

**Town of Mocksville
Regular Board Meeting
October 4, 2022**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, October 4, 2022 at 6:00 p.m. in the Mocksville Town Hall building located at 171 S. Clement Street.

Present:	Mayor, Will Marklin	Absent:
Commissioners Present:	Jenny Stevenson Carl Lambert Johnny Frye Rob Taylor Justin Draughn	

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 Lambert to adopt the agenda as written. The motion was seconded by Commissioner Draughn 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.

No one spoke.

Communications

Fire Chief Carter addressed the Board to introduced Matthew Turney, Ryan Hall, and Bryson Collins as the Town of Mocksville's first career firefighters. The Fire Department filled three of the six open positions.

Public Hearing Requested for Annexation for County Parcel I400000065 Abattoir Properties for Potential Development

Mayor opened the public hearing for comments. 6:12pm

Carl Carney spoke in favor of and addressed the Board. We are willing to pay for improvements on Hospital Street from where it exits on our property back towards Hwy 64. This would give us the access we need and had intended to fix since it was on our property. If needed, we can change our exit and entry point to Hwy 64 and avoid Hospital Street. That road has gotten worse since we purchased the property. The property has limited options.

Town Manager Gamble addressed the Board.

The petitions for voluntary annexation were presented on August 2, 2022. The Board approved a Certificate of Sufficiency on September 6, 2022 and set a public hearing for October 4, 2022. Both properties border Hospital Street (Parcel Maps Attached). Parcel I40000006501 borders both Hospital Street and Hwy 64. The requests for annexation are being made to access Town water and sewer services for a planned seventy-two (72) unit multi-family development (Rendering Attached). In estimating the amount of property tax the Town could expect to collect from the annexation I looked at the 2021 revaluation information of the three newest multi-family developments in Mocksville.

1. 2020 – Mocksville Pointe – 66 Units – 2.8M Tax Value
2. 2016 – Camden Pointe – 60 Units – 2.1M Tax Value
3. 2013 – Cooper Creek – 56 Units – 2.3M Tax Value

I averaged the value per unit (\$39,855) and added 30% to reflect current market demand to come to an estimated tax value of \$3,730,428, which could generate as much as \$10,818 in real property tax annually. The annexation is not expected to place any significant burdens on existing water-sewer, law enforcement or fire services. However, it should be noted that renderings submitted by the developer show the buildings are planned with three floors so our aging ladder truck will be taxed with another property to serve. The greatest area of concern is the condition of Hospital Street. The parcels will be served through two access points. The closest access is off Hwy 64 and the second access point is off Hwy 601 (Valley Road). The Town currently maintains Hospital Street from Hwy 601 to Marklin Avenue since this section is in our corporate limits. Hospital Street from Marklin Avenue to Hwy 64 is in extremely poor condition and outside of our corporate limits. I consulted with Robert McMath with NCDOT who inspected the roadway at my request. He noted that the road between Marklin Avenue and Hwy 64 would need to be rebuilt from the subgrade up with a possible culvert replacement just north of parcel I400000065 where ingress / egress for the apartments would be located. A rough estimated cost of bringing the road up to NCDOT standards, which the Town requires before adoption into our maintenance system, could range anywhere from \$300,000 – 500,000+. The estimated cost includes an assumption that the existing culvert will need replacement. Current Mocksville Zoning Ordinance development standards for multi-family [8-3.8.60 (A) (1)] require the developer to provide "primary access" which includes offsite transportation improvements. Therefore, if the primary access is Hwy 64 and Hospital Street, this would leave the worst section of Hospital Street in its present condition. This

section accounts for approximately 60% of the distance from Marklin Avenue to Hwy 64. The cost to bring this section of road up to NCDOT standards could easily exceed our annual paving budget and require 15 – 20 years of property tax proceeds from fully developed parcels under consideration to recover the cost. While there is an undisputed need for housing in Mocksville, the cost benefit ratio for this annexation is not favorable when the improvements to Hospital Street are considered.

No one spoke against.

Mayor closed the public hearing. 6:15pm

The Board discussed the poor conditions of Hospital Street and whether or not annexation was needed since access to the planned multi-family development is possible at Hwy 64 instead of Hospital Street. The Board would like to continue discussion at the next meeting.

A motion was made by Commissioner Taylor to re-open the public hearing. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

A motion was made by Commissioner Taylor to continue the public hearing for the November meeting. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Public Hearing Requested for Annexation for County Parcel I4000006501 32 Red LLC for Potential Development

Note: Tract I metes and bounds containing 40 acres should have not been advertised. Legally we do not have to re-advertise because Tract II metes and bounds contained the 2.093 acres that is being considered tonight for annexation.

