

NORTH CAROLINA
YADKIN COUNTY
TOWN OF YADKINVILLE

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

The November meeting of the Town Board was duly held at 7:00 p.m. on November 2, 2009. Commissioner Phillip Graham offered the invocation.

Motion was made by Commissioner Eddie Norman to approve the October 5, 2009 minutes. Motion was seconded by Commissioner Gene Branon. All Approved.

Upon motion of Commissioner Branon, second by Commissioner Betty Driver and unanimous approval by the Board, the following invoices were approved for payment:

CMS	\$ 39,850.00
Carter & Kirk Paving Co., Inc	\$ 70,200.60
Kemp Inc.	\$ 67,000.00
Withers & Ravenel, Inc	\$ 6,690.00

No one signed up for the public comments section of the meeting.

A public hearing for the Yadkinville Revitalization Project was required by CDBG for the closeout of our Concentrated Needs grant. Amanda Whitaker with Hobbs, Upchurch and Associates reported the number of houses that benefitted from the grant. She said the Williams Road project area had 13 homes connected to new water and sewer lines, two were rehabbed, five were cleared and demolished, three households were relocated and one household received relocation assistance. The Van Buren Street project area had six houses cleared and demolished and three rehabbed.

Shamus Jackson asked if the houses that were renovated by this grant on Williams Road were annexed into the Town Limits. Town Manager Ken Larking replied that they were not, but said that they could petition the Town for annexation if they chose to.

With no one else desiring to speak during the public hearing for the Yadkinville Revitalization Project (CDBG), Mayor Gregory declared the public hearing closed.

Town Manger Ken Larking presented a Performance Agreement – Rural Center Project to the Board for approval. The purpose of this agreement is to amend a previous agreement that was approved for a \$500,000 grant with the creation of 50 jobs. This new agreement will require Nonni's Food Company to provide 100 jobs at their plant in Yadkinville for a \$1 million grant. This agreement requires Nonni's to pay back \$1 million to the Rural Center, if they do not create 100 jobs. Commissioner Graham made a motion to approve the agreement. Motion was second by Commissioner Branon. Commissioner Norman asked the Board to allow him to abstain from voting due to

conflict of interest. The Board granted Commissioner Norman's wish to abstain. The vote on the motion was Ayes – 3, Noes – 0.

Mr. Larking asked for approval from the Board for a Hold Harmless Agreement between the Town of Yadkinville and Nonni's. This agreement states the Town of Yadkinville would reimburse Nonni's if they do not reach the grant agreement of creating 100 jobs and would have to pay the \$1 million grant back. Commissioner Branon made the motion to accept the Hold Harmless Agreement as presented by the Town Manager. Commissioner Norman asked the Board to allow him to abstain from voting due to conflict of interest. The Board granted Commissioner Norman's wish to abstain. The vote on the "Agreement" was Ayes – 3, Noes – 0.

The Town Clerk presented Budget Amendments No. 6 through 8 for adoption by the Board. Commissioner Norman moved that these amendments be adopted. Commissioner Driver seconded the motion. Ayes 4 – Noes 0 (See Attachment 1)

The Tax Collector asked the Board to void the following tax receipts for the reason indicated: Commissioner Driver made the motion to void the receipts as requested. Motion was seconded by Commissioner Norman. All were in favor.

1. Phillip Adam Lee Account #1627 Receipt #262
County abated the mobile home from tax records
1999 tax \$52.14
2000 tax \$53.30

2. Brenda Bullis Account #1539 Receipts #250 & 248
According to County records mobile home is not inside the town limits
1999 tax \$65.37
2000 tax \$62.11

3. Henry Davis Account #1965 Receipt #300
County released 2002 tax due to property moved out of town limits
2002 tax \$30.15

4. Joshua Lee Clark Account #1945 Receipts #297 & 296
County stated this was not inside the town limits
2001 tax \$64.25
2002 tax \$61.04

5. David Dotson Account #1581 Receipt #258
County stated not in Yadkinville
2001 tax \$44.51

6. Pablo Mendoza Account #2254 Receipt #332
This needs to be released per Phyllis
2004 tax \$64.00

7. Paul E. Shrewsberry Jr. Account #1184 Receipt #170

County released this tax
1999 tax \$125.50

8. Donald Swearingin Account #1360 Receipts #201 & 200
County abated this property
1999 tax \$72.34
2000 tax \$68.72

The Public Works Director had nothing to report

Police Chief Tim Parks requested approval from the Board to declare surplus a 1998 Ford Crown Victoria, 4 wheels and 4 tires. Commissioner Norman made the motion to approve the request. Commissioner Branon seconded the motion. All were in favor.

