

**Town of Mocksville
Regular Board Meeting
July 6, 2021**

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

Present: Mayor, Will Marklin
Commissioners Present: Rob Taylor
Justin Draughn
Brian Williams
Eric Southern

Absent: Amy Vaughan-Jones

Others Present:
Lynn Trivette, Town Clerk
Al Benschhoff, Town Attorney
Chris Vaughn, Parks and Grounds
Tami Langdon, Community Development

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 4-0.

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.

Alice Brown addressed the Board to discuss observations she has made and ask for some considerations. Black businesses once thrived at the bottom of the hill on Depot Street. Before the State provided education for African Americans, a building was built at the bottom of the hill on Depot Street to educate African American children. Homes and churches were also built on Depot Street. Today, there are streets

that need maintenance and property that needs cleaning up. It is trusted new businesses that come to the area will be good neighbors and show concern for air quality and noise control.

We now have American flags flying on holidays, historic Mocksville banners and local gardeners that beautify the area. A historical marker or mural in the area would acknowledge what we have lost in the African American community. I hope you will consider this with any grants or funds that come in for the Town.

Priscilla Williams addressed the Board. I agree with Alice Brown. If the Board would consider making sure these funds are distributed equitably. We really appreciate the renovations being done on Depot Street. We hope you continue with the demolition of the old bus garage. We welcome any change and are pleased with what has been done. We ask you to consider the roads and renovation of the minority areas. There are streets that need repaving and the extension of broadband for children.

Thomasine Gaither addressed the Board. Pleasure to meet you Mr. Gamble. I am hoping the Sheriff's Department is not overworked. Is it public record to see what the funds are allocated for? I believe a Town that works together can stay together.

Communications from Boards, Commissions and Agencies

Chuck Willis – Updates on Water and Sewer Projects

Dutchman's Creek Wastewater Treatment Plant
Utilities to Serve Brakebush Brothers
Wilkesboro & Sofley St. Water Line
Leonard Creek Sewer Testing
Angell Knoll Sewer

Dutchman's Creek WWTP

- New facilities are in service, working on restorations
- Finishing 6 months behind schedule (24 months)
- 5% over bid amount (rock) but included additional repairs
- Brushy Mountain Builders did an excellent job
- A lot of work for the money
- Still more to be done

Utilities to Serve Brakebush Brothers

- Transfers approximately 385,000 gallons per day to Cooleemee
- Design 90% complete
- Grant funding for most of the cost
- Easement acquisition underway

Wilkesboro and Sofley Street Water Lines

- 1,710 feet of water line to replace old (failing) pipe
- Currently 70% complete
- Finish in August, on budget

Leonard Creek Sewer

- Large source of Infiltration and Inflow (I&I) in AIA Study
- Short-term Flow Monitoring for Brakebush Design

Smoke Testing & Inspection

- 30,000 feet of sewer
- 106 manholes

Leonard Creek Smoke Testing

- 34 manhole leaks
- 29 defective cleanouts
- 8 mainline cracks
- 5 lateral service cracks
- 4 storm drain connections

Leonard Creek Repairs

- Cleanouts have been repaired by Town Staff
- Manhole repairs underway
- Town is working with NCDOT on cross-connections
- Future flow monitoring will demonstrate results

Angell Knoll Sewer

- 770 feet of 8-inch gravity sewer
- Serves undeveloped property to allow it to be marketed
- Funded by economic development grant
- Construction scheduled for July

Consent Agenda

A motion was made by Commissioner Southern to adopt the consent agenda as presented. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 4-0. Items approved were: (A) June 1, 2021 Regular Board Meeting Minutes (B) June 17, 2021 Special Meeting Budget Public Hearing (C) Monthly Financials (D) Tax Releases.

Consider One Appointment to the Mocksville Planning Board

A motion was made by Commissioner Williams to appoint Matt Davidson for the Mocksville Planning Board; terms are June 2021 – May 2024. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 4-0.

Consider One Appointment to the Board of Adjustments

A motion was made by Commissioner Taylor to appoint Chuck Taylor for the Mocksville Board of Adjustments; terms June 2021 – May 2024. The motion was seconded by Commissioner Williams which carried by a unanimous vote of 4-0.

Consider Resolution in the Matter of Receiving Federal Funds Under the American Rescue Plan Act (ARPA)

A motion was made by Commissioner Williams to adopt the resolution to receive federal funds under the American Rescue Plan Act (ARPA) and that the town will comply with the procedure created by the NC

General Assembly and the US Treasury Department. The motion was seconded by Commissioner Southern which carried by a unanimous vote of 4-0.

Consider Ordinance Amendments Needed with Switch to Davie County Sherriff's Office

A motion was made by Commissioner Williams to adopt the ordinance amendments as presented due to the switch with Davie County Sherriff's Office. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 4-0.

