

**Town of Mocksville
Regular Board Meeting
January 7, 2020**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, January 7, 2020 at 6:00 p.m. in the Mocksville Town Hall.

Present: Mayor, Will Marklin
Commissioners Present: Eric Southern
Rob Taylor
Amy Vaughan-Jones
Justin Draughn
Absent: Brian Williams

Others Present:

Matt Settlemyer, Town Manager
Lynn Trivette, Town Clerk
Al Benschhoff, Town Attorney
Pat Reagan, Police Chief
Brian Moore, Public Services Director
Tami Langdon, Community Development
Chris Vaughn, Parks and Grounds

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.

Adoption of Agenda

A motion was made by Commissioner Taylor to adopt the agenda but add to #4 a proclamation honoring Joe Gibbs on his induction into the Nascar Hall of Fame and John Rhyne from NCDOT addressing the crosswalk project at North Main Street. The motion was seconded by Commissioner Southern which carried by a unanimous vote 4-0.

Citizen Comments

Mayor reads; Under GS 160-81.1, the Board shall provide one period for public comment per month. Public comments are a valued part of the Board meeting but we also have to handle monthly business items. If your public comment is not heard this month we provide the same opportunity at each month's Board meeting. Public comments are limited to 3 minutes per comment. The Mayor asks that groups appoint spokespersons for groups supporting the same position, especially when the number of people wishing to attend the meeting exceeds the capacity of Town Hall. When the comments become repetitive and no longer provide new information then discussion for this meeting may be stopped. As a reminder, the comment period is not a question and answer session.

As always, the Mayor shall provide for the maintenance of order and decorum in the conduct of the comment period.

David Miller addressed the Board requesting a detailed report with the changes being made at the PD. Chief Reagan gave a brief generic report at the last meeting but when you don't give any details to the citizens they are left only speculating.

Alan Bagshaw addressed the Board about the Balance of State Continuum of Care which was created in 2005 in order to help rural communities apply for Continuum of Care funding from HUD. CoC funding serves homeless populations through permanent supportive housing, transitional housing, rapid re-housing, supportive services, and HMIS projects, and is accessed through an annual application process. BoS is one of twelve CoCs in North Carolina, representing 79 out of 100 counties in the state. Alan represents Davie, Yadkin, Iredell, Stokes and Surry Counties. For more information on CoCs in North Carolina, please visit the CoC webpage <https://www.nceh.org/coc/> or see Alan for any questions.

For January 29th we are looking for a church or someone to host an event for a dinner and we have collected items to give away to families in need.

Thomasine Gaither addressed the Board and said new faces on the Board means growth and growth without change is impossible. I want the Town to remember one thing, it all falls on leadership. Looking

back on 2019 and the decisions made please use those as stepping stones and move forward to a good year because it's about the people sitting outside this table that it concerns. I ask that you remember us and all that you do and that all of you come together collectively; the Board, the Police Department. Looking forward to 2020 and remember the people that put you here.

Communications from Boards, Commissions and Agencies

Mayor read the proclamation Honoring Joe Gibbs on his induction into the Nascar Hall of Fame.

John Rhyne from NCDOT addressed the Board concerning the crosswalk project that he and Matt have been discussing for a year. At the December Board of Transportation meeting they approved state wide spot safety funds to fund improvements to the crosswalks at Depot Street and North Main Street. They approved \$76,000. The project will begin in March or April 2020. The project will consist of burbling out the curve to make the pedestrian crosswalk shorter, push button pedestrian signals and marked crosswalks. The project will take a month or a little more to complete and the crosswalks will be stamped and enhanced so they stand out. Before construction is started John will meet with Matt and Brian.

