

September 12, 2022 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, September 12, 2022, 6:00 p.m. at Town Hall.

Present: Mayor Sam Bishop, Commissioners Cicely McCulloch, Robert Ball and Will Gwyn. (Excused: Commissioner Jeff Eidson.)

Also present: Town Manager Brent Cornelison, Assistant Town Manager and Recreation 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 asked for a moment of silence in remembrance of Commissioner Tommy Wheeler. Afterwards, Mayor Bishop expressed appreciation for the many ways Tommy served our community. Mayor Bishop also spoke about how dedicated to Elkin Tommy was and the lasting effect he would have on Elkin and surrounding communities.

Mayor Bishop stated Commissioner Eidson would be available by phone as long as he had service, but asked for a motion to excuse him in case he was not able to connect to the meeting. A motion by Commissioner Gwyn to excuse Commissioner Eidson from tonight's meeting was seconded by Commissioner Ball, and was unanimously approved.

### **CONSENT AGENDA**

The following items were presented for the consent agenda:

- Minutes of August 8, 2022 (Regular Meeting)

There were no questions regarding the Consent Agenda. A motion by Commissioner McCulloch to approve the Consent Agenda was seconded by Commissioner Ball, and was unanimously approved.

### **SPECIAL RECOGNITION**

- Mayor Bishop read and presented:
  - o A Proclamation Recognizing September 17 through September 23, 2022 as Constitution Week
  - o A Proclamation Recognizing September 15 through October 15, 2022 as Hispanic Heritage Month (will be presented at a later date)
- Town Manager Cornelison presented Certificates of Service to the following:
  - o Laura Gaylord – 10 years of service
  - o Walker Trexler – 10 years of service
  - o Levi Shore – 15 years of service
  - o Keith Church – 20 years of service

- Police Chief Monroe Wagoner displayed a framed General Advanced Law Enforcement Certificate that had been awarded to Corporal Walker Trexler by the North Carolina Department of Justice. The certificate read, "...Be it known that in recognition of the attainment of training and educational objectives commensurate with the role of a professional criminal justice officer and of personal devotion and service to the people of North Carolina, the Attorney General and the Commission, through the authority vested in them by the laws of the State, do hereby award to Lamech Walker Trexler General Advanced Law Enforcement Certificate..."
  - o Chief Wagoner:
    - Explained to the Board that Corporal Trexler devoted a tremendous amount of his personal time, dedication and sacrifice in order to achieve this honor.
    - Stated this is the highest certificate you can receive as a police officer from the State of North Carolina.

### **PUBLIC COMMENTS**

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

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

- There were no comments for staff.

### **PUBLIC HEARING**

#### **1. Conduct a Public Hearing and Consider Approving Proposed Amendments to the Primary Fire District (Sarah Harris)**

- Staff proposed amending the boundary of the Primary Fire District of the Town of Elkin as defined in Chapter 1, Section 22 of the Town Charter.
- Fire Chief Kevin Wilson requested staff look at this matter.
  - o Current boundary includes properties that do not qualify to be inside our primary fire district.
- This amendment will allow more flexibility in building materials such as frame or wooden building structure(s) to be erected.
- Noted that residential buildings that are in our current Primary Fire District have been taken out.
- Public Hearing was advertised in The Elkin Tribune on August 25 and September 1, 2022.
- Planning Board reviewed the proposed ordinance on August 29, 2022, and found the proposed amendment is consistent with all the objectives and policies for growth and development contained in the Town of Elkin Land Use Plan.
- Mailed letters to property owners August 24, 2022.
- Mayor Bishop opened the Public Hearing.
  - o Ms. Harris stated this is a legislative hearing, and anyone may speak. Asked speakers to state names and addresses for the record.

- Mayor Bishop asked if anyone was in attendance to speak to this matter.
- There being no speakers, Mayor Bishop closed the Public Hearing.
- Referenced the map of the proposed boundaries of the Primary Fire District and read the description of the proposed boundaries:
  - Beginning at Depot Alley and running in a northerly direction to Market Street; then with the south side of Market Street to Church Street; thence south along the east side of Church Street to Main Street; thence along the south side of Main Street to 231 West Main Street; thence the south side of 231 West Main Street to West Depot Alley; thence following West Depot Alley to the eastern property line of 222 East Main Street, formerly South Gwyn Avenue; thence heading in a northerly direction to Gwyn Avenue.
- Reminded the Board that this request comes as a unanimous recommendation for approval from the Planning Board.
- Asked if there were questions from the Commissioners.
  - There were none.
- Mayor Bishop asked for consideration of the Town Council Action Required sheet. Commissioner McCulloch made a motion to approve the statement that this 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 Ball, the motion was unanimously approved. Commissioner Ball 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 A).
- Commissioner Gwyn made a motion to approve an Ordinance Establishing and Defining the Primary Fire District of the Town of Elkin, North Carolina. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved. (Copy of Ordinance may be found in Ordinance Book 5, Pages 2022-09-0116 through 2022-09-0118.)

