

# Town of Walnut Cove

## **BOARD OF COMMISSIONERS**

### **MEETING MINUTES**

**September 10, 2019**

**Mayor Charles Mitchell**

**Commissioners Present:**

Danny Hairston  
Thomas Mitchell  
Elwood Mabe  
Charles Byron

**Staff present:**

Town Manager Kim Greenwood  
Town Clerk Amanda Bryant  
Town Attorney Ann Rowe

The meeting was called to order at 7:02 PM at the Walnut Cove Senior Center by Mayor Mitchell. Wesley Durrell gave the invocation followed by the Pledge of Allegiance.

### **ANNOUNCEMENTS-**

- i. The Cove Group. October 1, 2019 at 6:30 PM. Oma's Coffee Shop
- ii. Walnut Cove Volunteer Fire Dept; Regular Meeting. 7:00 PM. Thursday, October 3, 2019, Walnut Cove Vol. Fire Dept.
- iii. Walnut Cove Board of Commissioners; Regular Meeting. Tuesday, October 8, 2019. Walnut Cove Senior Center.
- iv. Town Recycling; Sept. 20, 2019 and October 4, 2019.
- v. Fall Clean Up Program. Sept. 9 thru Sept. 20, 2019 (see attachment).

## **PUBLIC COMMENTS – 9**

Elmer Davis – 613 Broad St. Walnut Cove, NC – Wanted to thank the Board for the opportunity to speak. He wanted to follow up regarding the speeding on Broad street. He asked the Board would they consider some speed bumps on Broad to slow the traffic down. There are children who play and there are no warning signs or anything to slow people down. His neighbor has purchased her own sign for her yard (showed a picture to the Board). He is asking for some signs to hopefully slow the drivers down. The police do patrol the area but it isn't doing what they had hoped. Commissioner Hairston stated Mr. Greenwood could talk to the officers as well as purchase some signs. Commissioner Byron suggested using the temporary speed bumps Fire Chief Booe had mentioned previously. Commissioner Byron stated he would like to speak with the Fire Department to see what we can do. Mayor Mitchell expressed his desire for no speed bumps, but he doesn't see any harm in it if it helps the situation. Commissioner Hairston stated it may be a good idea to put down some temporary speed bumps. Town Manager Greenwood stated he would get in touch with Brian Booe and see what they can get worked out.

Bryan Davis 1050 Woodhaven Lane, Walnut Cove, NC – Mr. Davis stated he wanted to take a moment to speak concerning the proposed bar/tavern. He stated he was not at the last Board meeting to express his opinion on the matter. Mr. Davis stated he understands the concern citizens have due to a bus stop at the intersection as well as the concerns with the trailer park. He doesn't understand what the big deal is because there is a bar ½ mile up the road. Mr. Allen has a picnic table set out for the children at the bus stop, and the tavern would not open until 5pm. The age to enter the bar will be 21 years and older so he isn't sure what the problem is. There are plans for charity events, a secure meeting

place for people to socialize. Mr. Davis stated he wanted the tavern in Town because it will be good for the Town.

Nick Alex 5305 Strausburg Dr. Greensboro, NC – Mr. Alex is employed with CPI security and has known Mr. Allen since he was 12 years old. Mr. Alex has his bar tending license and trusts Mr. Allen enough to let him work under his license. He plans to provide the security for the tavern 24 hours a day 7 days a week.

Allen Tompkins 4884 Highway 89, Walnut Cove, NC – Mr. Allen stated many things have already been addressed. He stated the whole Town is available to alcohol being served by the drink. As for the bus stop it is beside the store but not at the store. There will be no one out front of the tavern unless they are leaving. He has put up a bench in front of the tavern for the bus stop for the children, that is under a shelter to keep them out of the rain. He stated he has not complained once about the children leaving their trash out and he has had to clean it up. He said that if the tavern becomes a nuisance then close it down but give him the opportunity to show them it won't be. Jobs can come out of the tavern which gives the Town the opportunity to grow. Mr. Allen stated he has spent \$60k of his own money fixing up the tavern. Commissioner Hairston asked Mr. Allen who gave him the authority to start the tavern. Mr. Allen stated when he bought the property, he wasn't sure what he was going to do with it but the more time he spent there a tavern seemed like the best idea.

James Kiser (Papa Junk) 1013 Duncan Rd., Walnut Cove, NC – He wanted to address the Board and the Town regarding the tavern. He has for the past 12 years been going to the mobile home park and trying to get children out of there and bringing them to church. He feels it would bring the mobile home park down lower than it already is. He stated alcohol about broke him when he was in the Army, he stated he was against the

ABC Store when it came to Town as well. Mr. Kiser stated God loves everyone the same but we have to take a stand for what is right.

