

TOWN OF YADKINVILLE
BOARD OF COMMISSIONERS
MONTHLY MEETING MINUTES
LOCATION: COMMISSIONERS CHAMBERS
213 VAN BUREN STREET
YADKINVILLE, NC
MONDAY, JULY 6, 2020

OFFICIALS PRESENT:

Mayor Eddie Norman
Commissioners:
 Tony Hall
 Monta Davis – Oliver
 Richie Parker
 Chris Matthews
 Scott Winebarger

STAFF PRESENT:

Assistant Town Manager: Shelia Weathers
Town Clerk: Crystal Sprague
Planning Director: Abigaile Pittman
Public Services Director: Jacob Swaim
Police Chief: Dawn Pardue

Town Attorney – Ben Harding

Quorum requirements met – meeting proceeded.

1. CALL TO ORDER

The regular meeting was called to order by Mayor Eddie Norman at 6:00 p.m.

2. INVOCATION

Mayor Eddie Norman offered the invocation.

3. ADOPTION OF AGENDA (Motion)

Commissioner Chris Matthews made a motion to approve the adoption of the agenda as presented. Commissioner Monta Davis-Oliver seconded the motion, and the motion passed unanimously.

Vote: 5/0

4. PUBLIC COMMENTS

Mayor Norman opened the floor for public comments.

Andrew Mackie – Mr. Andrew Mackie stated he had come to make a request this evening, but he felt his request would be addressed during the Manager’s Report.

Carol Alderman – Carol said she would like to thank the Board of Commissioners for allowing her extra time to clear off her front porch.

5. APPROVAL OF MINUTES (Motion Needed)

Commissioner Chris Matthews made a motion to approve the minutes as presented.

Commissioner Tony Hall seconded the motion, and the motion passed unanimously.

Vote: 5/0

- June 1, 2020 – Regular Meeting Minutes
- June 1, 2020 – Close Session Minutes
- June 30, 2020 – Recessed Meeting Minutes

6. FIRE CHIEF REPORT

Fire Chief Jody Doss was not present to give the Fire Chief Report

7. POLICE CHIEF'S REPORT

Police Chief Dawn Pardue presented the Town Board with the Police Department's monthly report. Chief Pardue informed the Board that two new vehicles will be up fitted in the next few weeks. Chief Pardue reported no calls or issues on July 4th, 2020.

8. PUBLIC SERVICES DIRECTOR REPORT

Public Services Director Jacob Swaim presented the Town Board with the Public Services Director Report. Mr. Swaim briefed the Board regarding the water having an odor and bad taste, due to the Town experiencing a turnover in our reservoir a couple of weeks ago. Public Services Director Jacob Swaim stated the turnover was not harmful and did not affect anything other than causing a bad odor and taste in the water for a couple of weeks. Mr. Swaim reported that over a million gallons of water was flushed out over three days by the Public Works Department and the Yadkinville Fire Department to eliminate the taste and odor associated with the turnover.

Public Services Director Jacob Swaim informed the Board that the Public Works Department had addressed the ditch line issue on Adams Street that Commissioner Tony Hall had requested.

Public Services Director Jacob Swaim notified the Board that he had received a quote from AOA Signs of \$295.52 to replace the missing letters for the Town of Yadkinville wall sign located at the corner of BB&T Bank.

- **Town Leaf Policy Revision**

Public Services Director Jacob Swaim presented to the Board a request for revision to the Town Leaf Policy. Mr. Swaim explained to the Board that many bags currently being used for leaf pickup are very excessive in size making it difficult to lift the bags even with two employees. Mr. Swaim ask the Board to consider changing the policy to add the following statements" Bags are not to exceed 50 gallons in size, and please do not block hydrants, meters or mailboxes." The Board agreed to approve the revision and ask

the Town staff to ensure a phone tree and other educational materials were sent to the citizens of the Town making them aware of the revision.

Commissioner Chris Matthews made a motion to approve the revisions to the Town Leaf Policy for the Town of Yadkinville. Commissioner Scott Winebarger seconded the motion, and the motion passed unanimously.

Vote: 5/0

9. PLANNING REPORT

Planning Director Abigaile Pittman presented the Town Board with the Planning Report.

- **ADA Transition Plan**

Planning Director Abigaile Pittman provided a brief background on the ADA Transition Plan. She stated that the ADA Transition Plan is a formal public document outlining the Town's compliance with ADA regulations. The Plan provides a list of the physical barriers that limit the accessibility of programs, activities, or services, the methods to remove the barriers and make the facilities accessible, and the schedule to get the work completed.

