

**TOWN OF FOUR OAKS
BOARD OF COMMISSIONERS MEETING
NOVEMBER 18, 2024
MINUTES**

Call to Order

Mayor Vic Medlin called the November 18, 2024, regular scheduled Board of Commissioners meeting to order at 6:30 p.m. Those present included Commissioners Carles Surles, Kim Robertson, Michael Bradley and Mike Hines. Excused was Commissioner Tony Capps. Also present were Town Attorney Alan “Chip” Hewett, Police Chief Stephen Anderson; Public Works Director Barry Stanley, Planning & Zoning Administrator/ Building Inspector Mike Cook, Administrative Assistant, Carol Allen, recording minutes, DeAnna Hakey and Mike Dart from FO Benson News in Review.

Invocation and Pledge of Allegiance

Commissioner Carles Surles gave the opening Invocation with DeAnna Haley leading the Pledge of Allegiance.

Approval of Minutes

- a) Board of Commissioners Meeting – October 21, 2024

Commissioner Surles made a motion to approve October 21, 2024 minutes as presented, seconded by Commissioner Robertson, voting unanimous, motion passed.

Proclamations

- a) Mayor Medlin read the Proclamations of Appreciation for Lt. Timothy Lebow and Sgt. Issac Potter for Volunteering to assist in Western NC after Hurricane Helene.

Public Comments

- 1- Chief Anderson introduced his new staff. Britton Lock returned to Four Oaks from the Sheriff's office. Sgt. Chandler Parrott also came to us from the Sheriff's office. Ronny Matthews comes to us from Selma. Sgt. Issac Potter comes to us from Benson as well as Detective Megan Potter. The Board of Commissioners welcomed all the officers to the Town of Four Oaks.
- 2- Dan Lee came before the board regarding the stage extension at Barbour's Grove Park. He did not get any feedback, so he is at a standstill. Mr. Lee is also proposing to add a

podium to the stage. Mr. Lee was encouraged to stop his building process and let Mayor Medlin contact him to schedule a meeting and discuss how to proceed.

Public Hearings

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

- a) **QUASI:** Nicholas Byrd, Petitioners & Cory Bowes, Owners – Applications for a Special Use Permit to allow for a 2-unit duplex located S. Main St. Parcel # 08017016. Parcel is in the Town’s city limits.
- b) **QUASI:** Nicholas Byrd, Petitioners & Cory Bowes, Owners – Applications for a Special Use Permit to allow for a 2-unit duplex located S. Main St. Parcel # 08017017. Parcel is in the Town’s city limits.

Nick Byrd with Harbinger Homes was present and asked that both “a” and “b” hearings be taken off the agenda for now.

Mike Cook stated that we need to look at our townhome ordinance before this is heard.

- c) **QUASI:** Stanley & Brande Cupp, Petitioners & Owners – Application for a Special Use Permit to allow for a Boat and RV Storage lot located at; 5977 USD Hwy 301 S. Parcel # 08I111012E. Parcel is in the Town’s city limits.

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

Mike Cook presented to the Board of Commissioners:

- **Owner would like to request a Special Use Permit to allow for a Boat and RV Storage lot 5977 US Hwy 301 S.**
- **Parcel is in the Town’s city limits.**
- **Public notice was in the FO Benson News in Review on October 30th & November 6th, 2024.**
- **Sign was placed on property November 1, 2024.**
- **Letters were mailed to 24 property owners within a 500 ft radius for both properties on September 25, 2024.**
- **There were no inquiries from letters that were mailed.**

Stanley Cupp stated he would like to have a boat and RV storage behind his business on Hwy 301 S. He states every vehicle stored in the lot will be licensed and insured. He will have a fence all the way around with a key code access. The lot will be well-lit and have security cameras that will be able to see when someone enters and when they leave. The hours of operation will be 6 am -9 pm with after-hours access in case of an emergency.

With no further questions from the board or audience, Mayor Medlin closed the quasi-hearing.

Attorney Hewett presented the Chapter 160D four (4) finding of facts for the Board to vote upon:

- a) Will not endanger the public health or safety. Motion to approve finding of fact (a) was made by Commissioner Bradley, seconded by Commissioner Hines, voting unanimous, motion passed.
- b) Will not injure the value of the adjoining property. Motion to approve finding of fact (b) was made by Commissioner Robertson, seconded by Commissioner Hines, voting unanimous, motion passed.
- c) Will be in harmony with the area in which it is located. Motion to approve finding of fact (c) was made by Commissioner Hines, seconded by Commissioner Surles, voting unanimous, motion passed.
- d) Will be in conformity with the future land use plan, thoroughfare plan, or other plans officially adopted by the Board of Commissioners:
Motion to approve finding of fact (d) was made by Commissioner Bradley, seconded by Commissioner Surles, voting unanimous, motion passed.

Motion to accept the Special Use Permit in its entirety with the condition there be a Knox Box on the fence for Fire Department access was made by Commissioner Hines, seconded by Commissioner Robertson, voting unanimous. Motion passed.

Mayor Medlin call the meeting back into a quasi- public hearing.

- d) QUASI:** Tawana Reddick, Petitioner & Owner – Application for a Variance for Setbacks on Parcel # 08J12001D located at 394 Heath Rd., in the Town’s ETJ.

Attorney Chip Hewett swore in Mike Cook and Twanna Reddick to testify for or against the hearing which will be evidentiary in nature for the finding of facts.

