

TOWN OF FOUR OAKS
BOARD OF COMMISSIONERS MEETING
JUNE 17, 2024
MINUTES

Call to Order

Mayor Vic Medlin called the June 17, 2024 regular scheduled Board of Commissioners meeting to order at 6:30 p.m. Those present included Commissioners Carles Surlles, Michael Bradley, Tony Capps, and Kim Robertson. Also, present were Police Chief Stephen Anderson; Public Works Director Barry Stanley, Planning & Zoning Administrator/ Building Inspector Mike Cook, Town Clerk Rhonda Lee recording minutes, and Mike Dart from FO Benson New in Review.

Invocation and Pledge of Allegiance

Commissioner Carles Surlles gave the opening Invocation with Mike Cook leading the Pledge of Allegiance.

Approval of Minutes

- a) Board of Commissioners Meeting – May 20, 2024
- b) Budget Meeting – May 29, 2024
- c) Budget Meeting – June 10, 2024

Commissioner Capps made a motion to approve the minutes for all three meetings as presented, seconded by Commissioner Bradley, voting unanimous, motion passed.

Public Comments

Mary Bells- Came to speak on behalf of her niece Sophia Johnson that lives on Allendale St. Her concerns are about the 24 unit townhouses that are being presented and how the water will flow properly. She also has traffic concerns with all the large trucks going from I-95 to the business park. Another concern she has is the children and where they will play and how they will safely get on the school bus. Mrs. Bells is asking on Sophia's behalf that the developer provide a nice fence between her property and the townhomes.

Alicia Ford- Concerns about her property taxes increasing and the traffic being so congested.

Sam Austin- Wants the town to look at underground water flow. He has seen several issues with flooding that he feels needs to be addressed.

Joshlin Williams- Lives on Temple St. and has property on Allen St. She voiced her concerns about traffic and growth for the area and the Town of Four Oaks.

Public Hearings

Mayor Medlin called the meeting into a quasi-public hearing.

- a) QUASI: Paul & Emily Jordan., Petitioners & Owners are requesting a Special Use Permit to allow for an oversized 1500 square foot building to be located at 769 Juniper Church Rd., parcel# 08H11022, located in the Town's ETJ.**

Attorney Hewett swore in Mike Cook, and Paul Jordan to testify for or against the hearing which will be evidentiary in nature for the finding of facts.

Mike Cook presented the case. The owner is requesting a special use permit to place an oversized building on their property. It will be a 1500 sq foot building located at 769 Juniper Church Rd, which is in the town's ETJ. Zoning ordinance requires a special use permit for buildings over 1000 square feet. They can meet setbacks. Public notice was in the FO Benson News and Review on May 29th and June 5, 2024. Letters were mailed to 10 property owners within a 500 foot radius on May 29th, 2024. There were no inquiries. Planning Board has determined the findings meet requirements and recommends approval.

Paul Jordan was present to represent. No changes have been made to the plans that had been submitted, and no additional documents were submitted. Mr. Jordan had no further comments.

There were no further comments or questions from the board or staff. The board will consider the application and any supporting documents that have been submitted to the town as well as the testimony of the staff as evidence for the finding of facts.

Mayor Medlin closed the public hearing.

Attorney Hewett presented the Board of Adjustment 4 finding of facts for the Board to vote upon:

- 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, voting unanimous, motion passed.
- 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 Hines, voting unanimous, motion passed.
- 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 Robertson, seconded by Commissioner Surles, voting unanimous, motion passed.
- 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 Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

Attorney Hewett commented that all 4 finding of facts were approved, therefore a motion to approve the special use permit would be in order.

Motion to approve the special use request of parcel # 08H11022, located at 769 Juniper Church Rd. was made by Commissioner Bradley, seconded by Commissioner Hines, voting unanimous, motion passed

b) **LEGISLATIVE:** Chad Stewart, Petitioner & Owner is requesting to rezone their parcel # 08J110234 from R8-5S to B2-H located at 4040 US Hwy 301 S. located in the Town's City Limits.

