

**TOWN OF FOUR OAKS  
TOWN COUNCIL MEETING  
DECEMBER 12<sup>TH</sup>, 2022  
AGENDA**

- 1) Call to Order
- 2) Invocation and Pledge of Allegiance
- 3) Approval of Minutes
  - (a) Town Council Meeting – November 14<sup>th</sup>, 2022
- 4) Public Comments
- 5) Public Hearings
  - (a) Stephen Webb – Application for Special Use for Oversized Garage at 1105 Keen Rd.
  - (b) Jones Creek, LLC, Petitioner and Terry Lee Clary & H. Edwin Lee, Jr, Owners – Application for Rezoning & Subdivision at 203 Hollinsworth Rd.
  - (c) Certificate of Sufficiency & Annexation Ordinance – Jones Creek, LLC, Petitioner and Terry Lee Clary & H. Edwin Lee, Jr., Owners located at 203 Hollinsworth Rd. and off Old School Rd., Four Oaks, NC, Parcels # 08H10043, 08H10047A, & 08H10048
- 6) New Business
  - (a) Adopt 2023 Town Council Regular Meeting Schedule – Clerk Garriss
- 7) Mayor's Comments
- 8) Department Reports
  - (a) Police – Hatch
  - (b) Parks & Rec & Outreach – Robertson
  - (c) Water and Sewer – Hines
  - (d) Sanitation & Streets – Surles
  - (e) Finance – Hardy

Adjournment

**TOWN OF FOUR OAKS  
TOWN COUNCIL MEETING  
DECEMBER 12<sup>TH</sup>, 2022  
MINUTES**

**Call to Order**

Mayor Vic Medlin called the December 12<sup>th</sup>, 2022 regular scheduled Town Council meeting to order at 7:00 p.m. Those present included Commissioners Andy Hardy, Mike Hines, Kim Robertson, and Carles Surles. Also, present were Police Chief Stephen Anderson; Public Works Director Barry Stanley; Town Clerk Martha Garris recording minutes; and Mike Dart from FO Benson New in Review.

**Invocation and Pledge of Allegiance**

Commissioner Surles gave the opening Invocation with Jeremy Johnson leading the Pledge of Allegiance.

**Approval of Minutes**

**Town Council Meeting – November 14<sup>th</sup>, 2022**

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

**Public Comments**

Town Clerk Garris read the following comments by Sam Austin, resident at 203 E. Lewis St, whom was unable to attend the meeting: (1) as a follow-up since the September 12 meeting, Mr. Austin asked the Board for an update, if any, on the school traffic on Tucker St.; (2) Mr. Austin had a suggestion to pass along to the Board to have a recycle box for electronics, batteries, etc. somewhere around Town Hall for residents to use and maybe have it emptied monthly or quarterly. Mayor Medlin responded: (1) there is no definite plan yet but there has been a meeting with the school to discuss options such as: (a) restructuring the area to bring traffic in off Church St., create a road to go in by the Civitan Building that will go all the way through by the 3<sup>rd</sup> grade and moving the bus parking lot to the 3<sup>rd</sup> grade parking lot; (b) the quick fix is to move the buses around and double stack the car line in the bus parking lot to get some cars off Main St.; & (2) the landfill has a place for those items but the board may look into an option in town.

Patricia Chisholm-Jones, thanked the Mayor, Board, and staff for working closely with the Smith St. community and for the Christmas lights at the Smith St. (Holt) Park. She wished everyone a Merry Christmas and Happy New Year.

**Public Hearings**

Mayor Medlin called the meeting into a public hearing.

Pauline Ketchum, Planning and Zoning Administrator, relayed the Planning Board met on December 6 to hear 2 cases. Notice requirements were met with the newspaper advertisements



being publish on December 21 & 28, signs were put on the properties, and letters were mailed out to property owners within a 500 ft. radius for all cases.

