

May 13, 2019 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, May 13, 2019, 6:00 p.m. at Town Hall.

Present: Mayor Sam Bishop, Commissioners Cecily McCulloch, Robert Ball, Jeff Eidson, Will Gwyn and Tommy Wheeler.

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.

### **CONSENT AGENDA (Tab A)**

The following items were presented for the consent agenda:

- Minutes of April 8, 2019 (Regular Meeting)
- Discoveries and Releases (copy included as Exhibit A)

A motion by Commissioner McCulloch to approve the Consent Agenda was seconded by Commissioner Whitman and was unanimously approved.

### **SPECIAL RECOGNITION**

- Main Street Conference Award Recipients (Mayor Bishop)
  - o Mayor Bishop said he had the pleasure of attending the Main Street Conference.
  - o Saw Elkin receive two major awards.
  - o Two videos were shown:
    - The Reeves Theater received the award for Best Historic Rehabilitation Project:
      - Opened as a movie theater in 1941.
      - Was boarded up in the early 1990's.
      - Was a four-year restoration project.
      - Now hosts concerts Friday and Saturday evenings.
      - Café serves farm-to-table fare Tuesday through Saturday.
    - o Mayor Bishop added that when they had the ribbon cutting for the grand opening, he made the comment that this will be a game changer for West Main Street.
      - It has been.
    - o Wanted to make Elkin a cultural and arts center, and this is what is happening.
  - Owners were given an opportunity to speak, and Deborah Carson-Groner made comments including but not limited to:

- We are having good turn-outs, but we need to spread the word.
  - For some of our events, local people come out; for other events, people from Winston-Salem and Statesville come out.
  - We are trying to find the right formula.
  - We have seventeen full-time jobs along with some part-time workers and volunteers.
- Linear Park received the award for the Best Endangered Properties Rescue Effort:
  - Only the granite front remained of this building.
    - Granite was harvested from Mt. Airy.
    - Was known as the Rock Façade.
  - Over the years, this property had several owners.
  - Appeared the only option was to demolish what remained of the building.
  - Several citizens appealed to the Town to save the façade.
    - This became the Make-a-Wish project.
  - Investments from both the Town and private entities resulted in this area becoming a linear park with picnic tables and public restrooms.
    - Outdoor space is used for shoppers, festivals, conferences, block parties, etc.
  - Mayor Bishop stated that this is another example of people getting together and making something happen.
- Lori Dexter (Town Manager Cornelison)
  - Presented with two certificates:
    - One from UNC School of Government for completing a two-day course, Introduction to Fair Labor Standards
    - One from Wilkes Community College for Local Government Finance

## **PUBLIC COMMENTS**

- Martha Smith, 131 Gwyn Avenue (Elkin Librarian):
  - Here to tell you about our plans for summer.
  - Presented a video.
  - Theme for this year is A Universe of Stories.
  - Will be celebrating the 50<sup>th</sup> anniversary of the moon landing.

## **MAYOR AND BOARD COMMENTS FOR STAFF**

- Commissioner Eidson:
  - Recognized several people, and noted how instrumental they have been and continue to be in the revitalization of downtown.
  - Spoke about the buildings that have been restored and others that have only needed small repairs such as cleaning and painting.

- Said he finds it uplifting to see everyone coming together in such meaningful and powerful ways.
- Mayor Bishop:
  - Thanked first responders for their service, especially the weekend with fatalities.
  - Working with several young people to get ideas of ways to help slow them down.
    - The family of the young man fatally injured is all in with this.
  - Planning a late afternoon event in the parking lot at Ridgeview Crossing Shopping Center (former Wal-Mart) on June 22<sup>nd</sup>.
    - Planning to have a band, food truck, etc.
      - More information will be available as we get closer to the date.
  - We are trying to get young people to slow down and use common sense when driving.

