

## July 13, 2020 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, held July 13, 2020, 6:00 p.m. at the Heritage Center conference room. The meeting was also on-line through a Zoom Conference managed by Assistant Town Manager, Adam McComb.

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

Also present: Town Manager Brent Cornelison and Town Attorney Raymond A. Parker. (Absent: Town Clerk Cathie Tilley). Due to the absence of the town clerk, minutes taken by Town Attorney Raymond A. Parker.

Mayor Bishop welcomed everyone to the meeting. He acknowledged the presence of the commissioners by roll call and noted that Commissioner McCulloch was absent. A motion was made by Commissioner Eidson, second by Commissioner Wheeler to excuse Commissioner McCulloch from this meeting. The vote in favor of the motion was unanimous.

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

- Minutes of June 8, 2020 (Regular Meeting)
- Minutes of June 25, 2020 (Recessed Meeting)

Mayor Bishop presented the Consent Agenda for consideration. Commissioner Eidson made a motion to approve the Consent Agenda. Commissioner Wheeler second the motion and there was unanimous approval.

### **SPECIAL RECOGNITION**

- Juneteenth Proclamation – Mayor Bishop

Mayor Bishop gathered all present in the main room of the center where he read a proclamation declaring June 19, 2020, as "Juneteenth" in the Town of Elkin. The Board then re-convened in the conference room.

### **PUBLIC COMMENTS**

Mayor Bishop asked for Public Comments. There were none.

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

Mayor Bishop then asked for and received Public Comments from the Commissioners.

### **PUBLIC HEARINGS:**

Mayor Bishop next announced that there were five public hearings scheduled for tonight's meeting:

1. *Conduct A Public Hearing and Review Zoning Application for 971 North Bridge Street (Sarah Harris)*
  - o **A Public Hearing** on a zoning application to re-zone the entire parcel of land at 971 North Bridge Street B-2. The parcel currently is zoned B-2 in the front, then a portion is zoned R-12, and another portion is zoned

R-8. Owner's Tonya Kimbell and Kayla Johnson each spoke briefly concerning their planned uses for the property. Adjoining owner, David Shepherd, spoke in favor of the request, but asked the owners about planned parking on the property. Mayor Bishop closed the public hearing. Ms. Harris then addressed the board with further details. Following discussion, the following occurred:

- A motion was made by Commissioner Gwyn, second by Commissioner Eidson that the zoning request is consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plans. There was unanimous approval of this motion.
  - A motion was made by Commissioner Wheeler, second by Commissioner Ball that the zoning request is reasonable and in the public interest. There was unanimous approval of this motion. (Copy of Town Council Action sheet included as Exhibit A.)
  - A motion was made by Commissioner Ball, second by Commissioner Eidson to amend the Zoning ordinance and zoning map to re-zone the entire parcel at 971 North Bridge Street to the B-2 zoning district. This motion passed unanimously. (Copy of An Ordinance Amending the Zoning Ordinance of the Town of Elkin, North Carolina and the Official Zoning Map, Elkin, North Carolina may be found in Ordinance Book 5, Pages 2020-07-0053 and 2020-07-0054.)
2. *Conduct A Public Hearing and Review Conditional Use Permit Application for 244 North Bridge Street (Sarah Harris)*
- **A Quasi-Judicial Public Hearing** on a request for a "Conditional Use" for townhomes on the parcel at 244 North Bridge Street was held. Only the owner, Perry Jernigan, was sworn and presented evidence in favor of the project. Ms. Harris provided the board with the appropriate documents and summed up the request, including the recommendation from the Planning Board to grant the request with the conditions of (1) landscaping to be completed in Phase One; (2) allowing two years for the completion of Phase One of the project; and (3) allowing four years for the completion of Phase Two of the project. Mayor Bishop closed the public hearing.
  - A motion was made by Commissioner Edison, second by Commissioner Ball that the proposed development is consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plans and the application for a conditional use should be approved with the following conditions: (1) landscaping is to be completed in Phase One; (2) two years are granted for the completion of Phase One of the project; and (3) an additional four years is granted for the completion of Phase Two of the project. After discussion, this motion was unanimously approved.
  - A motion was made by Commissioner Eidson, second by Commissioner Ball, that the application for the conditional use, with the stated conditions is reasonable and in the public interest. This motion passed unanimously. (Copy of Town Council Action sheet included as Exhibit B.)
3. *Conduct A Public Hearing and Variance Application for 321 East Main Street (Sarah Harris)*

- **A Quasi-Judicial Public Hearing** on a request for a variance in the M-1 district set-back lines at 321 East Main Street was held. No one was sworn to give evidence. Mayor Bishop closed the public hearing. Ms. Harris informed the board that this request for a variance was before them because it was a request for a variance under the Subdivision Ordinance. The parties are asking to subdivide a portion of the old Chatham Manufacturing properties into two tracts. The proposed property between the old YMCA Building and a larger building in the rear does not meet M-1 setbacks. She also informed the board on the required findings to grant the variance which are set forth in full on the variance application. After questions and discussions, the following action was taken:
  - A Motion was made by Commissioner Ball, second by Commissioner Eidson, that the required findings set forth in the application for the variance have been met for the granting of the requested variance. This motion passed unanimously.
  - A Motion was made by Commissioner Wheeler, second by Commissioner Eidson, that the reasons set forth in the application for the variance justify the granting of the variance and that the variance is the minimum one that will make possible the reasonable use of the land, building and structure. This motion was unanimously passed.
  - A Motion was made by Commissioner Eidson, second by Commissioner Ball that the granting of the requested variance will be in harmony with the general purpose and intent of the ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. This motion passed unanimously. (Copy of Board of Commissioner Findings included as Exhibit C.)
- 4. *Conduct A Public Hearing and Review Rezoning Application for 321 East Main Street (Sarah Harris)*
  - **Public Hearing** to re-zone a portion of the parcel at 321 East Main Street from M-1 to B-1. No one spoke in favor of or against the application. Mayor Bishop closed the public hearing. Ms. Harris reviewed the request and informed the Board that the Planning Board unanimously recommended granting this zoning request.
  - A Motion was made by Commissioner Gwyn, second by Commissioner Eidson that the zoning request is consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plans. There was unanimous approval of this motion.
  - A Motion was made by Commissioner Eidson, second by Commissioner Gwyn that the zoning request is reasonable and in the public interest. There was unanimous approval of this motion. (Copy of Town Council Action sheet included as Exhibit D.)
  - A Motion was made by Commissioner Wheeler, second by Commissioner Ball to amend the Zoning ordinance and zoning map to re-zone the portion of the property at 321 East Main Street, upon which is located the old YMCA Building, from M-1 to B-1 zoning district. This motion passed unanimously. (Copy of An Ordinance Amending the Zoning Ordinance of the Town of Elkin, North Carolina and the Official