**Stephen Webb – Application for Special Use for Oversized Garage at 1105 Keen Rd.**

Pauline Ketchum, Planning & Zoning Administrator, relayed the Planning Board heard the request for a special use by Stephen Webb, petitioner & owner of parcel # 08I11070H located at 1105 Keen Rd., Four Oaks, NC to build a 30'x50' oversize detached metal garage on his 1.07-acre property. She added the building will be used for storage of his tractor, lawn mower, etc. Mrs. Ketchum relayed the property is in the ETJ, the building will match his home, meets all requirements, 9 letters were mailed out, she received no inquiries, and the planning board was recommending for Board's approval.

There were no public comments. Mayor Medlin closed the public hearing.

Motion to approve the proposed special use by Stephen Webb, petitioner & owner of parcel # 08I11070H located at 1105 Keen Rd., Four Oaks, NC to build a 30'x50' oversize garage on his property was made by Commissioner Hardy, seconded by Commissioner Surles, voting unanimous.

Mayor Medlin called the meeting back into a public hearing.

**Jones Creek, LLC, Petitioner and Terry Lee Clary & H. Edwin Lee, Jr, Owners – Application for Rezoning & Subdivision on Parcels # 08H10043, 08H10048, & 08H10047A located at 203 Hollinsworth Rd & Off Old School Rd**

Pauline Ketchum, Planning & Zoning Administrator, relayed the Planning Board heard the application requests of rezoning & a subdivision by Jones Creek, LLC, Petitioner and Terry Lee Clary & H. Edwin Lee, Jr, Owners of parcels # 08H10043, 08H10047A, & 08H10048 located at 203 Hollingsworth Rd and off Old School Rd., Four Oaks, NC to (1) rezone the property from R-A to R-12 and (2) build a single-family residential subdivision with approximately 320 lots on approximately 150 acres. Mrs. Ketchum relayed the property is currently in the ETJ, the 3 parcels will become 1 parcel and will be annexed into the town for town services, the lots will be a minimum of 12,000 sq. ft., the subdivision will have curb & valley gutters & sidewalks, there will be landscape buffers & a mailbox kiosk, and the majority of the homes will be approximately 1,750 sq. ft., 2 story with a garage & a minimum of 3 bedrooms & 2 bathrooms starting at \$325,000. A preliminary NCDOT review has been done for the entrance and the traffic to decide about a turn lane which the engineer can discuss. She reported letters had been sent out, she had received numerous concerns about traffic, schools, stores, runoff, water, sewer, & gas. Mrs. Ketchum relayed the Planning Board did not recommend because: (1) the town has already approved several R-12 subdivisions with a large number of lots; (2) the down turn of housing nationwide due to inflation and higher interest rate and we are seeing already developed lots sitting empty; (3) approving another R-12 subdivision of this magnitude would only add additional and unnecessary stress to the community schools, roadways, fire & police as well as destroying our natural environment therefore effecting the homes and lives of the exiting people; & (4) the Planning Board certainly doesn't feel it is good planning for the future of the community.

Brian Leonard, BRL Engineering, representing the owners and petitioner addressed the board. Mr. Leonard commented there were valid concerns by individuals at the Planning Board



meeting. He added that he had met with a few of the individuals and discussed their concerns since the meeting. Mr. Leonard provided the board with revised plans based off some of the concerns and explained the revisions as follows: (1) added a 25 feet perimeter buffer around the entire development that will be owned and maintained by the HOA which reduced the lot count to 302 lots; and (2) added 3 additional dry stormwater ponds to meet the same standards as Johnston County. The revisions were done on a voluntary measure by the developer. As for stormwater concerns, the Town of Four Oaks doesn't have a Stormwater Ordinance but engineers have to design the project to take runoff to natural areas in which there is a large basin to the south of this property into a swamp near CSX railroad which raised concerns from the Shearers' and the revised plans addressed this. Commissioner Hardy inquired if the ponds will be fenced in. Mr. Leonard responded they can be with no problem. Mr. Leonard added there is an ongoing traffic study by the NCDOT which includes from Raleigh Rd. to Church St. & Parker St. and he is waiting to hear back from them but based on the initial results and with the low traffic volume there was no signalization requirements and no proposed road improvements at that time however he did anticipate a turn lane being required at a minimum. With drainage being a point of concern, there will be stormwater ponds at the outlet with stormwater pipes and inlets to move water into the development and to the south. There are existing underground drain pipes in fields and he suspects there are issues with those pipes. The goal is to be able to pull that water more efficiently into the development storm system and help with some of those drainage issues.

