

**Town of Mocksville  
Regular Board Meeting  
May 4, 2021**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, May 4, 2021 at 6:00 p.m. in the Mocksville Town Hall building located at 171 South Clement Street.

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

**Others Present:**

Ken Gamble, Town Manager  
Lynn Trivette, Town Clerk  
Emily Quance, Deputy Town Clerk  
Al Benschhoff, Town Attorney

Mayor Marklin called the meeting to order.

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 as written. The motion was seconded by Commissioner Williams which carried by a unanimous vote 5-0.*

**Citizen Comments**

Mayor reads; Under GS section 160A-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.

Tony Hartle addressed the Board opposing the decision to contract all law enforcement services with the Davie County Sheriff's Office.

Carol Yow addressed the Board opposing the decision to contract all law enforcement services with the Davie County Sheriff's Office.

Jennifer Jackson addressed the Board opposing the decision to contract all law enforcement services with the Davie County Sheriff's Office.

Lynn Hicks addressed the Board opposing the decision to contract all law enforcement services with the Davie County Sheriff's Office.

Brandon McGaha addressed the Board opposing the decision to contract all law enforcement services with the Davie County Sheriff's Office.

### **Communications from Boards, Commissions and Agencies**

Mayor recognized these proclamations for the month of May.

Proclamation Recognizing International Firefighters

Proclamation Recognizing Police Week and Peace Officer's Memorial Day

Proclamation Recognizing Public Works Week

Proclamation Recognizing National Day of Prayer

### **Consent Agenda**

*A motion was made by Commissioner Southern to adopt the consent agenda as presented. The motion was seconded by Commissioner Vaughan-Jones which carried by a unanimous vote of 5-0. Items approved were: (A) April 12, 2021 Regular Board Meeting Minutes (B) April 20, 2021 Special Meeting Budget Workshop (C) April 12, 2021 and April 20, 2021 Closed Session Minutes (D) Monthly Financials (E) Tax Releases.*

### **Consider Amending Rose Cemetery Ordinance Article 3**

The Town of Mocksville owns and operates Rose Cemetery for the benefit of its citizens and the general public; and several large monuments have failed or are failing. The Board of Commissioners wishes to address this safety and maintenance concern in the most efficient and cost-effective manner possible; and The Board of Commissioners wish to establish one method of selling and tracking cemetery plots once they are sold.

Al Benschhoff, Town Attorney presented the proposed amendments to the ordinance and answered questions from the Board. People will be buying easements not deeds; people are buying the rights to use the land for burial. The Board sets the price and it will be included in the fee schedule; the town will repurchase easements. There is a procedure on how to handle grave markers and monuments that are unstable, collapsed or a danger.

The Board is not in favor of disposing of monuments.

Al Benschhoff will rewrite the memo and make updates.

No action taken at this time and will table until the June 1 meeting.

## **Consider Adopting Contract with the Davie County Sheriff's Department**

Davie County Sheriff's Department will provide fully equipped and fully trained law enforcement officers for duty in the Town, with the assignment to be made under the direction and full control of the Sheriff of Davie County as to what days and hours of scheduling. Such deployment shall begin on July 1, 2021.

The Town shall pay the total sum of \$1,350,000.00 per year for Law Enforcement Services in the corporate limits of the Town, on a quarterly basis, beginning on July 1, 2021.

Town Manager Gamble addressed the Board. If the Town Board decides to go with the contract, the town will save 1.3 million dollars over the next three years. This includes transferring existing equipment and vehicles to the Davie County Sheriff's Department. It will increase boots on the ground; street level coverage by 25 percent. This has nothing to do with the police officers personally; this is about the budgetary numbers. I have a long history in law enforcement myself. I support police departments and police officers. As Town Manager, I have to look at the budgetary realities we are facing. We are looking at a \$600,000 shortfall. This contract represents a significant savings to the town and an actual increase in the number of officers that will be available on the street, along with additional resources from the Sheriff's Department if needed. The contract has clear expectations that are set for the Sheriff's Department. If they do not meet the expectations then we will pay them less, if it continues, the town can get rid of the contract. Traffic enforcement is included. If approved, people will lose their jobs. The Sheriff will consider all qualified applicants. This is a financial recommendation, the best business decision for the town.

Commissioner Taylor – With 28 years in this community and being a prosecutor in this community, I am intimately involved with this police department. I am familiar with a number of the administration staff and all personnel. This has been more agonizing for me because of the personal relationships I have developed over the years. I pay attention to facts. Mr. Gamble has outlined facts that make this contract a good idea for the town. I have reached out to citizens in the community and the majority felt this to be the best decision for the town.

Commissioner Williams – I have spoken to citizens with the community and received similar feedback as Commissioner Taylor. In analyzing this, it is not about vendettas against any organization or any person, or about defunding the police. All local governments should be looking at ways to be more efficient, the contract presented gives us that opportunity. This contract also reduces liabilities against the Town. This is not a new concept. This contract eliminates politics from the equation. I am a steward of the taxpayers' dollars. I support law enforcement; I just simply believe this contract is in the best interest of the town and citizens.

