

**Town of Walnut Cove
Board of Commissioner Meeting
February 09, 2020
Meeting Minutes**

Members Present:

Nellie Brown – Mayor
Elwood Mabe – Commissioner
Joe Bennett – Commissioner
Thomas Mitchell – Commissioner
Danny Hairston – Commissioner
Kim Greenwood – Town Manager
Amanda Bryant- Town Clerk

Members Absent:

Ann Rowe– Town Attorney

Meeting Call to Order: Mayor Nellie Brown called the meeting to order @ 7:00pm.

Pledge of Allegiance: Mayor Brown

Invocation: Wesley Durrell

Announcements:

1. Walnut Cove Volunteer Fire Dept. Monthly Meeting. Thursday, March 4, 2021 at 7:00 PM
2. Walnut Cove Planning/Zoning Board Meeting. Feb. 18, 2021 at Walnut Cove Public Library @ 6:30pm.
3. The Cove Group (virtual)
4. Walnut Cove Board of Commissioners Monthly Meeting. March 9, 2021 at 7:00 PM at the Walnut Cove Senior Center.
5. Recycle: Feb. 19 and March 5, 2021.

Adjustments to Agenda

Town Manager Greenwood under Item A – New Business: need to table this item until the March Board meeting, Attorney Ann Rowe will be presenting this and she is absent due to COVID.

Motion was made by Commissioner Mitchell to accept the adjustments to the agenda. The motion was seconded by Commissioner Bennett. Motion carried unanimously.

Public Comments –

Allen Tompkins- 4884 Hwy 89, Walnut Cove, NC. Mr. Tompkins wanted to speak with the Board regarding the property he owns at the intersection of Highway 89 and Fowler Road. He is confused and looking for answers, he owns an internet café along with arcade games and pool tables. He has a lady who wishes to buy the property but the Town is telling him if he sells it she can not run the internet café because of a moratorium that was voted into place in November. Commissioner Bennett commented because of the moratorium is why we can't allow another internet café. Only the ones currently in place can operate. Mr. Tompkins asked how the one at Emily's closet was allowed to operate because they have changed owners and the business license wasn't approved until December 18, 2020 and the moratorium was signed on November 10, 2020. Town Manager Greenwood stated the one at Emily's Closet had made an application and had taken ownership of the building in November, they were waiting on updates and inspections to be completed prior to opening, but they had already made an

application for it. Mayor Brown stated at this point in time there will be no new internet cafes or sweepstakes places until the moratorium is reviewed in May.

Ephraim Harrell- 8680 Red Bank Road Germanton, NC- Mr. Harrell had a point of question regarding the conditional use hearing from the planning/zoning quasi-judicial hearing that took place in November. After speaking with Jesse Day from PTRC he discovered there was a 4th condition that was not list for NB-1 at the meeting only 3 conditional uses were mentioned. Mr. Harrell stated he sent the document to Town Hall and would like to address the document especially page 7. Mr. Harrell wanted to know the quickest way to get this addressed, suggesting maybe an amendment. He noticed that NB-1 is stricter and wants to know what is the discrepancy between conditions 3 and 4. Town Manager Greenwood stated some Towns have condition 4 in house, but we do not amend an ordinance. The planning/zoning Board must review the condition then make the recommendation to the Board of Commissioners. Mr. Harrell stated the definition of the condition was used developmentally in harmony with structures to land use, should be in harmony, his question is what is the process. Town Manager Greenwood stated the Planning/Zoning Board makes the recommendation to the Board of Commissioners. Mayor Brown stated he would need to start with the Planning and Zoning Board.

Paul Harrell 935 N. Main Street, Walnut Cove, NC – He wanted to continue with Ephraim Harrell’s point when can an emergency amendment be made? Is it an amendment correction or an ordinance? Town Manager Greenwood stated it would have to be an urgent matter. Mr. Harrell is the 4th condition considered emergency? Mayor Brown stated no it is not. Mr. Harrell stated on his purpose for speaking tonight he stated on behalf of residences of Smith street they wanted to know when the water leak at Smith street would be fixed. Town Manager Greenwood stated Ms. Shamburg has a gas line that runs very close to the water lines as well as shrubs that will have to be removed. Ms. Shamburg had previously given permission to remove them but Mark Bowman wanted to double check with her again to make sure it is ok to remove them. Mr. Harrell also stated the residences of Summit Street wanted to know about potholes on Summit Street as well as the leaves. Town Manager Greenwood stated the Town could not repave or patch any potholes until warmer weather, we currently have a listing of all streets that are in need of repair. As we approach the warmer weather, we will bid out the work. As for the leaves where everything has been so wet the leaf vac works excellent on dry leaves but it will not work on wet leaves, as soon as it stops raining and dries up those will be removed.