Mr. Leonard explained there are phases for the project with no anticipation to build more than 36 homes in any given phase throughout the life of the subdivision.

Mr. Leonard and Commissioner Hardy explained that BRL Engineering was representing the developer and not the town for this project therefore the town will get a separate engineer to review the plans if approved and reached that point.

Commissioner Robertson inquired if the buffer will be landscaped. Mr. Leonard responded there are no plans to landscape them at that time. On the west side near the Moore property there is not room within the 25 feet to landscape it because there is a path on the property line which is part of the 25 feet and it will remain a path, while the south side has existing vegetation that could be retained and to the east is a small portion that doesn't back up to any homeowners. He stressed there is no requirement to landscape the buffers. He stressed again they do intend to build a berm and a landscape buffer along the existing properties that back up to the subdivision or surrounded by the subdivision.

John Shearer, adjacent property owner, inquired if the sewer lines will run within the buffer or on the outside of the buffer. Mr. Leonard responded it will be outside of the buffer.

Tim Purvis, resident at 1814 Old School Rd, inquired if there would be a buffer along Old School Rd. Mr. Leonard responded, yes. Mr. Purvis commented that he realizes a subdivision is coming however his concern is for Four Oaks because the town doesn't have the resources such as restaurants, grocery stores, or something like a mini mall for all the people coming in. He feels the resources are needed before the houses and he is depending on the board to make a decision to protect Four Oaks. More houses and people require more police & fire protection.



Commissioner Hines inquired if all the interior streets will be developed up front. Mr. Leonard responded, no, the details are still to be worked out. They will not build the entire network of streets for the subdivision but will build what is needed to build out for the storm drainage not to block off water. Mr. Leonard added that storm drainage is a great concern to deal with the phases and if effected by not extending, they will extend into another phase as needed. Mayor Medlin asked how the board will know that the infrastructure for drainage control will be planned and taken care of, if approved. Mr. Leonard responded that as an engineer, these are preliminary designs and he can't design the entire subdivision at this stage because things are subject to change but, like all engineers do, he has anticipated as much as possible at this preliminary stage. After approval, he will submit detailed design plans for review by another engineering firm and then address any further concerns that may be found.

There were several residents that spoke up with concerns and Mr. Leonard ("BRL") responded to most:

(1) Blake Parker – concerned about how the drainage can be controlled when adding concrete and houses giving the water nowhere to go, water already floods the area. He doesn't see any positive outcome with a 300+ homes subdivision. BRL responses – he will be submitting detailed plans that meet Johnston County criteria and the dry stormwater ponds are designed to hold the water until it can be released at a slower intermittent rate unlike the older existing pond that has no outlet structure.;

(2) Jonathan Raynor, his property/business will be surrounded on 3 sides by the subdivision – he knows growth is coming but encourages wise growth and expressed his concerns: concerned about pets, kids, 4-wheelers, etc. messing up his nursery; nursery traffic issues; it will cause him added expenses to put up gates, etc. to keep unwanted people out of nursery; aging sewer system infrastructure concerns; feels should keep to the smart growth concept in certain areas as Land Use Plan indicates because this area is deemed residential agriculture; rapid growth rate and the effects on the town; concern for only one outlet on Hollingsworth Rd.; homes turning into rental homes; his understanding is the HOA doesn't usually take over until last home is sold in a subdivision; additional traffic; school capacities & strains; and what if the housing market crashes. BRL responses – because of the number of lots the build out is approximately 10 years so it will not be immediate; as each phase is build there will be a HOA; and the developer is willing to add fencing around the property surrounding the nursery.;