Fire Chief Brian Southard submitted his monthly statistical report of their activities. He said they handed out 950 treat bags on Halloween. The Christmas Parade will be Saturday, December 5th at 10:00 am. Mr. Southard invited the Board to their Christmas Dinner on Saturday, December 5th at 6:00 p.m. at the Yadkinville Volunteer Fire Department.

Attorney Ben Harding made the Board aware that he and Mr. Larking have been working with Ms. Pendergrass, who wants to start an assisted living facility at 313 Virginia Drive. Mr. Larking said he received calls from several concerned citizens living on that street. The property at 313 Virginia Drive is zoned R10. A multi-family residence is not allowed in R10. Mr. Harding recommended that Mr. Larking contact Ms. Pendergrass to inform her that she needs to apply for a zoning permit. When the zoning permit is received Mr. Larking needs to deny the request. If she chooses, she can start the appeal process.

Mr. Harding reported the latest on the Holt Grove Trailer Park Amortization. He said Mr. Brown's attorney is asked for a one year extension on the proposed settlement agreement. Mr. Harding gave the following options:

- File a lawsuit and go to court.
- Come to an agreement with Mr. Brown that he will be out by a certain date. The original proposed date was March 5, 2013. Mr. Brown is asking for a one year extension which will be March 5, 2014.
- Tell Mr. Brown that he needs to be out by the original date of March 5, 2013.

Mayor Gregory tabled this issue until the next meeting.

Town Manager Ken Larking reported on the following:

- Nuisance Code Violations
- Board Appreciation Dinner will be at Sanders Ridge Winery on Tuesday, December 1, 2009 at 6:00 p.m.
- The Town Park signs will be in this week. There is a concern about the quality of grass located at the park. Mr. Larking and Public Works Director Perry Williams will meet with Wishon & Carter regarding this issue. Commissioner Driver asked about the lamp pole located on the walking track that is leaning. Mr. Larking said that he will contact Duke Energy to get it fixed.

Commissioner Graham inquired about the following:

- Banners for the Town - Mr. Larking replied that he recently presented a “mock up” of the proposed banner to the Downtown Business Association and the Yadkin Art Council. They suggested moving away from using grapes on the banner, since most of the other towns in the area are doing the same thing. He said the Arts Council would help organize a contest to solicit ideas for the banner.
- Pedestrian Master Plan - Mr. Larking said the DOT is working on the plan.
- Old Dollar General Store - Mr. Larking replied that the owner is heavily marketing the property and that he understands there may be some interested buyers.
- Vandalism at the New Town Park - Police Chief Parks said that there have been fewer occurrences.
- Leaf pick up dates - Mr. Larking and Mr. Williams will establish the dates for pick up and will let the citizens know by the newspaper and Town newsletter.

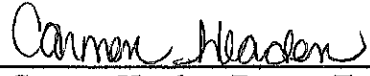
Commissioner Branon made Police Chief Tim Parks aware that the “no turning lane” located in front of BB&T Bank needs to be remarked. Commissioner Branon asked if anything can be done about the curb located at the corner of North State Street and Hemlock Street. Mr. Larking informed Commissioner Branon that he and Mayor Gregory looked at the curb and brought it to the attention of the NCDOT. The NCDOT has agreed that it is a problem, but they do not have funding available at this time to fix it. Commissioner Branon made the Board aware that he was asked to serve on the new jail committee and they have had their first meeting.

Commissioner Driver asked the Town Manager if there is an ordinance on selling products on sidewalks. Commissioner Driver said that there is a resident from Pinebrook Residential Center that sells items on the sidewalk in the downtown area. Police Chief Tim Parks said that the gentleman has a permit to sell the items. Commissioner Driver inquired about the Fred Leonard situation. Mr. Larking said that Mr. Leonard is trying to get the building he owns on Locust Street burned down, but that the fire department denied the request due to the amount of asbestos and the fact that it is too close to a home.

Mayor Gregory asked that the minutes show that Mr. Marler Driver deserves credit for being instrumental in the early stages of planning for the Yadkinville Community Park.

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


Hubert Gregory, Mayor


Carmen Headen, Deputy Town Clerk