

**Town of Mocksville
Regular Board Meeting
November 2, 2021**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, November 2, 2021 at 6:00 p.m. in the Mocksville Town Hall building located at 171 S. Clement Street.

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

Others Present:

Ken Gamble, Town Manager
Lynn Trivette, Town Clerk
Al Benschhoff, Town Attorney
Brian Moore, Public Services Director
Frank Carter, Fire Chief
Chris Vaughn, Parks and Grounds Director
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 Williams to adopt the agenda as written. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Public Hearing to Consider Granting Economic Development Incentive Appropriations

Public Hearing to consider granting economic development incentive appropriations (the “Incentives”) for the purpose of aiding and encouraging the expansion in scope of a proposed new industrial enterprise, known as “Project Palltronics”, (herein the “Company”), to be located in the Town of Mocksville, Davie County, North Carolina.

Incentives being considered are for an Economic Development Project by the Company, which involves the expenditure by the Company of approximately twenty-five million dollars (\$25,000,000.00) in tangible personal property investments and the creation of two hundred three (203) new jobs at the facility. The property where the Economic Development Project will take place is a portion of those properties located in the Hollingsworth’s South Point Industrial Business Park, Town of Mocksville, and Davie County, North Carolina. The Incentives being considered are approximately \$68,222.50 from the Town of Mocksville to assist the Company with the purchase of equipment and training of employees as

authorized under North Carolina General Statute §158-7.1. The Incentive Agreement will provide remedies to the Town if the Company fails to create the jobs or fails to meet the tax base increase requirement of \$25,000,000.00. It is expected that the investment will be returned to the Town in tax revenue derived from the project in less than five years.

Benefits to the public expected to be derived from the realization of the Economic Development Project made possible by the Incentives include, but are not limited to: the increase of the tax base of the Town by at least \$25,000,000.00, the creation of 203 new jobs, the attraction to the Town of Mocksville, Davie County and the State of North Carolina of the Company which might have located in another state but for the grant of the Incentives, and the opportunity for new industrial growth, to be developed in the Town of Mocksville, Davie County and North Carolina.

Mayor opened the public hearing.

Not in favor of: No one spoke.

In favor of: No one spoke.

The Public Hearing was closed at 6:10pm

A motion was made by Commissioner Williams to approve incentive agreement for the economic development project by the company, which involves the expenditure by the company of approximately \$25,000,000 in tangible personal property investments and the creation of 203 new jobs at the facility. The approval of \$68,222.50 from the town to assist the company with the purchase of equipment and training of employees. The motion was seconded by Commissioner Southern which carried by a vote 5-0.

Public Hearing to Consider Naming the Unnamed Softball Field at Rich Park After Julius E. Suiter.

The Board of Commissioners received a nomination to name the field for Mr. Suiter for his exceptional contributions to the community as an educator, principal, volunteer and non-profit board & church member.

Mayor opened the public hearing.

A motion was made by Commissioner Vaughan-Jones to table the public hearing to the December 7, 2021 meeting. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 5-0.

Public Hearing to consider Amendments to Chapter V, Public Safety Article 3. Building Codes and Inspection, and Article 4. Minimum Housing and Article 5. Public Health Nuisances.

Town Attorney's memo to the Board:

The Town Manager asked me to review and update the Town's ordinances about nuisance abatement and code enforcement. The statutes have changed since they were last updated. Also, the General Statutes

about code enforcement are old and difficult to understand. The General Assembly adopted statutes on minimum housing, unsafe nonresidential buildings and building codes in different decades. The municipalities then adopted ordinances about each topic. Each ordinance had a slightly different enforcement procedure. This creates a lot of extra procedural work for code enforcement officers. In the drafts, there is ONE procedure for minimum housing and non-residential building code enforcement. There is a separate procedure for general nuisance abatement because “nuisances” include topics that are not related to buildings, for example mowing tall weeds.

With this memo there are amendments to three articles:

Chapter V, Public Safety, Article 3 Building Codes and Inspection

Chapter V, Public Safety, Article 4 Minimum Housing

Chapter V, Public Safety, Article 5 Public Health Nuisances

Articles 3 and 5 are accompanied by a red-line version so that you can see exactly what is changing. Article 4 is completely new. The current Article 4 is included. The redline version is not included because there is so much red that it is difficult to read.

