

NORTH CAROLINA
YADKIN COUNTY
TOWN OF YADKINVILLE

Commissioners Present: Gene Branon,
Betty Driver, Phillip Graham, Tony Hall &
Eddie Norman
Mayor: Hubert Gregory
Attorney: Ben Harding
Manager: Ken Larking

A public hearing was convened at 6:40 p.m. on Monday evening, October 5, 2009 by Mayor Hubert Gregory. The purpose of the hearing was to consider an ordinance concerning the new Town Park. Karen Patton signed up to speak about an issue and concern she has about the park. Ms. Patton explained a couple of incidents she encountered with a small child not accompanied by an adult. She wanted to know if the ordinance will define the age that a child can be at the park without adult supervision. Commissioner Eddie Norman suggested changing the wording on page 1, Section D, Number 2 to include "No child under the age of 12 is allowed in the park without responsible supervision of an adult of at least 16 years of age".

Town Manager Ken Larking said that he had spoken with the Pastor of Pleasant Grove Baptist Church regarding their use of the Park parking lot for their church services. Commissioner Norman stated that the Town Park parking lot is for the Park patrons to park when they are visiting the park. Police Chief Tim Parks said that this needs to be stated on the rules posted for the park. Mr. Larking suggested the wording regarding use of the parking lot be changed to "Parking is for Town Park patron use only. All unauthorized vehicles or vehicles left in parking lot after hours are subject to being towed at the owner's expense". Commissioner Gene Branon asked that Mr. Larking have the pastor of the church to inform him of any major events they have planned so that he can make sure that their use of the parking lot does not conflict with events at the Park.

Commissioner Norman asked about weapons on page 1, Section D, Number 3. Mr. Larking suggested that it be reworded to: "No weapons or firearms except as provided by NC G.S. 14-415." Town Attorney Ben Harding recommended that he and Mr. Larking work on the wording of the enforcement provisions of the ordinance.

Chief Parks inquired if the ordinance includes prohibiting registered sex offenders from the park. Mr. Harding will review the state laws to see if this needs to be implemented into the ordinance.

Ms. Patton suggested a change to page 2, Section D, Number 18 to include that pets are not allowed in the mulched area. With no other issues or person to speak in the public hearing, Mayor Gregory declared the Public Hearing closed.

The October meeting of the Town Board convened at 7:00 p.m. Commissioner Phillip Graham offered the invocation.

Motion was made by Commissioner Branon to accept the September 7, 2009 minutes as presented. Motion was seconded by Commissioner Betty Driver. All Approved.

Upon motion of Commissioner Norman, second by Commissioner Graham and unanimous approval by the Board, the following invoices were approved for payment:

Hobbs, Upchurch & Associates	\$ 6,000.00
Wishon & Carter Builders, Inc	\$ 27,152.00

The Tax Collector asked the Board to void the following tax receipts for the reason indicated: Commissioner Graham made the motion that the tax receipts be voided. Motion was seconded by Commissioner Tony Hall. All were in favor.

Feliciano Mendez Benitez – Property not in Mr. Benitez name

2007	\$61.70	Receipt #1651
2008	\$10.52	Receipt #88
2009	\$11.56	Receipt #92

Johnny Miller – Property was sold prior to 2009

2009	\$362.15	Receipt #1014
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The Town Clerk presented Budget Amendment No. 5 for approval by the Board. Commissioner Norman moved that this amendment be approved. Commissioner Branon seconded the motion. Ayes 5 – Noes 0 (See Attachment 1)

No one signed up for public comments.

Mayor Gregory called for action on the public hearing for the ordinance governing the new town park. Mr. Larking reviewed the suggested changes that were made in the public hearing.

- Page 1, Section D, Number 2 will add “No child under the age of 12 is allowed in the park without responsible supervision of an adult at least 16 years of age”.
- Page 1, Section D, Number 3 will add “except as provided by NC G.S. 14-415.”
- Page 2, Section D, Number 18 will add “pets are not allowed in the mulched area or on the playground”.
- Page 2, Section E will be moved to the end of the ordinance.
- Page 3, Section J, Number 1 will read as “Parking is for Town Park patron use only. All unauthorized vehicles or vehicles left in parking lot after hours are subject to being towed at the owner’s expense”.

With the above changes, Commissioner Norman moved to adopt the Town Park Ordinance. Commissioner Driver seconded the motion. All were in favor.

Mr. Larking requested approval of a change order to the Wishon & Carter Builders contract for construction of the Town Park in the amount of \$4,885. Commissioner Branon made the motion to accept the change order as presented by the Town Manager. His motion was seconded by Commissioner Graham. All Approved.

The Public Works Director is on vacation. Town Manager Ken Larking reported that the new town reservoir is full and encouraged the commissioners to visit the site.

Mayor Gregory commented on the great job that Public Works Director Perry Williams and his employees did on the park.

Captain Patrick Long reported that State law prohibits only certain categories of registered sex offenders from visiting public parks. Commissioner Norman made a motion to amend the previously approved ordinance to include language that prohibits all registered sex offenders. Commissioner Hall seconded the motion. Ayes – 5, Noes – 0.

Police Chief Tim Parks submitted his monthly statistics report. He said the Police Department received \$10,000 in federal forfeiture funds. He reported that the crime rate has increased in Yadkinville.

Fire Chief Brian Southard submitted his monthly statistics report. He made the Board aware of two private roads that have the same name – Oakwood Drive. In order to correct this issue, the County changed the name of the one near Hardees to Plaza Oak Road. The County has requested the Town buy two new signs to indicate the change. The consensus of the Board was to purchase the new signs.

Attorney Harding reported that he has contacted Brent Brown's attorney and will have more to report at the next meeting.

Town Manager Ken Larking said that he is continuing to work with the County on regulations for the downtown parking lot. Mayor Gregory asked the Town Manager to schedule a meeting with the new County Manager to discuss a plan for the parking lot.

Mr. Larking informed the Board that the cardboard recycling bins, which were in the parking lot, have been relocated to the old Town Hall parking lot and a new location will need to be found. Commissioner Norman suggested the old Town Garage area for a recycling center.

Mr. Larking said that interviews for the new Tourism and Development Director position will occur in about a week.

Mr. Larking said the Town Park Grand Opening is scheduled for Thursday, October 15. There will be entertainment, refreshments and activities.

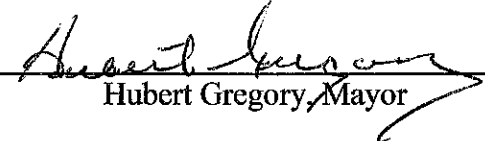
Commissioner Driver asked the Town Manager to investigate the following locations in regards to violation of the Town's nuisance ordinance:


- 213 West Main Street
- 225 East Main Street
- 125 East Willow Street
- 125 East Willow Street
- 130 Elm Street

Commissioner Branon made the Town Manager aware that the street sign is down at North State Street and Hemlock Street.

Commissioner Graham asked for an update on the old Dollar General Store. Mr. Larking reported that the owner is attempting to sell the property and hopes that there will be good news regarding a sale soon.

With no further business to be discussed, Commissioner Norman moved that the meeting be adjourned. Commissioner Hall seconded the motion. Approval was unanimous.


Hubert Gregory, Mayor


Carmen Headen, Deputy Town Clerk