

**TOWN OF FOUR OAKS
BOARD OF COMMISSIONERS MEETING
AUGUST 18, 2025
MINUTES**

Call to Order

Mayor Vic Medlin, called the August 18, 2025, regular scheduled Board of Commissioners meeting to order at 6:30 p.m. Those present included Mayor Pro Tem Mike Hines, Commissioners Michael Bradley, Carles Surlles, and Tony Capps. Kim Robertson was excused. Also present were Town Attorney Alan “Chip” Hewett, Public Works Director Barry Stanley, Assistant Public Works Director James Bryan, Chief Building Inspector/P&Z Director Mike Cook, and Mike Dart with the Four Oaks Benson News and Review. Rhonda Lee, Town Clerk, was also present to record minutes.

Invocation and Pledge of Allegiance

Commissioner Carles Surlles gave the opening Invocation, with Trace Bradley leading the Pledge of Allegiance.

Approval of Minutes

- a) Board of Commissioners Meeting – July 21, 2025
Commissioner Surlles made a motion to approve the July 21, 2025, minutes as presented, seconded by Commissioner Bradley. The motion carried unanimously.

Public Comments

Jason Jeannette, owner of All Out Bikes, located at 106 S. Main St. in Four Oaks, addressed the board as follows: (1) To express his concerns about the Streetscape project and the timeline for its completion. (2) He asked the Board to consider small business owners, as they are feeling the pain with construction as well as traffic. (3) He asked if there was anything in place to help the Main Street business owners, as rent, water bills, etc. (4) He states that he would like answers, and he felt like he could speak for the other downtown business owners as well by saying they all want some answers. Mayor Medlin responded by saying that the Town was going to waive water and sewer bills during this process and that the Town has reached out to the State for funding to help with these pains. Mayor Medlin thanked Jason for his time and said that the Town will address his concerns and help wherever possible.

Elton Pridgen, owner of Old Time Grill, located at 101 W. Wellons St. in Four Oaks, addressed the board as follows: (1) Concerns about parking on Wellons St. as well as Main St. (2) Suggested the Town look at buying Bucky Grady's store on the corner of Main and Wellons for a public parking space. (3) Concerned about there not being any parking in front of KS Bank. Public Works Director James Bryan stated he was instructed by DOT to put no parking signs up because of the high risk of accidents when large vehicles and 18-wheelers park there. (4) Concerned about the hole in the road beside KS Bank and why it is taking so long to get it repaired. James Bryan responded that the Town is getting quotes to have it repaired, along with some other places around town.

Amy Dunn, resident at 403 N. Baker St. in Four Oaks, addressed the board as follows: (1) Very concerned about flooding on Baker St. (2) Catch basins have not had routine maintenance done and have weeds growing out of the top of them. This is a huge concern when we have big storms with a lot of rainfall, and the water has nowhere to go. Amy presented pictures of her yard for the board members to view. Mayor Medlin responded to Amy's concerns by stating that the Town has been working on a drainage project for a couple of years and this project will go out to bid next month. This is a 2.2 million dollar project and should help with drainage throughout the town. He assured Amy that the public works department would handle cleaning those drains to hopefully prevent any flooding that may potentially occur.

Roy Turner, resident at 501 N. Baker St. in Four Oaks, addressed the board as follows: (1) Drainage and flooding concerns on Baker St. He asked if the drainage project has been in the works for two years; could the public review them? Mayor Medlin set the date for the public to view engineering plans of the drainage project for Tuesday, August 19, 2025, at 5:30 pm.

Amy Evans, resident at 500 N. Baker St. in Four Oaks, addressed the board as follows: (1) Drainage and flooding concerns on Baker St. (2) Her house was surrounded by water with the last storm we got. She is concerned that there will be larger storms that cause a lot of flooding and we need to be prepared. (3) She asked the board to please consider this issue and be proactive as opposed to reactive.