Assistant Chief Ray Moore addressed the Board about a special certification that the FD has been awarded. The High Angle Rescue Certification is awarded by the NC Office of Rescue & Emergency Medical Association, the criteria for obtaining this certification is awarded based on very specialized rope rescue training that the members have obtained and the department purchasing the specific equipment. The certification is validation of the efforts of the members to go out and obtain the training and equipment and the attitude of continual improvement within the department. The department and its members are committed to provide to best emergency response possible to the Town, Davie County and all who pass through.

Austin Friedt received 2019 Firefighter of the Year & Ben Lagle received 2019 Medical Responder of the Year.

Eddie Carrick, CPA presented the audit report for fiscal year July 1, 2018 to June 30, 2019. Eddie thanked the Board for allowing him to be their auditor. A clean audit means no findings or concerns and it gives you as a Board the confidence to look at the numbers in making decisions going forward. Management's discussion and analysis pages 3 through 12 are the beginning of the audit. It tells from a financial standpoint where the Town has been, where it is currently and where the Town is headed. The audit is a public document and these pages are a good reference for someone wanting to have a copy. Understanding the first few pages would allow them to know where the Town stands.

Presented is a cheat sheet I prepared coming from pages 53 – 57 in the audit. The General Fund budget verses actual revenues were increased by \$281,000. The ad valorem tax revenues were increased by \$58,000. Local Option Sales Tax was increased by \$27,000 which indicates the economy is doing well. Fire protection revenues decreased \$(71,300) and this is an agreement between the Town and County. The revitalization grant (Quality Drive Improvements) showed some funds came in \$182,000 but the expenses were from the prior year. This audit year \$120,000 were the expenses for (Quality Drive Improvements). Expenditures were increased by \$708,700. Administration decreased \$(30,600), parks and maintenance decreased \$(148,650) and capital outlay decreased \$(212,000) because in 2018 the North Main Street Park was at almost \$300,000 due to some major improvements to the park and equipment. The baseball field improvements and various equipment purchases in parks and grounds \$268,800. Economic incentives and other projects were decreased \$(187,700). Police Department decreased \$(150,600) and the Fire Department increased \$502,400 because of the new fire truck and to equip it. Transportation was increased \$201,022 because of street improvements including Quality Drive. Expenditures over revenues were \$1,060,000 but not a surprise because of the \$600,000 fire truck plus the street improvements \$523,500. Take those out and the Town would have had a better year than the prior year. Even though the increase in expenditures was more than likely a onetime expenditure, the Board should still monitor going forward. Available fund balance is \$4,187,224 or 64% of current year's expenditures. The Town's Ad valorem collection rate is 98.91% which is 3% above what the State requires.

Presented is a cheat sheet I prepared coming from pages 58-60 in the audit. The Enterprise Fund is budget verses actuals revenues were increased by \$365,000 and total expenditures were increased by \$631,000. The hefty increase is in contract services that maintains the plants along with chemical cost. Sewer increased \$62,900. The capital improvement expenditures the Town is spending in water and sewer are items spent in one year but will last multiple years. A million in capital improvements and \$(43,300) over revenues is basically 3-1/2 million dollar business that is about breaking even.

Eddie would like the Board to call him if they ever have any questions or concerns. All audits are kept at Town Hall for viewing. 80% fund balance a goal.

Consent Agenda

A motion was made by Commissioner Taylor to adopt the consent agenda as presented. The motion was seconded by Commissioner Vaughan-Jones which carried by a unanimous vote of 4-0. Items approved were: (A) December 3, 2019 Regular Board Meeting Minutes (B) December 3, 2019 Executive Session Minutes (C) Monthly Financials (D) Tax Releases.

Consider Rules of Engagement

The Rules of Engagement formalizes the roles between the Board and Town Manager. It reflects on the General Status 160A-148 and the powers and duties of the Manager. Included is the ICMA Code of Ethics that the Manager is a member of and its mission creates excellence in local governance by developing and fostering professional local government management worldwide.

A motion was made by Commissioner Vaughan-Jones to approve the Rules of Engagement. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 4-0.

