

TOWN OF YADKINVILLE  
BOARD OF COMMISSIONERS  
**MONTHLY MEETING MINUTES**  
LOCATION: COMMISSIONERS CHAMBERS  
213 VAN BUREN STREET  
YADKINVILLE, NC  
**MONDAY, FEBRUARY 7, 2022**

**OFFICIALS PRESENT:**

Mayor Eddie Norman

Commissioners:

Tony Hall –ABSENT

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

Town Clerk: Alex Potts

Finance Director: Hunter Gooden

Planning Advisor: Abigaile Pittman

Police Chief: Randy Dimmette

Public Works Director: Jacob Swaim

Quorum requirements met – meeting proceeded.

**1. CALL TO ORDER**

The regular meeting was called to order by Mayor Norman at 5:58 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: 4/0

**4. PUBLIC COMMENTS**

No one signed up for this section of the meeting.

**5. SWEARING IN OF POLICE CHIEF RANDY DIMMETTE**

Town Clerk Alex Potts swore in new Police Chief Randy Dimmette.

**6. PUBLIC HEARING(S)**

Mayor Norman opened the Public Hearing for:

- **Code Text Amendment 2021-02 (CTA 2021-02) Ordinance No. 2021-06:** Required code revisions relating to criminal penalties and other necessary miscellaneous revisions to correct processes, terms, names, and such, and to fully incorporate the Town's approved Sewer Ordinance into the Code.

Planning Director Abigaile Pittman provided background on Code Text Amendment 2021-02, stating that North Carolina has a new Criminal-Justice Reform law declaring ordinances that can be criminally enforced, must specify the misdemeanor details in each section of the code. There can no longer be blanket penalty statements. Ms. Pittman noted that the bulk of this code amendment focuses on sections of the Town Code which require reiteration of criminal penalties to each section in order to correct processes, names, etc., and to move the Town's existing approved sewer ordinance into the Municipal Utilities Section of the Code. However, there are some sections of the Code that are proposed for substantive review and/or change that no longer reflect current Town policies and procedures, or are inconsistent with current state law. These sections are included in the staff report for this item and need the Commissioners' review – in particular, the Town's cost sharing for street grading and paving. After some discussion, the Board agreed to table their decision until the next Board of Commissioners meeting.

- **Zoning Text Amendment 2021-04 (ZTA 2021-04) Ordinance No. 2021-07:** Request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding considerations of adding regulations for floating zoning districts pertaining to planned development districts and tiny house districts, and to add related ordinance definitions for a floating zoning district and a tiny house; and to add regulations defining and restricting the use of storage containers as dwellings, buildings, or residential accessory structures.

Planning Director Pittman introduced Zoning Text Amendment 2021-04. This amendment includes regulations for a Planned Development-Residential (PD-R) District, and a Planned Development-Mixed Use (PD-M) District. The lot sizes for these developments range from five to ten acres. Ms. Pittman stated that the PD-R District is intended to provide a harmonious variety of housing choices and densities, an appropriate level of amenities, an optional compatible religious institutional use, and a common area used for open space, recreation, etc. Permitted uses for developments include a mix of 2 or 3 listed uses depending on the size of development (single-family residential; two-family residential; townhomes; multifamily residential). The PD-M District encourages the balanced mix of 2 or 3 listed uses depending on whether the development consists of high-density residential or low-density nonresidential use, such as office, service uses, and neighborhood business uses. Ms. Pittman stated that the Planning Board unanimously recommended approval of the Planned Development portion of this text amendment for the following reasons;

- Focus new development, redevelopment and infill development in areas with existing infrastructure instead of fringe areas;
- Encourage a mix of housing types within the community to accommodate residents in different stages of life;
- Promote additional infill residential development to support existing and future commercial development; and
- Establish open space requirements for new residential developments to encourage the preservation of open space.

Planning Director Abigaile Pittman stated that the second part of this text amendment proposes regulations for a Tiny House Development (THD) District. The THD District regulates standards for the development of tiny houses on individual minimally sized lots and includes common open space and other special requirements. Ms. Pittman stated a

tiny house will be defined as a permanent, detached single family dwelling on a foundation with a maximum of 500 square foot of floor area (excluding lofts), and adheres to the minimum construction requirements of the NC State Residential Building. Ms. Pittman provided a review of the specific regulations with examples of tiny house floor plans, and a tiny house development. She stated that the Planning Board had unanimously recommended approval of the Tiny House Development portion of this text amendment.