Mayor opened the public hearing. 6:29pm

A motion was made by Commissioner Draughn to continue the public hearing for the November meeting. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 5-0.

Public Hearing Requested for Multi-Family Text Amendment Chapter VIII Land Use Article 3 Zoning Sections 8-3.3.3 Overlay Districts, 8-3.3.5 Table of Uses, 8-3.8.3 Accessory Dwelling Unit, Attached or Detached and 8-3.8.60 Residential Building, Multi-Family; Townhouse

Johnny Easter, Davie County Planning and Development Services Director, addressed the Board to present the Text Amendment approved at the last Planning Board meeting to create a conditional rezoning district for all multi-family in the Town of Mocksville in specific areas. Depending on where it is located at, and what the existing zoning is, it will require a conditional rezoning request submitted to the Planning Board and approved, then submitted to the Town Board for approval with conditions, with those conditions agreed upon by the Planning Board and the Developer. It will give the Planning Board and the Town Board more control in the multi-family approved in the Town of Mocksville.

Mayor opened the public hearing for comments. 6:32pm

No one spoke in favor or against.

Mayor closed the public hearing. 6:32pm

A motion was made by Commissioner Lambert to approve the multi-family text amendment and statement of consistency. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Consent Agenda

A motion was made by Commissioner Lambert 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) September 6, 2022 Regular Board Meeting (B) Monthly Financials (C) Tax Releases and (D) Contribution-Based Benefit Cap Report.

Consider Amending Ordinance Chapter X: Traffic, Article 5: Schedules 10-5.17 One-Way Streets Second Reading

The Town is considering making Williams Street a one-way street to improve the safety of Williams Street. The street would be entered from Hwy 64 and all traffic would have to travel north on Williams Street to exit on East Depot Street.

A motion was made by Commissioner Draughn to approve amending ordinance Chapter X: Traffic, Article 5: Schedules 10-5.17 one-way streets; adding Williams Street from south to north from Hwy 64 to East Depot Street second reading. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Consider Amending Ordinance Chapter III: General Regulations, Article 5: Parks and Recreation 3-4.1 General Park Rules Second Reading

There is an ongoing problem with people camping in the park for extended periods and using the picnic tables as a bedding area. Currently there are no rules in place that prevents this from happening.

A motion was made by Commissioner Lambert to approve amending ordinance Chapter III: general regulations, Article 5: parks and recreation 3-4.1 general park rules second reading. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Consider Access Road License for Southern Legacy Farms

Town Manger Gamble addressed the Board. Southern Legacy Farms owns the property beside the Town's gravel access road for the sewer pump station off Buck Seaford Road. Southern Legacy Farms would like to utilize this access road because they are planning agritourism activities on their property and would like cars to come in on the access road to park on their property and then leave off their property. Since traffic would increase on the access road, an Access Road License has been drafted which states Southern Legacy Farms will pay \$350 annually to help maintain the gravel access road.

A motion was made by Commissioner Taylor to approve the access road license for Southern Legacy Farms. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Consider Approving Bid for Sanitary Sewer Liberty Storage Solutions Project

Michael Walser addressed the Board. The lowest bid was \$176,912, but after the engineer reviewed the bids, the lowest bid was actually \$175,412 from North State Water and Sewer, Inc. We are below our budget of \$250,000, which leaves room for emergencies. The recommendation is for the Town to award the sewer contract to North State Water and Sewer, Inc.

Town Manager Gamble addressed the Board. This is a tentative award. If any issues with North State Water and Sewer, Inc., then the contract will be awarded to the next lowest bidder.

A motion was made by Commissioner Taylor to tentatively approve the bid from North State Water and Sewer, Inc. in the amount of \$175,412.00; sewer line improvements that includes approximately 1,400 LF of 8" sanitary sewer and 9 manholes across the Liberty Storage. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

Consider Internal Control Policy

Town Clerk/Finance Director Trivette addressed the Board. This internal control policy is to establish proper procedures and to safeguard the Town's assets and a requirement pursuant to the ARP audit.

A motion was made by Commissioner Taylor to adopt internal control policy, to establish proper procedures and to safeguard the Town's assets. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

Consider Amending Ordinance Chapter IV Finance and Taxation, Article 1: In General; 4-1.1, 4-1.2, 4-1.3 and 4-1.4

Town Clerk/Finance Director Trivette addressed the Board. Ordinance Chapter IV Finance and Taxation, Article 1: In General is out of date and needs to reference the internal control policy that has been adopted.