1. Consent Agenda

Approval of Minutes from January 19, 2021

A motion was made by Commissioner Bennett to approve the minutes from the January 19, 2021 meeting. The motion was seconded by Commissioner Mitchell. Motion carried unanimously.

2. Old Business

A. Finance Report- Town Manager Greenwood directed the Boards attention to Town Clerk Amanda Bryant. She reviewed the cash and investment accounts with the Board stating the investment numbers are down as they have been since the pandemic began but we are very slowly starting to coming up on the interest earned each month. She presented each Board member with a copy of the 2019-2020 Audit report, as well as explaining the audit has been submitted to the State and everything was good with the exception of one negative remark. The negative remark has been corrected and all paperwork needed has been submitted with the corrective procedure. The current fund balance is 143.94%. Additionally, she has created a new line item for the new Town Hall, with the \$75,000 moved from the fund balance to the new line item. She also discussed the NC Debt Set Off program stating that we had sent out 284 letters in hopes of avoiding turning people over for the collections. Lastly all of the CARES

act money has been spent with the majority of the money used to purchase laptops for the Commissioners and Planning/Zoning board, the Lucas chest compression device.

B. Dept. of Commerce Grant- Town Clerk Bryant presented the Board a proposal from the Dept of Commerce. With this grant they will perform retail market analysis and research to provide the Town with a starting base for developing and Economic Development plan that works best for our Town. The grant is at no charge to the Town other than the cost of travel for those performing the work from the NC. Dept of Commerce. The Board was presented a copy of the proposal. The grant will take approximately 4-6 months to complete.

A motion was made by Commissioner Hairston to approve the Dept of Commerce Grant to analyze market opportunities for economic growth. The motion was seconded by Commissioner Bennett. Motion carried unanimously.

3. New Business

A. Virtual meeting Resolution for Board of Commissioners -tabled until March 2021

B. Consideration of Firearms Town Ordinance

Town Manager Greenwood stated there have been a lot of complaints within Town of people shooting guns for practice. After reviewing the Town's ordinance he found there is no ordinance stating you cannot shoot guns within the Town. It is considered criminal going by the General Statutes which restricts a firearm from being discharged within Town. Greenwood will draft an ordinance and conduct the necessary hearings to adopt the new ordinance. Commissioner Hairston asked it's not in the by laws of which Greenwood stated it is not but only assumed. After some research it was determined former Board of Commissioners voted to not adopt the ordinance. Commissioner Hairston stated this was something we need. Mayor Brown agreed this ordinance needs to be in place. Commissioner Bennett stated there is no reason for people to be shooting in Town. Mayor Brown stated she has received videos of people shooting in Town and that this should not be allowed, she asked if the new ordinance including bow and arrows as well. Greenwood stated the ordinance defined what a weapon means "a weapon that propels shot, shells, or bullets by the action of an explosion within it. Thus, shotguns, rifles and pistols are firearms." This definition does not include bow and arrows. Commissioner Hairston asked about air rifles or pistols. Town Manager Greenwood stated he also wanted to make the Board aware the Town has been approached about someone wanting to build an indoor firing range and needs to direction about including the indoor firing range. Commissioner Hairston asked if we could table that discussion until a further time. Town Manager Greenwood stated he would advertise for the public hearing.

A motion was made by Commissioner Hairston to allow Town Manager Greenwood to develop an ordinance to prevent discharging firearms within Town limits. The motion was seconded by Commissioner Bennett. The motion carried unanimously.

C. Position Realignment, Town Government

Town Manager Greenwood stated the Town's Wastewater Treatment Operator (WWTP) for several years was Bobby Sisk, unfortunately Bobby suffered a stroke two years ago and was no longer able to work. Since Bobby, Mark is licensed and took over the permit with Mark Delehant as his back up which is required by the permit. Mark Delehant charges us \$200 per month for this service. We are happy to announce that Cory Willoughby has now completed the class and will soon be licensed. Cory currently is our coding and zoning officer. The role of the WWTP operator is to collect daily samples, test, and a tremendous amount of documents & reporting. We have ~\$18k in the budget for coding and zoning officer. Greenwood would like to propose allowing Cory to be the WWTP operator and full-time coding and zoning officer. This would allow the Town to gain a full time coding and zoning officer where as the in the past we were paying PTRC \$25k for one day a week. We would fund this paying Cory 50% from Public Works and 50% from administration. This will also open a new position in Public Works. Additional he would like to ask the Board's permission to also purchase a small truck such as a Ford

