

**Town of Mocksville
Regular Board Meeting
June 1, 2021**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, June 1, 2021 at 6:00 p.m. in the Brock Performing Arts Center Auditorium located at 622 North Main Street.

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

Others Present:

Lynn Trivette, Town Clerk
Emily Quance, Deputy Town Clerk
Al Benschhoff, Town Attorney
Fire Chief Carter
Brian Moore, Public Works
Chris Vaughn, Parks and Grounds
Tami Langdon, Community Development
Chris Hefner, Police Department

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.

Rev. Joe Clark addressed the Board concerning the Mocksville Police Department. I am here to represent the NAAACP and members of Shiloh Baptist Church. There needs to be more transparency coming from the Town Board to build trust and improve relations in the community. Some felt left out of the conversations concerning the closure of the Mocksville Police Department. Will the budget in place for the Sheriff's Department provide special mental health awareness training for officers? Mental health is a significant concern. A Spanish-speaking officer would benefit the Town by developing a level of trust between law enforcement and the Spanish speaking community. How will money saved, in the next three years, be spent?

Thomasine Gaither addressed the Board concerning the Mocksville Police Department and the Davie County Sheriff's Office. Who are the others in the community that Commissioner Taylor consulted with and how did he come to his conclusion? Will the Sheriff's Department be overworked once the Police Department closes? Are they trained and ready? With the mask mandate lifted and summer here, crime will happen. I feel uncomfortable and unprotected.

Communications from Boards, Commissions and Agencies

Award of Service Weapons and Badges to Retired Mocksville Police Major Daniel Matthews and Police Captain Robin Robbins.

A motion was made by Commissioner Williams to declare the service weapons and badges for Mocksville Police Major Daniel Matthews and Police Captain Robin Robbins as surplus equipment and to award them to Police Major Daniel Matthews and Police Captain Robin Robbins on behalf of his and her retirement. The motion was seconded by Commissioner Southern which carried by a unanimous vote 5-0.

Consent Agenda

A motion was made by Commissioner Taylor to adopt the consent agenda as presented. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 5-0. Items approved were: (A) May 4, 2021 Regular Board Meeting Minutes (B) May 20, 2021 Special Meeting (Site Visit) (C) April 28, 2021 Special Meeting Budget Workshop (D) April 28, 2021 Closed Session Minutes (E) Monthly Financials (F) Tax Releases.

Presentation of Annual Budget Message for FY 2021-2022

Town Clerk, Lynn Trivette addressed the Board presenting the annual budget message. Thank you Mayor and Board of Commissioners; I know this was a difficult budget year with some major decisions and with that being said Mocksville's Total Budget for FY 2021-22 is **\$12,119,047**, a decrease of **5.0%** from last year.

Staff is pleased to report to the Board that the proposed budget does not appropriate any fund balance for FY 2021-22.

The proposed budget does not include any new full time positions for FY 2021-22.

The proposed budget includes the approved contract for supplemental law enforcement services with the Davie County Sheriff's Office beginning July 1, 2021.

The proposed budget also includes \$81,901 to make changes to the Fire Department compensation model to ensure there is a clear delineation between paid part-time staff and volunteers.

The Town will have 24 approved full-time positions budgeted for FY 2021-22 and 25 approved part-time positions.

The proposed budget also includes \$30,000 to improve the Town's response to nuisance abatement and building code violations. The Town will focus on existing substandard properties and transition to a proactive enforcement policy over the next two budget years. The Town will begin the transition through third party contracted services July 1, 2021.

The General Fund's budget is proposed at **\$5,925,800** for FY 2021-22. This is an increase of **1.5%** from the approved FY 2020-21 Budget.

The General Fund Budget includes a recommended fee increase to recycling / garbage to cover the **\$189,705** higher operational costs incurred due to Davie County no longer paying for recycling services in addition to landfill fees. Customers will be billed an additional **\$16.80** every two months for the service or **\$100.80** more annually.

The proposed budget includes an increase of **\$26.00** to cemetery columbarium, plot and urn garden charges to cover the cost of recording the ownership documents at the courthouse.

Davie County went through a revaluation process this past year. State law requires that the Town publish both the tax rate approved by the Board of Commissioners for FY 2021-22 and the revenue neutral rate. The Town of Mocksville's tax base has grown an average of 5.63% over the last four years so the growth in value due to revaluation is 1% and the revenue neutral rate is **28.75¢ per \$100** of value.

The proposed budget includes the Ad Valorem tax rate be set at **29¢ (\$0.29/\$100)** which will generate **\$2,862,500** for FY 2021-22.

The proposed budget includes the General Motor Vehicle Tax be set at **\$15**. This will generate **\$73,000** for FY 2021-22.