A motion was made by Commissioner Lambert to amend ordinance chapter IV finance and taxation, article 1: in general; 4-1.1, 4-1.2, 4-1.3 and 4-1.4. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 5-0.

Consider Amending Ordinance Chapter IV Finance and Taxation Article 2: Occupational Licenses, Taxes and Regulations; 4-2.1 through 4-2.15

Town Clerk/Finance Director Trivette addressed the Board. Ordinance Chapter IV Finance and Taxation Article 2: Occupational Licenses, Taxes and Regulations is out of date. Local privilege license taxes ended in July 2015 so the amendment is to repeal the ordinance and reserve the article.

A motion was made by Commissioner Taylor to amend ordinance chapter IV finance and taxation article 2: occupational licenses, taxes and regulations, 4-2.1 through 4-2.15. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Consider Adopting Budget Amendment #5 for Assistance to Firefighters Grant Award

Fire Chief Carter addressed the Board. This grant will be used to install a point of capture smoke removal system for the fire station.

A motion was made by Commissioner Taylor to approve budget amendment #5 in the amount of \$57,339 revenue from the grant award and increasing the capital improvement line item in the fire departments budget. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Consider Adopting Budget Amendment #6 for NCDEQ, DAQ Volkswagen Level 2 Charging Station Grant Award

Town Manager Gamble addressed the Board. The Town qualified for a grant in the amount of \$10,000 to install a two-space EV charging unit in the Town Hall parking lot.

A motion was made by Commissioner Draughn to approve budget amendment #6 in the amount of \$10,000 revenue from the grant award and increasing the capital improvement line item in the community development department's budget. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Communication from Town Staff

Town Attorney Benschhoff: N/A

Town Manager Ken Gamble:

The Board approved staff to open accounts at NC Capital Management Trust (NCCMT) because the Local Government Commission (LGC) approved NCCMT as an appropriate investment for public funds, NCCMT provides liquidity and flexibility of funds transfer and it historically offers higher rates of return. The fund has maintained a constant net asset value of \$1.00 per share since the 1980s. While any investment has risk, this one has maintained its value consistently for more than 40 years through several national financial crises. The liquidity aspect of the fund is also appealing because the Town can access idle funds whenever needed with no penalties and ACH transfers are processed the next business day.

After the pandemic hit and interest rates bottomed out it did not make financial sense to leave the funds in the three accounts at NCCMT and staff transferred balances back to our traditional bank. However, staff left the NCCMT accounts open because we know that rates of return are cyclical in nature.

On September 21st the Federal Reserve raised the Federal Funds rate by 0.75% to a range of 3.00%-3.25%. They also increased their rate projection for this December by a full percentage point to 4.4%. The forecast now projects that rates may top out at 4.6% in 2023 and decline to 3.9% by the end of 2024. So in short, rates have risen and are expected to continue to rise throughout this fiscal year. Based on the forecast released by the Federal Reserve, it looks like we will see the highest yields we have seen in a decade. In the current rising rate environment, it would be wise to have your investments in an account that will earn more as the markets rise. Town deposits are currently subject to an interest rate of .2% at our traditional bank, while NCCMT accounts are paying 2.81%.

By way of comparison, if we left these funds idle in our traditional bank account for one year we could expect a return of \$11,640 at today's interest rate with a traditional bank. NCCMT would earn \$163,542 during the same period. That is a net gain of \$151,902 over what traditional banks are offering at this specific time, as rates rise so will our funds.

Therefore, staff transferred funds to NCCMT in the following amounts:

General Fund -	\$5,000,000
Enterprise Fund -	\$ 600,000
Capital Reserve – Fire Truck -	\$ 220,000

Wilkesboro Street Roundabout (Update)

NCDOT provided a project update and work should be completed in fall 2022. Delays in obtaining pipe for infrastructure relocation is the primary reason for the delay. Country Boy Landscaping, Inc. will be the contractor. Once we have the Preconstruction meeting I will be able to provide a better schedule for project completion.

Communication from Mayor and Town Board

Commissioner Lambert: Thank you Frank, this is a historic time for the Town.

Commissioner Taylor: I appreciate Ken keeping us informed.

Commissioner Stevenson: N/A

Commissioner Frye: N/A

Commissioner Draughn: Frank, thank you. Tami, great concert downtown.

Mayor Marklin: Dr. Slate sent a thank you note for me to share. He would like to give a sincere thank you to the Board of Commissioners and that he has fond memories of serving on the Board.

Adjourn

A motion was made by Commissioner Taylor to adjourn the October 4, 2022 Regular Board Meeting. The motion was seconded by Commissioner Draughn 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 MMC, NCCMC