Marilyn Booe 4920 Highway 89, Walnut Cove, NC – Ms. Booe stated she was already having issues with people from the mobile home park cutting through her yard. She can't get a good night's sleep because there is constant shooting and she can't take any medicine to help her sleep for fear someone will break into her home. She also stated she has an issue with the speeding in front of her home, the police department does a good job but something needs to be done.

Jeff Brown 985 Fowler Road, Walnut Cove, NC – Presented a petition to the Board with 130 signatures many from Willow Oak Baptist church and the other signatures from Walnut Cove residents. Mr. Brown stated he has done some research opening a bar/tavern in low income neighborhoods. He looked at the National Bio Tech Medical Health effects in Residential proximity. The research study shows were alcohol is available the crime rate will increase. He stated if you mix more selling options it increases impulse buying which leads to drinking and driving. The study also showed an increase in spousal and sexual abuse. Mr. Brown asked the Board and the citizens present "Do we need to bring this to the community?"

Reverend Gregory Hairston - 1070 Brookridge – He was here tonight to represent the members of Willow Oak Baptist Church, who could not attend because of a revival. He feels the vision of the property should have been brought to the neighbor's prior being brought into the neighborhood. This is not an environment that needs to be close to a church. He stated he used to drink and has dodged many bullets. He also had a question for the owners, where are people going to park? He stated there is only about a ½ acre in the back of the building. The traffic at the Fowler Road and Highway 89 intersection is not conducive to the

neighborhood, it is already congested with the two churches in sight of the bar. He is opposed to the bar.

**The 15-minute time allotted for Public Comments was reached with 2 people yet to be heard. Commissioner Byron made a motion to extend the allotted time to allow the last 2 people to speak, giving each person their 3 minutes to speak. The motion was seconded by Commissioner Hairston. Motion carried unanimously.**

Justin Duncan Germanton, NC – Mr. Duncan stated he is the pastor at Green Pasture Baptist church. He stated the Board opened the meeting with prayer and asked God to bless this Town. There is already alcohol in Town and a report from 2017 Stokes County was already higher with impaired drivers. The state is at a 42% impairment rate compared to the 48% of Stokes County. This puts the impact in our front door. Mr. Duncan stated we should be more interested in saving souls and that nothing good can come out of alcohol. He wanted those for the bar to consider what it if was your wife, husband or child who was killed by a drunk driver. We are on the eve of September 11 and wants the Board to consider if this will be good for the Town. He understands the need for the Town to grow but in which direction do you want your growth.

Eugene Lawson Pack Road – Mr. Pack stated he has been a bar owner for 43 years, one in Baileytown and the other called Early Times in Guilford County. There has never been a time the police had been called for a DUI or DWI and there have been no accidents. He is an ordained minister and feels the Lord wants people to provide for their families. He states he provides Ubers and taxis for those who are unable to drive. By Mr. Allen only allowing consumers to enter if they are 21 years old or older, he feels there will not be any problems. It will bring in a lot money for the Town.

The following names were included on the Public Comments sheet but were withdrawn.

Devin Amos, Tammy Kiser, Chris Smith, Chad Bailey, Brandon Fulp

Three petitions were received and reviewed by the Board.

### **ADJUSTMENTS/CORRECTIONS TO THE AGENDA-**

Christine Boles presented the Board with a handout.

**A motion was made by Commissioner Byron to accept the agenda with the mentioned adjustment and seconded by Commissioner Mabe. The motion carried unanimously.**

### **Consent Agenda**

**A motion was made by Commissioner Hairston to approve the minutes from August 13, 2019 Regular Board meeting. The motion was seconded by Commissioner Byron. Motion carried unanimously.**

**A motion was made by Commissioner Byron to approve the minutes from August 20, 2019 Special Meeting. The motion was seconded by Commissioner Hairston. Motion carried unanimously.**

### **OLD BUSINESS**

#### **A. Conditional Use Permit Consideration (Attachment C).**

- a. Town Manager Greenwood directed the Board to Attachment C, Conditional Use Permit Consideration that was tabled at the August Board meeting. The conditional use permit is in regard to, Item III, to add Tavern/Bar as a conditional use in B-1, NB-1, NB-2. On page 4 item 3 of the Rezoning Staff Report, the Planning/Zoning Board has reviewed the information and recommends to the Board of

Commissioners to approve the conditional use permit.