Abigaile Pittman stated that the Plan process includes:

- The designation of an ADA Coordinator:
 - The Town's Planning Director is designated as the ADA Coordinator.
- The development and adoption of an ADA Policy Statement, included in the Commissioners agenda packet:
 - The Town of Yadkinville policy statement prohibits discrimination on the basis of a disability;
 - The Town's policy statement will provide reasonable accommodation to participate in activities, programs and services; access to Town facilities, buildings, roads, sidewalks and crosswalks; and
 - The Town's policy statement ensures effective communications with disabled.
- The Development and adoption of an ADA Grievance Process, included in the Commissioners agenda packet:
 - The Town's public grievance procedure is established for prompt and equitable reporting and resolution of complaints.
- Public Input for the ADA Transition Plan:
 - ADA Transition Plan Survey during June 2020:
 - Mailed to residents
 - Put out in boxes at Town Hall and the Town Park
 - Online survey in English and Spanish
 - Survey message via phone tree
 - Summary of responses in the agenda packet
 - 1st Public Forum meeting (7-16, 4-6 pm)
 - 2nd Public Forum meeting (date not yet set)

- There will be a post adoption review and revisions every 3-5 years
- The Town will continue to make ADA improvements over the years

Abigaile Pittman stated that in the agenda packet there is a Resolution adopting the Town of Yadkinville's ADA Compliance Policy and the Grievance Policy and Procedures, to be included as part of the Town of Yadkinville ADA Transition Plan. She requested that the Commissioners consider a motion to approve the Resolution.

Mayor Norman asked Abigaile Pittman about the expected cost of some of the accommodations. Abigaile Pittman replied that many of the accommodations could be simple such as needing a large print agenda, or a translator, which could be accommodated by a subscription to a translator service. She mentioned that the policy does include a statement addressing unreasonable accommodation requests.

Commissioner Chris Matthews made a motion to approve the resolution to adopt the Town of Yadkinville's ADA Compliance Policy and the Grievance Policy and Procedures, to be included as part of the Town of Yadkinville ADA Transition Plan. Commissioner Scott Winebarger seconded the motion, and the motion passed unanimously.

Vote: 5/0

- **Status of 2018-2019 Façade Grants**

Planning Director Abigaile Pittman provided a status report on the 2018-2019 Façade Grants:

- 105-107 S. Jackson Street – This property was granted a Tier 1 grant of 50% up to \$10,000. The work on the property has been successfully completed and came in under budget at \$8,497.01
- 225 E. Main Street – The applicant/property owner was unable to complete the previously approved work on this property due to situations caused by Covid-19. The applicant has re-applied to the Board of Commissioners; the re-application is included in the agenda packet.

Commissioner Monta Davis-Oliver made a motion to re-approve the Façade Grant application of 225 E. Main Street. Commissioner Richie Parker seconded the motion, and the motion passed unanimously.

Vote: 5/0

- **Business Investment Grant Program**

Planning Director Abigaile Pittman provided an overview of a new Business Investment Grant Program that she developed for use in the CB District, and referred to the materials in the agenda packet. The purpose of the grant would be to stimulate downtown business investment development and expansion.

She stated that this grant would apply along with the existing Façade Grant in the CB District, and could come from a common budget account. There would be two types of grants: small grants up to \$1,500; and large grants up to \$10,000. The program includes criteria for eligibility to apply, eligible and excluded uses of grant proceeds, formal application process that includes business and financial information. The application process includes an initial grant review by staff, with final approval by the Board of Commissioners, and an annual report provided to the Commissioners.

Abigaile Pittman reviewed the eligible and ineligible uses of grant proceeds:

- Eligible Uses of Grant Proceeds:
 - Startup funding
 - Working capital or operational funds to be used for a specific purpose
 - Purchase of equipment, or machinery related to making the business services operational
 - Expansion of business services or products
 - Interior tenant upfit improvements necessary in conjunction with the expansion of business services or products
- Ineligible Uses of Grant Proceeds:
 - Maintenance to the building including but not limited to replacement or repair of the roof, heating and/or air conditioning system, water heater, electrical system, plumbing, etc.
 - Paying off or paying down existing bank debt or investor loans
 - Purchase of equipment or improvement of real estate, which are used for personal use
 - Political activities
 - Owner or staff salaries
 - Private membership clubs
 - Foreign controlled businesses
 - Real property held for sale or investment
 - Lending or investment
 - Pyramid sales – distribution plan businesses
 - Speculative ventures (for example, commodity futures)

Mayor Norman stated that this grant program may need its own budget line, separate from the Façade Grant, to adequately fund investment efforts in the downtown area. He requested that Abigaile Pittman investigate to determine what amounts other small municipalities are budgeting for similar programs, inquire if the grant meets requirements to use TDA money, and to investigate legal procedures to offer funding.