## **PUBLIC HEARING**

### **1. Review Petition to Rezone 512 N. Bridge St. & 376 Gwyn Ave. (Sarah Harris)**

- Referenced the following legal documents:
  - Petition to rezone property located at 512 North Bridge Street from B-3 Neighborhood Commercial District to B-2 Highway Business District and property located at 376 Gwyn Avenue (parking lot portion) from R-12 Residential District to B-2 Highway Business District. (Note: Balance of property located at 376 Gwyn Avenue will remain R-12 Residential District.) (Petition dated April 3, 2019.)
  - Preliminary plat map of proposed boundary partition/rezoning survey.
  - Copy of Public Hearing notice.
  - Planning Board Recommendations sheet.
- Public Hearing was published in *The Tribune* May 1<sup>st</sup> and May 8<sup>th</sup>.
- Planning Board reviewed this request April 29, 2019.
- Planning Board unanimously recommends approval of this request.
- Mayor Bishop asked for comments from the public.
  - Martha Smith, 131 Gwyn Avenue:
    - The house is located in our Historic District.
      - Has this been considered?
  - Laura Gaylord, Downtown Manager:
    - Explained some of the guidelines/standards that must be applied during specific restoration projects of historic property.
  - Sarah Harris:
    - The portion of the residential property is not being rezoned.
    - Only the portion where the parking lot is located is being rezoned from R-12 Residential District to B-2 Highway Business District.

- Mayor Bishop asked Ms. Smith if she had other questions.
    - She said this answered her concerns.
  - There being no other comments from the public, Mayor Bishop closed the Public Hearing.
- Mayor Bishop asked for consideration of the Town Council Action Required sheet. Commissioner Ball requested to be recused from this portion of the meeting as he is involved with this project. Commissioner Eidson made a motion to excuse Commissioner Ball from this portion of the meeting. Upon a second by Commissioner McCulloch, the motion was unanimously approved. Commissioner McCulloch made a motion to approve the statement that the application is consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plan. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved. Commissioner Wheeler made a motion to approve the statement that the application is both reasonable and in the public interest. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved. Thus, the Town Council Action Required sheet was approved (copy included as Exhibit B). Commissioner McCulloch made a motion to approve An Ordinance Amending the Zoning Ordinance of the Town of Elkin and the Official Zoning Map, Elkin, North Carolina. There were no questions. Upon a second by Commissioner Eidson, the motion was unanimously approved (copy may be found in Ordinance Book 5, Pages 2019-05-0020 and 2019-05-0021).
- This concluded the Public Hearing.
- Mayor Bishop welcomed Commissioner Ball back to the meeting.

## **REGULAR MEETING**

### **1. ABC Board Legislative Update (Ron Ashman)**

- Recognized other ABC Board members in attendance (Robin Turner, Regina Adkins and James Gillespie).
- Yadkin Valley ABC Board is requesting the Town Boards from Elkin and Jonesville approve a resolution opposing HB971 (Modern Licensure Model for Alcohol Control) that will privatize liquor sales).
- Presented several reasons for taking this matter seriously including but not limited to:
  - Local ABC Store has averaged distributing approximately \$72,000/year to the Town of Elkin for the past 34 years.
  - Current ABC Store loan matures September 22, 2030.
    - This bill will require all ABC Stores to liquidate assets by January 2020.
      - Could result in a "Fire Sale" price offer that would be less than our loan.
  - Could reduce town income causing reduced services or higher taxes.
  - May affect health of citizens:

- NC General Assembly's nonpartisan Program Evaluation Division (PED) does not recommend privatization after completing their alcohol sale study.
  - Strategies to reduce excessive drinking include maintaining state control of alcohol and limiting the number of outlets and hours open. PED study shows:
    - NC ranks 44<sup>th</sup> in alcohol consumption per capita and 7<sup>th</sup> highest in revenue per gallon with the lowest outlet density of all southeastern states.
    - Privatization would increase alcohol consumption by 20% based on 1,000 outlets.
      - With the proposed 1,500 outlets, the increase would be much greater.
    - Longer hours will encourage excessive drinking.
    - NC Department of Health and Human Services website states excessive alcohol use cost NC seven billion dollars in 2010.
  - Although this bill may not come to a vote, our ABC Board urges you to pass, sign and send the proposed resolution to those on the House ABC Committee.
  - Commissioner Eidson made a motion to approve a Resolution in Support of the Current ABC Control System for the Sale of Liquor. Following a brief discussion, Commissioner Wheeler seconded the motion. The Resolution was unanimously approved (Resolution may be found in Resolution Book 4, Pages 2019-05-0236 – 2019-05-0237).
2. *Yadkin Valley Wine Festival Update (Adam McComb)*
- Here to invite you to the festival.
  - We have a good weather forecast for Saturday.
  - Appreciate the town's support in this event.
  - Thinks the park is in good shape since the flooding.
  - Believes we will be okay for the festival.
3. *NC Trail Days Update (Denise Lyons)*
- On May 31<sup>st</sup> – June 2<sup>nd</sup> we will be having our first annual Trail Days in Elkin.
  - We are going to have three days of focused events in Elkin and Jonesville.
  - Information about this event is available at [www.nctraildays.com](http://www.nctraildays.com) .
  - Days will be filled with trail-oriented events.
  - This has been an easy event to prepare for thanks to much cooperation among so many people.
  - Expressed appreciation to numerous people/organizations (Town of Elkin staff, EVTA, Explore Elkin, Fire Department, Rescue Squad, etc.).
  - Commissioner Eidson stated there is no way we would have this festival at this level without Denise.
  - Reminded everyone that the hospital and Teresa Smith are helping with the low-country boil (there are a limited number of tickets that will sell out quickly, so get your tickets soon).