Ranger or Chevy S-10 to collect samples, as well as used for coding and zoning. This truck would be a Town truck. Lastly this would give Cory a bump in salary because we have not spent all the money in code enforcement. Commissioner Hairston asked if there would be a full-time vacancy in Public Works. Town Manager Greenwood stated yes, this would be paid all out of public works. Commissioner Bennett stated Cory would be good at handling this position. Mayor Brown asked about the Truck as well. Town Manager Greenwood stated altogether Cory would be paid \$40k and he would like it effective 02/28/2021. Commissioner Mabe asked if there was a job description for this position of which Town Manger Greenwood stated he would have the description and this would combine the two positions and will work well.

A motion was made by Commissioner Bennett to approve the position of realignment of Cory Willoughby and to approve to purchase of a small truck to use for WWTP and Code Enforcement. The motion was seconded by Commissioner Hairston. The motion carried unanimously.

D. Request for support (County) Animal Control Ordinance.

We received a letter from Ms. Kathleen Edwards and Ms. Susan Snyder, in the letter asking for our support to oppose the County animal tethering ordinance. Town Manager Greenwood's recommendation is to send them a letter to commend them for their passion but this is a county issue and our current ordinance will remain the same. Commissioner Mabe stated we need to stay with what we got. Greenwood stated we will pray for them. Commissioner Mabe stated we have something in place that works.

E. Trailer Purchase Consideration for Public Works

The Public Works trailer used to haul the lawn mower was stolen and never recovered. Greenwood would like permission to purchase another 6x8 trailer to replace the stolen one. There is enough money in public works and we would also purchase special locks to hopefully prevent this one from being stolen. Commissioner Bennet asked if the picture in the packet is of the actual trailer, Greenwood stated yes this is directly from the website. Commissioner Bennett stated he liked the wood floor; the mesh flooring does not hold up and the wood floor is a better choice.

A motion was made by Commissioner Bennett to purchase a utility trailer for Public Works. The motion was seconded by Commissioner Mabe. The motion carried unanimously.

F. Consideration to Change term length for Town Mayor Position

As discussed in previous meetings the mayoral terms is set up on a 2 year term and the Commissioner term is for 4 years. Town Manager Greenwood has been approached regarding to make the Mayoral term a 4-year term as well. This would make all positions 4-year terms. This would include amending the current ordinance. Town Attorney Rowe would help develop the timetable. Town Manager Greenwood stated he would have the documents for review at the March meeting. The amended ordinance must be approved 90 days prior to an election, it is a simple process. Commissioner Hairston asked if we can put this on the ballot in the upcoming election? We have 3 commissioners and the mayor are all up for re-election. Town Manager Greenwood stated the only draw back to this is everyone has to file, then serve a 2-year term then another 4-year term. More expensive references, but it is up to the Board. Commissioner Bennett stated he agrees with the Mayor term being 4 year. Town Manager Greenwood questioned to go ahead with the mayoral term of 4 years? Commissioner Mitchell stated he felt it would be better to referendum. Town Manager Greenwood stated he would be prepared and get with Town Attorney Rowe to review the documents in March. Commissioner Hairston asked if this passes how will this effect the upcoming election. Town Manager Greenwood stated the new mayor would serve a 4 year term. Currently Commissioner Bennett if completing the term for Danielle Bailey Lash. Town Manage Greenwood stated he would work with Town Attorney Rowe to get this completed.

G. Planning/Zoning Board Update.

Town Manager Greenwood wanted to update the Board on the planning and zoning board members. We finally have a full Board with 3 in town members appointed by the Board of Commissioners and 3 ETJ members appointed by the County Commissioners. Also we have in town alternates, previously PTRC had allowed alternate members to vote but they can only vote if a regular member is absent. Only in town members can vote and this will be clarified at the next planning and zoning meeting. Bradley had also let whoever wanted to vote. Included in your packet is the current planning/zoning members along with their expiration dates. For years planning/zoning had months were they had nothing on their agenda, now this has caught us in a time where they have critical functions. Mayor Brown stated this is good and helps a lot. Town manager Greenwood stated he is very proud of the Board, he appreciates Willow Oak for allowing us to use their building.

4. Departmental Reports

Administration

We have had questions regarding our regular meeting dates. GS 160A-71, requires the Board to have set meeting dates, which in our case is the second Tuesday of every month. We also had questions regarding our retention records which includes minutes from the Board of commissioners required maintenance of those records. Copies of both the GS for regular meetings and the retention schedule has been included in your packet. We are in the process of looking at possibly purchasing a scanner for our minutes or possibly microfilm. The attorney had the title search completed and ready for signatures to purchase the proposed town hall site. The clerk has completed the new budget line for a Capital Improvement Site as Fund 77. I'm sure we will reference that numerous times in the coming months. We have almost completed the assignments of the laptops and hope this will be a valuable tool for the future.