TABLE OF DOCUMENTS COMPRISING THE AMENDMENTS

All six files are listed in the following table:

#	Name of Ordinance	Description
1	Chapter V, Art. 3 Building Codes and Inspections	The amendment updates references to the building codes and changes references from the Town building inspector to the County. The County inspects buildings under an Inter Local Agreement
2	Current version of Chapt. V. Art. 3	This is a redlined version
3	Chapter V, Art. 4 Minimum Housing; Building Codes and Inspections	This amendment combines the minimum housing and unsafe & abandoned (non-residential) building codes into one article with one procedure for enforcement.
4	Current version of Chapt. V. Art. 4	This is the original current version.
5	Chapter V, Art. 5 Public Health Nuisances	This amendment is the smallest of the 3. It contains updates to the modern Gen. Stat. and other documents
6	Current version of Chapt. V. Art. 5	This is a redlined version

One change to Art. 4 is important. The International Property Maintenance Code is adopted by reference. This Code has standards for things that are not covered in the building code, such as lack of paint, and general shabby Maintenance. This will give the code enforcement officer a tool to cite properties that are eyesores and are dilapidated with one action, instead of bringing a case under both Articles 4 and 5. The City of Greensboro uses the IPMC with good results.

Please contact me if you have any comments or questions

Mayor opened the public hearing.

Not in favor of: No one spoke.

In favor of: No one spoke.

The Public Hearing was closed at 6:15pm

A motion was made by Commissioner Taylor to adopt amendments to Chapter V, Public Safety Article 3. Building Codes and Inspection, and Article 4. Minimum Housing and Article 5. Public Health Nuisances. The motion was seconded by Commissioner Draughn which carried by a vote 5-0.

Public Hearing to Consider Zoning Map Amendment 2021-07.

Phil Fuller has applied to rezone three pieces of property totaling approximately 9.28 acres of land from Open Space Residential (OSR) to General Industrial (GI). The subject property is located along Eaton Rd and is further described as Davie County Parcel J5090A0002, J5090A0006, and J5090A0007

Mayor opened the public hearing.

Not in favor of: No one spoke.

In favor of: No one spoke.

The Public Hearing was closed at 6:20pm

A motion was made by Commissioner Williams to approve; the amendment is consistent with all applicable adopted plans & finds the request to be reasonable and in the public interest; as it meets many of the Land Use Plans goals and objectives; there is existing industrial zoning near to the site; and that it enhances the quality of life in Mocksville by managing future growth in a manner that encourages well planned, high quality development and services that meets the needs of the citizenry and builds upon the community's small town character. The motion was seconded by Commissioner Taylor which carried by a 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.

Alice Brown addressed the Board. The Board's service is very much appreciated.

Consent Agenda

A motion was made by Commissioner Southern to adopt the consent agenda as presented. The motion was seconded by Commissioner Taylor which carried by a unanimous vote of 5-0. Items approved were: (A) October 5, 2021 Regular Board Meeting (B) Monthly Financials and (C) Tax Releases.

Consider Key to the Town Policy

The intents of the policy are that key recognition decisions are made in a coherent and consistent way and procedures are clearly articulated.

The Board of Commissioners may receive recommendations for awarding a Key to the Town from elected officials, public, staff and related advisory bodies or nominating committees. All final decisions on presenting a Key to the Town will be made by the Board of Commissioners in its sole and complete discretion.

A motion was made by Commissioner Draughn to adopt Key to the Town Policy. The motion was seconded by Commissioner Taylor which carried by a vote 5-0.

Consider Amendments to Code of Ordinances Chapter X. Traffic, Article 5: Schedules

Town Manager's memo to the Board:

While Al and I were reviewing the ordinances for needed updates, we came across a potential issue we believe needs to be remedied. In 2018, the Board approved some staff recommended changes to Chapter X, Article 5 of the ordinance in that included setting the Town wide speed limit at 25 mph unless otherwise posted. This change would have required signage posted at roads coming into Town limits and even with the required signage, no enforcement could take place unless the specific 25 mph zone was also posted. Since we are cleaning up other parts of the ordinance, I suggest that we rely on NC General Statute 20-141(b)(1) to set the town wide limit at 35 mph unless otherwise posted and mandate a 25 mph limit for 107 residential roads in the traffic schedule. We will need to post these, but will not have to post additional signs at Town limits as we would have under the 2018 changes. I will direct PW Director Brian Moore to purchase the approximately 150 signs needed to post in the residential neighborhoods. This will take several months to complete with staff working the installations into the existing workflow as time allows. Supply chain related delays will also impact installation of signage.

