

**TOWN OF FOUR OAKS
BOARD OF COMMISSIONERS MEETING
OCTOBER 21, 2024
MINUTES**

Call to Order

Mayor Vic Medlin called the October 21, 2024, regular scheduled Board of Commissioners meeting to order at 6:30 p.m. Those present included Commissioners Carles Surles, Tony Capps, Kim Robertson and Mike Hones. Excused was Commissioner Michael Bradley. 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, Town Clerk Rhonda Lee recording minutes, and Mike Dart from FO Benson News in Review.

Invocation and Pledge of Allegiance

Commissioner Carles Surles gave the opening Invocation with Mike Carroll leading the Pledge of Allegiance.

Approval of Minutes

- a) Board of Commissioners Meeting – September 16, 2024
- b) Special Called Meeting- September 24, 2024

Commissioner Surles made a motion to approve September 16, 2024 minutes as presented, seconded by Commissioner Robertson, voting unanimous, motion passed.

Commissioner Hines made a motion to approve September 24, 2024 Special Meeting minutes as presented, seconded by Commissioner Surles. Voting was unanimous, motion passed.

Public Comments

- 1- Eric Fogleman came before the board to address his concerns on the Downtown Streetscape project. He, as a business owner in the downtown area, did not receive a letter or any information regarding a meeting that was held with the engineers for the streetscape project. He feels this is a problem and that as his business may not be on Main Street, it will be directly impacted by this project. He suggests that the Town hold another meeting for all businesses and residents that would like to attend.

- 2- Dan Lee came before the Board to give an update on the stage extension at Barbour's Grove Park. He has had some setbacks and delays so no further work has been done. Mr. Lee also had a concern with there not being any sidewalks where you cross the railroad tracks. Mayor Medlin stated the Town would check with CSX about this issue.

Public Hearings

Mayor Medlin called the meeting into a Public hearing.

- a) **LEGISLATIVE:** Golden Leaf LLC, Petitioner & Owner – Application for rezoning Parcel # 08I11083E located at 271 Parker Rd. Parcel is in the Town's ETJ.

Mike Cook presented to the Board of Commissioners:

- **Owner would like to rezone parcel #08I11083E located at 271 Parker Rd, from I-1L to R-A in order to be in alignment with adjacent properties and to conform with its current and intended use.**
- **Parcel is in the Town's ETJ.**
- **Public notice was in the FO Benson News in Review on September 25th & October 2nd, 2024**
- **Sign was placed on property September 27, 2024.**
- **Letters were mailed to 15 property owners within a 500 ft radius on September 25, 2024.**
- **There were no inquiries from letters that were mailed.**
- **Staff has determined the findings meet requirements and recommends approval.**

There were no questions or discussion from the audience or from the Board of Commissioners.

Commissioner Capps made a motion to approve the rezoning request as presented, seconded by Commissioner Hines, voting unanimous, motion passed.

- b) **LEGISLATIVE:** Golden Leaf LLC, Petitioner & Owner – Application for rezoning of Parcel # 08I11083F located at 225 Parker Rd. Parcel is in the Town's ETJ.

Mike Cook presented to the Board of Commissioners:

- **Owner would like to rezone parcel #'s 08I11083F located at 225 Parker Rd, from I-1L to R-A in order to be in alignment with adjacent properties and to conform with its current and intended use.**
- **Parcel is in the Town's ETJ.**
- **Public notice was in the FO Benson News in Review on September 25th & October 2nd, 2024**
- **Sign was placed on property September 27, 2024.**

- **Letters were mailed to 15 property owners within a 500 ft radius on September 25, 2024.**
- **There were no inquiries from letters that were mailed.**
- **Staff has determined the findings meet requirements and recommends approval.**

There were no questions or discussion from the audience or from the Board of Commissioners.

Commissioner Hines made a motion to approve the rezoning request as presented, seconded by Commissioner Surles, voting unanimous, motion passed.

