

**Town of Mocksville
Regular Board Meeting
January 7, 2025**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, January 7, 2025 at 6:00 p.m. at the Mocksville Town Hall located at 171 S. Clement Street.

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

Others Present:

Lynn Trivette, Interim Town Manager
Lydia Lavelle for Al Benshoff, Town Attorney
Emily Quance, Deputy Town Clerk
Chris Vaughn, Parks and Grounds Director
Brian Moore, Public Works Director
Frank Carter, Fire Chief
Jeannette Pitts, Director of Marketing and 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.

Conflict of Interest Statement

“Pursuant to NC General Statutes and the Town of Mocksville Code of Ethics Policy adopted November 9th, 2010, amended of Jan. 6, 2019 and further endorsed on August 9th, 2022, I would ask each of you before you adopt the agenda if there is any actual, potential, or perceived conflicts of interest with respect to any matter on the proposed agenda which will come before the Town Board of Commissioners for consideration and/or decision at this meeting. If so, please speak up and let the Board know at this time before the agenda is adopted.”

Adoption of Agenda

A motion was made by Commissioner Lambert to adopt the agenda as written, but remove Merit Kirkpatrick, Marketing & Content Manager, Word Master Media Group – Social Media Quarterly Report under Communications from Boards, Commissions & Agencies; could not make it; and add Item F. Mocksville Sidewalk Connectivity Project Budget and Proposal under New Business. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

January 7, 2025

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 from Boards, Commissions & Agencies

Brandon Emory, President Alliance Code Enforcement (Isaiah) – Quarterly Report

Spruce Street Properties

- Notice of Violation, Notice of Hearing, and Finding of Facts have all been sent
- Order to Abate by January 16, 2025

December Highlights

- 16 - New cases were opened
- 8 - Were abated and closed
- 10 Hearings are scheduled for September 9th, including:
 - 344 Park Avenue – Junk vehicles
 - 144 Azalea Drive – Junk pile, nuisance/junk vehicle, and an overgrown lot
 - 1054 Yadkinville Road – Junk pile and overgrown lot
 - 214 Wilkesboro Street – Junk pile and overgrown lot
- Hearings are also scheduled for September 23, 2024, for the properties at 564 and 580 East Lexington Road

Mid-Year Update - JD Hartman, Sheriff Davie County

The Davie County Sheriff's Office contract with the Town of Mocksville lists two metrics for the Sheriff's Office to meet. Metric 1 provides 30,666 man-hours per year while metric 2 is to respond to 80% of calls inside the city within 9 minutes.

During the 2024 calendar year DCSO provided 37,121 man-hours in the city limits. This would be the equivalent of having 17.8 officers working a full 2080-hour year. We also responded to an average of 88.03% of calls in under 9 minutes.

Mocksville experienced an overall drop in crime (13.2 % decrease) for the year 2024 over 2023.

Consent Agenda

A motion was made by Commissioner Draughn to adopt the consent agenda as presented. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote of 5-0. Items approved were: (A) December 3, 2024 Regular Board Meeting and Closed Session; Special Called Meeting December 9, 2024 (Closed Session) and Special Called Joint Meeting December 12, 2024 (B) Monthly Financials (C) Tax Releases and (D) Contribution Based Cap Report.

OLD BUSINESS

Consider Amendment to Chapter V, Article 2, Section 5-2.3 of Mocksville Code of Ordinances (Second Reading)

Interim Town Manager Trivette addressed the Board. The first reading for the ordinance amendment was December 3, 2024. The ordinance takes effect February 1, 2025. The builder will need to get a permit to burn construction waste or yard waste; clearing of property inside town limits. It is not unusual for towns that are involved with more developments have these type of burn bans. This is the second reading.

A motion was made by Commissioner Lambert to adopt the amendment to Chapter V, Article 2, Section 5-2.3 of Mocksville Code of Ordinances (Second Reading). The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

NEW BUSINESS

Consider Budget Amendment #1 Enterprise Fund FY 24-25

Rana Gaither, Administrative Specialist Lead addressed the Board. The bids were awarded in February of 2022 and the funds went back into fund balance until now. Project just delayed.

A motion was made by Commissioner Taylor to adopt budget amendment #1 in the amount of \$446,274 for the Brakebush project and Eaton Road 6" water line using enterprise fund balance for FY 24-25. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Consider Budget Amendment #2 General Fund FY 24-25

A motion was made by Commissioner Taylor to adopt budget amendment #2 in the amount of \$161,813 for the liability compensation owed to the retirement system using general fund balance for FY 24-25. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

Consider Amendment to Mocksville Town Ordinance Chapter 10, Article 5, Section 10-5.1 No Through Truck Locations Adding W. Maple Avenue and Locust Street

Interim Town Manager Trivette addressed the Board. We have an ongoing issues with heavy trucks (mostly car carriers) accessing W. Maple Avenue to deliver cars to the lot on Sanford Avenue. The problem has not gone away even after several conversations with car lot owner. To date, street signs, a storm drain, and fire hydrant have been damaged. Locust Street will be posted past the car lot so they can still get deliveries.

