



**BOARD OF COMMISSIONERS
MINUTES
March 20, 2023
Regular Meeting
7:00 PM**

Mayor Huneycutt welcomed everyone and asked the town clerk to call the roll. Commissioner Brett Barbee, Commissioner Joey Carpenter, Commissioner Lanny Hathcock, Mayor Chris Huneycutt, Commissioner Latoya Jackson and Commissioner Bud Smith were all present. Mr. Doug Burgess, Town Administrator, Mr. TJ Smith, Chief of Police, Mr. Josh Almond, Parks and Recreation Director and Mr. Reggie Bowers, Utility Supervisor were also present. Town Attorney Albert Benshoff was present.

Mayor Huneycutt asked everyone to stand for the pledge of allegiance to the flag and that was followed by devotions from Commissioner Jackson. She spoke on being believers who are called to serve God and that we are expected to give of ourselves in our church and communities. Christians are a diverse group and they won't always agree with each other, but the goal is to have unity. Each of us are a contribution to God's purpose. As a community, we all have a job and that job is to do what works for God's kingdom. She finished with 1 Corinthians 12:25, so that there should be no division in the body, but that the members may have the same care for one another in love.

Mayor Huneycutt stated there was a need for an amendment to the agenda to add a closed session for personnel as well as change the order of the public hearings. The Evidentiary Public Hearing would be first followed by Public Hearing #1 (Rezoning corner of Dorsett and East Third Street – Matthew Whitley) followed by Public Hearing #2 (Rezoning of Parcel Number 559402856286 located near Big Lick Intersection). Commissioner Barbee made a motion to amend the budget and change the order of the public hearings. Commissioner Jackson seconded. Voted and carried unanimously.

Evidentiary Public Hearing

Mayor Huneycutt asked if all parties were present and informed the board they may not participate if they have a fixed relationship in the matter. He also informed the board they needed to make sure they let everyone know if they have received any communication from outside the meeting regarding this public hearing situation. No board members spoke on either situation. Attorney Benshoff stated that this hearing is not like a rezoning hearing. He said this is a quasi-judicial hearing which means it's like a court hearing and the commissioners serve in the role of judges. The rules for this hearing are different from land use decisions like rezoning. He mentioned to everyone that if they plan to speak as a witness, to please focus on the facts, ordinance standards and not personal preference/opinion. Attorney Benshoff shared other information regarding a quasi-judicial hearing including who can testify as witnesses and about who would have to be sworn in by Mayor Huneycutt.

Mr. Mike Efird, Zoning Enforcement Officer and Mr. Anthony Cowan with the Isaacs Group were sworn in to provide information on this matter. He shared that Blue Dot Concrete (AKA BDRM Oakboro, LLC) is requesting a special use permit to allow the operation of a concrete plant located at 420 South Main Street, Oakboro. There were certain requirements that had to be met for this permit:

1. A pre-application conference was held on December 15, 2022

2. A full set of engineering construction plans were presented for review and immediately sent to AMT Engineers. AMT reviewed the plans and sent a letter to the Town of Oakboro stating that the plans are in compliance with the Town of Oakboro's Engineering Standards.
3. Mr. Efirm did a preliminary review of the plan and found several items that needed to be addressed in order to bring the construction plans into compliance with the UDO.
4. On February 22, 2023, Blue Dot Concrete resubmitted a new set of plans with all of the requested changes in place.
5. The Town of Oakboro's Project Review Committee met and reviewed the construction plans and approved the project with the requested corrections.
6. Blue Dot Concrete held a required community meeting on January 27, 2023 at Oakboro Town Hall. Local residents attended and participated in an informal discussion of the project and voiced their concerns. A copy of the meeting and questions/answers from the meeting is available at Oakboro Town Hall.
7. An application and a required fee were presented to the Town of Oakboro on January 27, 2023. At that time the application was determined to be complete.
8. Public advertising requirements have been met. The project was advertised in the Stanly News and Press for two consecutive weeks. In addition, a sign was placed on the property with a date and located of the public hearing as required.
9. Approval from Stanly County Fire Marshall for water necessary for firefighting was approved.
10. The proposed concrete plant is consistent with the Land Use Plan especially the following sections:
 - a. 9.3.1 – "Industrial Development: Encourage industrial development which is compatible with the area's long-term quality of life, matches available infrastructure and services and employees the skills of area workers."
 - b. 9.3.3 – "Locate Industry Development on land that is physically suitable and has unique location advantages for the industry."
 - c. 9.3.6 – "Ensure that warehousing and storage facilities will have direct access to the transportation routes and are appropriately buffered according to their location."
 - d. 9.3.8 – Support development of flex industrial sites that incorporate a combination of commercial and industrial uses.
11. The total area of the proposed concrete plant is 6.1 acres; therefore, they meet the requirement for a 5-acre minimum for this project.
12. This project is also surrounded by industrial zoning so those requirements for an industrial business met.