John Littleton, resident at 504 N. Baker St. in Four Oaks, addressed the board as follows: (1) Concerns with drainage and flooding on Baker St. (2) Asked the board to view this as a sense of urgency (3) The Town needs action, not just a plan.

Joan Pritchett, President of the Four Oaks Chamber of Commerce, reported that (1) the Strategic Partner Forum got a lot of positive feedback and she thanked the Commissioners for attending and Mayor Medlin for preparing and delivering a speech on behalf of the Town. (2) Oaks Alive will be Saturday, September 13, 2025. This is replacing the Acorn Festival this year, given that the downtown Streetscape project still has Main Street closed. Things will look a little different, but will be fun nonetheless. There will be around 50 vendors, 10 food trucks, kids activities and a street dance happening at Barbours Grove Park.

Mayor Medlin thanked everyone for their time and for sharing their concerns. There were no other comments or concerns brought before the board; therefore, Mayor Medlin called the meeting into a public hearing.

Public Hearings

Mike Cook relayed to the board that the petitioner, Chris Stanley, and Fred & Linda Jensen, owners, would like to rezone Parcel # 08J11023X from RA to R8.5, located at 1104 S. Lakeside Dr. Parcel is in the Town's ETJ. Town Ordinance does not allow this; therefore, staff cannot recommend approval. This is a "downzone". The surrounding parcels are zoned R8.5 and are in the City Limits. If approved, the parcel should be annexed into the City Limits. Letters were mailed to 43 property owners within a 500-foot radius on July 30. There were no inquiries from letters that were mailed. Public notice was in the FO Benson News and Review July 30, 2025 and August 6, 2025. Sign was placed on the property on August 1, 2025. Planning Board recommends rezoning from RA to R8.5 to align with the rest of the neighborhood. Mayor Medlin asked if there were any other questions or comments from the audience or board. Commissioner Hines asked if this was rezoned to R8.5 did the property have to be annexed into the City Limits. Mike Cook responded that it would be recommended for annexation because the Town's ordinance states that R8.5 zoning is only allowed in the City limits. With no further questions from the audience or the board, Mayor Medlin closed the public hearing. Commissioner Hines made a motion that we rezone this parcel from R-A to R8.5 with the stipulation that it gets annexed into the Town's City Limits. Commissioner Bradley seconded the motion. Motion carried unanimously.

Mayor Medlin called the meeting into a public hearing.

Mike Cook relayed to the board that the petitioner and owner, CLD, LLC is requesting voluntary annexation for parcel# 08I11053 located on Old Brewer Rd. The clerk's investigation found this property to be in favor of a contiguous annexation. Letters were mailed to 8 property owners within a 500 ft radius on July 30th and there were no inquiries from letters that were mailed. Sign was placed on the property. There was no one from CLD, LLC present to speak on the annexation. With no further questions from the board, Mayor Medlin closed the public hearing. Commissioner Capps made a motion to approve the annexation. Seconded by Commissioner Hines. Motion carried unanimously.

Mayor Medlin called the meeting into a quasi-hearing and turned the meeting over to Attorney Chip Hewett.

Attorney Chip Hewett swore in staff member Mike Cook, Attorney Matthew Carpenter, representing NVR, Inc., Jackie Grissett from NVR staff, and Jeremy Keen, civil engineer and licensed surveyor, giving expert testimony.

Mike Cook presented the case. NVR, Inc., petitioner and owner, requested a variance on the front of the home at 278 N. Coral Bells Way. Parcel 08H10016M. Parcel is in the Town's City Limits. This parcel is zoned R12 and does not meet the required setbacks. The required setback is 40 feet, but with the front porch being added it is 38 feet. Public notice was placed in the Four Oaks News and Review on July 30 and August 6th. Sign was placed on the property August 1st. There were 9 letters mailed to property owners within a 500-foot radius on July 30th. There were no inquiries from letters that were mailed.