A motion was made by Commissioner Lambert to approve amending Mocksville Town Ordinance Chapter 10, Article 5, Section 10-5.1 No Through Truck Locations adding W. Maple Avenue and Locust Street. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Consider Agreement with J. M. Teague Engineering and Planning for Phase 2 – Conceptual Design, Bidding, and Construction Management

Interim Town Manager Trivette addressed the Board. At the July 2, 2024 meeting the Board approved Phase 1 (Existing Conditions Review) using Bateman Civil Survey \$10,500 through J.M. Teague Engineering for the Streetscape Design Project. This is the service agreement for Phase 2; design, bidding and construction management (will take approximately 4 months). Estimated project fees: design and bid administration \$7,000, and construction management and permitting \$9,500 plus standard billing rates. All budgeted in Community Development Department.

A motion was made by Commissioner Taylor to approve the agreement with J.M. Teague Engineering and Planning for phase 2; conceptual design, bidding and construction management. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Consider Mocksville Planning Board Applicant for Board Appointment for a Three Year Term

A motion was made by Commissioner Draughn to appoint Scott Geyer to the Mocksville Planning Board; term expiring December 2027. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

Consider Agreement with J. M. Teague Engineering and Planning for the Town of Mocksville Sidewalk Connectivity Project Budget and Proposal

Interim Town Manager Trivette addressed the Board.

If you want to move forward with the project you can approve the proposal tonight and the engineering company can add the signature page to this proposal/agreement.

Four pots of money in this order that can be used:

1. Powell Bill
2. State Grant (not sure, as of today, how much of these funds will be available; funds must be spent by June 2026)
3. CRP Grant (only construction unless Carter Spalding with PTRC gets us a waiver; funds must be spent by May 2026)
4. Fund Balance

The Town of Mocksville has asked for the project estimates to be split into two parts due to funding sources. These estimates include public input, sidewalk design, permitting, right of way negotiation, bid documents, and construction management. The final invoiced fees may vary based on the amount of right of way that will need to be negotiated. The estimated fees are based on hourly rates for the staff assumed available to work on the project and assumed distribution of work load. Actual fees will vary based upon the final distribution of work and the staff assigned to each task. These fees are based on managing a single construction contractor.

Part 1: The estimated hourly fee for the following three sections of sidewalk is \$109,134 with a *Not To Exceed* amount of \$129,034. (no right of way acquisition is expected)

Segment 1: Yadkinville Road (from Walgreens to the Roundabout);

Segment 2: Wilkesboro Street (from Meroney Street to Roundabout);

Segment 3: Meroney Street (to connect Roundabout to the existing sidewalk at Senior Center);

Part 2: The estimated hourly fee for the following the Duke Street sidewalk is \$163,210 with a *Not To Exceed* amount of \$181,210. (The fee is expected to be higher on Duke Street due to the possibility of

right of way acquisition)

Segment 4: Duke Street (from S. Salisbury Street to the Future Greenway Trailhead west of Avgol Drive)

Total Estimated Fee: The total hourly fee is estimated to be **\$274,224** with a *Not To Exceed* amount of **\$312,124**.

All estimated fees and hourly costs associated with this project are provided on the attached spreadsheet. The estimated fees **do not** include the costs associated with permitting, right of way purchase and filing fees, or the cost of sidewalk construction.

This proposal was supposed to be completed at the end of December but I received it last night. If approved by the Board it will be added to the agenda tonight for discussion. Since we have until June 2026 to spend state grant money you can table any decisions to have more time to look over it.

A motion was made by Commissioner Lambert to approve the agreement with J.M. Teague Engineering and Planning for the Town of Mocksville's Sidewalk Connectivity Project Budget and Proposal. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Communication from Town Staff

Lydia Lavelle for Town Attorney Al Benshoff: The Legislature made statutory changes to the Local Government Zoning Authority by enacting N.C. General Statute 160D-912.1 and amending N.C. General Statute 160D-601(d). Local Governments no longer have the authority to down-zone property. Be careful what you up-zone, because you will not be able to down-zone the property. The down-zoning amendment has a 180-day retroactive effect from the effective date.

Interim Town Manager Trivette: Thank you to our departments for enduring this cold weather and wind. Public Works worked on a major water leak today in this cold weather.

Communication from Mayor and Town Board

Commissioner Stevenson: Thank you Lynn, Emily, and all the departments for their hard work. Thank you to the Fire Department; I participated in the ride-a-long and it was an amazing experience.

Commissioner Taylor: Thank you Lynn and Emily for stepping up. Smart Start Fundraiser is at Bermuda Run on February 21, 2025. Tickets are still available.

Commissioner Lambert: Thank you Lynn, Emily and the Departments.

Commissioner Frye: Thank you Town Staff, especially the workers in the cold. Thank you, Brian.

Commissioner Draughn: N/A

Mayor Marklin: I attended the Local Emergency Preparedness Committee meeting. Mocksville Fire Captain Dwiggin spoke about his team assisting during Hurricane Helene. He did a great job representing the Town of Mocksville. On John Crotts Road, there is a facility that FEMA used to stage 300 ambulances and emergency vehicles. We should be proud of what we have going on in the County and the Town.

Motion to enter closed session per NC GS 143-318.11 (a) (3) (5) and (6) to preserve the attorney-client privilege, property acquisition and discuss personnel.

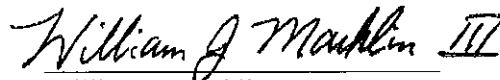
A motion was made by Commissioner Taylor to enter closed session. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

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

Adjourn

A motion was made by Commissioner Taylor to adjourn the January 7, 2025 Regular Board Meeting. The motion was seconded by Commissioner Stevenson 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, CMC