Mr. Anthony Cowan was next to speak. He is with the Isaacs Group which is a land surveying/civil engineering company out of Charlotte. Mr. Cowan is a licensed surveyor and engineer and has been for 23 years. Blue Dot hired The Isaacs Group to get this project designed, permitted and approved so they could build it. He shared that in general it is a concrete mixing plant. Empty trucks come in and circulate to the silo where the materials are mixed. Those materials are then dumped into the back of the truck. The truck leaves to go to their job to deliver the concrete. Blue Dot is very excited to be in Oakboro. Mr. Cowan stated there are six points that need to be given evidence on. He has that evidence to give to the Town Board this evening. He shared the following answers to the six statements.

- A. Will not materially endanger the public health, safety if located where proposed.
The public health or safety will not be endangered because of the following: a fence has been added around the facility to prevent public access. The site will be paved (instead of previously designed gravel drives) to prevent dust pollution. All storm water runoff will be captured and treated on site by two storm water ponds and so adjacent properties will be protected from the increase of storm water volume. A gate across the driveway will be added at a distance that will accommodate a semi-trailer so that the truck will not hang out into the roadway. There are no hazardous materials used or waste produced in the mixing of concrete. Everything is natural.
- B. Complies with all standards, conditions, and specifications of the UDO, including Articles 4 Zoning Districts and 6 Development Standards.
This project meets or exceeds all required standards, conditions, and specifications of the Town of Oakboro's UDO as specified by Article 4, Section 435 – Manufacturing and Industrial Districts, and also meets all applicable development standards as listed in Article 5, Section 534 – Industrial Uses. This project also meets the requirements for Article 6 – Development Standards. This project has been reviewed and approved by the Oakboro Project Review Committee.
- C. Will not substantially injure the value of the abutting land, or the special use is a public necessity
The proposed use will not injure the value of adjoining lands because the subject property is zoned industrial and the surrounding parcels are also zoned industrial. The surrounding parcels are also zoned industrial and are either vacant or have existing uses that are similar to the proposed use, and compatible with the uses allowed in industrial zoning districts.
- D. Will be in harmony with the area in which it is to be located
This project will be located in an existing Industrial District. This property is completely surrounded by other properties that are zoned industrial and therefore this business will be compatible and consistent with the businesses already operating in this area, thus should not in any way negatively impact the value of the surrounding properties.
- E. Is in general conformity of the town's adopted comprehensive and other plans.
As mentioned in item B, the subject property is zoned industrial. The proposed use is allowed in the Industrial Zoning District and as such, the proposed use will be in conformity with the Land Use Plan.
- F. Will not exceed the town's ability to provide adequate public facilities (fire and rescue, utilities and so on)
The proposed use will not exceed any of the county's services listed above. The use is industrial in nature so there will be no impact to the school system. There is very little water or sewer generated from the concrete mixing which would be from the office. The water that will be used will come from a private well. Furthermore, a concrete mixing facility is not a use that would be expected to be a burden on city, fire, police or rescue departments.

Mayor Huneycutt asked if the board has any questions. Commissioner Barbee asked what the hours of operation are. Mr. Cowan commented 5am to 6pm.

Attorney Benschhoff asked if BDRM has to get any permits from the State of North Carolina to operate this plant. Mr. Cowan commented yes they have to get an erosion control storm water managements plan approval which just came in today.

Commissioner Smith asked for a ballpark figure of how many trucks will be utilizing the facility on a typical day. Mr. Cowan commented 10-12 trucks a day. Commission Smith followed up to verify that the trucks will come to the plant fill up, do their job and then come back again to fill up and continue until closing. Mr. Cowan replied yes. Commissioner Barbee asked how many employees will be at this facility. Mr. Cowan answered 12-14 employees.

Mayor Huneycutt asked if there was anyone else to speak on this matter. If so, they had to be sworn in. Mr. Blake Williams and Mr. Wayne Shue.

Mr. Williams had a concern about the concrete plant being across from the park. He asked if police presence was going to increase here. His daughter plays at the park and he knows there are runners from cross country meets there. He doesn't want someone running out in front of a concrete truck. He was concerned with the safety of the children at the park.

Mayor Huneycutt asked if there were any questions from the board. There were none.

Mr. Shue mentioned he went ahead and was sworn in just in case there were any questions.

Mr. Williams asked if he could ask another question. He asked if this is going to be a 7-day a week facility and would it have night work. Mr. Shue answered that there would be occasional night work and that would depend on what the work load is. Mr. Shue also mentioned that there would be no Sunday work.