Town Manager Greenwood read to the Board the Land Use definition to the Board and citizens.

- b.** Commissioner Byron stated any time a decision regarding the rezoning of a property or a change to a Town ordinance the general rule of thumb is to refer back to the vision established of the 20/35 plan, he feels the zoning change does not fall in line with the 20/35 plan.

**Commissioner Byron made a motion to reject the Conditional Use Permit to allow Tavern/Bar as a conditional use in B-1, NB-1, and NB-2, page 4 item 3 as defined in the Rezoning Staff Report. The motion was seconded by Commissioner Hairston. Motion carried unanimously.**

**B. Temporary Street Closure for Halloween (Attachment D).**

- a.** Town Manager Greenwood had discussed in the August Board meeting to close Main street from 6<sup>th</sup> Street to Old Town Road for Halloween. Upon reviewing alternative routes, it was determined the best option is to close Main Street from 6<sup>th</sup> Street to 3<sup>rd</sup> Street and have Police Officers, Public Works and the Fire Department help citizens cross at the intersection of Main Street and Third Street. There was no alternative route for large trucks and cars. It is recommended to close 6<sup>th</sup> Street to 3<sup>rd</sup> Street from 5 pm to 8 pm on October 31, 2019 for trick or treaters.
- b.** Commissioner Byron stated the Halloween event is the biggest event in Town and the safety is the biggest concern. With Halloween approaching he wanted to remind everyone to come out there will be a band, teen area at Cove Square and candy of course.

**Commissioner Byron made a motion to approve closing Main Street from 6<sup>th</sup> Street to 3<sup>rd</sup> Street from 5pm to 8pm on October 31, 2019. The motion was seconded by Commissioner Hairston. Motion carried unanimously.**

**C. Proclamation for Camille McEachern (Attachment E).**

- a. Town Manager Greenwood directed the Board's attention to Commissioner Hairston who had received a letter regarding the outstanding achievements of Camille McEachern. Ms. McEachern was presented a Resolution by the Town of Walnut Cove. Town Manager Greenwood read the Resolution to those present, Ms. McEachern received a standing ovation for her achievements. The resolution was presented by Commissioner Hairston.

**NEW BUSINESS**

**A. Walnut Cove Volunteer Fire Department**

- a. Brian Booe Fire Chief presented the Board with a handout of the Fire Department's Open house taking place October 6, 2019 from 2pm-5pm.
- b. Commissioner Hairston asked if the Fire Department had the temporary speed bumps Mr. Davis mentioned of which Mr. Booe stated he didn't but they were in the new budget year to purchase. Commissioner Byron asked due to the fact Mr. Davis has been twice requesting this is there a way to expedite purchasing the speed bumps if the Town was to help.
- c. Mr. Booe reviewed the quarterly report sheets to the Board, stating the call volume has increased with August having around 80-85 calls. Mr. Booe explained they had their Parents helping Parents event with a

total of 56 children receiving school supplies. The school supplies which weren't distributed to individuals was donated to the 5 schools within the district.

- d. Mr. Booe wanted to thank the Town for their help with the fire on Main street and gave credit to the Public Works department for ensuring enough water was available to extinguish the fire. Commissioner Byron asked if they know the cause of the fire and Mr. Booe stated it is still under review. Commissioner Hairston asked if the left-over debris and wood from the fire could be cleaned up, Mr. Booe stated it could not until the investigation is over.
- e. Town Manager Greenwood directed the Board's attention to the Resolution for Designation of Emergency Management Coordinator, stating the Town does not have an EMC in the event of declared emergencies. The resolution declares the active Fire Chief will be the Designated Emergency Management Coordinator for the Town working one on one with the Town in the event of an emergency. The resolution has no expiration date unless either party desires to terminate it.

**A motion was made by Commissioner Byron to approve the Resolution to appoint the Fire Chief of the Walnut Cove Fire Department as the Town's Emergency Management Coordinator. The motion was seconded by Commissioner Hairston. Motion carried unanimously.**

