

TOWN OF YADKINVILLE
BOARD OF COMMISSIONERS
MONTHLY MEETING MINUTES
LOCATION: COMMISSIONERS CHAMBERS
213 VAN BUREN STREET
YADKINVILLE, NC
MONDAY, APRIL 5, 2021

OFFICIALS PRESENT:

Mayor Eddie Norman

Commissioners:

Tony Hall

Monta Davis-Oliver

Chris Matthews

Scott Winebarger

Richie Parker

Town Attorney Ben Harding – ABSENT

STAFF PRESENT:

Town Manager: Mike Koser

Asst. Town Manager: Shelia Weathers

Interim Town Clerk: Alex Potts

Planning Advisor: Abigaile Pittman

Public Services Director: Jacob Swaim

Police Chief: Dawn Pardue

Finance Director: Hunter Gooden

Quorum requirements met – meeting proceeded.

PUBLIC HEARING(S)

Mayor Norman opened the public hearing for:

- **Zoning Text Amendment 2021-01 (ZTA 2021-01):** Request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding Sections 3.4 Special Requirements for Certain Uses; 3.4.2 Residential Uses; 3.4.2.2 Accessory Structures; and 3.4.8.1 Nonresidential Accessory Structures.

Planning Director Abigaile Pittman provided a summary of ZTA-2021-01, a request to amend the Development Ordinance pertaining to residential and nonresidential accessory structures, referencing the full staff report in the Board's agenda packet. Ms. Pittman stated that when the current Development Ordinance was adopted in October 2018 a previously approved 2017 text amendment relating to accessory structures was not fully incorporated as intended, and this updated text amendment incorporates the missing elements as well as some additional revisions and organizational improvements.

- **Zoning Text Amendment 2021-02 (ZTA 2021-02):** Request to amend the Town of Yadkinville Code of Ordinances, Title 9 Development Ordinance, regarding Conditional Use Permits, the Board of Adjustment, and the Permitted Use Table 3.1.

Planning Director Abigaile Pittman provided a summary of ZTA-2021-02, a request to amend the Development Ordinance pertaining to Conditional Use Permits and some related revisions in the Permitted Use Table, referencing the full staff report in the

Board's agenda packet. Ms. Pittman stated that the text amendment includes revisions required by state mandate for N.C.G.S. 160(D), as well as some local proposed revisions pertaining to the way the Town has regulated Conditional Use Permits. She stated that the term 'Conditional Use Permit' has been revised to "Special Use Permit" to create statewide consistency of terminology. Also, there is a division of Special Use Permits into minor and major categories, which dictates who vote's approval of the permit.

1. CALL TO ORDER

The regular meeting was called to order by Mayor Norman at 6:02 p.m.

2. INVOCATION

Mayor Norman offered the invocation.

3. ADOPTION OF AGENDA (MOTION)

Commissioner Chris Matthews made a motion to approve the Agenda. Commissioner Scott Winebarger seconded the motion, and the motion passed unanimously.

Vote: 5/0

4. PUBLIC COMMENTS

No one signed up for the Public Comments section of the meeting.

5. APPROVAL OF MINUTES (MOTION)

Commissioner Tony Hall made a motion to approve the following minutes as presented. Commissioner Monta Davis-Oliver seconded the motion, and the motion passed unanimously.

Vote: 5/0

- March 1, 2021 (Regular Meeting Minutes)
- March 1, 2021 (Close Session Meeting Minutes)

5. ACTION ON PUBLIC HEARING(S) (MOTION)

• Zoning Text Amendment (ZTA-2021-01)

Mayor Norman discussed the proposed regulation stating two accessory structures be permitted for smaller than one acre lots and three for larger than one acre lots. He felt that all residential lots should be permitted to have three accessory structures regardless of size. Ms. Pittman noted that there would still be a maximum of 30 percent total coverage in the rear yard. The Board discussed this revision and agreed with Mayor Norman on allowing three accessory structures on lots smaller than an acre.

Commissioner Chris Matthews made a motion to approve ZTA-2021-01 with revision to the number of accessory structures allowed for less than an acre lots from two to three. Commissioner Scott Winebarger seconded the motion and the motion passed unanimously.

Vote: 5/0

- **Zoning Text Amendment (ZTA-2021-02)**
Commissioner Scott Winebarger made a motion to approve ZTA-2021-02 as presented. Commissioner Tony Hall seconded the motion and the motion passed unanimously.
Vote: 5/0

6. REQUEST TO SET PUBLIC HEARING(S)

- **May 3, 2021 at 5:50 PM** – (ZTA-2021-03)
 - Request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding state-mandated NC GS 160-D revisions, new definitions, allowable encroachments into setbacks, rules for the rounding of fractions, rules for interpreting headings, text and illustrations, special requirements for certain uses, and nonconforming use manufactured home park standards (Articles 1,2,3,4,7 and Appendix A);
- **May 3, 2021 at 5:55 PM** – (Major Special Use Permit 2021-01)
 - Request to approve the final site plan for condominium development located on W Lee Avenue (PINs #5807612017 and 580719611297).

7. CONSENT AGENDA ITEM(S) (Attachment #1)

Town Manager Mike Koser presented the Consent Agenda item for the Board's consideration.