License Plate Office

The LPA had a good month for January is usually slower. We did have a couple of holiday closings and three days of closure due to COVID. The following is their Net figures.

DMV Transactions:	\$9,094.08
<u>Notary:</u>	<u>\$1,248.00</u>
Net Profit:	\$10,282.08

Code Enforcement

Please see the attached for the current and closed investigations that Cory is working on. We expect PTRC to be here in Feb. or March with the states mandated updates on our ordinance. We will work more closely with the Planning/Zoning Board in the future as there are many requests to be studied in the near future.

Public Works

Public Works has had a busy month. We had applied for an AIA (Asset Inventory Assessment) grant from the state to complete a water mapping system. The town had the sewer system done a few years ago. I was contacted by the state and we did not meet the threshold for this grant this year. We scored a "17" whereas the minimum is "19". We have re-applied and in hopes of receiving it this year. The purpose of the grant was to determine where new valves and line should be installed to better improve our water system. We could wait no longer, so we have begun installing some much-needed improvements. Just a couple of weeks ago, public works installed two new valves which gives us the ability to close off areas when repairs are needed. The work was done at night as to be as little inconvenience to our customers as possible. We plan to continue to perform upgrades at night. I comment Public Works for their work at odd hours to better serve our community. The sewer line that runs under Town Fork Creek has been replaced. We had repaired the line twice last year that rested on

the bed of that creek. After two floods, we had to repair the line twice. We contracted a Boring Co. that actually bored and placed a line under the creek. Hopefully this will solve the problem for decades to come. The following are other repairs made:

Jan. 26 -New valve replace 216 N. Main Street

Jan. 14 – Repaired 6 inch water line off Crestview Drive

Jan. 18- MLK Holiday, 2 inch line 3rd Street and Mitchell

Feb. 3 – Repaired leak at 1074 Crestview Drive

Jan. 28- Feb 3. Bore under creek

Feb. 4 -Raised valve cover, installed new gravel, removed old gravel at 216 N. Main Street.

Feb. 4 – Repaired leak at 517 Summit Street

Mayor Brown stated she is thankful for their hard work, the water tastes better. Town Manager

Greenwood stated we have had no maps, hard to know exactly where the water lines are at. The line

that broke went to an old one. We are hopeful in October we will be approved for the mapping grant.

Items for Future Consideration:

1. We are receiving information of a possible Springfest for May in Downtown.

2. We will have to determine if we can do fireworks in July as a deposit is required and contracting the company for fireworks and band.

3. We will have to schedule a budget retreat date, probably scheduled in the March meeting. Please consider any dates that work best and the location that works best for you. Christine Boles stated the library meeting room fills up quickly and she will need a date ASAP.

4. As we move forward with town hall, we will soon have plans and designs (hopefully) for you to consider.

5. Items of General Concern

Mayor Brown stated it was good to see Commissioner Hairston and all of the Board members.

Commissioner Hairston stated he was happy to see everyone. He also asked if the public works

employees have uniforms. Town Manager Greenwood stated yes they have uniform shirts and boots.

Commissioner Hairston asked if they are forced to wear them? Town Manager Greenwood stated not in

the winter time. Commissioner Hairston stated he seen public works working on a street in their street

clothes and doesn't want them to look tacky. Could they get uniforms to wear all the time. Town

Manager Greenwood stated we are contracted with Cintas for short sleeve shirts. Mayor Brown spoke

up and stated she felt this was a great thing for them to have. Commissioner Bennett stated they would

be easier to identify. Commissioner Hairston stated he would like for them to have it all short and long

sleeve, shorts and pants. Mayor Brown commented also a work jacket as well. Commissioner Hairston

asked Mr. Greenwood if he would please check on the uniforms and then advise the guys to wear them.

Mayor Brown announced an upcoming event at Dandelions all thing events, on 02/12/21 from 10am-

6pm, 02/13/21 from 9am-2pm and 02/14/21 from 10am-2pm visit them for Valentines cupcakes.

**Commissioner Mabe made a motion to adjourn the meeting. The motion was seconded by
Commissioner Hairston. Motion carried unanimously.**

6. Meeting adjourned at 8:23PM

Nellie Brown, Mayor

Amanda Bryant, Town Clerk

Date

Date