Mike Cook relayed to the Board that the owner is requesting to rezone their parcel located at 4040 US Hwy 301 S. No one was present to represent Petitioner/Owner. Mike Cook addressed the board with the request from Chad Stewart to rezone this parcel in order to get the store in compliance with zoning as well as to be compatible with surrounding properties that are zoned B2-H. This parcel has been zoned incorrectly for a long time. Changing the zoning to B2-H will also help clean up GIS mapping. The parcel is in the town's city limits. Public notices were in the newspaper on May 29th, 2024 & June 5th, 2024; sign was placed on the property; letters were mailed out to 37 property owners within a 500 foot radius on May 29, 2024 and there were two inquiries. Planning Board recommends approval.

Mayor Medlin commented that this has been zoned as residential for a long time and it is incorrect and needs to be rezoned as a business.

Attorney Hewitt stated for the record, Chad Stewart had contacted him to excuse himself from the Planning Board meeting and this meeting due to conflict of interest.

Commissioner Hines was concerned about property next door being zoned as industrial and would like to see both properties rezoned all at one time. Commissioner Robertson asked about the I1-L property next door being zoned correctly or did it need to be changed as well. Mike Cook responded this property was not zoned correctly either and should be cleaned up if possible.

Motion to table rezoning to July 15, 2024 Board of Commissioners meeting made by Commissioner Hines, seconded by Commissioner Surles. Voting 3 in favor, 2 against. Motion passed.

Mayor Medlin asked for a motion to table item C until the June 15th, 2024 board meeting since it was directly related to item B. Motion to table the special use permit was made by Commissioner Hines, seconded by Commissioner Capps. No further discussion from the board. Motion passed unanimously.

- c) **QUASI: Mickey Lamm of Caliber Development Inc., Petitioner & Chad Stewart Owner are requesting a Special Use Permit for manufactured and modular home sales located at 4040 US Hwy 301 S. parcel # 08J110234 located in the Town's City Limits.**

Motion to close the quasi-public hearing was made by Commissioner Capps, seconded by Commissioner Robertson, voting unanimous, motion passed.

Mayor Medlin called the meeting into Legislative hearing.

- d) **LEGISLATIVE: S&B Real Estate Ventures, LLC, Petitioner & Owner is requesting a Subdivision to allow six (6) townhomes located at W Allen St. and Temple St., parcel # 08016009B, located in the Town's City Limits.**

Mike Cook relayed to the Board that the owner is requesting a subdivision to allow for 6 townhomes on parcel# 08016009B. The parcel is in the Town's City Limits. Public notices were in the newspaper on May 29th, 2024 & June 5th, 2024; sign was placed on the property; letters were mailed out to 47 property owners within a 500 foot radius and there was one inquiry. Planning Board recommends approval.

Nick Byrd with S&B Real Estate Ventures, LLC was present to represent. Nick states with interest rates rising, his company wanted to build some more affordable homes that will be sold with an HOA in place. They will be around 1300 sq ft homes and would improve property values. Driveways have already been approved by DOT. This townhome subdivision will conform to surrounding homes.

All concerns from the audience were heard and addressed. There was no further discussion from the board.

Motion to approve the 6 townhome subdivision request was made by Commissioner Hines, seconded by Commissioner Capps, no further discussion. Voting was unanimous, motion passed.

- e) **LEGISLATIVE: Adams & Hodge Engineering, PC Petitioner & S&B Real Estate Ventures, LLC, Owner is requesting a Subdivision to allow twenty-four (24) townhomes located at 113 Allendale Rd., parcel # 08021001, located in the Town's City Limits.**

Mike Cook relayed to the Board that the owner is requesting a subdivision to allow for 24 townhomes on parcel# 08021001. The parcel is in the Town's City Limits. Public notices were in the newspaper on May 29th, 2024 & June 5th, 2024; sign was placed on the property; letters

were mailed out to 47 property owners within a 500 foot radius and there was one inquiry. Planning Board recommends approval.

Donnie Adams with Adams & Hodge Engineering was present to represent. Subdivision meets all setbacks and has the preliminary approval from DOT. Will be all curb and gutter and will have some open space available that could potentially have a playground for the children. This would have to be done through the HOA. Commissioner Surles asked when construction would begin. Mr. Adams stated it would be 4-6 months before construction could start.

