

**TOWN OF FOUR OAKS**  
**TOWN COUNCIL MEETING**  
**September 13<sup>TH</sup>, 2021**  
**AGENDA**

- 1) Call to Order
- 2) Invocation and Pledge of Allegiance
- 3) Approval of Minutes
  - a) Town Council Meeting – August 9<sup>th</sup>, 2021
- 4) Proclamation
  - a) Broad River Retail
- 5) Public Comments
- 6) Public Hearings – Pauline Ketchum, Planning & Zoning Administrator
  - a) David DeYoung, AICP & Haley Hogg, AICP, CZO – Hearth Pointe Development – Application for Rezoning (Postponed June 14<sup>th</sup>, July 12<sup>th</sup>, & August 9<sup>th</sup>, 2021)  
**Cancelled**
  - b) David DeYoung, AICP & Haley Hogg, AICP, CZO – Hearth Pointe Development – Application for Subdivision (Postponed June 14<sup>th</sup>, July 12<sup>th</sup>, & August 9<sup>th</sup>, 2021)  
**Cancelled**
  - c) Bernardo Carillo, Jr., Petitioner & Owner for Parcel # 08I11080 – Application for Rezoning (Postponed August 9, 2021) **Cancelled**
  - d) Marc Jones Construction, DBA Subpro Solar, Petitioner and Gilbert Price, Owner for Parcel #08H10074J – Application for Special Use (**Postponed August 9, 2021**)
  - e) Jesucristo El Rey de Gloria, Petitioner and Jesse Edward Ingram Revocable Trust, Owner - Applications for Rezoning & Special Use Permit
  - f) Moratorium to amend The Zoning Ordinance on Curbs & Gutters, Sidewalks and Minimum requirements on new vacant lots for building. (**Postponed August 9, 2021**)
  - g) Zoning Ordinance Update to Add R14 Zoning to the District Regulations & Table of Uses
  - h) Certificate of Sufficiency & Annexation Ordinance - Parcel I.D. # 08I10191F located off South Lakeside Dr., Four Oaks, owner Osprey Partners, LLC (**Postponed August 9, 2021**)
  - i) Certificate of Sufficiency & Annexation Ordinance Annexation Ordinance - Parcel I.D. # 08016001, 08016009A, 08018027, 08018029 located off Temple St. and W. Allen St., Four Oaks, owners Hunter H. Parker Heirs
  - j) Certificate of Sufficiency & Annexation Ordinance Annexation Ordinance – Parcel I.D. # 08H10191E, 08I11028, 08I11027A located at 508, 514, & 536 Boyette Rd., Four Oaks, owner Town of Four Oaks Development Corporation
- 7) New Business
  - a) FODDA Updates – Reid Williams
  - b) Resolution for Annexation Investigation – Eric & Sharon Fogleman, Parcel # 08I10037A located at 310 Meadow Brook Dr.

8) Mayor's Comments

9) Department Reports

- a) Police – Hatch
- b) Parks & Rec & Outreach – Hines
- c) Water and Sewer – Medlin
- d) Sanitation & Streets - Surles
- e) Finance – Hardy

Adjournment

**TOWN OF FOUR OAKS  
TOWN COUNCIL MEETING  
SEPTEMBER 13<sup>th</sup>, 2021  
MINUTES**

**Call to Order**

Mayor Pro Tem Vic Medlin called the September 13<sup>th</sup>, 2021 regular scheduled Town Council meeting to order at 7:00 p.m. Those present included Mayor Linwood Parker, Commissioners Andy Hardy, John Hatch, Mike Hines, Vic Medlin, and Carles Surles. Also, present were Public Works Director Barry Stanley; Police Chief Stephen Anderson; Planning & Zoning Administrator Pauline Ketchum; Town Clerk Martha Garris recording minutes; Town of Four Oaks Development Coordinator Reid Williams; and Mike Dart from FO Benson New in Review.

**Invocation and Pledge of Allegiance**

Commissioner Hatch gave the opening Invocation with Sue Book leading the Pledge of Allegiance.

**Approval of Minutes**

**Town Council Meeting – August 9<sup>th</sup>, 2021**

Commissioner Hardy made a motion to approve the Town Council regular meeting minutes as presented, seconded by Commissioner Surles, voting unanimous.