This concluded the public hearing.

## **REGULAR MEETING**

### ***1. Receive a Request from Piedmont Lands Conservancy to Take Ownership of A 150-Acre Parcel of Property Beside the Lassiter Property Once Purchased by the PLC (Palmer McIntire)***

- Town Manager Cornelison introduced Kevin Redding who presented in the absence of Palmer McIntire.
  - Referenced a 2022 Elkin Creek Headwaters Preserve Expansion (Bryan Tract) – Elkin Creek River/Blue Ridge Escarpment – Improvements Map from the Piedmont Land Conservancy.
  - Explained the Conservancy is actively working on purchasing land next to the Lassiter property in Wilkes County.

- This is the property the Town of Elkin accepted from the Conservancy December 13, 2021.
    - We will bring state and private funding to this project.
    - This is very ecological property.
    - We are looking at grant funding, and this property is one of the highest scoring properties.
      - Feel confident it will be funded.
    - Plan to close on this in January 2023.
    - Will transfer the property to Elkin shortly thereafter.
    - This property will make really great trails.
    - Current owners are in agreement on selling to the Conservancy group.
  - Following Mr. Redding's presentation, Commissioner Gwyn made a motion to accept this property from the Piedmont Land Conservancy after they acquire ownership. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved. (Copy of map included as Exhibit B.)
2. *Consider an Increase in Park Bench Pricing and Update the Recreation and Parks Schedule of Fees (Adam McComb)*
- This request is coming before the Board due to a price increase this past June.
  - Our benches come from the NC Department of Corrections.
  - The current cost for purchasing and installing a bench and plaque is eight hundred, forty-eight dollars and eighty-four cents (\$848.84).
  - The Recreation and Parks Advisory Board recommends increasing the cost of donating a park bench to one thousand dollars (\$1,000.00).
    - This allows:
      - Fifty dollars (\$50) for annual maintenance
      - One hundred dollars (\$100) for future cost increases
        - Will decrease the number of future requests for donation price increases coming to the Board of Commissioners
    - Also requesting permission to update the Recreation and Parks Schedule of Fees to reflect this increase.
  - Following a brief discussion, Commissioner Gwyn made a motion to increase the donation cost for park benches to one thousand dollars (\$1,000.00) per bench and to update the Recreation and Parks Schedule of Fees to reflect this increase. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved.
3. *Consideration of Column and Plaque at Pickleball Courts (Adam McComb)*
- This request comes from the Friends of the Pickleball Courts and is to place a stone column and plaque for Mickey Carter at the pickleball courts.
  - Showed renderings of the column and plaque.
    - Column will be made of stacked rock with an angled top for the plaque that will show the pickleball courts are dedicated to Mickey Carter.

- The Friends of the Pickleball Courts have fully funded this column and plaque.
  - Recreation and Parks Advisory Board recommends approval of this request.
  - Commissioner McCulloch made a motion to approve this recommendation. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved.
4. *Consider Approving a Contract with Alliance Code Enforcement LLC (ACE) for Code Enforcement Services (Sarah Harris)*
- This request is to help us out with some code violation issues we have going on.
  - Presented a proposed contract with Alliance Code Enforcement LLC to oversee code enforcement for the Town of Elkin.
    - o Will assist us twenty (20) hours per week.
    - o Have experience in many areas of code enforcement.
    - o Based out of Winston-Salem.
      - We will not be paying for their driving time to and from Elkin; will be paid for actual hours worked.
    - o May have some office hours here.
    - o Will begin this month.
    - o Contract will be set through our fiscal year (contract will be through June 30, 2023).
      - Will renew automatically unless contract is modified or both parties decide not to renew the contract.
    - o They are contracted to provide code enforcement with seventeen (17) municipalities throughout North Carolina.
  - Attorney Parker has reviewed the contract.
    - o Did not recommend any changes.
  - During discussion, the Commissioners directed staff to instruct ACE to have identification on their vehicle that lets residents know they are working for the Town of Elkin.
  - Following discussion, Commissioner McCulloch made a motion to approve the contract and appointed Town Manager Cornelison to sign the contract as the authorized designee for the town. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved. (Copy of contract included as Exhibit C.)
5. *Consider a Special Event Application Request to Close a Portion of West Main Street in Front of the Reeve's Theater for a Wedding on Monday, October 10<sup>th</sup> from 12 Noon until 7:00 p.m. (Brent Cornelison)*
- The Reeves Theater has been rented for a wedding on Monday, October 10<sup>th</sup>.
  - The bride-to-be has requested a street closing for the portion of West Main Street in front of the theater.
  - Our Main Street Advisory Board has recommended that this Board not close any streets during the work week.
  - Staff does not recommend closing Main Street for private events.
  - Mayor Bishop asked for a motion.
  - There was no motion.