A motion was made by Commissioner Williams to adopt amendments to Code of Ordinances Chapter X. Traffic, Article 5: Schedules. The motion was seconded by Commissioner Southern which carried by a vote 5-0.

Consider Resolution to Reallocate \$320,000 in NCDOT Funds from Davie Industrial Connector Road to Turn Lane Improvements on Gildan Drive

A resolution was approved in June for a connector road into Davie Industrial Center. The DOT received \$320,000 to fund the project, however, the tenants wanted to keep that road restricted. DOT funding cannot be for a road restricted to the public. Terry Bralley and I discussed with the developers to reallocate the funds to turn lane improvements on Gildan Drive.

A motion was made by Commissioner Southern to adopt resolution to reallocate \$320,000 in NCDOT funds from Davie Industrial Connector Road turn lane improvements on Gildan Drive. The motion was seconded by Commissioner Vaughan-Jones which carried by a unanimous vote 5-0.

Communication from Town Staff

Town Attorney Al Benshoff: Local Government does not work unless people participate and serve. I work with local Boards all over the state. I just wanted to say thank you to the retiring Board members, Eric, Amy and Brian for your service.

Town Manager Ken Gamble: I have enjoyed working with the entire Board. I wish the best to those members coming off. The Town received a positive citizen comment regarding how great the Halloween night event was. This huge phenomenal event is made possible because of our private residents on Main Street. New Commissioner training will be after the December meeting. Employee Appreciation Picnic was held on October 14th. Staff enjoyed a couple of hours of relaxation, fellowship and food at Rich Park. There were also games and prizes. The leadership team received very positive feedback about the event from employees. This will be an annual event each October. We had another property vandalism at the park (Shelter 5) that was much more extensive than the nuisance problems experienced in September. Sheriff Hartman, John Gallimore and I have discussed the logistics of placing cameras in the park. If we go with the current vendor Davie County uses, DCSO will have access to the recordings. I have already asked Gallimore to place a camera at Main Street Park since we already have the infrastructure there to support it. Staff continue to work on GovDeals surplus, annual audit and employee appreciation efforts. Lynn directed team members to move forward on any remaining capital purchases approved for FY21-22. Complimented team on how well everyone has been following purchase order policy. Southern Software was so impressed with Rana Gaither's implementation work on the new cemetery module that they are going to use it as a best practice when they demo the module to other municipalities.

Communication from Mayor and Town Board

Commissioner Williams: Thank you to the staff for what you do each day. It has been a pleasure to serve the citizens of the Town of Mocksville. I wish whoever elected the best.

Commissioner Taylor: The five of us have really worked together and made tough decisions. I appreciate each of you.

Commissioner Southern: Thank you to Town staff and department heads; you have been kind to me. The Town is in great hands; glad to have Ken. Pleasure to serve with all. I wish those running best of luck. It was an honor to serve the citizens of Mocksville.

Commissioner Vaughan-Jones: I was graciously given the chance to govern by the people. Thank you to Ken. I do believe the Town is in a good spot. Thank you Brian Moore, Rustin Harpe and Frank Carter. I wish the new Board the best of luck.

Commissioner Draughn: Eric, Amy and Brian, thank you for your service. I do think the Town is in a great place right now. Ken you are doing a great job.

Mayor Marklin: I hope to see those coming off the Board still involved. It takes volunteers to make it all work in the community.

A motion was made by Commissioner Williams to enter into closed session. The motion was seconded by Commissioner Taylor and approved by a unanimous 5-0.

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 5-0.

A motion was made by Commissioner Williams to increase the Town Manager Ken Gamble's salary \$6,000 effective next payroll. The motion was seconded by Commissioner Southern and approved by a unanimous vote 5-0.

Adjourn

A motion was made by Commissioner Vaughan-Jones to adjourn the November 2, 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.

William J. Marklin, Mayor

Lynn Trivette, Town Clerk NCCMC