- c) **LEGISLATIVE:** Golden Leaf LLC, Petitioner & Owner – Application for rezoning of Parcel # 08I11083J located at 279 Parker Rd. Parcel is in the Town’s ETJ.

Mike Cook presented to the Board of Commissioners:

- **Owner would like to rezone parcel # 08I11083J located at 279 Parker Rd, from I-1L to R-A in order to be in alignment with adjacent properties and to conform with its current and intended use.**
- **Parcel is in the Town’s ETJ.**
- **Public notice was in the FO Benson News in Review on September 25th & October 2nd, 2024**
- **Sign was placed on property September 27, 2024.**
- **Letters were mailed to 15 property owners within a 500 ft radius on September 25, 2024.**
- **There were no inquiries from letters that were mailed.**
- **Staff has determined the findings meet requirements and recommends approval.**

There were no questions or discussion from the audience or from the Board of Commissioners.

Commissioner Robertson made a motion to approve the rezoning request as presented, seconded by Commissioner Capps, voting unanimous, motion passed.

Mayor Medlin called the meeting into a Quasi Hearing.

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

- d) **QUASI:** Peggy & Rodney Martin of PJ’s Rentals LLC, Petitioners & Owners – Applications for a Special Use Permit to allow for a New Double Wide Manufactured Home located at; 7654 US Hwy 301 S. Parcel # 08H10086. Parcel is in the Town’s ETJ.

Mike Cook presented to the Board of Commissioners:

- **Owner would like to request a Special Use Permit to allow for a double wide manufactured home at 7654 US Hwy 301 S.**
- **Parcel is in the Town's ETJ.**
- **Public notice was in the FO Benson News in Review on September 25th & October 2nd, 2024**
- **Sign was placed on property September 27, 2024.**
- **Letters were mailed to 18 property owners within a 500 ft radius for both properties on September 25, 2024.**
- **There were no inquiries from letters that were mailed.**
- **Staff has determined the findings meet requirements and recommends approval.**

Rodney Martin was present to represent. Mr. Martin states this will be a brand new home that has not even been built yet and that it will have brick underpinning. This parcel will have town water and a septic tank.

No further questions. Mayor Medlin closed the quasi-public 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 Capps, 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 Hines, seconded by Commissioner Robertson, 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 Robertson, seconded by Commissioner Capps, voting unanimous, motion passed.

Motion to accept the Special Use Permit in its entirety was made by Commissioner Capps, seconded by Commissioner Hines, voting unanimous. Motion passed.

Mayor Medlin called the meeting into a Quasi Hearing.

- e) **QUASI:** Peggy & Rodney Martin of PJ's Rentals LLC, Petitioners & Owners – Applications for a Special Use Permit to allow for a New Double Wide Manufactured Home located at; 7747 US Hwy 301 S., Parcel # 08J11065A. Parcel is in the Town's ETJ.

Mike Cook presented to the Board of Commissioners:

- **Owner would like to request a Special Use Permit to allow for a double wide manufactured home at 7747 US Hwy 301 S.**
- **Parcel is in the Town's ETJ.**
- **Public notice was in the FO Benson News in Review on September 25th & October 2nd, 2024**
- **Sign was placed on property September 27, 2024.**
- **Letters were mailed to 18 property owners within a 500 ft radius for both properties on September 25, 2024.**
- **There were no inquiries from letters that were mailed.**
- **Staff has determined the findings meet requirements and recommends approval.**

Rodney Martin was present to represent. Mr. Martin states this will be a brand new home that has not even been built yet and that it will have brick underpinning. This parcel will have town water and a septic tank.

No further questions. Mayor Medlin closed the quasi-public 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 Hines, seconded by Commissioner Capps, 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 Capps, 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 Robertson, 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 Capps, seconded by Commissioner Hines, voting unanimous, motion passed.

Motion to accept the Special Use Permit in its entirety was made by Commissioner Robertson, seconded by Commissioner Surles, voting unanimous. Motion passed.

Mayor Medlin called the meeting into a Quasi Hearing.