Mayor Huneycutt asked if there were any other questions before the board moves to deliberation. There were no other questions. The presentation is now closed and the board will begin deliberations. The evidentiary hearing remains open in case they need to ask any questions but there will be no more testimony. Mayor Huneycutt reminded everyone that this board is tasked with determining if, based on the evidence presented, the proposal meets the standards of the zoning ordinance. This decision can't be based on personal preference but instead must be based on the evidence. The board is asked to decide does the record include competent and relevant and substantial evidence that the use will not materially endanger the public health and safety if located where proposed.

Chief Smith was sworn in to speak during this hearing based on a question proposed to him.

Commissioner Barbee made a motion to approve the first finding of fact because a fence has been added around the facility to prevent public access. The site will be paved (instead of previously designed gravel drives) to prevent dust pollution. All storm water runoffs will be captured and treated on-site by two storm water ponds and so adjacent properties will be protected from the increase of storm water volume. A gate across the driveway will be added at a distance that will accommodate a semi-trailer so that the truck will not hang out in to the roadway. There are no hazardous materials used, or waste produced in the mixing of concrete. Commissioner Jackson seconded. Commissioner Smith asked Chief Smith if the speed limit is appropriate in front of the concrete plant. Chief Smith stated it is currently 45mph, but they will petition to change it to 35mph. Commissioner Smith is concerned with the safety.

Commissioner Hathcock asked if there were two entrances. Mr. Shue stated there is only one entrance off of South Main Street. All voted and the motion was carried unanimously.

Mayor Huneycutt continued with the second finding of fact. The board is asked to decide does the record include competent, relevant and substantial evidence that complies with all standards, conditions and specifications of the UDO, including UDO Articles 4 Zoning District and 6 Development Standards. Commissioner Barbee made a motion to approve because it meets the dimensional standards of UDO Section 434 and the non-residential standards of Article 6. Commissioner Jackson seconded. There was no discussion. Voted and carried unanimously.

Mayor Huneycutt continued with the third finding of fact. The board is asked to decide does the record include competent, relevant and substantial evidence that will not substantially injure the value of abutting land or the special use is a public necessity.

Commission Barbee stated that because the subject property is zoned industrial and the surrounding parcels are also zoned industrial and are either vacant or have existing uses that are similar to the proposed use, which are compatible with the uses allowed in industrial zoning districts. Due to that Commissioner Barbee made a motion to approve this. Commissioner Jackson seconded. There was no discussion. Voted and carried unanimously.

Mayor Huneycutt continued with the fourth finding of fact. The board is asked to decide does the record include competent, relevant and substantial evidence that it will be in harmony with the area in which it is to be located.

Commissioner Barbee made a motion that because the use is to be located in an industrial district, the subject property is surrounded by property zoned industrial and is therefore compatible with the existing industrial uses. Commissioner Carpenter seconded. There was no discussion. Voted and carried unanimously.

Mayor Huneycutt continued with the fifth finding of fact. The board is asked to decide does the record include competent, relevant and substantial evidence that is in general conformity with the town's adopted comprehensive and other plans.

Commissioner Barbee made the motion that because the area around 420 South Main Street is designated industrial on the land use plan that it is acceptable. Commissioner Smith seconded. There was no discussion. Voted and carried unanimously.

Mayor Huneycutt continued with the sixth and final finding of fact. The board is asked to decide does the record include competent, relevant and substantial evidence that it will not exceed the town's ability to provide adequate public facilities (fire and rescue, utilities and so on)

Commissioner Barbee made a motion to approve this because the town's infrastructure has the capacity to serve the concrete plant. The use is industrial in nature so there will be no impact to the school system. There is very little water or sewer generated from concrete mixing and what water is used will come from a private well. A concrete mixing facility is not a use that would be a significant burden on

town fire, police or rescue departments. Commissioner Jackson seconded. There was no discussion. Voted and carried unanimously.

Mayor Huneycutt entertained a motion to approve, approve with conditions or deny this special use permit. Commissioner Smith approve the special use permit and Commissioner Barbee seconded. There was no discussion. Voted and carried unanimously.

Mayor Huneycutt stated that the town attorney and he will sign a final written decision to reflect the vote and reasoning for this decision. That written decision is called an order. The written decision will sent to the applicant and other parties and anyone requesting a copy. Parties have 30 days to appeal this decision to the Superior Court of Stanly County.

The evidentiary hearing was declared closed.

Public Hearing #1

Public Hearing #1 regarding the rezoning request from Matthew Whitley is up next on the agenda. The purpose of this hearing is to hear comments for, or against, a request from Matthew Whitley to rezone the property located at the corner of Dorsett Street and East Third Street from R15 to R9.