- We are going to have a wonderful festival, and we are going to put Elkin on the map as a trail town.
  - The Board agreed that Denise has given us the bones to build upon.
4. *Consider Using Virginia Shaw funds to Purchase Playground Equipment (Adam McComb)*
- Requesting permission to use money from Virginia Shaw Fund to replace playground equipment that includes:
    - o 3 ½" Zero-G Chair (\$581.44)
    - o Merry-Go-All (\$6,403.21)
  - Total price for proposed equipment - \$6,984.65
  - Current Virginia Shaw Fund - \$10,945.89
  - This request is recommended by the Recreation and Parks Advisory Board.
  - Commissioner Wheeler made a motion to use money from the Virginia Shaw Fund to make the abovementioned purchase for playground equipment. There were no questions. Upon a second by Commissioner Eidson, the motion was unanimously approved.
5. *Consider Applying for An Acquisition Study Grant with DWI (Brent Cornelison)*
- This is the acquisition study grant with the Department of Water Infrastructure related to the possibility of selling more water to Ronda.
  - Application is due in September.
  - Amount of grant is fifty thousand dollars (\$50,000).
  - W.K. Dickson will help us with this.
  - There is a lot of infrastructure work needed on our end to be able to sell more water to Ronda.
  - Commissioner McCulloch made a motion to apply for an acquisition study grant with the Department of Water Infrastructure. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved.
6. *Consider Approving an Indemnity Agreement with Gerard Davis, II, for the Use of Chatham Park Athletic Fields (Brent Cornelison)*
- Chatham Park has been purchased by Gerard Davis, II.
  - We are currently working with Mr. Davis to continue using the athletic fields as we were.
  - Attorney Parker has written this Indemnity Agreement.
    - o Mr. Davis has approved this agreement.
    - o Our insurance company has also looked at the agreement.
  - We have been working to try to take ownership of this park since 2001.
    - o Explained several items we have done while remaining cautious due to the brownfields.
    - o We were waiting to hear back from CMC Holdings.
  - Hope to come back in June with a lease agreement between Mr. Davis and the town that we can agree on.
  - The Indemnity Agreement will give us temporary use of the fields at the park.
  - Commissioner Gwyn made a motion to approve the Indemnity Agreement between Gerard F. Davis, II, and the Town of Elkin as presented. There were no questions. Upon a second by Commissioner

Wheeler, the motion was unanimously approved. (Copy of Agreement included as Exhibit C.)

**7. Set Budget Hearing (Brent Cornelison)**

- Need to set a Public Hearing for June 20, 2019 to consider the 2019-2020 Budget.
- Commissioner McCulloch made a motion to set a Public Hearing for June 20, 2019, at 6:00 p.m., to consider the 2019-2020 Town of Elkin Budget. Upon a second by Commissioner Ball, the motion was unanimously approved.

