

TOWN OF YADKINVILLE
BOARD OF COMMISSIONERS
MONTHLY MEETING MINUTES
LOCATION: COMMISSIONERS CHAMBERS
213 VAN BUREN STREET
YADKINVILLE, NC
MARCH 2, 2015

OFFICIALS PRESENT:

Mayor Hubert Gregory

Commissioners:

Betty Driver

Tony Hall

Eddie Norman

Kelly Oliver

Monta Davis-Oliver

Town Attorney Ben Harding

STAFF PRESENT:

Interim Town Manager: Perry Williams

Public Works Director: Perry Williams

Interim Town Clerk: Shelia Weathers

Chief of Police: Tim Parks

Public Works Director: Perry Williams

Tax Collector/Office Manager: Joy

Hutchens

Finance Officer: Dina Reavis

PUBLIC HEARING(S)

At approximately 6:55 p.m., Mayor Hubert Gregory opened the public hearing. The purpose of the hearing was to consider a request from petitioner David Pressly, Jr. to rezone property located at 320 Willow Street (PIN 581717103974 and PIN 5817176235) from the R-10 (Residential District Medium Density) to R-8A (Residential District High Density) for the purpose of using the property to construct a multi-story apartment home community to be called The Cadence, which is not an allowable use in the R-10 Residential Zoning District. Interim Town Manager Perry Williams presented the rezoning petition, and reported that the request was heard by the Planning Board on February 23, 2015 and was recommended unanimously for approval with the contingency that language be added to restrict construction of any buildings other than the one presented in the current project. Mayor Gregory opened the floor for discussion and comments. Petitioner David Pressly, Jr. gave an overview to the Board and explained the statistics on economic growth and how the proposed development would be in line with the goals of the Yadkinville Downtown Redevelopment Plan. He emphasized that he had met with Fernwood Homeowners to introduce the Cadence in Yadkinville. Mayor Gregory inquired about the staffing. Mr. Pressly stated that an on-site manager and maintenance employee would be available, but would not be residents there. Mr. Gray Garrison addressed the board and spoke on the behalf of the Fernwood residents stating that 62 homes are very ambiguous at the moment. Mr. Garrison stated that the infrastructure was inadequate in the proposed area. Commissioner Monta Davis-Oliver asked about the funding money for the development, to which, Mr. Pressly explained that the U.S. Department of Agriculture Rural Development will provide funding for rural housing, and from North Carolina where mobility disabilities are involved. Commissioner Davis-Oliver questioned Mr. Pressly about HUD money, and he emphasized that it was not. With no further comments, Mayor Gregory closed the public hearing.

1. CALL TO ORDER

The regular meeting was called to order by Mayor Hubert Gregory at approximately 7:08 p.m.

2. INVOCATION

Mayor Gregory offered the invocation.

3. PUBLIC COMMENT

With no one present wishing to speak, the public comment's portion of the meeting was closed.

4. APPROVAL OF MINUTES

No minutes were available for approval.

5. ACTION FROM PUBLIC HEARING(S)

No action was taken from the Public Hearing.

6. NORTH LEE AVENUE SIDEWALK PROJECT (EB-5529)

Interim Town Manager Perry Williams introduced the agenda item, stating that he had met with Mr. Michael Koser, P.E. from Withers & Ravenel in February 2015 regarding the North Lee Avenue Sidewalk Project (EB-5529) and the NCDOT June 30, 2015 deadline.

Mr. Koser presented the Board some history of the sidewalk project from the beginning of March 2014. Mr. Koser summarized to date that all available funding has been granted, but the stipulation for the Town to have full access to these funds is that the project be construction ready with NCDOT's proceed to construction authorization deadline of June 30, 2015. The stipulations are 1) completion of all plans; 2) specification edits, 3) bid documents, 4) environmental requirements, and 5) property acquisitions done to NCDOT specs and approval.

Mr. Koser explained that the Town's out-of-pocket expenses would exceed the current budgeted figure of \$85,790. He believes the expense will be approximately \$100,000 for property acquisitions, easements, processing of documents, legalities, and engineering if the June 30th date is met. If the deadline is not met the Town's out-of-pocket expense will be an additional \$80,000 to \$180,000. The allocated amount for this project is \$545,000 from the State combined and anything above that amount for construction will be an added cost to the Town.

Commissioner Eddie Norman asked the question if the right-of-way was the only delay. Mr. Koser explained that the Town's main responsibility at the moment was to acquire the easements from the property owners, and that it needed to be pursued very aggressively due to time constraints.

Commissioner Eddie Norman made a motion for Attorney Harding to proceed in securing easements from the property owners. Commissioner Monta Davis-Oliver seconded the motion and passed unanimously.

Vote: 5/0

7. ECONOMIC DEVELOPMENT FOR INDERA MILLS

Bobby Todd updated the Board on a project from Indera Mills and the construction of a 50,000 square foot addition to the existing distribution facility located on West Maple Street. The estimated cost of construction is \$1,000,000 with a completion date of 180 days. The property owners have requested that the Board consider waiving the Town fees associated with this addition. The Economic Development Council will assist with the permitting and inspection fees at the County level. Mr. Todd believes that the property tax revenue will offset the waived fees. The Economic Development Council has requested a grant of \$10,000 to be split 60% County and 40% Town pending completion of the building. Mr. Todd reported that the County did approve moving forward with this project on March 2, 2015.