Mayor Huneycutt stated that before they got started with this he wanted to pass out some information from the UDO. He stated that he had attended a couple of the zoning meetings prior to this coming to the board of commissioners. He found something from the UDO that he wanted to bring to the attention of the board. Mayor Huneycutt read from Article 4 Zoning District, Section 422. He pointed out that the UDO states "after July 1, 2022 it is the policy of the town not to rezone any property from RA, R20, R15 to R9." He shared information from the UDO on R15 and R9.

Mayor Huneycutt asked if there was anyone present to speak for or against this public hearing. He then asked Mr. Efird to share some information on this rezoning request. He asked the clerk to bring up pictures on the screen. He stated that this property is owned by Mr. Whitley and on the corner of Dorsett Street and East Third Street. He showed on the screen that it is one single lot they want to divide into two building lots. Currently it is zoned R15 and there's about 25,000 sq ft. The lots would be a little larger than the regular R9 lot.

Mr. Whitley had a pre-conference meeting on January 4, 2023 and has followed the procedures required in the UDO to rezone this piece of property. They held a neighborhood meeting on January 18, 2023 at town hall. They met with all surrounding property owners within 300 feet of the property. The application was submitted on January 24, 2023 and determined to be complete. The rezoning petition was presented to the planning and zoning board on February 14, 2023 and tabled at that time pending further information. On March 14, 2023, this rezoning request was brought back up at the planning and zoning meeting and after deliberation a consistency and reasonableness statement was reviewed and approved to be sent to the town board for adoption. The rezoning request that was discussed passed unanimously with a vote of 5 to 0 to send to the town board. This has been advertised in the Stanly News & Press two consecutive weeks and a sign placed on the property announcing the day and location of the hearing. The decision of this zoning request now lies with the Town of Oakboro Board of Commissioners.

Mayor Huneycutt thanked Mr. Efirid for his explanation and asked if there was anyone there to speak for or against this matter.

Ms. Cindy Feis spoke against the rezoning. She stated that her neighbor is elderly and can't get out much but that he is against it as well. She asked if anyone had not seen the pictures with the flooding. She mentioned it being an overcrowding issue. She also mentioned that if Mr. Whitley is given permission to rezone it will open the door to allow others to do the same thing. She spoke about there not being four houses on one side of the street in town and if he does put two houses here then four would be on one side of the road. She said her and her neighbors do have some concerns about their neighborhood and changes. She mentioned the downside for her was losing her views, privacy and peace and gaining dogs barking and screaming kids. There is a value to having bigger yards and somethings are better left along.

Mr. Terry Whitley spoke next. He shared that currently there is just one house facing that side of the road so at most there would be three houses. He also shared that one of the purposes of having higher density homes in town would be able to utilize the water and sewer that's available. He stated that some people didn't like to have a yard to mow. He said they wouldn't build a house where water will be an issue. His hope is that one day Oakboro will put in storm water drain to help with the water issue.

Ms. Tina Booth spoke next and shared that she's a recipient of the run off. She believes that building a house will cause extra water and dirt run off. She asked Mr. Terry Whitley if he still planned on building just one house right now. Mr. Whitley answered her saying yes because the water problem isn't fixed on the lower lot.

Mrs. Lynn Huneycutt spoke on behalf of Mr. Whitley. She stated that if Mr. Whitley fixes the water it would be very beneficial. Mr. Whitley has upgraded many things in Oakboro and that anything he does will be top notch.

Ms. Dolly Tucker is very concerned about the duplex and triplex as well as the water issues if this property is rezoned to R9. She's asking what assurance do they have that he won't put a duplex and triplex on the property. She says that when we have heavy rains it does flood. She would like the town to look into this. Mayor Huneycutt told her that this public hearing was specifically for rezoning. However, she can bring that concern to the town board meeting at another time.

Mayor Huneycutt asked if there were any other people that wanted to speak for or against this rezoning request.

Attorney Benschhoff asked Mr. Efirid what the comprehensive plan says about this rezoning. Mr. Efirid stated it was low density. Attorney Benschhoff asked what is the minimum lot size for a duplex in R9 zoning district. Mr. Efirid stated it was 9,000 sq ft for a duplex. Commissioner Hathcock stated that a duplex is actually 12,000 minimum lot size. Attorney Benschhoff confirmed that footnote 5 in R9 section of the UDO states that for a duplex the size of the lot must be 12,000 sq ft. Looking at the lots Mr. Whitley submitted to be rezoned and split into two parts will equal 11,270 sq ft. each. Therefore, according to Attorney Benschhoff this lot (if split into two lots) would not qualify for a duplex.

Mayor Huneycutt reminded the citizens that any comments need to be directed to the board. He also asked if there were any other comments that was something new.

