

**TOWN OF FOUR OAKS
TOWN COUNCIL MEETING
JANUARY 10TH, 2022
AGENDA**

- 1) Call to Order
- 2) Invocation and Pledge of Allegiance
- 3) Approval of Minutes
 - a) Town Council Meeting – December 13th, 2021
- 4) Public Comments
- 5) Public Hearings - None
- 6) New Business
 - a) Approval of Interlocal Agreement to Purchase Sewer Jet from Fayetteville PWC
 - b) Resolution for Annexation Investigation – Tri-County Community Health Council, Inc DBA Commwell Health located off Boyette Rd., Four Oaks, NC, Parcels # 08I11011 & 08I11013K
 - c) Resolution for Annexation Investigation – Charles Barrett Stanley & Cheryl H. Stanley located at 5225 US 301 S, Four Oaks, NC, Parcel # 08H99013H
 - d) Resolution for Annexation Investigation – C&B Development, LLC located off Pecan Valley Way, Four Oaks, NC, Parcels # 08H10017, 08H10017U, 08H10017V, 08H1016A.
 - e) Resolution for Annexation Investigation – C&B Development, LLC located at 130 & 135 Pecan Valley Way, Four Oaks, NC, Parcels # 08H10017Q & 08H10017R, respectfully.
- 7) Budget Amendments
 - a) General Fund - #BA 2021-22 01
 - b) Water/Sewer - #BA 2021-22 01
- 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
JANUARY 10TH, 2022
MINUTES**

Call to Order

Mayor Vic Medlin called the January 10th, 2022 regular scheduled Town Council meeting to order at 7:00 p.m. Those present included Commissioners Andy Hardy, John Hatch, and Carles Surlis. Also, present were Public Works Director Barry Stanley; Police Chief Stephen Anderson; Town Clerk Martha Garris recording minutes; and Mike Dart from FO Benson New in Review. Not present and excused Commissioner Mike Hines.

Invocation and Pledge of Allegiance

Commissioner Hatch gave the opening Invocation with Colin Garcia leading the Pledge of Allegiance.

Approval of Minutes

Town Council Meeting – December 13th, 2021

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

Public Comments - None at the time

Public Hearings - None

New Business

Approval of Interlocal Agreement to Purchase Sewer Jet from Fayetteville PWC

Commissioner Hardy presented an Interlocal Agreement between the Town of Four Oaks and Fayetteville PWC (“PWC”) for the Town to purchase a 2008 747-FR Trailer Mounted Sewer Jet for \$40,100 from PWC in accordance with NC G.S. Chapter 160A, Article 20. The Town was high bidder on GovDeals for the sewer jet but due to the cost exceeding \$30,000 and it was between 2 municipalities, we had to enter into an interlocal agreement between the Town & PWC. Town Attorney Chip Hewett helped create the agreement. The purchase was already a budgeted line item for the FY 2021-2022. Motion to accept the interlocal agreement to purchase the Sewer Jet from PWC was made by Commissioner Hardy, seconded by Commissioner Surlis, voting unanimous.

Resolution to Annexation Investigations

- Tri-County Community Health Council, Inc DBA Commwell Health located off Boyette Rd., Four Oaks, NC, Parcels # 08I11011 & 08I11013K
- Charles Barrett Stanley & Cheryl H. Stanley located at 5225 US 301 S, Four Oaks, NC, Parcel # 08H99013H
- C&B Development, LLC located off Pecan Valley Way, Four Oaks, NC, Parcels # 08H10017, 08H10017U, 08H10017V, 08H1016A

- C&B Development, LLC located at 130 & 135 Pecan Valley Way, Four Oaks, NC, Parcels # 08H10017Q & 08H10017R, respectfully

Motion to approve all the resolutions presented directing the Town Clerk to investigate the petitions received under GS 160A-31 was made by Commissioner Hardy, seconded by Commissioner Surles, voting unanimous.

Budget Amendments

General Fund and Water & Sewer Fund - #BA 2021-22 01

Commissioner Hardy presented the mid-year budget amendments for the general fund and the water & sewer fund as of December 31, 2021. Motion to approve the budget amendments as presented was made by Commissioner Hardy, seconded by Commissioner Surles, voting unanimous.

Mayor's Comments

Mayor Medlin announced he was appointing Commissioner Andy Hardy as the Mayor Pro Tem. The Board all agreed.

Mayor Medlin thanked everyone for attend the meeting.

Department Reports

Police – Hatch

Chief Anderson read the monthly police report (attached). Chief asked the Board what they wanted to do about getting rid of the old vehicles. He suggested the possibility of donating the old K9 car to Jim, the K9 trainer, to park for training purposes because it was in such poor condition and selling the other vehicle. The Board instructed Chief to proceed with initiating the surplus resolution for February and to include some of the public work items also.

Parks & Rec and Outreach – Hines

No report

Water and Sewer – Medlin

Mayor Medlin read the water and sewer report (attached). Water had revenue of \$21,297 and the sewer had revenue of \$24,694. The 12-month daily average per gallon was a 12% loss for water and 4% loss for sewer.

Sanitation & Streets

Commissioner Surles reported: streets & sanitation were good. Commissioner Surles mentioned he had heard that GFL was short staffed in some area due to COVID & Mayor Medlin instructed Public Works Director Barry to use the town garbage truck to pick up garbage if GFL gets in a hardship can't to help out.