**ADVISORY BOARD APPOINTMENTS**

- Planning Board (Sarah Harris)
  - o Have vacancy in our ETJ.
    - Referenced application from William Golden – 163 Grassy Creek Drive
  - o Have two vacancies for Alternate Members.
    - Referenced applications from:
      - Brian Horton – 105 Gwyn Avenue
      - Gambill Aldridge – 467 Hawthorne Road
  - o Commissioner McCulloch made a motion to approve appointments of Brian Horton and Gambill Aldridge to the Planning Board/Board of Adjustment. There were no questions. Upon a second by Commissioner Eidson, the motion was unanimously approved.
  - o Commissioner McCulloch made a motion to recommend William Golden to the Surry County Board of Commissioners for appointment as an ETJ Member of our Planning Board/Board of Adjustment. There were no questions. Upon a second by Commissioner Eidson, the motion was unanimously approved.
    - Ms. Harris will forward this request to the Surry County Board of Commissioners.
- Main Street Advisory Board (Laura Gaylord)
  - o Have had some changes on our Board.
    - Jennifer White has stepped down as Chair.
      - She has agreed to remain as a member.
    - Brittany Russell volunteered to serve as Chair.
    - Jeremy Stamps, owner of The Wisdom Table, is recommended for appointment by our Advisory Board.
  - o Commissioner Eidson made a motion to accept Ms. White's resignation as chair and to remain a member, to appoint Ms. Russell to serve as chair and to appoint Mr. Stamps to serve as a member of the Main Street Advisory Board. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.
- Recreation and Parks Advisory Board (Adam McComb)
  - o We currently have two vacancies.
  - o Robert (Bob) Copeland has been recommended for appointment.

- Commissioner Eidson made a motion to accept the recommendation to appoint Robert (Bob) Copeland to the Recreation and Parks Advisory Board. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.
- Yadkin Valley Sewer Authority (Brent Cornelison)
  - J. L. Lowe's term is up in June.
    - He has served many years, and is ready to let someone else take this position.
    - Meets the second Tuesday each month @ 9:00 a.m. at the YVSA office.
  - Mayor Bishop requested a volunteer or nomination from the Board.
    - Commissioner McCulloch made a motion to appoint Commissioner Wheeler as the town's member to the Yadkin Valley Sewer Authority. There were no questions. Upon a second by Commissioner Eidson, the motion was unanimously approved.
- Town Manager Cornelison explained that former Commissioner Skip Whitman served on the following Boards:
  - Firemen's Relief Fund
    - Mayor Bishop requested a volunteer or nomination from the Board.
    - Following discussion, Commissioner Eidson made a motion to appoint Commissioner Wheeler to fill this position. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved.
  - Water Committee (meets as needed):
    - Mayor Bishop requested a volunteer or nomination from the Board.
    - Following discussion, Commissioner Eidson made a motion to appoint Commissioner Gwyn to fill the vacancy on this committee. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved.
  - Surry County EDP (meets every other month):
    - Mayor Bishop requested a volunteer or nomination from the Board.
    - Following discussion, Commissioner Eidson made a motion to appoint Commissioner Ball to fill this vacancy. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.

**MANAGER UPDATES:**

- Town cookout/picnic will be Friday, May 24<sup>th</sup> from 11:30 a.m. until 1:00 p.m.
  - First National Bank will be paying for a lot of the food.



- Friday June 21<sup>st</sup> we will have our employees' golf tournament at Silo Run Golf Course.
  - o Town employees, retired town employees and Board members are invited.

Mayor Bishop stated the Board would be going into closed session in accordance with G.S. 143-318.11(a)(5) to discuss the acquisition of real property and G.S. 143-318.11(a) (6) to consider the performance of an individual employee.

Commissioner McCulloch made a motion to go into closed session to discuss real property and performance of an employee. Upon a second by Commissioner Eidson, the Board went into closed session at 7:10 p.m.

The Board returned to open meeting at 7:20 p.m. Mayor Bishop reconvened the meeting and said there were two matters for the Board to consider.

Property located at 230 Standard Street:

- Mayor Bishop stated the current owner of this property would like to donate the property to the Town.
  - o This is the property located across from the Heritage Center (car wash).
  - o Taxes for tax year 2018 were \$422.11.
- Commissioner McCulloch made a motion to accept the donation of this property. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved.

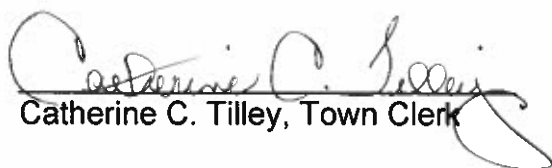
Town Manager's Evaluation:

- Mayor Bishop reminded the Board of the Town Manager's evaluation.
  - o Commissioner Eidson made a motion to increase Town Manager Cornelison's salary to ninety thousand dollars (\$90,000.00) effective July 1, 2019. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.

There being no further business, Commissioner Eidson made a motion to adjourn. Upon a second by Commissioner McCulloch, the meeting adjourned at 7:25 p.m.

  
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Sam Bishop, Mayor

Attest:

  
Catherine C. Tilley, Town Clerk