Consider Code of Ethics

Code of Ethics is a statutory requirement and it establishes a guideline for ethical standards of conduct for the Board of Commissioners while helping to determine what conduct is appropriate in particular cases. This model is written by the School of Government for municipalities.

A motion was made by Commissioner Taylor to approve the Code of Ethics. The motion was seconded by Commissioner Southern which carried by a unanimous vote of 4-0.

Consider Tree Board Applications for Board Appointments

The Town of Mocksville is considered a Tree City and the Tree Board does not meet that often. To meet the requirements of the Federal Government for being a Tree City the Town is required to have a Tree Board to do a celebration of Arbor Day. The Tree Board is concerned and dedicated citizens that want to be a part of preserving trees and green space within the Town and it is recommended we support that.

A motion was made by Commissioner Southern to appoint Susan Hawkins, Carl Lambert, Judy Rosser, Alex Thompson and Barry Etchison to the Town of Mocksville Tree Board. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 4-0.

Consider ABC Board Reappointment for a Three Year Term Expiring June 2022

The ABC Board was approved last year (2018) with staggering appointments. The Board appointments were made up of 1 year (Alex Thompson), 2 year (Ken Boger) and 3 year (Benny Randall – Chair) appointments and the goal is to have all Board appointments for 3 years. Alex Thompson's appointment was for 1 year so the staff is recommending his reappointment which would expire June 2022.

A motion was made by Commissioner Taylor to re-appoint Alex Thompson to the ABC Board term expiring June 2022. The motion was seconded by Commissioner Southern which carried by a unanimous vote of 4-0.

Consider Amending Code of Ordinances Chapter IV Finance and Taxation Article 8

This amendment is to move the licensing portion of the process out of the land use code into the code of ordinances which will allow all licensing of sweepstakes or electronic gaming operations to go through the police department. The licensing will be done annually. Included is an appeal procedure if the police department turns down a license it can then be appealed to the Town Manager.

A motion was made by Commissioner Taylor to approve the amendment to the code of ordinances chapter IV finance and taxation article 8 moving the licensing portion of the process out of the land use code which would allow the licensing to run through the police department on an annually basis. The motion was seconded by Commissioner Vaughn-Jones which carried by a unanimous vote of 4-0.

Public Hearing to Consider Text Amendment to the Zoning Ordinance in 8-3.8.76 Additional Conditions: Electronic Gaming Operations

Town Attorney explains the amendment to the existing provision of the zoning ordinance about electronic gaming or sweepstakes as everybody calls them. It does not say that sweepstakes is legal or illegal in NC that is up to the courts to decide. But if they are legal or considered undetermined and their not listed in the zoning ordinance they are allowed anywhere under our state law. So in order to control where they are located like any other land use it's listed in the zoning ordinance and their allowed in highway commercial but separation requirements between sweepstakes businesses and other sweepstakes businesses and between churches, schools and residential. The zoning permits would be issued by the planners and if someone is not approved by the planners then it would be sent to the Board of Adjustments. Any land use code appeal goes to the Board of Adjustments.

The amendment will allow staff approval and if not approved will go to the Board of Adjustments

Mayor Marklin opened up the Public Hearing and no one spoke in favor or against so he closed the Public Hearing.

A motion was made by Commissioner Southern to approve the text amendment to the zoning ordinance in 8-3.8.76 additional conditions: electronic gaming operations which is to move the licensing portion of the process out of the land use code into the code of ordinances which will allow all licensing of sweepstakes or electronic gaming operations to go through the police department. The licensing will be done annually. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 4-0.

When you make a change to a text amendment to the land use code or re-zoning the General Statute requires the adoption of a statement of consistency which states why the Board thinks the decision is in the public's best interest.

A motion was made by Commissioner Vaughan-Jones to approve the statement of consistency that affects the amendments to the zoning ordinance as written. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 4-0.