Matthew Carpenter, attorney for NVR/Ryan Homes, states that this is a lot in the Reserve subdivision in Four Oaks and that NVR has been doing a lot of work in this particular subdivision. This is a brand-new two-story home that and the front covered porch is 2 feet in the front setbacks. After the home was built it was discovered that the front porch encroached the setbacks by 2 feet. After the CO was issued and the mistake was identified, the Town of Four Oaks was notified. We acknowledge a mistake was made and wanted to go through the proper process to correct it. This will make things right with the Town and easier for the buyers. The only two options were to tear down the covered porch, which would not look good and decrease the value of the home, or request a variance to make this legally right. Jeremy Keene, professional civil engineer and professional land surveyor, noted that the lot lines are a little unique for this property, with the lines being at an angle and curved at the front. Setback was caught during the final inspection. Asking for a two-foot variance to sell the house without having to tear anything down. Attorney Matthew Carpenter approached the board to review the four finding of facts that are to be taken into consideration in order to approve the variance. The first being unnecessary hardship would result from a strict application of the ordinance. This means we would have to tear down the newly constructed front porch, which would lead to an unnecessary hardship. The second being, the hardship results from conditions that are peculiar to the property. Due to the unusual shape of the lot and that the property backs up to wetlands. The third one states that the hardship did not result from actions taken by the applicant or property owner. There was a mistake on the plans but there is case law that states if the developer relied on plans prepared by a licensed professional, that this is not a self-created hardship. That is exactly what has happened here. Lastly, the requested variance is consistent with the spirit, purpose, and intent of the ordinance. The purpose of the setbacks is to provide adequate distance between houses, and since there will not be a house in front of this particular home, and we are only needing a 2 ½ foot setback for the covered porch, there really shouldn't be a problem. All other setbacks are met. So with that, we respectfully request your approval.

With no further questions from the board, Mayor Medlin closed the quasi-hearing. Attorney Hewett presented the four finding of facts to the board.

- a) Unnecessary hardship would result from a strict application of the ordinance. Motion to approve finding of fact (a) was made by Commissioner Capps, seconded by Commissioner Bradley. Motion passed unanimously.
- b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Motion to approve finding of fact (b) was made by Commissioner Hines, seconded by Commissioner Capps. Motion passed unanimously.
- c) The hardship did not result from actions taken by the applicant or the property owner. Motion to approve finding of fact (c) was made by Commissioner Surles, seconded by Commissioner Hines. Motion passed unanimously.
- d) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. Motion to approve finding of fact (d) was made by Commissioner Capps, seconded by Commissioner Bradley. Motion passed unanimously.

Attorney Hewett stated that since the board voted to approve all four required finding of facts, it would be in order to have a motion to approve the variance in its entirety.

Commissioner Capps made a motion to approve the variance in its entirety. Seconded by Commissioner Surles. Motion passed unanimously.

Mayor Medlin called the meeting into a quasi-hearing and turned the meeting over to Attorney Chip Hewett.

Attorney Chip Hewett swore in staff member Mike Cook and property owners Jon and Cassidy Barbour.

Mike Cook presented the case. Jonathan and Cassidy Barbour, petitioners and owners. Application for a variance for front setbacks for an addition to the existing home, which has not been built yet, at 304 N. Baker St., parcel# 08009020. Parcel is in the town's city limits. Zoning is R8-5S. Does not meet the required setbacks on the front by the site plan that was submitted. Public notice was in the FO Benson News in Review on August 6th. Sign was placed on the property on August 1st. Letters were mailed to 42 property owners within a 500-foot radius on August 1st. There were no inquiries from the letters that were mailed.

Jon Barbour, property owner at 304 N. Baker St. approached the board. He was asked by Commissioner Capps how many feet for the variance was he asking. Mayor Medlin stated this was a hundred-year-old house, and they didn't even have setbacks then. Jon stated the original house will not move, and the addition will be about 8 feet off the house on the side. It will meet all other setbacks.