- **Report on Code Enforcement Extension for 409 W. Main Street / Carol Alderman**

Planning Director Abigaile Pittman reviewed the history of this code enforcement matter, which was originally issued on April 15, 2000, and has been extended twice with the latest deadline being Sunday, July 5, 2020. She noted that Ms. Alderman had signed an extension agreement acknowledging that she understood the terms of the latest extension.

Abigaile Pittman provided her final inspection report from earlier in the day. She stated that the property remains in violation of the Town Code, reviewing the number of stored boxes and furniture remaining on the porch and in front of the porch in the yard. She outlined the options for proceeding with enforcement at this point: The Commissioners may grant an additional extension; or the Town can issue an Order giving Ms. Alderman 15 days' notice that the Town will come and pick up the remaining items, which can either be taken to the landfill, or at Ms. Alderman's written request, taken to a designated storage facility. All costs incurred by the Town will be billed to Ms. Alderman, payable in 30 days. If not paid in 30 days, the cost would be attached as a lien to the property.

Mayor Norman recalled that the area where Carol Alderman's house is located is of an historic nature and the Town has tried to keep the appearance of the houses up to Code. He asked Carol Alderman to address the Commissioners about the status of her efforts to remove the stored boxes and furniture items from her front porch. Ms. Alderman reviewed her recent efforts to remove the stored items on her porch, noting that she had worked 80 hours going through the boxes and the remaining items on the porch had belonged to her mom, and are not visible from the street. Mayor Norman stated that the Board of Commissioners must stand by the Code of Ordinances and asked Ms. Alderman how she can get in compliance. Ms. Alderman asked for an additional 30 days to remove the remaining items.

Town Attorney Ben Harding asked Carol Alderman if she could take the remaining stored items inside her house or rent a storage unit. Ms. Alderman responded that she could. Attorney Harding suggested she move the items into a storage unit. Ms. Alderman stated that it isn't an eyesore if you can't see it from the street. Attorney Harding responded that that is not the criteria; the items are not to be stored on the porch. Carol inquired about having normal porch furniture on the porch, and Attorney Harding responded that normal porch furniture is permitted.

The Commissioners discussed giving Ms. Alderman additional time, but no more than 30 days. Planning Director Abigaile Pittman explained that the Code of Ordinances states that at the end of the extension period the Town is required to issue an Order given a 15-day notice, which is in addition to the extension time.

It was the consensus of the Board of Commissioners to give Carol Alderman a 15-day extension of time to clear all the remaining stored boxes and furniture from the porch and in front of the porch in the yard. Then in 15 days, if there are still remaining items, the Town will issue an Order providing 15-day notice that they will be removing the remaining items. The Board also asked Planning Director Abigaile Pittman to research historical properties on W. Main Street.

- **Proposed Pocket Park Concept**

Planning Director Abigaile Pittman reviewed a conceptual design of the proposed Pocket Park at the Town's lot at East Willow Street and Virginia Drive, designed by Landscape Architect Leslie Wagle:

- \$15,000 is budgeted for 2020-2021 towards this project
- Project could be enhanced in phases over multiple years
- Walkways could initially be pea gravel rather than paved
- Proposed landscaping creates separations and clusters and adds a few spring- flowering trees. It is a small lot that would have natural plants for low maintenance.
- There are a few benches for seating
- A play structure; it is possible to buy the plans and have staff construct it
- A dog area that can be fenced with a black coated chain link or unfenced with just a pooper bag and disposal box.
- A small 4-space parking area that would be lighted and need a gate for closure at night. The vision would be for neighbors to walk to the park.
- A water tap would need to be installed for a drinking fountain and watering plants
- It may be feasible to involve the neighborhood with plan development and/or maintenance.

Mayor Norman asked Abigaile Pittman if she had a cost estimate. Abigaile Pittman replied that she did not have a cost estimate. The Commissioners requested her to gather the costs of the various minimal/better/best options for the plan elements. There is currently \$15,000 allotted in the FY 2020-2021 budget.

