

April 12, 2021 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, April 12, 2021, 6:00 p.m. at Town Hall.

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

Also present: Town Manager Brent Cornelison, Assistant Town Manager/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.

CONSENT AGENDA

The following items were presented for the consent agenda:

- Minutes of March 5, 2021 (Board Retreat)
- Minutes of March 8, 2021 (Regular Meeting)
- Report of Administrative Budget Transfer Between Two Department Expenditures of the Same Fund (included as Exhibit A)
- Approve a Resolution to Apply for Drinking Water Funding for West Zone Improvements (may be found in Resolution Book 4, Pages 2021-04-0256 through 2021-04-0257)
- Approve Budget Amendment 2021-21 to Appropriate Reimbursement from NC Department of Public Safety for Administrative Costs Associated with Hurricane Michael (included as Exhibit B)

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

PUBLIC COMMENTS

- Mayor Bishop opened the public comments period.
 - o Beth Shaw, 227 Hawthorne Road (spoke about library)
 - o The following had comments regarding traffic on Elk Spur Street:
 - Sherrie Masten, 706 Elk Spur Street
 - Janice Wright, 750 Elk Spur Street
 - Steve Blackburn, 1151 Elk Spur Street
 - Keith Stringer, 628 Elk Spur Street
 - Debbie Guynn, 713 Elk Spur Street
- There being no other public comments, Mayor Bishop closed the Public Comments period.

MAYOR AND BOARD COMMENTS FOR STAFF

- Mayor Bishop asked for comments for staff.
 - o There were none.

PUBLIC HEARINGS

1. *Conduct a Public Hearing and Consider Passing an Ordinance to Annex the Property Located at 157 Interstate Way (Sarah Harris)*
 - Presented required legal documents as reference and for information:
 - o Petition received February 22, 2021
 - o Deed of Trust
 - o Copy of tax map
 - o Certificate of Sufficiency
 - o Notice of Public Hearing published in *The Tribune* March 24th and March 31st
 - o Town Services Information Sheet (tap cost and request from CC Camp Fire Department to determine their debt and the amount of Town of Elkin reimbursement)
 - Following presentation, Mayor Bishop opened the Public Hearing for comments.
 - o There being no comments, Mayor Bishop closed the Public Hearing.
 - Stated that zoning regulations will be made in accordance with the Town's Comprehensive Plan as required by NCGS 160A-383.
 - Noted that prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explain why the board considers the action taken to be reasonable and in the public interest.
 - Explained that if the annexation is approved, it will be effective June 30, 2021.
 - Mayor Bishop asked for consideration of the Town Council Action Required sheet. 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 Gwyn, the motion was unanimously approved. Thus, the Town Council Action Required sheet was approved (copy included as Exhibit C). Commissioner Gwyn made a motion to approve An Ordinance to Extend the Corporate Limits of the Town of Elkin, North Carolina effective June 30, 2021. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved (copy may be found in Ordinance Book 5, Pages 2021-04-0066 through 2021-04-0067).
2. *Conduct a Public Hearing and Consider Passing an Ordinance to Rezone Parcel I.D. Number 4952-14-23-8057 on Lake Street (Sarah Harris)*
 - This is a legislative hearing, and anyone may speak.
 - o Anyone speaking needs to state their name and address for the record.
 - Received a petition March 10, 2021 to rezone property on Lake Street.

- Parcel is proposed to change from its present zone of R-20 Residential District to R-8 Residential District.
- Public Hearing was advertised in *The Elkin Tribune* on March 24 and March 31, 2021.
- Adjoining property owners were mailed letters on March 17, 2021.
- Planning Board reviewed the request March 29, 2021, and decided R-12 Residential District would be a better fit for this property.
 - o After discussion, the Planning Board approved the following motions:
 - To accept an amended petition requesting the parcel be rezoned to R-12 Residential District.
 - That the R-12 Residential District would be consistent with all of the objectives and growth and development contained in the Town of Elkin Land Use Plan
- Following presentation, Mayor Bishop opened the Public Hearing for comments.
 - o Ms. Harris:
 - Explained the property does not meet the requirements for our R-20 Residential District.
 - Noted the differences in R-8 District and R-12 District which supported the Planning Board's decision.
 - o Mark Jarvis, property owner:
 - Told the Board he attended the Planning Board meeting on March 29th.
 - Said he is fine with the R-12 Residential District zoning.
 - o There being no other comments, Mayor Bishop closed the Public Hearing.
- Commissioner Ball made a motion to approve the amended petition to rezone this property on Lake Street to R-12 Residential District (rather than R-8 Residential District) as recommended by the Planning Board. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.
- Mayor Bishop asked for consideration of the Town Council Action sheet.
 - o 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 Ball, the motion was unanimously approved.
 - o Commissioner McCulloch 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 Wheeler, the motion was unanimously approved. Thus, the Town Council Action Sheet was approved. (Copy of Town Council Action sheet included as Exhibit D.)
 - o Commissioner McCulloch made a motion to approve An Ordinance Amending the Zoning Ordinance of the Town of Elkin, North Carolina and the Official Zoning Map, Elkin, North Carolina. There were no questions. Upon a second by Commissioner Ball,

the motion was unanimously approved. (Copy of Ordinance may be found in Ordinance Book 5, Pages 2021-04-0068 and 2021-04-0069.)