Mayor Huneycutt recognized Commissioner Hathcock, zoning commissioner for anything else. Commissioner Hathcock read the consistency statement to approve the rezoning of this piece of property from R15 to R9. Commissioner Hathcock made a motion to approve the consistency statement. Commissioner Jackson seconded. There was some discussion. Commissioner Barbee wanted the board to realize that a lot of smart people have people have put work into the UDO. He read again that it is the policy of the town to not rezone any R20, RA, R15 to R9. Commissioner Hathcock agreed with Commissioner Barbee stating he was part of the UDO process. Commissioner Barbee feels like it will open up a can of worms if there is a change made this early in the UDO adoption. Mayor Huneycutt shared that this would be setting a precedence for others to also want to change. Commissioner Barbee stated the board can't enforce one way and then another way for another circumstance. The board has to use their best judgement with all the facts in place. Commissioner Smith shared his concerns as he has mixed emotions. He stated that one thing that will bother people most is long range plans are made and you hope to not make changes. However, we are not even a year into this UDO. He completes understands the pain of the neighbors. He agrees with Mrs. Huneycutt knowing that Mr. Whitley will do a wonderful job on whatever he does. Commissioner Smith asked Mr. Whitley would this fix the water issue and Mr. Whitley stated that his plan is to install two 24" pipe to help this problem. Mr. Whitley stated that building these houses will not make this water problem worse. The discussion was finished and the board voted with a vote of 2 yes and 3 no. Therefore, the consistency statement is withdrawn and a new one will be drawn up by our attorney. Commissioner Hathcock then made the motion to change the current zoning on this property from R15 to R9. Commissioner Jackson seconded. The vote was 2 yes and 3 no. Therefore, the proposed zoning change was denied. Commissioner Barbee made a motion to allow our attorney to revise the consistency statement for the denial of the rezoning. Commissioner Jackson seconded. Voted and carried unanimously. Commissioner Barbee made a motion to adopt the revised consistency plan as follows stating that: it was denied because it is inconsistent with the Town of Oakboro's 20-year Land Use Plan specifically policies 1.1, 6.1, 9.1.1, and 9.1.3. The proposed change is not reasonable and not in the public interest because the rezoning affects the character of the neighborhood and is inconsistent with the requirements of the Unified Development Ordinance, specifically sections 422 and 433. Commissioner Jackson seconded. Voted and carried unanimously.

Public Hearing #1 was declared closed.

Public Hearing #2

Public Hearing #2 regarding the rezoning of parcel number 559402856286 is up next for discussion. The purpose of this public hearing is to hear comments for, or against, the rezoning of the parcel listed above which is located near the Big Lick Intersection. The current zoning is R20 and Highway Business and the owner of the property would like the property to be rezoned to Highway Business.

Mayor Huneycutt recognized our zoning officer to update the board on this situation. Mr. Efird explained using a map up on the screen. According to Mr. Efird, the following requirements have been met. A pre application conference was held on January 10, 2023. They held a neighborhood meeting in January. Mr. Efird received the application from the owner of the property on January 31, 2023. On March 14, 2023, the rezoning request was presented to the planning and zoning board for review. A consistency and reasonableness statement was prepared and presented to the planning and zoning board for

consideration. The consistency and reasonableness statement was reviewed and approved to be sent to the town board with a favorable recommendation by a vote of 5-yes and 0-no.

No one spoke for or against this rezoning request.

Commissioner Jackson made a motion to rezone this property from R20 to Highway Business and a second by Commissioner Barbee. Commissioner Smith asked if this building is going to be renovated or torn down. Mr. Efirid answered that it will be removed. There was no other discussion. The board voted and the rezoning request passed with a unanimous vote.

Mayor Huneycutt stated that at this time the statement of reasonableness and consistency needed to be adopted. Commissioner Hathcock made a motion to adopt the statement of reasonableness and consistency and Commissioner Barbee seconded. Voted and carried unanimously.

Mayor Huneycutt declared this public hearing #2 closed.

Regular Meeting

Mayor Huneycutt entertained a motion to approve the minutes from February 20, 2023 as written. Commissioner Barbee made the motion to approve the minutes and Commissioner Carpenter seconded. Voted and carried unanimously.

Mayor Huneycutt entertained a motion to approve the accounts payable in the amount of \$129,183.56. A motion to approve the accounts payable was made by Commissioner Barbee and seconded by Commissioner Carpenter. Voted and carried unanimously.

Open Forum

Mr. Cornelius Gause thanked the board for allowing him to speak. He is concerned about the local businesses being prepared for Charlotte Pipe coming online this summer and now also because of the Concrete Plant there will be even more trucks on the road. He mentioned there would be an influx of traffic. He also stated that people would like to come into town to grab a bite to eat and wondered if the local businesses were prepared. He questioned if there would be work 24/7 and Commissioner Barbee mentioned that there would but no production on third shift. Mr. Gause mentioned that would some of the stores stay open later to accommodate these folks. Commissioner Barbee stated that he hoped it would be a good thing for the town businesses. Mr. Gause agreed. Commissioner Hathcock feels like the local businesses have thought about it because it is an opportunity for them; however, the board has no control over telling the local businesses what they can and can not do as far as hours. Commissioner Hathcock hopes that the local businesses have thought this through and if not, he hopes they will consider it because it is a prime opportunity.