- **Sign Regulations**

Planning Director Abigaile Pittman reviewed some issues the Town has been having with temporary signs and off-premise signs and wanted to discuss some consideration that might be called for during times of emergency such as the current Covid-19 pandemic:

- Temporary Signs:
 - Banners (wall and freestanding)
 - Freestanding (such as the shark-fin type, which are currently prohibited because they can become airborne)
 - They are erected for a variety of purposes including announcing that a business is open, telling people to shop local, advertising a particular product or a sale, thanking their workers, thanking teachers, etc.
 - These signs are both on site and in the right-of-way and some have exceeded the permitted number and/or size
- Off-premise Signs
 - Directional signs to uses, many of these are for churches
 - Most of these are in the right-of-way and are technically illegal
 - Some of these are advertising signs

Planning Director Abigaile Pittman reviewed her suggested solutions to these signage issues:

- Temporary Signs:
 - Remove signs within the right-of-way, hold for 15 days, then dispose of them if not claimed

- Have signs providing community information and facilitating economic development relocated out of the right-of-way
- Commissioners may consider an order allowing Covid-19 related temporary signage
- Off-premise Signs
 - Consider a text amendment that would create criteria and a process where people would apply for an off-premise directional sign permit, which would then be reviewed by the Planning Director and approved by the NCDOT if applicable, and then the Board of Commissioners.
 - Document existing off-premise directional signage which is likely legally nonconforming.

Mayor Norman recalled how the off-premise sign issue was discussed about 15 years ago and it was decided that they would be prohibited and that the existing signs would be “grandfathered in”. Abigaile Pittman confirmed that they are prohibited in the current Development Ordinance. Other Commissioners concurred with the Mayor’s recollection. Commissioner Richie Parker asked about the A-frame signs that are around town. Abigaile Pittman replied that most of those are in the right-of-way and are illegal and need to be removed. The Commissioners requested that Abigaile Pittman draft some text amendment options for their consideration.

- **Driveway Ordinance and Permit**

Planning Director Abigaile Pittman stated that she would like to review the existing standards for both nonresidential and residential driveways that connect to Town-maintained streets, and to create a Driveway Permit with a fee schedule for these driveways. The Town is not currently collecting driveway permit fees.

The Board of Commissioners concurred that Abigaile Pittman could review these driveway standards and create a Driveway Permit with a fee schedule. Planning Director Abigaile Pittman will present the Board with an ordinance and permit to review and adopt at a later date.

- **Activity Report – June 2020**

Planning Director Abigaile Pittman presented a slide with the highlights of June’s activity report and referenced the full report in the agenda packet.

10. TOWN ATTORNEY REPORT

Town Attorney Ben Harding had nothing to report at this time.

11. MANAGER'S REPORT

Assistant Town Manager Shelia Weathers presented the Town Board with the Manager's Report.

- **Jackson Street Parking Lot**

Assistant Town Manager Shelia Weathers updated the Board on the Jackson Street parking lot. Mrs. Weathers called and spoke with Yadkin County Manager Lisa Hughes on June 8, 2020 to inquire about the conversation that Ms. Hughes and prior Town Manager Perry Williams had regarding the parking lot. Ms. Hughes informed Mrs. Weathers that she had brought it before the Yadkin County Board of Commissioners, and they felt the price of \$156,000 was too high. The Yadkin County Board of Commissioners ask giving the condition of the parking lot would the Town Board of Commissioners consider transferring the parking lot to the county and the county would resurface it and keep it for public parking. The appraisal value is \$156,000 and the total tax value is \$85,125, for a difference of \$70,875.

After some discussion it was the consensus of the Town Board to offer a price of \$75,000 to the Yadkin County Board of Commissioners for purchase of the Town's parking lot located on Jackson Street.

- **Republic Services Proposal**

Assistant Town Manager Shelia Weathers informed the Board that Republic Services is proposing the Town adopt every other week service recycling. Mrs. Weathers advised the Board beginning September 1, 2020, they will deliver new larger 96 gal. carts and remove the existing ones and update the service literature and she noted that the cost savings for the Town would be \$2.09 per household. Mrs. Weathers notified the Board that our current contract ends June 30, 2021 and with the new recycling reduction rate the contract will be amended to end June 30, 2024, and she advised the Board that the Town will begin advertising the change immediately through water bills, the Town's website, electronic sign at the park and with a phone tree.

Commissioner Scott Winebarger made a motion to move the recycling services for the Town to every other week beginning October 1, 2020. Commissioner Monta Davis-Oliver seconded the motion and the motion passed unanimously.

Vote: 5/0

- **Surplus of Police Vehicles**

Assistant Town Manager Shelia Weathers notified the Board that three Police Department vehicles have been sold on GovDeals.com totaling \$8,319.37.

