

March 11, 2019 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, March 11, 2019, 6:00 p.m. at Town Hall.

Present: Mayor Sam Bishop, Commissioners Cecily McCulloch, Jeff Eidson, Will Gwyn and Tommy Wheeler (Absent: Commissioner Skip Whitman)

Also present: Town Manager Brent Cornelison, Assistant Town Manager and Recreation and Parks Director Adam McComb, Town Attorney Raymond Parker and Town Clerk Cathie Tilley

Mayor Bishop welcomed everyone and called the meeting to order. He asked Police Chief Monroe Wagoner to lead our Pledge of Allegiance.

Mayor Bishop stated Commissioner Whitman was unable to attend the meeting and asked for consideration to excuse him. Commissioner Eidson made a motion to excuse Commissioner Whitman from tonight's meeting. Commissioner McCulloch seconded the motion, and the motion was unanimously approved.

CONSENT AGENDA (Tab A)

The following items were presented for the consent agenda:

- Minutes of February 11, 2019 (Regular Meeting)
- Audit Contract with Martin Starnes & Associates, CPAs, P.A. for 2019

Town Attorney Parker asked that the Minutes from February 11th be removed from the consent agenda to be considered separately.

- There were no objections.

Commissioner Wheeler made a motion to approve the Audit Contract with Martin Starnes and Associates, CPAs, P.A. for 2019. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved. (Copy included with these minutes as Exhibit A.)

Town Attorney Parker:

- Explained the minutes were contradictory in that they show that Commissioner Whitman made the following comments:
 - o I am resigning from this Board effective tonight.
 - o I will stay on the Board until the Board appoints a replacement.
- The minutes should be amended to state the following:
 - o Commissioner Whitman:
 - Because of the requirement that commissioners live in Elkin, I am resigning from this Board effective tonight.
 - o Mayor Bishop:

- Stated he would like for Commissioner Whitman to continue serving on the Board until a replacement is appointed to fill this vacancy.
- Commissioner Whitman:
 - I agree to the Mayor's request and will stay on the Board until a replacement is appointed to fill my seat.

A motion by Commissioner McCulloch to approve the amended minutes as stated above was seconded by Commissioner Wheeler and was unanimously approved.

SPECIAL RECOGNITIONS

- Proclamation of National Girl Scout Month (Mayor Bishop):
 - Mayor Bishop read the Proclamation Recognizing March 2019 as Girl Scouts of the U.S.A. Month
 - There were no scouts in attendance
 - Mayor Bishop instructed the town clerk to make sure the Girl Scouts receive the proclamation

PUBLIC COMMENTS

- Mayor Bishop opened the Public Comments period and asked for anyone wanting to speak to come forward.
- There being no comments, Mayor Bishop closed the Public Comments period.

MAYOR AND BOARD COMMENTS FOR STAFF

- Commissioner Eidson:
 - Thanked Adam (McComb) and Leslie (Schlender) for their work on logistics for Trail Days (May 31st through June 2nd).
 - Invited everyone to attend the many events planned for this event.

PUBLIC HEARINGS

Mayor Bishop explained the following rules for the public hearings:

- You will have three minutes to speak (town attorney will keep time).
- If you are representing a group or firm, you may not share your time with another person.
- You may only speak one time.
- Once recognized by the Mayor, state your name and address for the town clerk.
- You must be courteous.
- Town Board will not take action on items presented during the Public Comment section of the meeting.

1. Parcel Number 4952-16-72-5882-602 (Leslie Schlender)

- This is a request for a conditional use permit for a 56-unit multi-family dwelling located on Johnson Ridge Road and is in our ETJ.
- Planning Board has had their first review of this project.