Attorney Hewett swore in Mike Cook, Erik & Lori McCray to testify for or against the hearing which will be evidentiary in nature for the finding of facts.

- f) **QUASI:** Erik & Lori McCray, Petitioners & Owners – Application for a Special Use Permit to allow for a New Double Wide Manufactured Home located at; 1984 Hockaday Rd. Parcel # 08I12004G. Parcel is in the Town's ETJ.
- **Owner would like to request a Special Use Permit to allow for a double wide manufactured home located at 1984 Hockaday Rd.**
 - **Parcel is in the Town's ETJ.**
 - **Public notice was in the FO Benson News in Review on September 25th & October 2nd, 2024**
 - **Sign was placed on property September 27, 2024.**
 - **Letters were mailed to 18 property owners within a 500 ft radius for both properties on September 25, 2024.**
 - **There were no inquiries from letters that were mailed.**
 - **Staff has determined the findings meet requirements and recommends approval.**

Mr. Erik McCray was present to represent. He states this will be a new double wide manufactured home. He does have his own easement to the property but has spoken to Mr. Billy about helping maintain the shared path. An agreement was made between the two of them and all issues have been resolved.

No further questions. Mayor Medlin closed the quasi-public 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 Capps, 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 Hines, seconded by Commissioner Capps, 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 Robertson, 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 Hines, seconded by Commissioner Capps, voting unanimous, motion passed.

Motion to accept the Special Use Permit in its entirety was made by Commissioner Capps, seconded by Commissioner Hines, voting unanimous. Motion passed.

Mayor Medlin called the meeting into a Quasi Hearing.

Attorney Hewett swore in Mike Cook, Barry Stanley, Lynda Carroll, Rob Strickland & Alex Arellano to testify for or against the hearing which will be evidentiary in nature for the finding of facts.

g) **QUASI:** Delcid Property Management, Petitioner & Owner – Application for a Special Use Permit to allow for a Motor Vehicle Dealership located at; 311 US Hwy 701 S. Parcel # 08J11033W. Parcel is split between the Town's ETJ and City Limit's.

- **Owner would like to request a special use permit to allow for a car dealership at 311 US Hwy 701 S.**
- **Parcel is in the Town's ETJ.**
- **Public notice was in the FO Benson News in Review on September 25th & October 2nd, 2024**
- **Sign was placed on property September 27, 2024.**
- **Letters were mailed to 11 property owners within a 500 ft radius on May 29, 2024.**
- **There were no inquiries from letters that were mailed.**
- **Staff recommends annexation of the entire parcel into the City Limits. This will be conducive to the future land use map that is zoned Highway Commercial.**

Rob Strickland and Alex Arellano were present to represent Delcid Property Management. Mr. Rob Strickland addressed the Board. Rob sent a couple emails from the USDA that he would like entered into the record. He pulled the parcel up on GIS so the Board members and audience could view. The parcel is beside the Sunoco gas station and there is a lot of traffic on their land and people will not obey any signs they put up. They feel that this unused land could be turned into something that would help commerce in the area. Rob presented the GIS history that this area has been a business district for many years. He also feels this will add value to surrounding properties, not devalue them.

Mrs. Lynda Carroll addressed the Board to speak in opposition of the used car lot. Her family has owned the property at 357 US Hwy 701 S. for 43 years. She is in opposition to the car lot because she believes this will devalue her property. She is concerned about the number of structures that are going up and when this will all stop. Mrs. Carroll has spoken to DOT about the new project that they will be starting and is not sure why Delcid continues to add to their property when the State is beginning such a huge project in that area. She and her husband are in opposition because of the devaluation of their home and ask the Board to take all of this into consideration.

No further questions. Mayor Medlin closed the quasi-public 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 Hines, seconded by Commissioner Capps, 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 Capps, seconded by Commissioner Surles, 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 Capps, seconded by Commissioner Hines, voting unanimous, motion passed.