- Resolution 2021-02 – Adoption of the ADA Transition Plan.

Commissioner Chris Matthews made a motion to adopt Resolution 2021-02. Commissioner Monta Davis-Oliver seconded the motion, and the motion passed unanimously.
Vote: 5/0

8. FIRE CHIEF'S REPORT

Fire Chief Jody Doss presented his monthly report to the Board. Chief Doss apprised the Board of preparation for a live training session at 633 Crescent View Drive. Commissioner Matthews inquired about volunteer responses. Chief Doss noted three new applicants.

9. POLICE CHIEF'S REPORT

Police Chief Dawn Pardue presented her monthly report to the Board. She stated that number of traffic stops have increased.

10. PUBLIC SERVICES DIRECTOR REPORT

Public Services Director Jacob Swaim presented his monthly report to the Board. He stated that the final WER report will be received this week, then submitted to the State. Mr. Swaim thanked the Public Works Staff for their work on installing an increased amount of water and sewer taps.

11. PLANNING ADVISOR'S REPORT

Planning Advisor Abigaile Pittman presented her monthly report to the Board. She noted an increase in activity. Ms. Pittman followed up on a discussion regarding shipping container/tiny home housing. She noted the Temporary Moratorium suspending decisions on the matter until the Board agreed on permanent regulations to add to the Development Ordinance. Planning Advisor Pittman presented a handout containing information about shipping container and tiny home housing, in which she requested the Board review for May's Board of Commissioners meeting. Mayor Norman asked about the overall consensus, in which Ms. Pittman stated that state law does not allow regulations on shipping container aesthetics.

12. TOWN ATTORNEY BEN HARDING

Town Attorney Ben Harding was absent from this meeting.

13. MANAGER'S REPORT

- **EV Charging Station Update:**
Town Manager Koser apprised the Board that the agreement for the EV Charging Station Grant has been signed as of March 15th, 2021. Mr. Koser stated that he has contacted a surveying company to start the process.
- **CARES and COVID-19 Update:**
Mr. Koser recommended discontinuing the bi-weekly COVID cleanings. He also noted that credit card convenience fees have been reinstated for online and in-person card transactions.
- **Music in the Park:**
Manager Koser presented a request from the Yadkin Civics Club to proceed with the Music in the Park events this year. He noted that as of today mass gatherings cannot exceed 100 people. After some discussion, it was the consensus of the Board to allow the events as long as they are abiding by the North Carolina State Guidelines.
- **Independence Day Fireworks:**
Town Manager Koser stated that fireworks would not be available for the Fourth of July due to vendor being booked. The Board asked Mr. Koser to contact other firework vendors that towns use.
- **American Recovery Plan (ARP) Update:**
Mr. Koser noted three categories for the American Recovery Plan funds that might apply to the Town. 1) CAREs related costs; 2) First responder's payroll; and 3) Replacement of lost revenue. He stated that we should know more pertaining to usage of funds in June 2021.
- **Yadkinville TDA Reappointment of John Willingham:**
Manager Koser stated that Mr. John Willingham is up for reappointment for the TDA, and will need a motion from the Board to reinstate him.
Commissioner Monta Davis-Oliver made a motion to reappointment John Willingham for another 1 year term on the Tourism and Development Authority. Commissioner Chris Matthews seconded the motion, and the motion passed unanimously.
Vote: 5/0

14. COMMISSIONER COMMENTS

Mayor Eddie Norman: Mayor Norman read a thank you card he received from Assistant Town Manager Shelia Weathers.

Commissioner Chris Matthews: Commissioner Matthews commented on the progress of the pocket park on Willow Street/Virginia Drive.

15. CLOSE SESSION:

Commissioner Monta Davis-Oliver made a motion to go into "Close Session" at 6:39 p.m. pursuant to N.C.G.S. 143-318.11(a)(3)- to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; N.C.G.S. 143-318.11(a)(5)- To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating; and N.C.G.S. 143-318.11(a)(6)- To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Commissioner Scott Winebarger seconded the motion and the motion passed unanimously.

Vote: 5/0

Commissioner Chris Matthews made a motion to come out of "Close Session" at 7:08 p.m. Commissioner Tony Hall seconded the motion and the motion passed unanimously.

Vote: 5/0

Commissioner Monta Davis-Oliver made the motion to appoint Alex Potts to the Town Clerk/Tax Collector position at the Town Manager's recommended annual salary. Commissioner Chris Matthews seconded the motion and the motion passed unanimously.

Vote: 5/0

Commissioner Monta Davis-Oliver made a motion to pay outstanding attorney fee of \$750 as presented. Commissioner Chris Matthews seconded the motion and the motion passed unanimously.

Vote: 5/0

16. ADJOURNMENT

With no further business to discuss, Commissioner Monta Davis-Oliver moved the meeting adjourned. Commissioner Chris Matthews seconded the motion, and the motion was approved unanimously. The meeting adjourned at approximately 7:09 p.m.

Vote: 5/0

Handwritten signature of Eddie Norman in cursive script.

Eddie Norman, Mayor

Handwritten signature of Alex Potts in cursive script.

Alex Potts, Town Clerk