**Proclamation**

**Proclamation Recognizing Broad River Retail for their service and dedication to the Town**

Reid Williams read and presented the proclamation to Broad River Retail's representative Michael Childers, Ashley HomeStore's Area Manager. Mr. Childers thanked the Board and commented it was a blessing to be in the Johnston County area providing life's best memories thru home furnishings for customers and provide career opportunities for employees. He shared the corporate plans are to expand in the next 2 to 3 years by adding 100,000 sq ft to the distribution center and add 100 + jobs at the Four Oaks facility.

Mayor Pro Tem Medlin turned the meeting over to Mayor Linwood Parker to continue residing over the meeting.

**Public Comments**

Anthony Whitaker, Four Oaks Middle School Principal, provided the following updates for the school: (1) school had started and they are stretched thin; (2) shared the school's stool for a successful student – teachers, parents, and community and he asked for the combined support of all because the students are behind due to COVID and it's going to take all the support possible to rebound; (3) still in need of two TA's & two certified teachers; & (4) he asked permission to host the year-end 8<sup>th</sup> Grade Ceremony in the Barbour's Grove Park again this school year. Commissioner Medlin responded with yes. Mayor Parker thanked Mr. Whitaker for being present and sharing. Mr. Whitaker commented he will be talking with Chief Anderson about doing a lockdown drill at the school.



Clerk Garriss reported for Joan Pritchett, Chamber of Commerce: Acorn Festival was very successful and the next event will be the Car Show on October 9. Mayor Parker thanked the Chamber for a great Festival. Commissioner Hardy commented on the Veteran Memorial dedication by the American Legion at the Acorn Festival and reminded everyone the Legion is selling memorial bricks. He also reported there are plans to fix the unlevel bricks in the park.

Eric Fogleman, Resident and Business Owner, commented he thought it was one of the best Acorn Festivals the Chamber had put on and shared a few comments: (1) Food Trucks – asked the Board not to change or increase restrictions in the food truck ordinance because he had talked to business owners and all but one was in support of the third Thursday events with the food trucks and don't feel it's an issue with them being on Main Street. Business owners feel that having food trucks on Main Street increases visibility, convenience, & accessibility which increases business and he asked that business owners be allowed to have input if the board looks at making changes; (2) he was trying to get 4 pedestrian crossing signs to put in the streets during events; (3) safety is an issue for pedestrians walking across US 301, Main St., and the railroad tracks – recommended putting pedestrian crosswalks on US 301, Main St., and going across the railroad tracks; (4) reported trees in the medians on S. Main Street create visibility issues and need to be trimmed up. Mayor Parker commented he would inquire about the ability to paint some crosswalks and clarified the Town received appearance money for a hospitality corridor into town and that is where the medians and trees came from. He agreed the hollies need trimming or replacing.

## **Public Hearings**

Mayor Parker called the meeting into a public hearing.

### **David DeYoung, AICP & Haley Hogg, AICP, CZO – Hearth Pointe Development – Application for Rezoning and Application for a Subdivision (Postponed in June, July, & August)**

Pauline Ketchum, Planning & Zoning Administrator, relayed the petitioners had officially cancelled/withdrawn their applications for rezoning & for a subdivision. Mrs. Ketchum made it clear that going forward with this or other projects, anyone would be required to start the entire process again and would have to follow any new guidelines put in place by the Board. Mayor Parker closed the public hearing. Motion to accept the cancelation of the applications for rezoning and for a subdivision by David DeYoung, AICP & Haley Hogg, AICP, CZO – Hearth Pointe Development with the understanding that if they want to proceed in the future, they will have to start the process over and follow any new guidelines was made by Commissioner Hardy, seconded by Commissioner Hines, voting unanimous.

Mayor Parker called the meeting back into a public hearing.

### **Bernardo Carillo, Jr., Petitioner & Owner for Parcel # 08I11080 – Application for Rezoning**

Pauline Ketchum, Planning & Zoning Administrator, relayed the petitioner had officially cancelled/withdrawn his application for rezoning. Mrs. Ketchum made it clear that going forward with this or other projects, anyone would be required to start the entire process again and would have to follow any new guidelines put in place by the Board. Mayor Parker closed the public hearing. Motion to accept the cancelation of the rezoning application for Bernardo Carillo, Jr. with the understanding that if they want to proceed in the future, they will have to start the



process over and follow any new guidelines was made by Commissioner Hardy, seconded by Commissioner Hines, voting unanimous.

Mayor Parker called the meeting back into a public hearing.