With no further questions from the board, Mayor Medlin closed the quasi-hearing. Attorney Hewett presented the four finding of facts to the board.

- a) Unnecessary hardship would result from a strict application of the ordinance. Motion to approve finding of fact (a) was made by Commissioner Hines, seconded by Commissioner Capps. Motion passed unanimously.
- b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Motion to approve finding of fact (b) was made by Commissioner Bradley, seconded by Commissioner Hines. Motion passed unanimously.
- c) The hardship did not result from actions taken by the applicant or the property owner. Motion to approve finding of fact (c) was made by Commissioner Bradley, seconded by Commissioner Capps. Motion passed unanimously.
- d) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. Motion to approve finding of fact (d) was made by Commissioner Capps, seconded by Commissioner Bradley. Motion passed unanimously.

Attorney Hewett stated that since the board voted to approve all four required finding of facts, it would be in order to have a motion to approve the variance in its entirety.

Commissioner Bradley made a motion to approve the variance in its entirety. Seconded by Commissioner Surles. Motion passed unanimously.

New Business

Skip Green presented a resolution to adopt policies and guidelines, per the State, for grant administration. Commissioner Hines made a motion to accept the resolution as presented. Seconded by Commissioner Bradley. Motion passed unanimously.

Andy Hardy, presented the Town's 2025-2026 fee schedule in the absence of Finance Officer, Rachel Raynor. These fees are in line with the county. The county has approved an increase in the sewer capacity from \$10.68 to \$11.01 per gallon. Water capacity has stayed the same. This will be effective September 1st. Will hold off on water capacity purchases until Rachel gets back from maternity leave. The next change will be under building inspections and permit fees. These were at \$12.50 and will increase to \$25.00. Also, accessory buildings and land use fees will increase from \$12.50 to \$25.00. Those are the three changes as of now but we will continue to monitor the county's fee schedule so we can stay in line with them. Motion to adopt the 2025-2026 fee schedule was made by Commissioner Surles. Seconded by Commissioner Hines. Motion passed unanimously.

Resolution authorizing the sale of surplus property presented by Chief Anderson. Chief Anderson stated that he has a 2009 Dodge Charger that needs to be listed as surplus and sold. Motion to surplus and sale the 2009 Dodge Charger was made by Commissioner Hines. Seconded by Commissioner Surles. Motion passed unanimously.

Mayor Medlin stated that the board needs to adopt the Town Administrator duties. Duties are included in the package. Attorney Hewett stated that this could always be amended as needed. Motion to approve the duties of the Town Administrator was made by Commissioner Surles. Seconded by Commissioner Capps. Motion passed unanimously.

Mayor's Comments

Commissioner Bradley had a question on the rezoning that was heard earlier for Fred and Linda Jensen at 1104 S. Lakeside Dr. The agenda states a variance is requested only if the rezoning does not pass. Commissioner Bradley states that this new zoning will still require them to have a variance. Chris Stanley states that the addition will not protrude any further than the current house. Mayor Medlin called the meeting back into a public hearing to hear application for variance on parcel# 08J11023X for Fred and Linda Jensen. Mayor Medlin then called the meeting into a quasi-hearing and turned the meeting over to Attorney Hewett.

Attorney Hewett swore in Mike Cook and Chris Stanley. Mike presented the case. Fred & Linda Jensen, application for variance on parcel # 08J11023X, located at 1104 S. Lakeside Dr. Parcel is in the Town's ETJ. Requesting a variance for setbacks to add an attached 3-car garage to the existing home. Current zoning is R8.5. Does not meet required setbacks for the front of the property. Public notice was in the FO Benson News in Review on July 30 and August 6. Sign was placed on the property on August 1st. Letters were mailed to 43 property owners within a 500 foot radius. There were no inquiries from letters that were mailed. All other setbacks will be met. There were no other questions from the board. Mayor Medlin closed the quasi-hearing and turned the meeting over to Attorney Hewett for the four finding of facts.