- **Cemetery Street**

Assistant Town Manager Shelia Weathers informed the Board that Mr. Andrew Mackie had contacted the Town and spoke with Crystal Sprague to acquire information regarding possibly dedicating the circle portion of Cemetery Street to the Town. The Town currently maintains 0.08 of a mile of Cemetery Street, but the actual circle part is a private drive. Mrs. Weathers notified the Board that Attorney Ben Harding had confirmed with the Register of Deeds that Cemetery Street had never been dedicated to

the Town. Mayor Norman ask Mr. Andrew Mackie who currently owns the cemetery? Mr. Mackie replied that the county appointed trustees own the cemetery. Andrew said it is a private cemetery. Mr. Mackie informed the Board that there is a special designation for private cemeteries that are maintained by a family or group of trustees, and that this cemetery is currently maintained by a group of trustees. Mr. Mackie stated to the Board that it's a gray area of the law and the trustees plans are to incorporate the cemetery and then apply for 501C- 13 status which is the special category the IRS issued them for cemeteries, and the cemetery would still be owned by the trustees. Mayor Norman ask Mr. Mackie about the status of the road, Mr. Mackie said they keep having trouble getting the asphalt to stick possibly due to a subsurface issue. Mayor Norman ask Mr. Mackie if he was requesting for the Town to acquire the street, and Mr. Mackie stated his only reason for coming this evening was to ask for a left turn only sign for the cemetery. Mr. Mackie expressed that the funeral directors are requesting that the traffic as soon as you get into the loop on Cemetery Drive take a left turn instead of going straight ahead, to make it easier to have all traffic going in and out of the cemetery the same way. Attorney Ben Harding informed Mr. Mackie of the requirements and specifications that must be met before the Town would be willing to take in a road. Mr. Mackie stated he would speak with the trustees regarding these requirements and that they would continue studying the situation to see if it would be beneficial for them to consider dedicating Cemetery Circle to the Town. Mr. Mackie ask for a list of the road specifications and Mayor Eddie Norman stated he would have Public Works Director Jacob Swaim or Assistant Town Manager Shelia Weathers get a copy to him. *It was the consensus of the Board to order a one-way sign for Cemetery Circle at the Town's expense and to have Mr. Lee Cook meet Mr. Andrew Mackie at the property to see exactly where he would like it to be placed.*

Added Comments:

- **Cares Money** – Assistant Town Manager Shelia Weathers stated that Commissioner Monta Davis-Oliver had asked her to inquire into the Cares Money Act. Mrs. Weathers explained that this act was placed into effect by President Donald Trump in April allowing funds to be set aside for PPE, FMLA salaries and other related COVID-19 expenditures etc. Mrs. Weathers received an email from Yadkin County Manager Lisa Hughes on June 18, 2020 that Yadkin County had developed a plan and they submitted it to the state on June 15, 2020 and in that email, Mrs. Hughes explained that the County would be reimbursing the Towns of Yadkinville, Boonville, Jonesville, and East Bend at three dollars per capita. Mrs. Hughes will be sending an interlocal agreement to Mrs. Weathers to be presented for future disbursements of those funds regarding specifications in place. Mayor Norman thanked Commissioner Monta Davis -Oliver and Assistant Town Manager Shelia Weathers for following up on this.

12. COMMISSIONER'S COMMENTS

Commissioner Tony Hall:

Commissioner Tony Hall inquired about a property located on Lee Avenue across from the Holiness Church. Assistant Town Manager Shelia Weathers informed the Board that a certified letter had been sent by Planning Director Abigaile Pittman to the resident on Lee Avenue regarding the condition of their property. Commissioner Tony Hall inquired about the vehicles located on the property also and Police Chief Dawn Pardue informed Mr. Hall and the Board that every vehicle is licensed and valid.

Mayor Eddie Norman:

Mayor Norman reminded all members of the Board to please come by the Town Hall by July 10, 2020 to review the applications for Town Manager.

Commissioner Monta Davis-Oliver:

Commissioner Monta Davis-Oliver wished to thank Assistant Town Manager Shelia Weathers and Planning Director Abigaile Pittman, for following up on the calls and concerns presented to her over the past few weeks and reporting back to her quickly regarding those concerns.

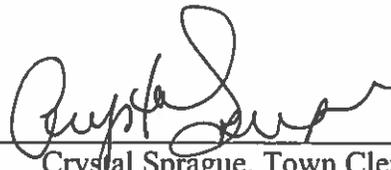
13. ADJOURNMENT

With no further business to discuss, Commissioner Monta Davis-Oliver moved the meeting be adjourned. Commissioner Chris Matthews seconded the motion, and the motion was approved unanimously. The meeting adjourned at approximately 7:22 p.m.

Vote: 5/0



Mayor Eddie Norman



Crystal Sprague, Town Clerk