Ms. Pittman apprised the Board that the third section of this amendment pertains to prohibiting the use of storage containers as dwellings, buildings, or residential accessory structures.

Mayor Norman renounced his authority during the following Public Hearing due to a conflict of interest. Mayor Pro-tem Monta Davis-Oliver opened the following Public Hearing:

- **Zoning Map Amendment 2022-01 (ZMA 2022-01):**

- Request to rezone property located at 418 S. State Street from the Residential Medium Density (RM) District, to the Office and Institutional (OI) District. The property is further identified as Parcel 130957 and comprises approximately .46 acre.

Planning Director Abigaile Pittman presented ZMA 2022-01, as a request to rezone 418 S. State Street from Residential Medium Density (RM) District, to Office and Institutional (OI) District. Ms. Pittman stated that the applicant, Benjamin Corcoran, plans to convert the existing 1,560 square foot structure into a law office. The requested OI District is intended to accommodate professional office use. This district is also intended for the conversion of existing residential structures located on thoroughfares into offices. This location has direct access to S. State Street, an NCDOT thoroughfare, and Carolina Avenue, a Town street. Director Pittman stated that the property lies within an area designated for future high-intensity development on the adopted Future Land Use Plan Map. This land use classification is purposed to accommodate high-density residential and a wide variety of civic, institutional, retail, service, and office uses along major arterials, where utility infrastructure is readily available. Planning Director Pittman noted that the existing site complies with the setback requirements of the OI District; and it's potential to meet the required on-site parking spaces and required landscaping. Ms. Pittman stated that staff recommends approval of the rezoning, based on consistently with the intent of the OI District; and compliance with the Future Land Use Plan Map, and the Land Use & Growth Management Goal and Strategy 1 of the adopted Yadkinville Comprehensive Plan. She stated that the Planning Board unanimously recommended approval of ZMA-2022-01. Mr. Corcoran iterated that he plans to comply with all requirements of the Office and Institutional (OI) District, including improvements to the front and back of the property. His business hours will be set at 9 a.m. to 5 p.m., not to disturb any surrounding residents. Neighbor Brad Matthews spoke, saying he agrees with the rezoning and wishes him luck.

## **6. ACTION ON PUBLIC HEARING(S)**

- **Code Text Amendment 2021-02 (CTA 2021-02) Ordinance No. 2021-06**  
*Commissioner Chris Matthews made a motion to continue Public Hearing for Ordinance No. 2021-06 to March 7, 2022. Commissioner Scott Winebarger seconded the motion and the motion passed unanimously.*  
*Vote: 4/0*
- **Zoning Text Amendment 2021-04 (ZTA 2021-04) Ordinance No. 2021-07**  
*Commissioner Chris Matthews recommended approval of ZTA-2021-04, Ordinance No. 2021-07, a request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding consideration of adding regulations for floating zoning districts pertaining to planned development districts and tiny house districts, and to add related Ordinance definitions for a floating zoning district and a tiny house; and to add regulations defining, restricting and prohibiting the use of storage containers as dwellings, buildings, or residential accessory structures. The motion was seconded by Commissioner Scott Winebarger, and the motion passed unanimously.*  
*Vote: 4/0*
- **Zoning Map Amendment 2022-01 (ZMA 2022-01)**  
*Commissioner Chris Matthews made a motion to approve ZMA 2022-01, a request to rezone property located at 418 S. State Street from the Residential Medium Density (RM) District to the Office and Institutional (OI) District. This recommendation is based on the request being consistent with the intent of the Office and Institutional (OI) District, and the Land Use & Growth Management goal and Land Use Strategy 1 of the adopted Town of Yadkinville Comprehensive Plan. Commissioner Richie Parker seconded the motion and the motion passed unanimously.*  
*Vote: 4/0*

## **7. APPROVAL OF MINUTES (MOTION)**

Commissioner Chris Matthews made a motion to approve the following minutes as presented. Commissioner Richie Parker seconded the motion, and the motion passed unanimously.