Consider Resolution in Support of Project Goalie to Expand a Manufacturing Facility

Project Goalie is a manufacturing company headquartered in New York. They currently have a 59,000 square foot operation in Rowan County, but have outgrown that facility. The company has purchased a vacant 77,200 square foot building here in Mocksville with plans to construct a 29,800 square foot addition to this building and move their operation from Rowan County to Davie County. In addition, the company has also purchased an additional 7+ acres of neighboring land to support future phases of expansion.

The company is proposing to invest \$2.8 million in real and tangible personal property. Project Goalie has been provided a proposal from the North Carolina Department of Commerce for a \$100,000 Building Reuse Grant through the state funded Rural Economic Development Division/Rural Grants/Programs. In return, for the grant assistance, the company is proposing to retain its 40 current full-time job count as well as create and add 20 new full-time positions with an average wage of \$42,475, which is above the Davie County average wage of \$39,598.

The state requires a local match of 5%, \$5,000; however, the Davie County Economic Development Commission has agreed to cover this match for the Town.

The company is requesting that the Town of Mocksville make application to the North Carolina Department of Commerce for the \$100,000 Building Reuse Grant and approve this Resolution of Support.

A motion was made by Commissioner Williams to adopt the resolution in support of Project Goalie's application that expands the existing building with a 29,800 square foot addition. The state requires a local match of 5%; however, the Davie County Economic Development Commission has agreed to cover this match for the town. The motion was seconded by Commissioner Southern which carried by a unanimous vote of 4-0.

Consider Resolution for Selling Property by Upset Bid "Old Town Treatment Plant Property"

Town Manager Gamble addressed the Board. Ben Owens inquired if the Town would be interested in selling the "Old Town Treatment Plant Property". Chuck Willis and Brian Moore said there is no need or use for the Town to have this property, however, we do have both water and sewer lines, which we would be asking for written easements across the entire property if the sale goes through. The offer is \$3,000.00. The tax value is \$18,500.00. The offer is low, but having the easements does have some financial value to the Town.

Town Attorney Benschhoff addressed the Board. The Town is required to follow the General Statues when selling property. When the Town gets an offer it must follow the statue to say the Board accepts the offer, the Clerk advertises for upset bids, if there is an upset bid received, then there is another advertisement. The Board can sell the property or not sell the property; a reserve price can be put on the property. The Town has the right and should reserve the utility easements to the property if conveyed. The Board will need to adopt the resolution to move forward with the process.

A motion was made by Commissioner Williams to adopt the resolution to accept an offer to sell real property for \$3,000 to Ben Owens for “Old Town Treatment Plant Property” legal description 1 lot off Hwy 158 and to direct the Town Clerk to advertise for upset bids pursuant to N.C. General Statute’s section 160A-269, Negotiated offer, advertisement and upset bids. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 4-0.

Consider Resolution for Donations of Personal Property to Other Governmental Units

Town Manager Gamble addressed the Board. According the Interlocal Agreement with the Davie County Sheriff’s Office, all law enforcement related equipment will be turned over to the Sheriff’s Department. To be transparent, we are going through the formal surplus process. The list of property attached to the resolution is all the property that has been turned over to the Sheriff’s Department thus far. Any additional items turned over to the Sheriff’s Department will be on an additional resolution at the August meeting.

A motion was made by Commissioner Southern to adopt the resolution with attached inventory to dispose of all law enforcement related equipment as a part of the agreement with Davie County Sheriff’s Office. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 4-0.

Consider Recommendation to Direct Planning Board to Research Density Standards for Residential Districts

The recent residential rezoning request decided by the Board of Commissioners on June 1, 2021 has highlighted a potential process inefficiency that the Town Manager would like the Planning Board to research and formulate a recommendation for the Board of Commissioners. The issue the Town Manager would like them to consider is the development density allowed in different residential districts, specifically Open Space Residential (OSR), Neighborhood Residential (NR) and General Residential (GR). Town Manager believes there is some dissonance between the type of residential development anticipated in the 2019 Town of Mocksville Comprehensive Plan that is reflected in existing defined residential districts and the development trends the town is experiencing now. One of the stated goals of the Plan is to, “Provide a wider selection of housing options and price ranges to help our older generation age in place and to retain and attract younger generations” (pg. v). Providing greater clarity and consistency in our zoning designations assists the Planning Board, Board of Commissioners, staff, the public and developers in realizing this goal. Planning and Zoning Director, Andrew Meadwell advised the research and recommendation would take approximately three months.

A motion was made by Commissioner Williams to approve the recommendation to direct the planning board to research density standards for residential districts. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 4-0.