## **B. Walnut Cove Library Quarterly Report**

- a. Christine Boles wanted to give an update to the Board of the happenings of the Walnut Cove Library. They had a total of 5137 meetings and 14,857 people to visit the library. The meetings ranged from Town Board meetings to Relay for Life. This past year they had 36,493 people visit the library during the 2018/2019 year. They have 2 full time employees, 1 part time employee and typically 1 volunteer.
- b. The Walnut Cove library has had an upward trend of 6% compared to the downward slide of overall State which was 3% decline. They have 28k items and 6.4 million resources circulated.
- c. Ms. Boles provided a summary since the records kept from 1990 with United Fund. They had the most children and adults during the summer reading program totaling 245. The children totaled 51 thousand minutes reading from 3 months of age through 5<sup>th</sup> grade. 6<sup>th</sup>-12<sup>th</sup> grade spent a total of 53 thousand minutes reading.
- d. They are in a transition period due to one of the full-time employees has retired. Commissioner Byron asked what the Town can do to help. Of which Ms. Boles stated extra money is always appreciated, but the community support and services is appreciated as well. Commissioner Byron suggested to contact Misty Bennett who coordinates the Cove Group Facebook page. Ms. Boles stated they have 800 followers on Facebook with groups such as the Cove Group and the Walnut Cove Watering Post sharing their post.

### **C. Debbie Freitag. Proposal for 5k Run**

- a. Ms. Freitag is an active volunteer in the community and has information in hopes of hosting a 5k to benefit Southeastern Stokes Middle School. Ms. Freitag wants to create the largest outdoor classroom due to the middle school losing the federal funding. The goal is to create a community garden the children will tend and raise vegetables. Any food that is raised the children will eat along with any extra will be donated to ESOM.
- b. She is not asking for money but support of the Board. Vulcan has agreed to donate the material for the school gardens.

### **D. Planning/Zoning Board Report**

- a. Town Manager Greenwood stated it has been a busy month for the Planning/Zoning Board including the special meeting for the solar farm. They have had several projects such as the house that burned down on Main Street., developing the Civil penalty process and the Solar Farm.
- b. Town Manager Greenwood directed the Board to Ann Rowe the Town Attorney to discuss her findings on the civil penalty process. Ms. Rowe stated Bradley Davis has discussed an overall revision but there has not been any further discussion of it. She has researched other towns of similar size; she stated our ordinance is complicated but can be simplified if that is the direction the Board would like to go in. Ms. Rowe stated it needs to be clear, concise and consistent for a legal basis. The NC Statute leaves open about the

abatement issue it is unclear if we do or do not have the authority but she has found in other Towns are more focused on the abatement process versus the civil penalty process. The ordinance is unclear and very lengthy and states penalties can accrue daily. Ms. Rowe suggests the Town make an ordinance that mirrors those of Yanceyville, Lewisville and other Towns of similar size. She suggested the process be as follows: notice of violation, allow time to fix the problem, if not corrected the Town will correct it and then charge an administration fee ranging from \$50-\$65 or more if that is the wish of the Board. Ms. Rowe stated we do not have to take this option we could go a different option and it can be as simple but in a different direction. If the Board chooses to focus on the abatement, we need to reclarify the ordinance and make simple appeal process but it will be the Board's decision.

- c. Commissioner Byron stated it has been more than a year since this has been discussed how long would it take to collect samples from other Towns. Ms. Rowe stated she already has 4 samples with her. She stated she can take a make a hybrid version like Yanceyville and Lewisville. The Board will need to decide if they are going to focus on the abatement but we need to be specific in the ordinance. Commissioner Byron asked regarding the revision what is the timeline and the next steps. Ms. Rowe replied it will depend if a public hearing is required but if a public hearing isn't required, she will have the revised version at the next

meeting. Commissioner Hairston asked Bradley Davis if a public hearing was required of which Mr. Davis stated 2 public hearings are required and the process will take approximately a year. Commissioner Byron stated he would like to expedite the timeline. Ms. Rowe stated she would have the timeline and specifics at the next meeting. Commissioner Hairston commended Ms. Rowe for doing a good job.

- d. Town Manager Greenwood presented the Board with the meeting schedule change for the Planning and Zoning Board. The Planning and Zoning Board would like to adopt the calendar change for the remaining of the year. They will meet October 17, 2019, November 21, 2019 & December 19, 2019 if the Board will approve the calendar change, the change is due to running into holidays and many Planning and Zoning Board members have obligations they cannot miss.

**Commissioner Byron made a motion to accept the Planning and Zoning calendar change as proposed. The motion was seconded by Commissioner Hairston. Motion carried unanimously.**

**E. Dept. of Environmental Quality (AIA Grant)**

- a. Town Manager Greenwood and Public Works Director Mark Bowman met with John Akers from Withers Ravenel a company who has agreed to help with the water supply mapping. The Town does qualify for the grant and we have high hopes it will be approved.
- b. Town Manager Greenwood also included a resolution to participate in a companion grant by Stokes County. This grant studies the water system for the entire County. The grant will also examine the feasibility of

purchasing water from other sources and seek a regional water treatment solution. Town Manager Greenwood recommends the Board to approve both applications.