**Gilbert Price, Petitioner & Owner for Parcel #08H10074J – Application for Special**

Pauline Ketchum, Planning & Zoning Administrator, relayed planning board heard the request for a special use application by Gilbert Price, petitioner and owner, for parcel # 08H10074J located at 8398 US Hwy 301 South, Four Oaks. Mr. Price would like to install 20 ground mount solar panels in his front yard. Andres Restropo from Sunpro Solar and Mr. Price were present at the meeting. Mrs. Ketchum reported other towns treat these as an accessory structure which requires them to be in the back or side of property. This does not fall under the towns solar farm ordinance. Mrs. Ketchum reported 11 letters were mailed out, she received no inquiries, and the Planning Board recommended approval of the special use request and revisit the ordinance by adding ground mount solar panels in the future or treat this as an accessory structure. Mr. Restropo commented the solar panels are for home power use only. In Mr. Price's case, the sun doesn't shine in his side or back yard due to the trees. Mayor Parker inquired if this meets the requirements as an accessory building. Mrs. Ketchum responded that for this specific parcel it does meet the ordinance for accessory buildings because it can meet the required acres and setbacks except it is in the front yard. Mayor Parker commented that since there is not an ordinance for these type solar panels, Mr. Price should be allowed to install in front yard. The Mayor and Commissioners directed the Planning Board to look into revising the ordinance to address providing solar energy on homes. Mayor Parker closed the public hearing. Motion to allow Gilbert Price to put the 20 solar panels in his front yard as presented was made by Commissioner Medlin, seconded by Commissioner Hines, voting unanimous.

Mayor Parker called the meeting back into a public hearing.

**Jesucristo El Rey de Gloria, Petitioner and Jesse Edward Ingram Revocable Trust, Owner - Applications for Rezoning & Special Use Permit**

Mrs. Ketchum relayed the planning board heard the application requests for rezoning and a special use permit by petitioner Jesucristo El Rey de Gloria & owner Jesse Edward Ingram Revocable Trust at 5311 US Hwy 301 to (1) rezone the property from LI to RA and (2) get a special use permit to build a church and have a food bank ministry on the property. Jesse Ingram and Brent Ingram were present at the meeting.

- 1) The owners were requesting to rezone the 5311 US Hwy 301 property from LI to RA. The table of use for RA allows for churches, food banks, and possibly a school in the future. The parcel sits on 6.67 acres and approximately 90% paved. Mrs. Ketchum commented she had discussed with the owners that the buildings must be brought up to code and had explained the noise ordinance with them, and the surrounding area properties were zoned RA. Mrs. Ketchum reported that 19 letters were mailed out and there were some concerns presented at the planning board meeting but those concerns were satisfied by the end. Some concerns that arose and got clarified by the Planning Board were: a) trailer being added to property - that will not be allow; b) sign ordinance – needs to be uniform with sign across the street; c) noise ordinance – which was clarified; & d) water runoff concerns – clarified there cannot be additional builds added disturbing drainage runoff. Mary Belle, area resident, comments she &



others were at the planning board meeting with concerns such as the church selling things like at an inside flea market, apartments being established by the church and the noise. She was assured none of these will occur. Her questions and concerns were answered and she was satisfied with the church and food bank going there. Mrs. Ketchum reported the planning board recommended the approval of the rezoning request from LI to RA. Commissioner Hardy inquired if the petitioner planned to purchase the property. Mrs. Ketchum responded with yes and they planned to build in phases with the main building being first with a privacy fence along the back of property. Commissioner Surles shared concerns that if a fence was put up, Forest Hills residents may not be able to get out of subdivision if there was a tree down or flooding again. It was explained that the fence installation needs to be discussed between the owner and community because the Board has no dealings with that. There were no further comments. Mayor Parker closed the public hearing. Motion to approve the application to rezone the 5311 US Hwy 301 property from LI to RA was made by Commissioner Medlin, seconded by Commissioner Hines, voting unanimous.

Mayor Parker called the meeting back into a public hearing.

- 2) The owners were requesting a special use permit for 5311 US Hwy 301 to build a church and have a food bank ministry there. Mrs. Ketchum reported the planning board recommended the approval of the special use permit request. The Designer commented it was the idea of the petitioner to keep the same historical look as that of the current buildings. There were no further comments. Mayor Parker closed the public hearing. Motion to approve the special use application for 5311 US Hwy 301 property to build a church and food bank ministry there was made by Commissioner Hardy, seconded by Commissioner Medlin, voting unanimous.