*A motion was made by Commissioner Taylor to adopt the contract with the Davie County Sheriff's Department in the amount of \$1,350,000.00. The motion was seconded by Commissioner Southern which carried by a unanimous vote of 5-0.*

## **Consider Adopting Resolution Opposing SB 349/HB 401 Legislation on Planning and Zoning**

SB 349/HB 401 is now pending in the North Carolina General Assembly, and would force municipalities to allow duplexes, triplexes, quadplexes, and townhomes into all residential zoning districts, including all low-density zoning districts, for the stated purpose of expanding housing opportunities in towns.

SB 349/HB 401 likewise mandates the allowance of "one accessory dwelling", which can consist of a duplex, on each lot on which there is a single-family residence, circumventing all usual approval processes

such as conditional district zoning, and overriding all local parking requirements and utility protocols without regard to the impacts of potential tripling and density.

The Mocksville Town Board, Mocksville Planning Board and its citizens embarked on a collaborative effort to set a “blueprint” for the future of Mocksville with the adoption of a Comprehensive Plan in 2019.

Objectives 1-9 of the Mocksville’s Comprehensive Plan states, support expansion, promote historic downtown, develop a strong tourism economy, enhance the appearance of the community, provide a wider selection of housing options, managed growth with residential and retail development, making strategic investments to provide excellent public infrastructure services and amenities.

*A motion was made by Commissioner Williams to adopt the resolution opposing SB 349/HB 401 legislation on planning and zoning. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 5-0.*

### **Consider Approving Expansion of Public Parking Lot at Horn Street Which Includes Removal of Three Trees**

Tami Langdon, Community Development Director, addressed the Board and presented three blueprints. Three trees need to be removed to add sixteen additional parking spots. This would also allow parking to be horizontal instead of diagonal; this would allow thirty-one parking spaces. The cost is just for removal of the trees, and the parking spots will double. We are trying to coordinate the expansion with Ashley Carter and Wendy Terry, the property owners of the parking lot adjacent to this public parking lot. The future goal is to get Horn Street to go all the way from Depot, all the way to Ken Dwiggins Drive. The Board would like a quote on the full-scale cost of the project and a functional cost of the project before moving forward to take the trees down.

No action taken at this time and will table until the June 1 meeting.

### **Communication from Town Staff**

Town Attorney Benshoff: none

Town Manager Gamble: Everything has been going good.

### **Communication from Mayor and Town Board**

Commissioner Southern: I would like to thank the Board, Lynn, staff and department heads. The contract was a tough decision, but it is the best direction for the town and citizens. I would like to thank the past and present police officers for their service over the years.

Commissioner Vaughan-Jones: This was rough; it has been ongoing for a couple of years. I am not happy about it; it is bittersweet. I wish we would have taken a harder look at the assessment and tried to work in that dynamic. The Board has worked well as a unit and come together to find the best plan for Mocksville moving forward. I know people has lost their jobs and I am sorry. I hope they apply with the Sheriff’s Department. Thank you to Ken Gamble, I know this not been an easy few weeks. I think this is a positive move. Thank you to the firefighters and Town Hall staff. Looking forward to moving forward.

Commissioner Taylor: Good governance means making hard decisions. Hard decisions that affect people. They are budget numbers, but there are also faces behind those numbers and that is painful no matter

what. My concern was that we spend taxpayer money wisely and that we listen to them. Hard to demonstrate in a room with people who oppose what you did, tough thing to do.

Commissioner Williams: I appreciate the due diligence and hard work of the Board making a difficult decision. People will be losing jobs; I wish them well in finding employment. I feel this is in the best interest of the town. Public service is not easy; you cannot make everyone happy. I think we reached the right decision. Thank you Lynn for putting your heart and soul in your work for the town. Frank, Emily, Al and the rest of the staff, thank you for working tirelessly. Ken, welcome. I cannot image a manager coming into a more difficult circumstance. The class, dignity and thoughtfulness you have shown; the due diligence you have already put into this process is remarkable already. I think we have found a leader that is going to help Mocksville advance, making our town greater than it already is. Welcome and thank you for deciding to join us as our Town Manager.

Commissioner Draughn: Thank you Ken for putting in a ton of work before even getting started. I appreciate it and you are doing a great job. Lynn, I appreciate the seven months that you have been our Interim Town Manager, you have done a great job.

Mayor Marklin: Please get Lynn's performance review to me; we need to get this done before the end of the month so we can get that on the budget. I appreciate everyone that does work here for compensation, but even more so the work that the Board does that is not compensated. Even though we do not always agree, I think everyone here puts the best interest of the town at heart. We will keep moving forward.

## **Adjourn**

*A motion was made by Commissioner Williams to adjourn the May 4, 2021 Regular Board Meeting. The motion was seconded by Commissioner Southern which carried by a unanimous vote 5-0.*

The attached documents are incorporated herewith and are hereby made a part of these minutes.

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William J. Marklin, Mayor

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Emily Quance, Deputy Town Clerk