The projected sales and use tax collections are estimated at **\$1,160,000** and franchise tax collections are estimated at **\$400,000** for FY 2021-22. Town staff will closely monitor projected revenue streams throughout the budget year due to continued market volatility surrounding the ongoing pandemic, economic recovery and inflationary concerns.

The FY 2021-22 budget for the Water and Sewer Fund is proposed at **\$6,204,470** and includes an **8%** rate increase. Seven percent (7%) of the FY 2021-22-rate increase follows the recommendations of the Raftelis Inc. joint rate study with Davie County. The remaining 1% covers higher operational costs. The budget includes \$700,000 in American Rescue Plan funds, which is recommended to be committed to water and sewer improvement projects.

Overall, the Enterprise Fund budget has decreased by **10%** from the approved FY 2020-21 budget.

While internal and external pressures will continue to affect the Town of Mocksville's finances, the FY 2021-22 budget efficiently and effectively uses limited resources to deliver services our community values. Mocksville taxpayers can take pride in the Board's emphasis on fiscal responsibility with a regionally competitive tax rate, a low level of debt service and a commitment to strengthen our fund balance. Town staff will continue to pursue grant opportunities, seek beneficial partnerships for service delivery, streamline operations and provide technical guidance to facilitate wise capital investments

Copies of this document will be posted on the Town's website and available for public review in the Town Clerk's office.

A motion was made by Commissioner Williams to set the public hearing date for the FY 2021-2022 annual budget for June 17, 2021 at 6:00pm located at Mocksville Town Hall 171 S. Clement Street. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 5-0.

Consider Amended and Restated Rules of Rose Cemetery

Town Attorney Benshoff presented the amended and restated rules of Rose Cemetery. These rules shall be given to every purchaser and owner of a cemetery plot or columbarium niche to follow.

A motion was made by Commissioner Southern to adopt the amended and restated rules of Rose Cemetery. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 5-0.

Consider Amending Code of Ordinances Chapter III. General Regulations, Article 3: Cemeteries

Town Attorney presented the amended code of Ordinances Chapter III. General Regulations, Article 3: Cemeteries. The ordinance was amended as the Board directed to say that legacy monuments will be preserved, they will be put in a quiet corner of the cemetery in a stable position if they become dangerous and fall over. The other amendments are as we discussed in previous meetings

A motion was made by Commissioner Taylor to adopt the amended Code of ordinances Chapter III. General Regulations, Article 3: Cemeteries. The motion was seconded by Commissioner Williams which carried by a unanimous vote of 5-0.

Consider Amending Code of Ordinances Chapter V. Public Safety, Article 2: Fire Protection and Prevention

Fire Chief Carter addressed the Board to give a recommendation to adopt the amended Code of ordinances Chapter V. Public Safety, Article 2: Fire Protection and Prevention. This will put the Town in alignment with Davie County ordinances, give guidance to builders and set a minimum standard.

A motion was made by Commissioner Vaughan-Jones to adopt the amended Code of ordinances Chapter V. Public Safety, Article 2: Fire Protection and Prevention. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 5-0.

Consider ABC Board Re-Appointment Benny Randall

A motion was made by Commissioner Williams to re-appoint Benny Randall to the ABC Board terms being June 2021 to May 2024. The motion was seconded by Commissioner Southern which carried by a unanimous vote of 5-0.

Consider Resolution to Transfer the Maintenance of Industrial Boulevard to NCDOT for Improvements and Resurfacing

A motion was made by Commissioner Williams to adopt the resolution to transfer the maintenance of Industrial Boulevard to NCDOT for improvements and resurfacing; the Town agrees to assume maintenance responsibilities for Industrial Boulevard when improvements are complete. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 5-0.

Public Hearing for Comments on the Community Development Block Grant Economic Development Application

Michael Walser addressed the Board presenting the grant information. The purpose of this hearing is to receive comments from the public concerning the submittal of a proposed Community Development Block Grant Economic Development application, for \$250,000, to the North Carolina Department of Commerce. The grant funds will be used by the Town to assist with the installation of approximately 1,500 LF of sanitary sewer lines and a road extension to Industrial Drive, to serve Liberty Storage Solutions, a manufacturing facility located at 163 Industrial Boulevard. The grant will provide approximately 33% of the estimated \$778,000 Economic Development Project. Liberty Storage Solutions will add 50 new jobs over the next two years, with 60% of the jobs benefitting persons whose household incomes are within the low to moderate-income limits for Davie County.

No one spoke in favor or against at the Public Hearing.
The Public Hearing was closed at 6:40pm.