Commissioner Eddie Norman made a motion that the Town supports the Economic Development Project for Indera Mills. Commissioner Kelly Oliver seconded the motion and passed unanimously.

Vote: 5/0

Mr. Todd requested to meet with the Board in closed session for an update on another project. Mayor Gregory granted the request.

8. CONSENT AGENDA (ITEMS 1-3)

Mr. Williams presented the consent agenda items for the Board's consideration (attachment).

Commissioner Oliver made a motion to approve all three items presented in the consent agenda. The motion was seconded by Commissioner Betty Driver and passed unanimously.

Vote: 5/0

9. FIRE CHIEF'S REPORT

Fire Chief Bryan Southard presented the Town Council with a monthly statistical report. Chief Southard reported on the Henry Davis house on W. Main will be burned on Saturday, March 7th at 8:00 a.m.

The Yadkinville Fire Department is in the process of updating their contracts with the Town and County.

10. POLICE CHIEF'S REPORT

Police Chief Tim Parks did not have anything to report.

11. PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Perry Williams did not have anything to report.

12. MANAGER'S REPORT

- The Tourism Development Authority respectfully requests the reappointment of Mr. John Willingham to the Authority. Commissioner Eddie Norman made the motion to reappoint Mr. Willingham and Commissioner Betty Driver seconded the motion which passed unanimously.
Vote: 5/0
- The Blue Star Memorial Highway Resolution: The Town of Yadkinville would like to request NCDOT to designate a portion of Highway 421 within the Town of Yadkinville Corporate Limits to honor all of our veterans and a marker be erected in observance of this designation. Commissioner Monta Davis-Oliver made the motion to pass the Blue Star Memorial Highway Resolution and Commissioner Betty Driver seconded the motion which passed unanimously.
Vote: 5/0
- Town of Yadkinville Well Policy: Mr. Williams informed the Board that Attorney Harding determined that if the County issued a permit for the construction of a private drinking water well, any policy by the Town of Yadkinville prohibiting the construction of private drinking water well is invalid and cannot be enforced. Reference NCGS 87-97, Article 7 of Chapter 87.
- 601 Water Line: Mr. Williams called the County Manager's office on Wednesday, February 25, 2015 in an attempt to set up a meeting to discuss the future of the 601 water line. The County Manager was unavailable and Mr. Williams left a message to contact him. At this time, no contact has been made.

13. COMMISSIONER COMMENTS

Commissioner Tony Hall:

- Commissioner Hall inquired about the Urban Archery Season. Mr. Williams stated that the "Deer Urban Archery Season Renewal Form" for the 2016 season was sent.
- The sidewalk at the corner curb of Lee Avenue and Billy Reynolds Road was left in a mess after the NCDOT removed snow. Mr. Williams said it would be the Town's responsibility to clean it up, and he would notify the Public Works Department.

Commissioner Monta Davis-Oliver:

- Commissioner Davis-Oliver requested that Mr. Williams get some tentative dates for the Planning Board, Board of Adjustment and Board of Commissioners to hold a joint meeting to discuss the Town's future planning.

Commissioner Betty Driver:

- Commissioner Driver thanked the Town employees for all their efforts and a job well done.

CLOSED SESSION

Commissioner Eddie Norman made a motion to go into closed session at 7:40 p.m. under NCGS 143-318.11(a)(3), NCGS 143-318.11 (a)(4) and NCGS 143-318.11 (a)(6).

Commissioner Davis-Oliver seconded the motion.

Vote: 5/0

At the beginning of closed session, Mr. Pressly approached the Board on when the vote would take place on the Planning Board recommendation for rezoning the property on Willow Street. Commissioner Norman explained it died for lack of a motion. Mr. Pressly questioned why a vote was not taken since the recommendation came from another board. Attorney Harding advised the Commissioners to table the recommendation until the next board meeting.

Commissioner Eddie Norman made a motion to come out of a closed session at 7:42 p.m. Commissioner Davis-Oliver seconded the motion.
Vote: 5/0

Commissioner Norman made a motion to table the rezoning request for the Willow Street property until the next scheduled board meeting on April 6, 2015. Commissioner Tony Hall seconded the motion and passed unanimously.
Vote: 5/0

Commissioner Eddie Norman made a motion to go back into closed session at 7:58 p.m. Commissioner Davis-Oliver seconded the motion.
Vote: 5/0

Commissioner Eddie Norman made a motion to come out of the closed session at approximately 8:50 p.m. Commissioner Kelly Oliver seconded the motion.
Vote: 5/0

Commissioner Eddie Norman made a motion that Mr. Williams use his resources to confer with or hire a consultant to assist him with planning and rezoning regulations or any other type of activity he sees fit. Commissioner Davis-Oliver seconded the motion and passed unanimously.
Vote: 5/0

14. ADJOURNMENT

With no further business to be discussed, Commissioner Betty Driver moved that the meeting be adjourned. Commissioner Kelly Oliver seconded the motion, and the motion was approved unanimously. The meeting adjourned at approximately 8:55 p.m.
Vote: 5/0



Hubert Gregory, Mayor



Shelia B. Weathers, Interim Town Clerk