Mr. Jayden Lee was the next up to speak. He mentioned he was coming before the board to ask for permission to complete his Eagle Scout Project at the Oakboro Long Street Park by putting up benches at the basketball court. He mentioned that he had texted Mr. Josh Almond this past Saturday and he hopes to get started as soon as the board approves.

Mr. Shaun Kenerly spoke to the board next. His issue is the sewer pump station behind his house in Ruby Ridge. He mentioned that he can't go into his back yard without smelling something. He spoke to the people who sold him the land and they stated they have nothing to do with it. He says when he looked at the land before purchasing, he didn't smell anything. He questioned if EPA had come out to do any tests because his family seems to be sick with respiratory infections. He said he can't even sit outside or have family over or the windows open. He would like to know what can be done. Commissioner Smith mentioned that another neighbor had the same concerns. He checked around and at one point it was the town's responsibility. However, now it is owned by Stanly County which leaves the Town of Oakboro out of it. Commissioner Hathcock stated that he knows they have done some testing down there in the past due to complaints. Mr. Doug Burgess asked permission from the mayor to interject and let everyone know that Stanly County has contacted Odor Control within the past two weeks to try to alleviate this problem.

Mr. Terry Whitley was the next person to speak during open forum. He said this was a different type meeting and he had never spent more time on a rezoning public hearing. He said that the board at the time didn't even spend that much time on Charlotte Pipe because he was on the board then. His concern at this time was about who was in charge of the Historic Commission. Mr. Burgess said the town board was in charge of this and asked if there was a commissioner over the Historic Commission. It was determined at this time that there was no board for the Historic Commission. Mr. Whitley questioned the board why we do not have a Historic Commission at this time. He stated that it was the board's responsibility to appoint one and to enforce the laws. He believes that right now, because there is no Historic Commission that nothing can be enforced. The main thing that brought this to his mind was seeing that his building had been painted and over the most historical thing in Oakboro. He also mentioned that where it said Pike's Drugs it now says Town of Oakboro. He stated that he has been out of town for two weeks and drove in last night to see this painting. Mr. Whitley asked if this was something the town board did. Commissioner Smith stated the best he could remember was this was the Greater Oakboro Business Association (GOBA). Mr. Whitley says that no one asked him if they could paint on his building. He said right now the sign is bright orange and yellow and doesn't comply at all with the historical downtown. Commissioner Smith verified that Mr. Whitley owned the building and Mr. Whitley confirmed. Mr. Whitley said that his partner in business, Bob Barbee called him today all upset over this. Commissioner Smith stated that no one approached the board concerning this. His point is that if we had the Historic Commission that sign would have had to go to that and then that sign would have probably been preserved or even the original sign brought back to life.

Department Updates

Budget and Finance

Commissioner Barbee referred to Mr. Burgess for an update. Mr. Burgess reported that revenue in the general fund is at 104% and expenditures at 74%. In water fund, revenue is at 47% and expenditures are at 42%. With sewer fund, revenues are at 66% and expenditures are at 53%. Mr. Burgess stated we were in good shape.

Cemetery and Streets

Commissioner Carpenter called on Mr. Reggie Bowers to give a report. Mr. Bowers stated that they had been having Mr. Mark Cash working on cleaning the ditches out and replacing the collapsed storm drains. The department has also been working on the dirt roads scraping and keeping stone on them where the rain washes it away. Mr. David Castleberry Paving went around and paved potholes that were all over town. They have also replaced some signs and are currently looking into the signs that are not reflective and working towards getting all signs being reflective. Commissioner Carpenter asked where we were at with the removing the no parking signs in Ruby Ridge. Mr. Bowers said that he was waiting on the one sign to be made to replace the multiple signs that were up in Ruby Ridge. Commissioner Carpenter questioned signs being put up, he thought they were all coming down. Mr. Bowers shared that the multiple signs are being removed and there will be one sign at the entrances to the subdivisions. Mr. Bowers stated that he would make it more of a priority to get those signs down

Police Department

Commissioner Hathcock referred to Chief Smith. Chief Smith wanted to brag on his department. Officer Carey Money has been working with Oakboro for six years. He has stepped up and has been working at the school to fill the SRO spot on the days he isn't working at the hospital. Officer Money is spending about 40 hours every two weeks.

Chief Smith recognized Sergeant Bryce Kaus and Captain Craig Richards because they had both passed their radar certification.