- a) Unnecessary hardship would result from a strict application of the ordinance. Motion to approve finding of fact (a) was made by Commissioner Hines, seconded by Commissioner Bradley. Motion passed unanimously.
- b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Motion to approve finding of fact (b) was made by Commissioner Capps, seconded by Commissioner Bradley. Motion passed unanimously.
- c) The hardship did not result from actions taken by the applicant or the property owner. Motion to approve finding of fact (c) was made by Commissioner Bradley, seconded by Commissioner Surles. Motion passed unanimously.
- d) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is

achieved. Motion to approve finding of fact (d) was made by Commissioner Surles, seconded by Commissioner Bradley. Motion passed unanimously.

Attorney Hewett stated that since the board voted to approve all four required finding of facts, it would be in order to have a motion to approve the variance in its entirety.

Commissioner Hines made a motion to approve the variance in its entirety with the conditions that the addition does not protrude any further into the setbacks as the existing home and that the property gets annexed into the Town's City Limits. Seconded by Commissioner Bradley. Motion passed unanimously.

Mayor Medlin, getting back to the Mayor's comments, we need to get out and dig out some drainage tiles so we can get water flowing before hurricane season kicks in. Working on the stormwater project so hopefully this will help the water flow better. Our Finance Officer had her baby this week, Hayes Gaston Rayonr, 8lbs 14 oz. Baby and momma are doing great and are at home. We are very, very excited for her and her husband.

Department Reports

Police – Chief Anderson presented the Police report (see attached). He is helping the Detective out since her case loads are so busy. SRO's are in place at the schools and are having orientation this week. School's traffic flow is going good so far.

Parks & Rec and Outreach & Appearance – No report as Commissioner Robertson was absent and excused.

Water and Sewer – Commissioner Bradley gave the water/sewer report (see attached).

Sanitation & Streets – Commissioner Bradley states he would like to see public works put in a valuable effort into drainage on Baker Street, especially.

Planning & Zoning, Inspections – Mike Cook presented his report (attached). Mike states he and Barry are working on the UDO and have received two quotes. Commissioner Capps states that the town is working on the UDO and getting quotes so that we can get someone to help us get all of our ordinances updated. We are taking all options into consideration. The town will have the opportunity to meet with business owners and others to get their input. Pam Price approached the board to ask what the scope of the UDO will be. Commissioner Capps explained that this will help get ordinances and zoning together so that there are no conflicts from one place to another and to align with each other. This will also give property owners, as well as business operators, a chance to have an input in what we are trying to do. Trying to do what is in the best interest of Four Oaks, long-term.

Finance – Commissioner Hines presented the bills in the absence of Finance Officer, Rachel Raynor (report attached). Commissioner Hines made a motion to approve the bills as presented. Commissioner Capps seconded. Motion passed unanimously.

Resident, Trina Baker Parker, approached the board regarding her father, Ray Baker's, easements. She presented a letter to the Town Attorney Chip Hewett.

Closed Session

NC General Statute §143-318.11a (3) To discuss matters with the Town's attorney to preserve the attorney-client privilege. (6) Personnel Matters.

Commissioner Hines made a motion to go into closed session to discuss attorney-client privilege and personnel matters. Commissioner Bradley seconded the motion. Motion carried unanimously.

Mayor Medlin called the meeting back into a public hearing.

Commissioner Hines made a motion to have Attorney Hewett proceed with easements. Refer to closed session minutes. Commissioner Bradley seconded the motion. Motion carried unanimously.

Adjournment

With no further business brought before the Board of Commissioners, a motion to adjourn at 8:50 p.m. was made by Commissioner Hines, seconded by Commissioner Capps. The motion carried unanimously.

ATTEST:

Vic Medlin, Mayor

Rhonda S. Lee, Town Clerk