- **Owner would like to request a Variance for set backs at 394 Heath Rd. for a manufactured home.**
- **Parcel is in the Town’s ETJ.**
- **Public notice was in the FO Benson News in Review on October 30th & November 6th, 2024.**
- **Sign was placed on property November 1, 2024.**
- **Letters were mailed to 33 property owners within a 500 ft radius for both properties on September 25, 2024.**
- **There were no inquiries from letters that were mailed.**

Mike Cook stated that when he received the site plan for the foundation inspection, it did not meet setbacks. The side was 10.8 and front was 24.9. RA requirements are 15x40. The back and one side do meet requirements. The initial site plan was correct.

Twanna Reddick came before the board to request a variance for setbacks for her new modular home. She has lived on this property for 28 years and lost her home to a fire. She had a survey but did not get her measurements correct. She was trying to get away from her septic tank and with this house being larger than her last one, it caused her setbacks to be wrong.

Commissioner Hines asked who the general contractor is and that this is their mistake and their responsibility.

Mrs. Reddick states it is brick underpinned, and it will cost approximately \$70,000 to move.

Mayor Medlin asked Attorney Hewitt if the contractor needed to be present. His suggestion is to table this hearing until the contractor is available to speak to.

Mayor Medlin suggested tabling this hearing. Commissioner Bradley is indifferent and wants to proceed.

Attorney Hewitt swore in Billy Ray Locklear from Wilmington, NC to testify. Mr. Locklear states he is the general sales for Reginal Homes, not the contractor that does the foundation.

Mayor Medlin closed the quasi-public hearing.

Attorney Hewett presented the four (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 Bradley, 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 Bradley, seconded by Commissioner Robertson, 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 Bradley, 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 Robertson, seconded by Commissioner Bradley, voting unanimous, motion passed.

Motion to accept the Variance in its entirety was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous. Motion passed.

New Business

- a) Resolution to Authorize Annexation Investigation – Delcid Property Management, located at Parcel# 08J11033W on Hwy 701 S., Four Oaks, NC
Motion to authorize the Clerk to investigate for annexation was made by Commissioner Robertson. Seconded by Commissioner Surles, voting was unanimous, motion passed.
- b) Resolution to Authorize the acceptance of the State Reserve Grant offer of \$150,000 for Water AIA,DWI #AIA-D-0282.
Motion to accept Resolution as written for the State Reserve Grant Offer of \$150,000 for Water was made by Commissioner Robertson, seconded by Commissioner Bradley, voting was unanimous, motion passed.
- c) Adopt Water Asset Inventory and Assessment Grant Project # AIS-D-0282 Budget Ordinance.
Motion to adopt Water Asset Inventory and Assessment Grant Project Budget Ordinance made by Commissioner Robertson, seconded by Commissioner Bradley, voting unanimous, motion passed.
- d) Resolution to Authorize the acceptance of the State Reserve Grant Offer of \$150,000 for Sewer AIA,DWI #AIA-W-0297.
Motion to accept Resolution to authorize the acceptance of the State Reserve Grant offer of \$150,000 for Sewer was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.
- e) Adopt Sewer Asset Inventory and Assessment Grant Project # AIA-W-0297 Budget Ordinance.
Motion to approve budget ordinance was made by Commissioner Hines, seconded by Commissioner Surles, voting unanimous, motion passed.
- f) Resolution to Authorize the acceptance of the 2023 Appropriations Act Directed Project Grants Offer of \$1,100,000 for Sewer Extension 2 and Upgrade to 5 Pump Stations.
Motion to approve Resolution as written made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.
- g) Resolution to Authorize the acceptance of the 2023 Appropriations Act Directed Projects Grant Offer of \$3,431,000 for the Elevated Water Tank SRP-D-134-0168.
Motion to accept Projects Grant Offer for the Elevated Water Tank made by Commissioner Bradley, seconded by Commissioner Robertson, voting unanimous, motion passed.
- h) Authorize the Town Clerk to advertise for an Administrative Assistant position for the Police Department. Job Description from Chief Anderson is attached.

Motion to authorize the Town Clerk to advertise made by Commissioner Hines, seconded by Commissioner Surles, voting unanimous, motion passed.

Mayor's Comments

Mayor Medlin recognized and thanked the Veteran's that have served and are currently serving our country. Mayor Medlin also asked for a moment of silence to remember the Town of Benson's Mayor, Jerry Medlin who passed away this past week.

Department Reports

Police – Surles

Chief Anderson gave his monthly report (attached). Officers are working on lidar certification.

Parks & Rec and Outreach & Appearance – Robertson

Commissioner Robertson reported Tinsel Town Christmas Market was a huge success. Mayor Medlin commented that the park looks amazing and the hard work was much appreciated. Commissioner Bradley suggests that a contractor be hired if we want a stage extension. We will let Dan Lee know we will run with his idea, but it has to be done by a general contractor. Mayor Medlin commented that the Chamber's fundraiser went well and the tree lighting will be Thursday, December 5th at 5:30pm and the Christmas parade will be December 7th at 11:00am.

Water and Sewer – Bradley

Commissioner Hines highlighted the water and sewer report (attached). Water looks good but sewer still has issues. Mayor Medlin and Barry are meeting with the County to see if there is anything on their end.

Sanitation & Streets - Bradley

Commissioner Bradley commended Barry and James on the hard work their crew is doing.

Planning & Zoning, Inspections – Capps

Mike Cook read his Department Report (attached).

Finance – Commissioner Hines

Commissioner Hines highlighted the financial report, (attached). Motion to approve the October payables listed in the attached report was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

Mayor Medlin introduced James Bryan, our new Assistant Public Works Director.

Adjournment

With no further business brought before the Board of Commissioners, motion to adjourn at 7:40 p.m. was made by Commissioner Hines, seconded by Commissioner Surles, voting unanimous, motion passed.

ATTEST:

Vic Medlin, Mayor

Rhonda S. Lee, Town Clerk