Finance – Hardy

Commissioner Hardy read the financial report (attached) with total funds of \$2,446,867 and made a motion to approve the December payables listed in the attached report, seconded by Commissioner Hatch, voting unanimous.

Public Comments

Eric Fogleman, business owner, came in after the original public comments time. Mayor Medlin allowed Mr. Fogleman time to speak. Eric Fogleman asked if the Town of Four Oaks Development Corporation was owned by the Town and if not, why was it listed in the financial report monthly. Commissioner Hardy explained it was a separate entity with its own directors not owned by the Town. The Town currently loans money to the Development Corporation to pay on its loans. The Town has a receivable on the books and once the Development Corporation sells some of the properties, it will pay the Town back. Mr. Fogleman was inquiring again about the Town denying his annexation at 310 Meadowbrook Dr – Parcel 08110037A. The resolution for clerk to investigate his property went to the board on September 13, 2021 and was denied October 11, 2021 per the Certificate of Sufficiency by the clerk for not meeting all the General Statute 160A-58.1 requirements. He referenced a few properties thinking they have been annexed in town incorrectly because they are in a subdivision and asked, if they can be annexed, why can't he because all he wants is to be annexed to get town services. He wanted to know what can he do to qualify to be annexed. Mayor Medlin asked for clarity on the properties he was questioning. The properties were:

1. Owner - Town of Four Oaks Development Corporation – 508 & 514 Boyette Rd; Parcels 08H10191E & 08I11028 – properties were approved to be annexed by the town on September 13, 2021 in accordance with G.S. 160A-31 which were contiguous properties to the city limits. Mr. Fogleman said per the deed these are part of a C.A. Raynor subdivision that isn't completely annexed and he believed they should not have been annexed. He stated that he felt this was fishy being that it was the Town of Four Oaks Development Corporation property. Note per Clerk's understanding: Contiguous property requirements reference nothing about subdivisions.
2. Owner – William J Harrell & Jacquelin Harrell – 428 Thunder Rd; Parcel 08I10073D – property was annexed August 9, 2021 in accordance with G.S. 160A-58.1 as non-contiguous. Mr. Fogleman said this is part of the Berry Downs Subdivision and questioned how it was annexed in.
3. William Michael Creech – 135 Dogwood Ln, Parcel 08I10038I – annexed in September 2017 – Mayor Medlin explained we are now aware this should not have been done but it was done years ago and we are basically moving on because it would take legislation to de-annex.

Mr. Fogleman responded well just annex him and he wouldn't worry about it anymore. He asked the board to check this out and was there some way for him to be annexed to get town services. Mayor Medlin told him it would be looked into.

Mr. Fogleman inquired about the trees on S. Main Street because based on his research the size of the trees in the islands are over 3 feet with which are illegal per State regulations. He asked the Board to look into this because it presents safety issues. Mayor Medlin responded he would mention it to the Town engineer to look into.

David Faircloth, business owner, inquired again about push buttons for crossing US 301. He commented he was told months ago the town was waiting for the Downtown "thing" and later former Mayor Parker handed them a paper referencing there wasn't enough traffic to qualify for the buttons but he commented Dunn has them at multiple crossings with way less traffic than US 301. He asked what the letter means if when referencing there isn't enough traffic on US 301 to qualify. Mayor Medlin responded he didn't know anything about the letter and he wasn't sure if the push buttons are in the project plans or not. Commissioner Hardy commented it had been addressed with NCDOT. Mr. Faircloth commented he had contacted NCDOT and they said it was up to the Town. Commissioner Hardy then commented WithersRavenel was aware of the request and is looking into this.

Executive Session

Motion was made by Commissioner Hardy, seconded by Commissioner Surles to move out of regular session and into executive session to discuss the vacant board seat, voting unanimous.

Before anything was discussed, it was determined the board could not discuss this matter in closed session.

Nothing was discussed.

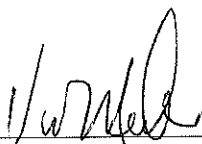
Immediately, a motion was made by Commissioner Hardy, seconded by Commissioner Hatch to move out of executive session and back into regular session, voting unanimous

Open Session

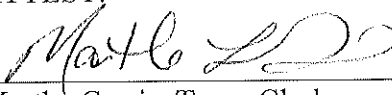
Mayor Medlin discussed who he would like to appoint for the vacant seat and asked for the Board's opinion on the potential candidate. Commissioner Hatch asked if the board had to first accept applications to fill the seat. Mayor Medlin responded no, the Board could just appoint someone outright. Mayor then presented Kim Robertson's name because she was the last candidate that ran a good campaign for the board and she had expressed an interest recently to be on the Board. Mayor commented he thought having a woman's opinion on the Board would be a good thing and he thought she would do a good job. The Board was good with the name so it will be brought up to appoint Kim for the vacant seat at the February meeting.

Adjournment

With no further business brought before the Town Council, motion to adjourn at 7:30 p.m. was made by Commissioner Hardy, seconded by Commissioner Surles, voting unanimous.



Vic Medlin, Mayor

ATTEST:


Martha Garris, Town Clerk