- Presented and discussed:
 - o Map with property outlined
 - o Proposed rendering of the project
 - o Public hearing notice published February 20th and 27th
 - o Property is zoned R8 Residential District and is comprised of 13.3 acres.
- Ms. Schlender introduced Charlie Heritage of South Creek Development, and he presented facts regarding this project.
- Following this presentation, Mayor Bishop asked if anyone present wished to speak in favor of this project.
 - o No one indicated they wished to speak.
- Mayor Bishop asked if anyone present opposed this project and wished to speak.
- The following people spoke:
 - o Alicia Stokes, 940 Johnson Ridge Road:
 - Recently purchased property adjoining this land.
 - Was not aware the property was for sale.
 - Afraid this project being in front of their property will cause a decrease in the value of their property.
 - There is a lot of traffic on Johnson Ridge Road already; thinks this will add to the volume of traffic on this road.
 - Not sure whether this will increase crime in this area.
 - Our easement goes through this property.
 - Concerned they will become landlocked.
 - o Laura Oakes, 148 Knollwood Drive (on behalf of HCMH); West Caudle, 204 Edgewood Drive; Farando Best, 207 Main Street (barbershop); Cooper Terrace Maintenance Manager; Donna Green (on behalf of Elkin Dialysis Center of Wake Forest University); Dr. Peter McIlveen, 942 Johnson Ridge Road (office). Comments included but were not limited to:
 - We need market rate housing for our hospital professionals.
 - Most current apartment complex in town has topped out at sixty percent (60%).
 - Developers should be encouraged to look at market rate housing.
 - Spoke in opposition of all three projects.
 - Income restrictions.
 - Need facilities for young professionals.
 - This works both ways; people need a place to live.
 - Concerned with safety of dialysis employees and patients.
 - Traffic could increase and become a bigger problem than it already is on this road.
 - Project is not good for our town or our businesses.
- There being no other comments, Mayor Bishop closed the public hearing.

2. *Parcel Number 4952-10-46-8719 (Leslie Schlender)*

- This is a request for a conditional use permit for a 44-unit senior multi-family dwelling located at 150 Chappell Way and is in the town limits.
- Planning Board has had their first review of this project.
- Presented and discussed:
 - o Map with property outlined.
 - o Proposed rendering of the project
 - o Public hearing notice published February 20th and 27th
 - o Property is zoned B2 Highway Business District and is comprised of 7.0 acres.
- Ms. Schlender introduced Mark Richardson, Assistant Vice President of Greenway Residential Development, LLC and John Wood, Landscape Architect for Cline Design. They presented facts regarding this project.
- Following this presentation, Mayor Bishop asked if anyone present wished to speak regarding this project.
 - o No one indicated they wished to speak.
- Mayor Bishop closed the public hearing.

3. *Parcel Number 4952-1683-6916 (Leslie Schlender)*

- This is a request for a conditional use permit for a 66-unit multi-family dwelling located at 110 PGW Drive and is in the town limits.
- Planning Board has had their first review of this project.
- Presented and discussed:
 - o Map with property outlined
 - o Proposed rendering of the project
 - o Public hearing notice published February 20th and 27th
 - o Property is zoned B2 Highway Business District and is comprised of 12.12 acres.
- Ms. Schlender introduced Jim Harrell, III of Harrell Hill, LLC and he presented facts regarding this project.
 - o Noted analysis for this project shows there is a great need in this area for this type project.
 - o Will not negatively impact Cooper Terrace.
 - o We have partnered with Frontier Natural Gas for this project.
- Following this presentation, Mayor Bishop asked if anyone present wished to speak to this project.
 - o Farando Best, 207 Main Street (barbershop):
 - Has a family member who cannot find a place to live because he makes too much money.
 - Opposes all three projects that have been presented tonight.
 - o Todd Tucker, President Surry EDP:
 - Feel like I'm in a predicament.
 - I am usually in favor of business.
 - I am not against development.
 - I am against the location.
 - Was not happy with Cooper Terrace locating in this area.
 - There is an industry at the end of the street plus additional property for other industries.
 - Concerns included but were not limited to:

- Traffic.
 - Potential of unhappy neighbors (trucks coming and going all hours of the night, etc.).
 - The industrial site there, which is the best in the county, could become unmarketable.
 - Will make our site less attractive.
- There being no other comments, Mayor Bishop closed the public hearing.
 - Mayor Bishop stated all three projects will be referred back to the Planning Board.