A motion was made by Commissioner Taylor to adopt the resolution for the town of Mocksville to pursue a formal application for Community Development Block Grant Funding to benefit Liberty Storage Solutions Economic Development project. The town will invest \$4,000 into the project as committed in the application. The motion was seconded by Commissioner Williams which carried by a unanimous vote of 5-0.

Public Hearing for Two Zoning Map Amendments

Andrew Meadwell addressed the Board presenting the zoning map amendments and answering questions from the Board.

Public Hearing for a zoning map amendment **2021-03**. The Board will review a request by Hugh Gilleece with American Engineering Associates that has applied to rezone an approximately 62 acres of a 126.85-acre parcel of land from Open Space Residential (OSR) to Neighborhood Residential (NR). The subject property is located to the South of Country Lane and is further described as parcel of the Davie County Tax Map I400000077.

Public Hearing for a zoning map amendment **2021-04**. The Board will review a request by Hugh Gilleece with American Engineering Associates that has applied to rezone two pieces of property approximately 38.2 acres of land from Open Space Residential (OSR) and General Residential (GR) to Highway Commercial (HC). The subject properties are located to the South of Country Lane, East of

Yadkinville Road and are further described as parcels of the Davie County Tax Map H400000122 & H400000116.

In favor of:

Jay Gilleece addressed the Board. I am here to represent American Engineering and the developers. I can answer any questions.

Farron Shoaf addressed the Board. I am a realtor with Total Real Estate; I represent Joe Murphy. Davie County needs housing like this. Please approve.

Doris Short addressed the Board. I am one of the Owners of Total Real Estate. There is a housing shortage and we need this housing. Please approve.

Alice Hanes addressed the Board. I own property on Yadkinville Road and property that adjoins Joe Murphy's property. We support this because there is a housing shortage. The people on Yadkinville Road support this, please approve.

Jack Koontz addressed the Board. I own property on Country Lane. The people that own the property should be able to develop the property to suit their needs as well as the community needs. Please approve.

Not in favor of:

Mike Hinshaw addressed the Board. When deciding where to purchase property in Mocksville, I considered what could be built around the property. I think that everyone that built in the development where I live felt the same way. The property in question is zoned for residential, not zoned for pack residential. On Country Lane and Yadkinville Road, the traffic is horrendous. Putting in two roads on Country Lane, especially on a curve would be dangerous. Please take all this in consideration when making your decision.

Joyce Whitaker addressed the Board. I own property on Country Lane. Will the developers do what they are proposing? If approved, what is stopping them from selling the land or putting in low-income housing, which will decrease our property values? Where will all the kids go to school that live in the new housing? This will increase traffic, which is already terrible. What will happen with more traffic and there is an emergency? What will happen to all our yards if more lanes needed? People for this development, are the developers and people that are having a hard time selling their land because of the traffic; they do not live here. Please consider all this.

Lester Cozart addressed the Board. I appreciate Commissioner Southern for coming out to talk to some of us. Rezoning is supposed to be hard to do. We zone a property for one reason, and it stays in that, unless there is a big reason to change it, and I do not see a big reason, only it will create problems, such as increased traffic and decreased property values. I have seen some of these developments, and some look good, but in this case, we are doing low end. In forty years, how will this look? We are doing it in one area. Please consider all this and think about the future.

The Public Hearing was closed at 7:00pm.

Commissioner Williams: I make the motion we approve the zoning map amendment; it is consistent with adopted plans, and I find the request to be reasonable in the public's interest, meets many of the land use plans, goals and objectives. There is existing residential zoning on the site, and this request is residential reclassification, it enhances the quality of life in Mocksville, while managing future growth, it encourages

well-planned, high quality development and services that meet the needs of the citizens and builds upon the community's small town character.

A motion was made by Commissioner Williams to adopt the zoning map amendment 2021-03 to the zoning ordinance; it is consistent with adopted plans, and I find the request to be reasonable in the public's interest, meets many of the land use plans, goals and objectives. There is existing residential zoning on the site, and this request is residential reclassification, it enhances the quality of life in Mocksville, while managing future growth, it encourages well-planned, high quality development and services that meet the needs of the citizens and builds upon the community's small town character. The motion was seconded by Commissioner Taylor which carried by a vote of 4-1 with Commissioner Vaughan-Jones voting against.

A motion was made by Commissioner Williams to adopt Statement of Consistency a zoning map amendment to rezone approximately 62 acres pf a 126.85-acre parcel of land from open space residential to neighborhood residential. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 4-1 with Commissioner Vaughan-Jones voting against.

A motion was made by Commissioner Williams to adopt the zoning map amendment 2021-04 to the zoning ordinance; the amendment is consistent with all adopted plans, and I find the request to be reasonable in the public's interest, meets many of the land use plans, goals and objectives. There is existing commercial zoning adjacent to the site. This request is for commercial reclassification, it enhances the quality of life in Mocksville, while managing future growth and it encourages well-planned, high quality development and services that meet the needs of the citizens and builds upon the community's small town character. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 5-0.