All concerns from the audience were heard and addressed. No further discussion from the board.

Motion to approve the 24 townhome subdivision made by Commissioner Capps, seconded by Commissioner Hines, no further discussion. 4 in favor, 1 opposed, Motion passed.

New Business

- a) PT George Financial Report presented by Hollie Blackwell, Finance Officer. Balance \$25,157 for the beautification of the town.
- b) Police Station Conversion and Parks and Recreation Plan Project Budget Ordinance. Mayor Medlin commented that the police department bids have been turned in but no further discussion. A motion was made by Commissioner Capps to approve project budget ordinance for the police station funds to be used as defined by this ordinance. Commissioner Bradley seconded. No further discussion. Motion passed unanimously.
- c) Skip Green- Proposal to provide ARPA and SL- 134 Project Administration Services. Motion to allow Skip Green to handle the administrative services and grants made by Commissioner Robertson, seconded by Commissioner Bradley. Voting passed unanimously.

Budget Amendments

2023-2024 Budget Amendments

- a) General Fund – BA 23-24 2nd
- b) PT George – BA 23-24 1st
- c) Water & Sewer – BA 23-24 2nd

Commissioner Hines made a motion to approve budget amendments in order to balance the budget. Seconded by Commissioner Capps. No further discussion. Motion passed unanimously. Commissioner Capps made a motion for the board to allow Commissioner Hines and Hollie Blackwell, finance officer to make any necessary budget amendments in order to balance the budget as needed. Commissioner Robertson seconded. Motion passed unanimously.

Mayor's Comments

Streetscape project did receive a bid and we are in the process of negotiation with the engineers in order to cut back on some expense. Will probably have a special called meeting in order to get this approved so we can move forward.

Department Reports

Police – Surles

Chief read the monthly police report (attached). Chief commented we are actively looking for more staff. Chief stated he was able to secure a new Dodge Durango that will put him a little under budget.

Parks & Rec and Outreach & Appearance – Robertson

Commissioner Robertson reported she has met with Ron Sloan and Jim Best about the Heritage Square. She has also met with Skip Green and is waiting on property for grant funding. Jim Best would still like the old school house to be moved but needs the boards support. Moving the school is not in the town's budget at this time. Mr. Best would like to get a grant to have the school moved but still needs land. Commissioner Hines suggested saving the doors and windows and building a replica of the building.

Outreach- List of property owners that have businesses here in town. Commissioner Robertson would like a sit down meeting in the board room to get feedback from the business owners about they need from the town.

Appearance Committee to try to start again. Original committee was established somewhere around 1994 and were commissioned around 1997. Research and bring back to board with more information on order to recommission.

Parks & Rec- Football registration closed. Good turnout so online registration has closed out. Water fountain at Main St. park has been repaired but waiting on plumber to hook back up.

Water and Sewer – Bradley

Commissioner Bradley highlighted the water and sewer report (attached). We are still working on sewer numbers and will continue to run cameras to hopefully locate some of our issues. Barry meeting with engineers this week and will try to get grant money to pay for the cameras.

Sanitation & Streets - Capps

Commissioner Capps reported he is still working with Mike Cook on the UDO.

Planning & Zoning, Inspections – Mike Cook

Mike highlighted the inspection numbers for the month of May (attached). He also went over permit fees that have been collected for May.

Finance – Commissioner Hines

Hollie Blackwell, Finance Officer highlighted the financial report, (attached). Motion to approve the May payables listed in the attached report was made by Commissioner Surles, seconded by Commissioner Robertson, voting unanimous, motion passed.

Executive Session

Motion to move into executive session made by Commissioner Hines, seconded by Commissioner Robertson. Voting passed unanimously.

Discussion on organizational chart and employee salaries. No action was taken during the executive session.

Motion to close executive session made by Commissioner Hines, seconded by Commissioner Bradley. Voting unanimous, motion passed.

Adjournment

With no further business brought before the Board of Commissioners, motion to adjourn at 8:40 p.m. was made by Commissioner Surles, seconded by Commissioner Robertson, voting unanimous, motion passed.

ATTEST:

Vic Medlin, Mayor

Rhonda S. Lee, Town Clerk