**Moratorium to amend The Zoning Ordinance on Curbs & Gutters, Sidewalks and Minimum requirements on new vacant lots for building.**

The moratorium was postponed in August until September to discuss further. Since the planning board will be doing a work session in October to address the zoning ordinance the board canceled the moratorium. Eric Fogleman, resident, asked didn't the board want to keep the Moratorium until the zoning ordinance is updated. Mayor Parker explained the moratorium hasn't ever been put in place and there is no need for it at this time. Commissioner Medlin explained there is no sewer capacity available at this time. There were no further comments. Mayor Parker closed the public hearing. Motion to cancel the moratorium proposal was made by Commissioner Hines, seconded by Commissioner Medlin, voting unanimous.

Mayor Parker called the meeting back into a public hearing.

**Zoning Ordinance Update to Add R14 Zoning to the District Regulations & Table of Uses**

Pauline Ketchum relayed the planning board discussed the zoning ordinance updates to add R14 to the district regulations and table of uses. R14 would be 14,000 sq ft lots (approximately 0.321 acre) and the R10 zoning will be grandfathered in with no new R10 areas. There were no further comments. Mayor Parker closed the public hearing. Motion to table the zoning ordinance update to add R14 until October was made by Commissioner Medlin, seconded by Commissioner Surles, voting unanimous.



Mayor Parker called the meeting back into a public hearing.

**Certificate of Sufficiency & Annexation Ordinance - Parcel I.D. # 08I10191F located at 1100 South Lakeside Dr., Four Oaks, owner Osprey Partners, LLC**

Martha Garriss, Town Clerk was directed to investigate parcel #08I10191F located at 1100 South Lakeside Dr., owned by Osprey Partners, LLC for annexation in June. The property is contiguous, meets all the requirements under G.S. 160A-31, and is ready to move forward with the annexation process. **In August**, Commissioner Hardy inquired on who maintains the street because it is a private street. The street is not built to NCDOT standards and is maintained privately by the property owners. There would need to be a clear understanding the road is private and will continue to be maintained privately by the owners. **In August**, motion to postpone the annexation for Parcel # 08I10191F and contact the town attorney for guidance was made by Commissioner Hardy, seconded by Commissioner Hines, voting unanimous.

**In September**, with clarification from the Attorney, Commissioner Hardy reported upon annexation the town does not have to assume street maintenance responsibilities for a private street until the street is brought up to NCDOT standards by the private property owners and then it is dedicated to and accepted by the Town. Commissioner Medlin commented that answers his concerns about the private street and Town's liability. There were no further comments. Mayor Parker closed the public hearing. Motion to approve the voluntary annexation for parcel #08I10191F was made by Commissioner Medlin, seconded by Commissioner Hines, voting unanimous.

Mayor Parker called the meeting back into a public hearing.

**Certificate of Sufficiency & Annexation Ordinance Annexation Ordinance - Parcel I.D. # 08016001, 08016009A, 08018027, 08018029 located off Temple St. and W. Allen St., Four Oaks, owners Hunter H. Parker Heirs**

Martha Garriss, Town Clerk was directed to investigate parcels # 08016001, 08016009A, 08018027, 08018029 located off Temple St. and W. Allen St., Four Oaks, owners Hunter H. Parker Heirs for annexation in August. The properties are contiguous, meets all the requirements under G.S. 160A-31, and is ready to move forward with the annexation process. There were no further comments. Mayor Parker closed the public hearing. Motion to approve the voluntary annexation for parcel # 08016001, 08016009A, 08018027, 08018029 was made by Commissioner Hardy, seconded by Commissioner Medlin, voting unanimous.

Mayor Parker called the meeting back into a public hearing.

**Certificate of Sufficiency & Annexation Ordinance Annexation Ordinance – Parcel I.D. # 08H10191E, 08I11028, 08I11027A located at 508, 514, & 536 Boyette Rd., Four Oaks, owner Town of Four Oaks Development Corporation**

Martha Garriss, Town Clerk was directed to investigate parcels # 08H10191E, 08I11028, 08I11027A located at 508, 514, & 536 Boyette Rd., Four Oaks, owner Town of Four Oaks Development Corporation for annexation in August. The properties are contiguous, meets all the requirements under G.S. 160A-31, and is ready to move forward with the annexation process. There were no further comments. Mayor Parker closed the public hearing. Motion to approve the voluntary annexation for parcel # 08H10191E, 08I11028, 08I11027A was made by Commissioner Hines, seconded by Commissioner Hardy, voting unanimous.