## **COMMISSIONS AND BOARDS**

- Recreation and Parks Advisory Board (Adam McComb)
  - o There is a vacancy on our Recreation and Parks Advisory Board.
  - o We have an application from Susan Baker.
    - She is currently the president of our Elkin Wet Lightning swim team.
    - Has been involved with the swim team for over fourteen (14) years.
  - o Members of the Elkin Recreation and Parks Advisory Board recommend approval of Susan Baker to serve on the Advisory Board.
  - o Commissioner Ball made a motion to approve the recommendation to appoint Susan Baker to fill the vacancy on our Recreation and Parks Advisory (term is for three years). There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.
- Minutes included in agenda packet:
  - o Main Street Advisory Board – June 21, 2022
  - o Recreation and Parks Advisory Board – June 9, 2022

## **MANAGER UPDATES**


- Updates given on the following:
  - o The Commissioners need to appoint someone to fill the vacancy on the Yadkin Valley Sewer Authority (YVSA).
    - Will Gwyn made a motion to appoint Robert Ball to fill the vacancy on the Yadkin Valley Sewer Authority (term ends June 2025). There being no questions, Commissioner McCulloch seconded the motion. The motion was unanimously approved.
  - o The Water Committee will meet September 23<sup>rd</sup> at 9:00 a.m.
    - Will discuss use of ARPA funds.
  - o There has been discussion regarding scenarios about how to address ambulance service in Elkin.
    - Rather than making a quick decision, staff thinks we should take more time to evaluate this matter.

Mayor Bishop said the Board needed to go into closed session pursuant to GS143-318.11(a)(4) and (6) to discuss economic development and to consider the qualifications of a prospective public officer. There may be action taken regarding economic development in open session following the closed session. Upon a motion by Commissioner McCulloch to go into closed session and a second by Commissioner Gwyn, the motion was approved. The Board left open session at 6:40 p.m.

The Board returned to open session at 7:10 p.m. Mayor Bishop asked for consideration of a Purchase and Sale Agreement between the Town of Elkin and 42, LLC, whereby the Town of Elkin agrees to sell approximately 3.68 acres of land along PGW Drive to 42, LLC as stated in the Agreement. Commissioner Ball made a motion to approve a Purchase and Sale Agreement between The Town of

Elkin and 42, LLC, a Texas limited liability company d/b/a 42 Real Estate, LLC agreeing to purchase 3.68 acres along PWG Drive, Elkin, NC (a portion of Surry County Parcel ID 4952-16-92-3898), and to authorize Town Manager Brent Cornelison to sign said Purchase and Sale Agreement. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved. (Copy of Purchase and Sale Agreement included with these minutes as Exhibit D.)

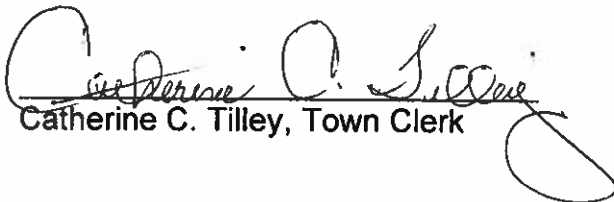
There being no further business, Commissioner McCulloch made a motion to adjourn. Upon a second by Commissioner Ball, the motion was unanimously approved. The meeting adjourned at 7:15 p.m.



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Sam Bishop, Mayor

Attest:



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Catherine C. Tilley, Town Clerk