Chief Smith also recognized Payton James who is our brand new hire and he just finished his BLET class with high honors and he stated that we are currently waiting on his certification to come back in from the state. He wanted everyone to know the department was very proud of him and his accomplishments. Everyone applauded.

Chief Smith mentioned that K-9 Bane passed his National K-9 Certification through United Police Work Dog Association. This requires bite work, article search, drug search, and tracking and no mistakes are allowed. K-9 Bane was flawless in his work. Everyone applauded.

Chief Smith mentioned that Sergeant Eschert and the famous K-9 Joker took second place in the Hometown Heroes Foundation which is a national competition between all the K-9 units across the nation. This foundation awarded K-9 Joker with \$5,000 which was received by the town today.

Chief Smith reported there were 125 incident reports, 3 supplements, 22 arrests, 501 field contacts and 90 citations were issued.

Parks and Recreation

Commissioner Jackson referred to Mr. Josh Almond. He stated that basketball season is finished and that soccer has started. He has 13 teams and 141 players. This is up 17% from last spring. All three of the baseball/softball fields in town are full nearly every night of the week. The first steering committee meeting for the DOT grant was held about two weeks ago and the meeting went well. Mr. Almond said that there would be some public engagement surveys with the whole town. The steering committee has two more meetings and they will hope to get a final plan in September or October. Mr. Almond also

stated that he has also applied for a Stanly County Parks and Recreation grant and use that to resurface the basketball court at Long Street Park, the one that is fenced in. He hopes to turn that into a combination pickleball and basketball court. He should be presenting at the May meeting to the Stanly County Board and get a decision on that grant.

Public Works

Commissioner Smith referred to Mr. Reggie Bowers. Mr. Bowers stated that in the water department, seven new water meters were installed at new residential dwellings. He said that four old meters were replaced. The department installed two irrigation meters. Mr. Bowers had to do testing for all of the water for this quarter. Mr. Bowers has been working on getting the water switched so that Red Cross can turn and service Charlotte Pipe. He currently has that fixed; however, they are still working on the vaults. In this process, a pressure reducing valve had to be installed on Hurley Road.

In sewer, the department worked and cleaned out 4" cleanouts on Dorsett Street. They also worked on a 2" force main at Forest Creek and next week should begin testing on this. The department repaired five pump stations this month. This past Friday they had the final walk through for the punch list on Dellinger Construction for the Blue Sky Sewer Project on Buster Road. The pump station is up and running fine now. With locates from 811, he received 65 locates for the month.

Advisory Board/Code Enforcement

Commissioner Hathcock referred to Mr. Efird. Mr. Efird stated that we have a request for a final plat for Phase 3B of Forest Creek. Whenever a builder asks for a final plat if there are certain items that aren't complete he can bond it and that way he can guarantee that those things that are unfinished will be finished by the end of the project. Mr. Efird has to write a letter stating that everything required to finish the subdivision has been guaranteed if not complete. Currently, there is an issue with the mound of dirt that needs to be placed in another hole and built up level to complete the subdivision. Mr. Efird has spoke with the builder and told him he wanted this bonded. The builder stated he doesn't think he has to bond this because he has to finish it before they can finish the subdivision. However, Mr. Efird stated that's the nature of a bond. He talked to the contractor and he estimated it would be \$50,000 to \$55,000 to finish that part of the grading. Mr. Efird is asking for direction stating that he would like to include this and require a bond for that dirt to be put in the hole. He would feel better about writing a letter if there is a bond in place. That makes sure the money is there if the contractor doesn't finish doing the grading. This bond will be written at 125% making it around \$62,500. Commissioner Carpenter questioned how this could fall back on the town. Mr. Efird stated that at some point all of the subdivision would be turned over to the town and we would be responsible should this not be finished. Commissioner Smith commented that the bond just covers us and Mr. Efird confirmed. Commissioner Smith is in favor of the bond as is Commissioner Barbee. Commissioner Smith made a motion to require a bond for this Forest Creek Subdivision. It was seconded by Commissioner Carpenter. Voted and carried unanimously.

Board Comments:

Commissioner Smith thanked Jayden Lee for coming to the meeting and working towards his Eagle project. He commended him and told him that will be a big accomplishment. He also welcomed Officer

James and commended the hard work of the K-9s. He said it sounded like everyone finished at the top of their class. Commissioner Smith asked if anyone knew what you called someone that finished last in his class at medical school. Attorney Benshoff answered "Doctor." Commissioner Smith's point was to just get there, keep working hard.

Commissioner Jackson thanked everyone for being here tonight even though it went a little longer than expected. She thanked them for being patient and also being patient with the board while they gathered their thoughts to do what's best for the town.

