Dinner won best dress couple. Thank you, Al, for all the advice you give the Town. Thank you, Marcus, for the entire budget work.

Eric Southern – thanks to all the staff and congratulations to Brian.

Rob Taylor – N/A

Motion to enter an executive session per G.S. section 143-318.11 (a) (3) to preserve the attorney – client privilege and to consider and give instructions concerning the handling of a claim; (a) (4) To discuss matters relating to the location of industries in the Town; (a) (5) to instruct the staff on the position to be taken in negotiating the price and terms of a proposed contract for the acquisition of real property.

A motion was made by Commissioner, Brian Williams to enter close session. The motion was seconded by Commissioner, Rob Taylor and approved by a unanimous vote. 5-0

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, Eric Southern and approved by a unanimous vote. 5-0

Adjourn

A motion was made by Commissioner, Brent Ward to adjourn the May 1, 2018 Regular Board Meeting. The motion was seconded by Commissioner, Rob Taylor and approved by a unanimous vote. 5-0

William J. Marklin, Mayor

Lynn Trivette, Town Clerk, NCCMC