Vote: 4/0

- December 6, 2021 (Regular Meeting Minutes)
- December 6, 2021 (Close Session Minutes)
- January 19, 2022 (Special Meeting Minutes)
- January 19, 2022 (Close Session Minutes)

## **8. CONSENT AGENDA ITEM(S) (Attachment #1)**

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

- Invoices (8) totaling \$146,824.66.
- Budget Amendment #4 to create a line item for grant monies received for the Police Department, and increase expense account to cover the cost of new radios.
- Tax Voids totaling \$448.94

- Corrected Notice totaling \$47.14
- Ordinance No. 2022-01 to adopt Capital Project Yadkinville Refuse Disposal (Cont.)

Manager Koser stated that the original Capital Project, Yadkinville Refuse Disposal, was closed by Auditors prematurely. He noted that we needed to reopen the project in order to receive reimbursement.

*Commissioner Scott Winebarger made a motion to approve all items in the consent agenda. Commissioner Chris Matthews seconded the motion, and the motion passed unanimously.*

*Vote: 4/0*

#### **9. FIRE CHIEF'S REPORT**

Fire Chief Jody Doss presented his monthly report to the Board.

#### **10. POLICE CHIEF'S REPORT**

Police Chief, Randy Dimmette presented his monthly report to the Board.

#### **11. PUBLIC SERVICES DIRECTOR REPORT**

Public Services Director Jacob Swaim presented the Board with his monthly report. He noted that we received the new vacutron. Mayor Norman inquired about small equipment for snow removal. Mr. Swaim stated that we currently do not have equipment for sidewalks or small areas. Mayor Norman requested Jacob to get various quotes.

#### **12. PLANNING ADVISOR'S REPORT**

Planning Advisor Abigaile Pittman presented the Board with her monthly reports for January and February.

#### **13. TOWN ATTORNEY BEN HARDING**

Town Attorney Ben Harding was not present for this meeting.

#### **14. MANAGER'S REPORT**

- **FEMA BRIC Grant Update:**  
Manager Koser gave an update on the FEMA BRIC Grant. He stated the Town's application was proceeding to the National level for review. The Department of Public Safety will complete an internal audit to determine if we receive funds.
- **EV Charging Usage (Attachment #3):**  
Mr. Mike Koser presented the Board with usage of the EV Charging stations. He noted sixty-three charging sessions and nineteen total vehicles charged. Manager Koser stated that he will have to report this information annually to the state.
- **ARPA State and Local Fiscal Recovery Funds Program:**  
Manager Koser apprised the Board that new guidelines for the use of ARPA funds state that you can claim up to \$10 million in loss of revenue without explanation. He recommended waiting to spend funds until further clarification of stipulations.
- **County Sewer Line Extension (Approved prior to meeting):**  
Mr. Koser noted Board approval of the County extending sewer lines prior to the Board Meeting.

- **Reappointment of Planning Board/Board of Adjustment members: Anna Howe, Tony Snow, and RJ Speaks:**

*Commissioner Monta Davis-Oliver made a motion to reappoint Planning Board/Board of Adjustment members, Anna Howe, Tony Snow, and RJ Speak for another term. Commissioner Richie Parker seconded the motion and the motion passed unanimously.*

*Vote: 4/0*

- **Public Works Assistant Director Position:**

Manager Koser stated that Brian King is retiring in March 2022, and his position as Assistant Public Works Director was originally created to help with the transition of a new Public Works Director. Mr. Koser asked for guidance on whether to fulfill the position or not. After some discussion, it was the consensus of the Board to have Public Works Director Jacob Swaim present his opinion next meeting.

#### **15. COMMISSIONER COMMENTS**

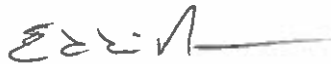
**Mayor Eddie Norman:** Mayor Norman noted that Commissioner Monta Davis-Oliver was awarded Volunteer of the Year by the Chamber of Commerce.

**Commissioner Richie Parker:** Commissioner Parker thanked Public Works staff for keeping the streets clean during snow storms.

#### **16. ADJOURNMENT**

*With no further business to discuss, Commissioner Chris Matthews moved the meeting adjourned. Commissioner Richie Parker seconded the motion, and the motion was approved unanimously. The meeting adjourned at approximately 7:00 p.m.*

*Vote: 4/0*



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Eddie Norman, Mayor



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Alex Potts, Town Clerk