This concluded the Public Hearings.

REGULAR MEETING

1. Consider Approval of Fee Changes Prior to Spring and Summer Programs to Provide Time for the Department to Advertise and Update website and Program Information (Adam McComb)

- Mr. McComb requested the Board to consider the following:
 - Increase daily pool fee by one dollar (\$1.00)
 - \$5.00 at noon and \$4.00 after 3:00 p.m.
 - Increase swim lessons for residents by ten dollars (\$10.00)—from \$25 to \$35
 - Increase swim lessons for nonresidents by five dollars (\$5.00)—from \$50 to \$55.
 - Tennis fees:
 - USTA Junior Tournaments \$40.00 (no resident differences)
 - Lessons: resident \$24 and nonresident \$48
 - Doubles Program Rate - \$18 per session or \$55 for season
- Commissioner Wheeler made a motion to approve the fee changes as requested. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.

2. Consider Approval to Enter into a Contract with Design Dimensions to Complete the Construction Drawings for the Interior Exhibits at the Heritage Arts and Trails Center (Leslie Schlender)

- Ms. Schlender told the Board that approving the contract with Design Dimensions would give the Town continuity with this project.
- Went through the contract and explained services included in the scope of the project along with brief descriptions of each exhibit.
- Cost is twelve thousand, five hundred dollars (\$12,500).
 - Funds for this project are in the Governing Body Professional Services line item.
- Town Manager Cornelison reminded the Board that this was discussed at the Retreat.
- Commissioner McCulloch made a motion to approve the contract between the Town of Elkin and Design Dimensions, Inc., as presented tonight. There were no questions. Upon a second by Commissioner

Wheeler, the motion was unanimously approved. (Copy of contract included as Exhibit B.)

MANAGER UPDATES:

- Looking at May 7th and 9th for budget workshops starting at 3:00 p.m.
- Hope to get finished in one day.

Mayor Bishop said the Board needed to go into closed session pursuant to

- NCGS 143-318.11(a)(4) to discuss matters relating to economic development incentives
- NCGS 143-318.11(a)(5) 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 [i] the price and other material terms of a contract
- NCGS 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of a prospective public officer.

Mayor Bishop said there was a possibility the Board may make a decision following the closed session.

Commissioner Eidson made a motion for the Board to go into closed session. Upon a second by Commissioner McCulloch, the motion was approved. The Board left open session at 6:45 p.m.

The Board returned from Closed Session into open meeting at 7:35 p.m. and the public joined the meeting.

Mayor Bishop reconvened the regular meeting and made the following comments:

- Several people expressed interest in filling the vacant seat on the Board of Commissioners.
 - o Each of you was well qualified to fill this seat on the Board.
 - o Thanked everyone who submitted letters of interest.
- The Board had a difficult decision to make.
- Remember that just because you do not get selected by this body to fill the current vacancy, please get involved.
- There are many openings on our advisory boards.
- Learn more about Elkin and local government.
- I encourage you to run for this Board at the next election.
- Opened the floor for nominations to fill the current seat on the Board of Commissioners.
 - o Commissioner Eidson:
 - Thanked all those who sent letters expressing interest in being on the Board.
 - We had a hard decision to make.
 - Based on his dedication and years' service on the Planning Board, I nominate Robert Ball to fill the vacant seat on this Board. Commissioner Gwyn seconded the nomination. There being no other nominations, Robert Ball was unanimously approved to fill the vacant seat on the Town of Elkin Board of Commissioners.

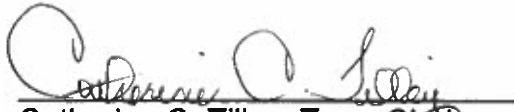
- Mayor Bishop said Mr. Ball would be sworn in at our April Meeting.

There being no further business, Commissioner Eidson made a motion to adjourn. Upon a second by Commissioner Wheeler, the meeting adjourned at 7:40 p.m.



Sam Bishop, Mayor

Attest:



Catherine C. Tilley, Town Clerk