Commissioner Carpenter thanked everyone for being present as well as all of the town employees, police department and the officers behind him. He said to keep doing the good job that they were all doing.

Commissioner Hathcock thanked everyone for their grit to stick out the long meeting because it shows they are concerned citizens.

Commissioner Barbee thanked everyone for being present tonight. He also thanked the board for the discussion they had. He feels that this is a good diversified board that does good at the discussion and then they vote accordingly. He appreciates the board for that more than anything. He also thanked the staff stating he doesn't thank Leslie and Beverly enough, but does appreciate what they do. He stated he thanks Reggie quite a bit and that continues. He thanks Josh for all his hard work with the parks and recreation.

Mayor Huneycutt stated that tonight has been a very unusual night but he does appreciate everyone's patience and that the meeting has been a learning experience. He also thanked our attorney for being present and guiding us through this process. He continued by thanking our staff and he said we have a good staff and it's always hard to thank everyone individually without writing them all down. He thanked Beverly and Leslie for keeping us in line with this meeting because it was a lot to keep up with. He appreciates Mr. Burgess for his hard work. He mentioned that he appreciated our zoning officer as well for his hard work. He is especially proud of the board for their work tonight. He appreciates the public being here tonight and showing their concern.

Mayor Huneycutt stated that we have a need for a closed session tonight. He entertained a motion to go into closed session based on G.S. 143-318.11A (4) (6) for considering incentives for economic development and personnel. Commissioner Hathcock made a motion to go into closed session with a second by Commissioner Barbee. Voted and carried unanimously.

A motion was made by Commissioner Barbee to go back into open session and seconded by Commissioner Carpenter. Voted and carried unanimously.

A public hearing needs to be set for the next business meeting on Monday, April 17, 2023 to discuss the incentives for a local business. A motion was made to do this by Commissioner Barbee and seconded by Commissioner Carpenter. Voted and carried unanimously.

Mayor Huneycutt entertained a motion to approve Chief Smith to move forward with the paperwork for hiring Jennifer Antonucci as the SRO for Oakboro Stem School. A motion was made by Commissioner Hathcock to do this and a second by Commissioner Jackson. Voted and carried unanimously.

Mayor Huneycutt entertained a motion to hire Officer David Daigle for the vacant position in the police department making the same salary as he did when he previously left Town of Oakboro. A motion was made by Commissioner Hathcock to hire Officer Daigle making what he left making in salary and a second by Commissioner Jackson. Voted and carried unanimously.

Mr. Burgess shared that Mr. Bowers has requested to hire an additional maintenance worker which is completely justifiable considering the number of lines we have added. Mr. Bowers said if he could hire one more he would have two teams to be able to go out and work on problems together and allow them to work on two issues at once. This would allow Mr. Bowers to eliminate some subcontractors. Commissioner Barbee questioned if there was any funding for any of our staff to go to school to get the education to help Mr. Bowers out. Mr. Burgess informed the board that we were sending Mr. Anthony Gasparini to school in the next upcoming months. Mr. Burgess mentioned that Mr. Gasparini has a two-year degree and he feels he is well qualified to add the certifications that would be needed to become Oakboro's ORC. Mr. Burgess shared that this would help with money because currently it's costing us for Mr. Kost to be our ORC which this would eventually eliminate that. However, Mr. Burgess shared, this is not a quick fix. Based on our savings in the other salaries, the rest of the year is covered to pay the new maintenance worker. Mr. Burgess will build it into the new budget for next year. Commissioner Hathcock made a motion to approve the hiring of another maintenance worker and Commissioner Smith seconded. Voted and carried unanimously.

Mayor Huneycutt commented that he would like the board to look at extending the mayor's term to a four-year term which is a process that takes a few months to complete. He asked them to consider this and perhaps look at this next month. Mr. Burgess said that it does take a few months and it has to be done at least 90 days prior to an election.

Commissioner Smith brought up the Historic Commission that Mr. Whitley mentioned. Mr. Burgess said that it is something that the board is in charge of. Mayor Huneycutt didn't remember having a commissioner on this Historic Committee in the past.

Chief Smith wanted to share with the board that he did talk to Mr. Whitley right after the meeting. He stated he was president of GOBA and that they do have a signed permission form allowing GOBA to paint the building. Chief Smith stated that what Mr. Whitley was upset about was that Pike's Drugs had been covered up. The GOBA board voted on that. He did tell Mr. Whitley that essentially it is his building and they will change if that's necessary. Mr. Whitley did not remember that GOBA had permission. He wasn't as upset, but Mr. Whitley did want to keep the Pike's Drugs at the top. Chief Smith told the board that he would get in contact with Mr. Williams to fix that part.

Commissioner Hathcock made a motion to adjourn. Commissioner Carpenter seconded. Voted and carried unanimously.