- c. Commissioner Byron commented he has wanted this for a long time and it is the right step to invest in the future.

**Commissioner Byron made a motion to approve both grant applications. The motion was seconded by Commissioner Mabe. The motion carried unanimously.**

#### **F. Town Financial Report**

- a. Town Clerk Amanda Bryant presented the Board with the year end financial reports for the Town. This is not the official report from the auditor. The Town audit will begin October 7, 2019. The first page of the finance report showed the year end balances for each account both cash accounts and investment accounts.
- b. The second page presented compared the growth of the Town cash accounts from the past 3 fiscal years.
- c. The last page presented compared the growth and changes of the investment accounts. Ms. Bryant took special note of the new accounts that were invested into NC Capital Management.

#### **G. Consideration for Phone System Change**

- a. Town Manager Greenwood explained he had been in contact with River Street network regarding our office phone system. After reviewing the budget from last year, the Town spends approximately \$15,000 on telephone expenses. River Street network has provided the Town with a proposal to help the Town

save money. We would be able to update the phone system in the office except for our lift stations we will have the option to change our internet service provider and phone system to fiber optic. The current provider is not competitive with new phone system options.

**A motion was made by Commissioner Byron to give Town Manger Greenwood the permission to pursue a new phone system for the Town. The motion was seconded by Commissioner Hairston. Motion carried unanimously.**

### **Town Manager's Report**

- 1.** It has been a busy week for Town Hall. As you are aware, the Rural Hall LPA has been closed. Our office is receiving many of their former customers. We are in the process of filling the vacant position which should help alleviate the crowd. I commend Sandra and Charlie for handling these unanticipated extra customers.
- 2.** The town is making progress in the abatement process of the OSHA audit. We have a dumpster and are in the process of removing and cleaning our facility.
- 3.** Carl Hinkle with the VFW updated me on their potential project. They are meeting in October to consider a flag ceremony at Fowler Park. The Park committee has purchased a much larger flag and they intend on making a public event for the new flag raising. The plan is to invite the high school band and honor guard for the ceremony. I will provide details and the town will assist any way we can.
- 4.** During our recent state mandated water consumption audit, it was discovered that we could not account for 28% of our

produced water. With the assistance of Fred Summers of Rural Water, Mark Bowman and Mr. Summers have determined the unaccountable water is due to the water used at the WWTP. 500,000 gallons of water is needed to flush and dilute chemicals at the plant. Years ago, the water was pumped from the creek to use for this purpose. A secondary tap to the towns water system was attached for back up purposes. It seems that the system was not maintained and began running the system on the town's water system rather than the creek water. We have repaired the pump system, cleaned the filters and now have the system running again. With proper maintenance, we can save a vast amount of this 28%. This is a cost savings to the town and I commend Mark for overseeing the upgrade that saves us water and money.

5. Thomas Mitchell, Public works is now on FMLA. Please keep Thomas in your prayers as he is on the heart transplant list. His doctors have ordered him to not work. He is in high spirits and doing well but we miss TL at work and await his speedy recovery.
6. An on-call list is not available with the loss of TL. Contact any Public Works for any assistance.

### **GENERAL CONCERNS OF THE BOARD**

Commissioner Mitchell asked if there was a reason his water smelt like rotten eggs. Town Manager Greenwood replied if it is his hot water it will corrode the rod in the hot water tank.

Allen Tompkins owner of the proposed bar/tavern stated he never heard an answer if the Town was going to approve the rezoning. Commissioner Mabe stated the Town did not want a bar in that area but would prefer it to be downtown. Town Manager Greenwood explained the Board did not approve the Planning/Zoning Board

recommendation to approve the rezoning. Mr. Tompkins asked why, the Board never gave him a reason why they voted not to all the rezoning. Town Manager Greenwood stated the Board does not have to give a reason for to deny a rezoning recommendation.

Commissioner Byron stated the new stage for Cove Square is complete with himself and Joe Bennett each contributing to 40+ hours of work on the stage. Wanted to thank Hedgecock Building Supply for the lumber donation and Chase Ragsdale for the monetary donation. They have their first scheduled event October 17<sup>th</sup>, which will be a candidate forum. Also, they will have events for Halloween as well as an event in November for East Stokes Outreach.

**Commissioner Mabe made a motion to adjourn. Commissioner Byron seconded the motion. Upon a vote, the motion carried unanimously.**

**The meeting adjourned at 9:25 PM.**

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Charles Mitchell  
Mayor

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Amanda Bryant  
Town Clerk