Communication from Town Staff

Town Attorney: None

Town Manager (1) Reminder that Justin and I, Lynn and the Mayor will be attending a day class January 9, 2020; "Essentials of Municipal Government in Winston-Salem leaving at 7:45am in the Town van. (2) Addressing vacancies on the Planning Board and Board of Adjustments that need to be filled. It's hard for a Town our size when you don't meet that often to keep up with the training/knowledge that goes along with being on the Board of Adjustments. The Planning Board can serve as your Board of Adjustments. It will take a text amendment in the land use code. A portion of the Planning Board would sit for the Board of Adjustments and this would benefit the Town. The Planning Board meets more often and therefore if the Town could get enough people between the two it could serve both purposes at one time. Think about this and staff will bring back a text amendment within the next 30 to 60 days. The vacancies can be filled and all Board appointments will be current.

Communication from Mayor and Town Board

Commissioner Williams: absent

Commissioner Taylor: Congratulations to the FD on their certification, you work so hard to achieve those certificates and very proud of you. Thank you to all the staff and the jobs you do. Thank you Lynn for registering me for the class that now I cannot attend due to work. Look forward to you rescheduling that for me in the near future.

Commissioner Southern: Happy New Year everybody and thank you for coming out tonight. Shout out to the ABC Board, Alex Thompson, Benny Randall, Ken Boger and Kris Howell. They all do a great job and this year has gone well. Matt thanks for getting John (NCDOT) here on such short notice; the public is concerned about the crosswalk project. We lost a good citizen Dale Brown a couple weeks ago so keep his family in your prayers.

Commissioner Draughn: Congratulations to the FD. Thanks to Chief Reagan and Major Black for getting the TAPS program up and running along with building positive relationships with our kids. Thanks for your presents in Town helping get our pedestrians across the street safely.

Commissioner Vaughan-Jones: Thank you to the FD. Eric and I attended their yearly awards ceremony and it was so impressive. The FD got a call during the event and their food was just left while duty called. Their services are very clear and appreciative. There are levels of concern with the public where we are with the PD and the updated reports on their departmental progress. I know Chief Reagan is offering updates for items that are completed and ongoing but to help the public to understand exactly what is going on I feel a much more detailed report would be beneficial for all concerned. Like Justin said; helping pedestrians across the street safely is appreciated to avoid another tragic accident because the Towns design of the crosswalk and the parking within that area creates a blind spot and you just cannot see a person crossing. Some of it is the lack of education to the public for them to understand they have to stop within that crosswalk. Since the work is not being done until April what about putting the little plastic men in the middle of the road? It was discussed in the past and may not be legal but may make them stop. I am extremely worried about another accident occurring. It's not our road but it is still in our Town.

Mayor Marklin: So we will be starting the crosswalk project in April. I want to thank the PD for covering our streets during events and keeping our pedestrians safe. Crosswalks are there for getting across the street but do keep in mind to look both ways because some cars will not stop. Just like the accident that happened during the bed race, the crosswalks do not make the cars stop. It was a great Christmas season, lots of events and downtown was beautiful. Guests visiting Mocksville said it was so pretty and thanks to all who make this happen. Thanks for coming out tonight and Happy New Year.

Motion to enter closed session per NC GS 143-318.11 (a)(3), and (6), to preserve the attorney-client privilege, and to discuss personnel matters.

A motion was made by Commissioner Southern to enter into close session. The motion was seconded by Commissioner Vaughan-Jones and approved by a unanimous vote 4-0.

A motion was made by Commissioner Taylor to re-enter into open session. The motion was seconded by Commissioner Southern and approved by a unanimous vote 4-0.

Adjourn

A motion was made by Commissioner Taylor to adjourn the January 7, 2020 Regular Board Meeting. The motion was seconded by Commissioner Vaughan-Jones which carried by a unanimous vote 4-0.

William J. Marklin, Mayor

Lynn Trivette, Town Clerk, NCCMC