Zoning Map, Elkin, North Carolina may be found in Ordinance Book 5, Pages 2020-07-0055 and 2020-07-0056.)

5. *Conduct A Public Hearing to Consider Approving a Proposed Incentive Agreement with MOST Investments 5, LLC, for Spring Valley Apartments (Leslie Schlender)*
  - o **Public Hearing** on a proposed economic incentive agreement between the Town of Elkin and MOST Investments 5, LLC. MOST Investments is proposing to make substantial real property improvements to the property at 138 Sloop Street in Elkin known as "Spring Valley Apartments." These improvements will increase the tax value of the property considerably. They have asked for a tax incentive to make these improvements. The town is proposing a "performance-based incentive" based on the increase in the real property tax rate of the current tax rate, and to reimburse them 80% of the taxes actually paid on the "increase" in tax value for the years 2021 thru 2025. No one spoke in favor of or against the incentive. Mayor Bishop closed the public hearing.
  - o Ms. Schlender than reviewed the proposed incentive Agreement (included as Exhibit E) with the Board. After questions and discussions, Commissioner Eidson made a motion to adopt a Resolution between the Town of Elkin and MOST Investments 5, LLC, regarding a proposed economic incentive. The motion was seconded by Commissioner Gwyn. After further discussion, a vote to approve the proposed resolution was unanimously approved. (Copy may be found in Resolution Book 4, Pages 2020-07-0245 through 2020-07-0246.)

This concluded the Public Hearings.

## **REGULAR MEETING**

1. *Consider Approving Budget Amendments 2021-02, 2021-03 and 2021-04 (Lisa Salmon)* Ms. Lisa Salmon presented to the Board three proposed budget amendments:
  - a. **Budget Amendment 2021-02** is a budget amendment to appropriate \$3,500.00 in funds in the 2021 Fire Department's budget for training props for the training center. These funds were donated by Weyerhaeuser during the 2020 budget year but were not expended. Commissioner Eidson made the motion to approve budget amendment 2021-02. Second by Commissioner Gwyn. There was unanimous approval of the motion. (Copy included as Exhibit F.)
  - b. **Budget Amendment 2021-03** is a budget amendment to appropriate \$67,855 in Coronavirus Relief Grant Funds received in 2020 fiscal year but not expended. These funds will be expended pursuant to the interlocal agreement with Surry County and federal grant requirements. Commissioner Eidson made a motion to approve budget amendment 2021-03. Second by Commissioner Ball. There was unanimous approval of the motion. (Copy included as Exhibit G.)

- c. **Budget Amendment 2021-04** is a budget amendment to appropriate to the airport budget \$30,000 received from the CARES Act Grant for the State Block Grant Program for airports for capital improvements. Commissioner Wheeler made a motion to approve budget amendment 2021-04. Second by Commissioner Eidson. There was unanimous approval of the motion. (Copy included as Exhibit H.)
2. **Consider Approving New Water Rates for the Surry County Waterline Customers (Town Manager Cornelison)**
- The Board next considered a **new water rate plan** for the former Surry County water line customers. The former Surry County rates were in a tier structure that included higher rates for lower usage. The Town now proposes a new rate plan for both residential and commercial customers:
  - Residential Rate—This is the same plan for “intown” users: \$16.50 for less than 2000 gallons and \$7.00 for each additional 1000 gallons.
  - Commercial Rate--\$16.50 for the first 2000 gallons, and \$6.12 for each additional 1000 gallons.
  - This is the proposed rate plan that was discussed at the retreat and during budget discussions. A motion to approve the proposed new rate plan was made by Commissioner Eidson, second by Commissioner Gwyn, and there was unanimous approval of the plan.

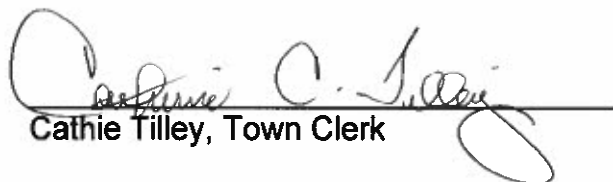
**MANAGER UPDATES (Brent Cornelison)**

- Mr. Cornelison updated the board on the search for a new Finance Director. The deadline for applications is this coming Friday. He will review the applications and with the assistance of a committee will conduct interviews and then make a recommendation to the Board.

Mayor Bishop asked if there was further business to come before the meeting. There was none.

There being no further business, Commissioner Ball made a motion to adjourn the meeting. Second by Commissioner Gwyn. There was unanimous approval of the motion. The meeting adjourned at 7:00 p.m.

  
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Mayor Sam Bishop

  
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Cathie Tilley, Town Clerk