A motion was made by Commissioner Taylor to adopt Statement of Consistency a zoning map amendment to two pieces of property approximately 38.22 acres of land from open space residential and general residential to highway commercial. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 5-0.

Public Hearing for Zoning Text Amendments of the Zoning Ordinance Regarding Compliance with General Statute 160D.

Al addressed the Board presenting the zoning text amendments of the zoning ordinance regarding compliance with General Statue 160D. General Statutes amended in July 2019 and July 2020 require these amendments. They are requested in no uncertain terms by the General Assembly. Even if not adopted the Planning Board staff and Town Board of Commissioners will have to follow the revised General Statues, which is difficult to do when the zoning ordinance is not in alignment with the General Statues. Most of these changes go to the procedures by which the development is approved, they go to the makeup of the Planning Board and the Board of Adjustment that require specific oaths of office for the Planning Board, the Board of Adjustment and the planning staff. They are generally aligned with accepted legal practices. These amendments do not change the zoning map, only the text of the zoning ordinance. The Planning Board did recommend approval. I recommend approval.

No one spoke in favor or against at the Public Hearing.
The Public Hearing was closed at 7:15pm.

A motion was made by Commissioner Williams to adopt the zoning text amendments of the zoning ordinance regarding compliance with general statute 160D. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 5-0.

A motion was made by Commissioner Draughn to approve; the amendment that promotes public health, safety and general welfare; is consistent with applicable adopted plans that said approval furthers the goals, objectives, actions and policies of the land development plan and considers the action to be reasonable and in the public interest as it brings the Town's Zoning Ordinances with newly adopted general statute. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 5-0.

Communication from Town Staff

Town Attorney Benshoff: none

Town Clerk Trivette: none

Communication from Mayor and Town Board

Commissioner Vaughan-Jones: Rev. Clark and Ms. Gaither, I appreciate your comments. The decision to move towards the Davie County Sheriff's Department was not one taken lightly and done in the best interest of the Town and citizens. Mental Health is an important aspect when dealing with the public. I appreciate all those that spoke. I voted against the rezoning. If zoned one way, I like to keep it that way. The Board is moving in a different direction, which is fantastic because that is the way governing processes should work. I do believe it will be a good development unfortunately the Board will not be able to control what is developed. The budget process was difficult this year. Thank you to all the departments. Congratulations to Daniel Matthews and Robin Robbins on their retirement. Ken Gamble has done a fabulous job so far, a wonderful leader to get us through the last couple of months that have been tough.

Commissioner Taylor: Thank you Ken Gamble, he has been a very strong uniting force for this Board since he set foot here. He did a great job of doing a complete evaluation on this rezoning for us. There are processes that will have to be gone through before development occurs. The people that sit in the process involve the school system, DOT and the community who will help make the decision about how it is to be developed. We have to trust the process and we have to grow. There is not enough housing in this area. Thank you to all the departments. Mental Health awareness and training is important. A Spanish-speaking officer is important.

Commissioner Williams: I am very happy for you Daniel Matthews, enjoy your retirement. I served on Mocksville's Planning Board for two decades and the zoning map did not stay the same. The logical progression is that we look at the land uses, how the Town grows and develops. There are zoning districts in this area that did not exist in 1999. It is great to know there will be safe, modern homes available. I am pleased that we have developers looking at our Town. Thank you to all our Town staff.

Commissioner Draughn: Thank you Lynn for your time as Interim Town Manager; you did a great job and a great job on the budget. Thank you Daniel Matthews for your thirty years of service to the Town.

Commissioner Southern: Daniel Matthews thank you for your service and good luck in your retirement. Robbin Robbins, I appreciate your service and wish you the best in your retirement. Thank you Lynn, Emily and Town staff for your work during the budget. Ken Gamble has been a great addition and a big

unifier for our Board; he is what the Town needs. I appreciate the public coming out tonight to hear both sides of the zoning. Thank you for your interest in the Town and your comments, which we took into consideration. It was a tough vote. I have confidence in Mr. Gilleese. This is the type of housing needed for our Town to grow.

Mayor Marklin: I would like to thank the Board for what they do every month. Everyone is welcome to attend our monthly Board meetings, with the next one in July.

Adjourn

A motion was made by Commissioner Taylor to adjourn the June 1, 2021 Regular Board Meeting. The motion was seconded by Commissioner Williams which carried by a unanimous vote 5-0.

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

William J. Marklin, Mayor

Emily Quance, Deputy Town Clerk