Motion to accept the Special Use Permit was made with a condition that this parcel in its entirety be annexed into the Town's City Limits was made by Commissioner Hines, seconded by Commissioner Capps, voting unanimous. Motion passed.

New Business

- a) Resolution Authorizing Bank Account Signers and Removing signers no longer employed with the Town. This will be for United Community Bank and KS Bank.

Motion to accept the Resolution authorizing bank account signers and removing signers no longer employed with the Town was made by Commissioner Robertson, seconded by Commissioner Hines, voting unanimous. Motion passed.

- b) Resolution to award McKim & Creed Professional A/E Services for the SL2023-134 Elevated Water Tank Project.

Motion to award McKim & Creed Professional A/E Services for the SL 2023-134 Elevated Water Tank Project was made by Commissioner Capps seconded by Commissioner Robertson, voting unanimous. Motion passed.

- c) Resolution to adopt Project Budget Ordinances for the following projects that the Town has received American Rescue Program Act (ARPA) and State Legislature 2023-134 (SL) grant funds. These ordinances reflect committed funds and current estimated expenditures.

- Police Station Conversion
- Upgrade Pump Stations
- Business Park Sewer Line Extension

- Stormwater Drainage
- Business Park Water Line Extension

Motion to adopt all project budget ordinances as listed above, with the understanding that “Financial Officer” in these documents will be Finance Commissioner Hines, was made by Commissioner Capps, seconded by Commissioner Hines, voting unanimous. Motion passed.

- d) Resolution to adopt Downtown Streetscape budget ordinance. Fred Smith Co. was awarded the contract; this budget ordinance will reflect that award.
- CDBG-COVID Project 20-V-3502 and HUD UDI B-22-CP-NC-0545

Motion to accept the Resolution to adopt the Downtown Streetscape Budget Ordinance, with the understanding that “Financial Officer” in these documents will be Finance Commissioner Hines, was made by Commissioner Capps, seconded by Commissioner Surles, voting unanimous. Motion passed.

Mayor’s Comments

Mayor Medlin asked Joan Pritchett to come up and update everyone on the Chamber of Commerce news. Joan stated that the Acorn Festival was a huge success, having the largest crowd ever. She wanted to again thank the Town and Board of Commissioners for their work and support to make this happen. The Chamber is working on getting a few people to do a Trunk or Treat on Railroad Street for Halloween. The Oyster Roast will be November 7th at Four Oaks Fire Department Station 2. December 5th is the tree lighting at 5:30 and she has some live music lined up for that. The Christmas parade will be December 7th at 11:30am and she is working on a new route because of the Downtown Streetscape Project.

Department Reports

Police – Surles

Chief Anderson gave his monthly report. He has all positions filled except for one officer position. He has put a freeze on this position since he canceled the new car and would not have anything for him/her to drive. He would like to hire a full-time Records/Front Office Clerk before they move to the new Police Station. He can use the money that is already in this years budget that was allocated for an officer to cover the salary for the Records Clerk position.

The Mayor and Board of Commissioners all agree that this is a needed position and would like Chief Anderson to put together a job description with qualifications for them to review before approving.

Parks & Rec and Outreach & Appearance – Robertson

Commissioner Robertson reported that the football season was over and that the two home games we had there was a great turnout. She thanked Barry and his family for helping work at the games.

“Oak”tober Festival was held on October 12th and was a huge success. We are looking forward to the Christmas Market November 9th. It will be held in Barbours Grove Park from 3pm-7pm.

Water and Sewer – Bradley

Commissioner Hines highlighted the water and sewer report (attached).

Sanitation & Streets - Bradley

Nothing to report.

Planning & Zoning, Inspections – Capps

Commissioner Capps asked Mike Cook to read his Department Report (attached).

Finance – Commissioner Hines

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

Adjournment

With no further business brought before the Board of Commissioners, motion to adjourn at 8:15 p.m. was made by Commissioner Hines, seconded by Commissioner Robertson, voting unanimous, motion passed.

ATTEST:

Vic Medlin, Mayor

Rhonda S. Lee, Town Clerk