This concluded the public hearings.

REGULAR MEETING

1. Consider a Request from Explore Elkin for Freedom Fest (Thomas Eidson)

- Expressed appreciation to the Commissioners for their support of the fireworks in past years and for this year.
- We have received a quote for this year's fireworks at a cost of seven thousand dollars (\$7,000.00).
 - o This is two thousand dollars (\$2,000.00) more than had been budgeted.
 - o The vendor has notified us the cost for next year will be ten thousand dollars (\$10,000.00) minimum.
- We are planning a full event this year.
- Here to request the town's assistance with the additional costs.
- Town Manager Cornelison reminded the Board that this is a budget item in the Recreation and Parks budget.
 - o At our recent retreat, we budgeted five thousand dollars (\$5,000) for this year's event.
 - o If the Board approves this request, we can provide a budget amendment at our next meeting for an additional two thousand dollars (\$2,000) in order to cover these costs.
- There was discussion among board members.
- Board suggested Explore Elkin check with other vendors to compare costs.
- Commissioner McCulloch made a motion to approve preparing a budget amendment in the amount of two thousand dollars (\$2,000) for the additional costs for fireworks at this year's Freedom Fest. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved.
- Mr. Eidson told the Board he would contact other vendors and get quotes for the same fireworks for comparison.

2. Consider a Request from the owner of Elkmont Center (Town Manager Cornelison)

- At our retreat last month, the Board directed staff to send letters to the electronic gaming businesses in town giving them sixty (60) days to come into compliance with our Zoning Ordinance.
- Matt Wilmoth, owner of Elkmont Shopping Center, has requested a ninety-days extension from the May 4th deadline for the two electronic gaming businesses in his shopping center to come into compliance.
- There was no discussion.

3. Consider Approving the Contract to Audit Accounts for the Town of Elkin Year Ended June 30, 2021 with Martin Starnes & Associates, CPA's, P.A. (Dina Reavis)

- Sent out RFPs in early February of this year for auditing services to six LGC approved auditing firms.
- Received cost estimates back from five of the firms.

- Martin Starnes & Associates had next to the lowest cost estimate.
- Awarded the June 30, 2021 Audit Contract to Martin Starnes & Associates.
- Request your approval of the Audit Contract as presented.
- Commissioner Eidson made a motion to approve the Audit Contract between Martin Starnes & Associates and the Town of Elkin for fiscal year ending June 30, 2021, as presented. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved. (Copy of Audit Contract included as Exhibit E.)
- 4. *Receive a Report from the State and Local Government Finance Division (Dina Reavis)*
 - Received notice from the State and Local Government Finance Division that the Local Government Commission (LGC) reported several concerns with our last audit.
 - Several concerns required corrective actions
 - Presented findings to the Board along with the corrective action plan for each finding.
 - Told Board she was sending a letter to the State and Local Government Finance Division signed by all board members along with each finding, the corrective action and a proposed completion date. (Copies included as Exhibit F.)
- 5. *Consider Approving Town of Elkin Tax Collection Procedures Administrative Policy (Dina Reavis)*
 - This policy provides direction as to when current year taxes may be sent to NC Debt Setoff for collection through state income tax refunds.
 - Presented a brief overview of the procedures.
 - Commissioner Wheeler made a motion to approve the Town of Elkin Delinquent Tax Collection Procedures. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved. (Copy of Policy included as Exhibit G.)
- 6. *Consider Approving Town of Elkin Utility Customer Accounts Receivable Debt Collection Administrative Policy (Dina Reavis)*
 - This policy states when a balance owed on an inactive utility account will be sent to a debt collection agency for collection.
 - Presented a brief overview of the procedures.
 - Commissioner McCulloch made a motion to approve the Town of Elkin Administrative Policy Utility Customer Accounts Receivable Debt Collection. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved. (Copy of Policy included as Exhibit H.)
- 7. *Consider Approving Town of Elkin Utility Services for HDMF Properties: Master Meter (Dina Reavis)*
 - This policy states that all High-Density Multi-Family Development (HDMF) Properties require a master metering system to receive utility services from the Town of Elkin.
 - Presented the proposed procedures and explained the reasons behind this policy.
 - Discussion included matters regarding rental properties and location of the master meter.

- Following discussion, Commissioner McCulloch made a motion to approve the Town of Elkin Administrative Policy Utility Services for HDMF Properties: Master Meter by adding wording that addresses rental properties and stating that master meters will be located in the right-of-way. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved. (Copy of Policy included as Exhibit I.)

COMMISSIONS AND BOARDS (Town Manager Cornelison)

- Minutes included in agenda packet for:
 - o Elkin Main Street Advisory Board (February 15, 2021)
 - o Recreation and Parks Advisory Board (January 21, 2021)
 - o Elkin Tourism Development Authority (November 19, 2020)
 - o Yadkin Valley ABC Board (February 26, 2021)

MANAGER UPDATES


- Will be leaving for vacation Wednesday and will be back in the office Tuesday—can be reached by phone.
- Surry EDP meeting is Wednesday

There being no further business, Commissioner Gwyn made a motion to adjourn. Upon a second by Commissioner Wheeler, the motion was unanimously approved. The meeting adjourned at 6:55 p.m.



Sam Bishop, Mayor

Attest:



Catherine C. Tilley, Town Clerk