Public Hearing to receive citizen input regarding the use of Community Development Block Grant (CDBG) funds from the NC Department of Commerce and the U.S. Department of Housing and Urban Development. CDBG funds may be used for infrastructure improvements, demolition or building reuse projects, which promote Economic Development through the creation of jobs, designed to benefit low and moderate-income residents within the Town.

In order for the Town to make application for Community Development Block Grant (CDBG) Funding from the North Carolina Department of Commerce, two public hearings are required. The first public hearing, which we refer to as “generic”, is only required to be held once a year. The last generic public

held expired on June 2, 2021, therefore we are holding this first generic public hearing this evening, which will keep the Town current for one year. In the event the Town should decide to apply for CDBG funding over the next year, then a second public hearing will be required, which will be specific to the project and would describe the project and outline the amount of funds being applied for and the activities for which the funds would be used.

No one spoke in favor or against at the Public Hearing.

The Public Hearing was closed at 6:38pm.

No action is required of the Board.

Public Hearing for Two Zoning Map Amendments

Public Hearing for a zoning map amendment **2021-06**. The Board will review a request by TWT Associates; LLC has applied to rezone The subject property is located south of the intersection of East Lake and Polaris Drive and is further described as parcel of the Davie J50000003210.

Adam Barr, with Davie County Planning and Zoning, addressed the Board. This is a request to rezone approximately 15.95 acres of a 27.8-acre parcel of land from General Residential & Flood Plain (GR, FP) to Neighborhood Residential (NR). The Neighborhood Residential district is intended to provide for residential infill development surrounding the traditional town center and its logical extensions. A range of housing types is encouraged and it is envisioned that low-intensity business activity will accompany residential development and will be located in mixed use buildings designed and constructed at a residential scale. The proposed zoning amendment is consistent with the Mocksville Comprehensive Plan because it will provide a wider selection of housing options and price ranges to help our older generation age in place, it will retain and attract younger generations, preserve and enhance existing residential neighborhoods while striving to provide a variety of single family and multifamily housing options and price ranges to best serve the needs of our growing community.

In favor of:

Frank Thomas with TWT addressed the Board. We have gone through this project and researched it to be good neighbors and to infiltrate the area with something comparable or even better than what is already there. The home prices will be around \$250,000.00. In this phase, there will be 49 homes.

Not in favor of:

Ed Denny addressed the Board. I am not in favor of or against. Forty-nine houses is a substantial increase. I believe there is only sixty or seventy houses in Twin Brook currently. Please do a good job.

The Public Hearing was closed at 6:50pm.

A motion was made by Commissioner Williams to approve the zoning map amendment. The proposed zoning amendment is consistent with the Mocksville Comprehensive Plan because: The property is designated residential on the 2019 plan and the Comprehensive Plan policy goals preserves and enhances existing residential neighborhoods while striving to provide a wider variety of single-family and multi-family housing options and price ranges that best serves the needs of our growing community. Therefore, I find this zoning amendment reasonable and in the public's interest because it supports the Comprehensive Plan policies and maps above and because, the property location is near

other residential neighborhoods, the availability of public infrastructure including water and sewer, the proposed amendment will provide opportunities for businesses to locate in Mocksville and increase the tax base and all development of the parcel would be subject to the requirements of the Zoning Ordinance that would include screening, setbacks, height limitations, building inspections, and other development criteria including any other state permitting such as the Department of Transportation. The motion was seconded by Commissioner Southern which carried by a unanimous vote 4-0.

Communication from Town Staff

Town Attorney Al Benshoff: none

Town Manager Ken Gamble: none

Communication from Mayor and Town Board

Commissioner Taylor: none

Commissioner Williams: none

Commissioner Draughn: none

Commissioner Southern: Thank you to the department heads.

Mayor Marklin: Filings started last Friday for anyone that wants to run for Town Board, there are three slots open. We had fireworks in Rich Park on Sunday night and they were above average. Thank you for everyone coming out tonight.

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

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

ACQUISITION OF SEWER UTILITY EASEMENTS FOR THE BRAKEBUSH PROJECT BY EMINENT DOMAIN (N. C. GENERAL STATUTES CHAPTER 40A)

A motion was made by Commissioner Williams to adopt four resolutions authorizing eminent domain action against Howell, Service Distributing Company, Shoaf and Poole and Nakib, Bahgat and to authorize spending to acquire properties; \$2,625 Howell easement, \$27,025 Service Distributing Co. easement, \$8,000 Shoaf/Poole easement and \$3,000 Nakib/Bahgat easement. The motion was seconded by Commissioner Taylor and approved by a unanimous vote 4-0.

Adjourn

A motion was made by Commissioner Southern to adjourn the July 6, 2021 Regular Board Meeting. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 4-0.

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

William J. Marklin, Mayor

Lynn Trivette, Town Clerk NCCMC

July 6, 2021