## **New Business**

### **FODDA Updates – Reid Williams**

Reid Williams, Town of Four Oaks Development Coordinator, reported the Town of Four Oaks has partnered with the City of Dunn to form the I-95 / I-40 Crossroads of America Economic Development Alliance, Inc. Each town will have four Board of Directors on the Alliance Board. Mr. Williams presented Derrick Marconi, House-Autry Mills CFO, as the fourth nominee to the Alliance Board. Motion to appoint Derrick Marconi as a Town of Four Oaks board member to the I-95/I-40 Crossroads of America Economic Development Alliance, Inc. Board of Directors. was made by Commissioner Hardy, seconded by Commissioner Medlin, voting unanimous.

Reid Williams gave a Downtown Streetscape Project update. WithersRavenel has presented the 30% plans for the project to the Downtown Development Association. There were several meetings held to present and discuss with the business and property owners. In mid-October, the 60% plans are due and there will be a public meeting scheduled to present them to the public and receive feedback.

### **Resolution for Annexation Investigation – Eric & Sharon Fogleman, Parcel # 08I10037A located at 310 Meadow Brook Dr.**

Clerk Martha Garriss relayed an application for a voluntary annexation had been received for Parcel #08I10037A located at 310 Meadow Brook Dr., owner Eric Wayne Fogleman, Sr. and Sharon Fogleman. Motion to approve the resolution directing the Town Clerk to investigate the petition received under GS 160A-58.1 was made by Commissioner Medlin, seconded by Commissioner Hardy, voting unanimous.

### **305 N Baker Street Property Purchase**

Motion to approve the purchase of the 305 N Baker Street property from Cathryn Murray by the Town of Four Oaks and initiate a loan from KS Bank to purchase the property was made by Commissioner Hardy, seconded by Commissioner Medlin, voting unanimous.

## **Mayor's Comments**

Mayor Parker has reviewed the audit report and it looks good. He encouraged everyone to plan to vote on November 2. Vic Medlin is running for Mayor; John Hatch and Mike Hine will be rerunning for commissioner.

## **Department Reports**

### **Police – Hatch**

Commissioner Hatch read a thank you letter to our police department from the Sampson County Sheriff's Department for the invaluable assistance in the pursuit and capture of Carl Williams. Commissioner Medlin commented that our police department lead the chase and did a great professional job. He said the Town should be very proud and thanked our Police Department. Chief Anderson read the monthly police report (attached). Chief commented they had been busy at the hotel and it takes a lot of resources to police that hotel. Mayor Parker suggested for him and Commissioner Hatch to approach this as a public nuisance and try to get it cleaned up or closed. Commissioner Hardy added that it is a drain on all public services including the Police, EMS, and Fire Department. Commissioner Surles reported to Chief that at night (mainly weekends) about 11:00 am it sounds like someone drag racing on US Hwy 301. Chief commented he had worked patrol a couple recent nights and hadn't seen anything going on but he will have his guys on the lookout. Eric Fogleman thanked the officers for their rapid respond



to a recent wreck in front of his store on US Hwy 301. The officers took care of the situation quickly and professionally.

#### **Parks & Rec and Outreach – Hines**

Commissioner Hines reported that football season was underway and the jamboree was a huge success.

#### **Water and Sewer – Medlin**

Commissioner Medlin read the water and sewer report (attached). Water had revenue of \$24,971 and the sewer had revenue of \$21,696. The 12-month daily average per gallon was an 12% loss for water and 0.24% gain for sewer. The town is working with the county on a couple issues about the water and sewer.

#### **Sanitation & Streets**

Commissioner Surles reported: (1) sanitation was good and (2) streets were getting potholes patched around town. He commented he had heard concerns about debris not being picked up around town. The town guys have been working hard to clean up in preparation for the Acorn Festival and encouraged everyone to be patient and they will be getting the debris up as soon as possible.

#### **Finance – Hardy**

Commissioner Hardy read the financial report (attached) with total funds of \$2,127,766 and made a motion to approve the August payables listed in the attached report, seconded by Commissioner Surles, voting unanimous.

Commissioner Hardy reported that DeAnna Haley, Utility Billing Clerk, has announce early retirement so we would be posting that position soon.

#### **Executive Session**

Motion was made by Commissioner Hines, seconded by Commissioner Medlin to move out of regular session and into executive session to discuss economic development matters for the Town of Four Oaks Development Corporation, voting unanimous.

No motions were made

Motion was made by Commissioner Medlin, seconded by Commissioner Hardy to move out of executive session and into regular session, voting unanimous

#### **Adjournment**

With no further business brought before the Town Council, motion to adjourn at 9:05 p.m. was made by Commissioner Medlin, seconded by Commissioner Hardy, voting unanimous.



Linwood Parker, Mayor

ATTEST:



Martha Garriss, Town Clerk