(3) Randy Johnson – asked for the case study # by BRL. BRL – provided engineer project # RKA Project # 22481 and explained this is a draft until NCDOT approves;

(4) Becky Shearer, owner property on the south side or the swamp area, expressed the following concerns – have drainage concerns but thankful for the additional ponds; would like to see a privacy landscape buffer & berm or fence along their property to separate & keep folks off their land; other concerns are overcrowded schools and the effects on kids learning; school carpool lines; & not enough restaurants, grocery stores, etc.; she encouraged larger lot sizes & would like to see smart growth; & she inquired who the builder is. BRL responses– doesn't recommend a berm on the low side of a property due to the effects on drainage and suggested leaving the 25 ft natural with existing vegetation along the Shearer property; confirmed the only landscape berm is along Jonathan Raynor's property because it backs up to his business; the target builder is Tony Carroll; and reminded everyone that everything is market determined. Mr. Leonard added rental property is not in the plans and starter homes are typically 1,200 sq ft home while these homes will be 1,600 sq. ft. ranch style homes and 1,800 sq. ft. 2 story homes.;



(5) JoAnn Rhodes – concern about 4-wheelers, horses, etc. going on her mom's property & asked if there could be a fence or something to help protect her mom's property. BRL – yes, he thinks so but up to builder;

(6) Elizabeth Isaacs, on Tucker St. – she is a newer resident in town that loves Four Oaks and its rural nature and doesn't want to see it look like other towns.;

(7) Tim Purvis – wants to see nice houses that look nice & clean for Four Oaks and doesn't want to see a development with several cars, chickens, & junk in the back yard.

Randy Johnson inquired if the retention ponds will be dependent upon CSX. BRL responded the intent is to minimize the runoff so the culvert will not be overwhelmed. Something will have to be sent to CSX for approval which could add time to the development process.

Mayor Medlin suggested that in the HOA, the developer states no rentals. The developer indicated he is willing to add as a clause if the law will allow for it.

Commissioner Surles stressed the need to make sure the water flows correctly to prevent flooding.

Commissioner Robertson expressed her concerns & thoughts: (1) the town has approximately 415 homes approved with 74 having been permitted or constructed; (2) we already have school traffic issues plus the schools are already overcrowded & we are talking about bringing in more homes; (3) the board needs to be smart about the growth and has one opportunity to be smart because one wrong decision will affect us all for the rest of our lives, noting that in the Land Use Plan the board chose the smart growth option and we need to be smart as chosen; (4) suggested the board needs and discuss what we want for the town because this all scares her and isn't the direction she wants the town to go in; & (5) just 2 months ago the board told a developer we didn't have sewer capacity but now tonight how do we have enough for a much larger subdivision. Mayor Medlin responded we now have a sewer contract with the County.

Commissioner Robertson commended she gets that but said she has spoken with the County and do we really have the sewer capacity right now. She stressed, she has one opportunity to speak her peace and feels the board has to be smart, she thinks maybe the lots could be bigger because people know growth is coming but they are asking not to have such small lots and that they be attractive. Mayor Medlin commented he agrees but unfortunately the ordinance is currently 12,000 sq. ft. but thinks it needs to be larger at 15,000 or 18,000 sq. ft. Once get larger than 18,000 sq. ft., there is no advantage because the developer could go out and build on 20,000 sq. ft. lots using septic tanks in the county then we would still have the overcrowded schools and people coming into the town but no additional revenues to service those people.

Commissioner Hines expressed concerns about the infrastructure and if the housing market goes south, we would have a big mess with roads going nowhere. He would like to see more plans.

There were no public comments. Mayor Medlin closed the public hearing.

Commissioner Hines asked if all of the property was zoned R-A because he was thinking some of it was R-6 on the corner. Mrs. Ketchum commented, the best she recalls, all 3 parcels were rezoned to R-A a couple years ago.

Motion to table the rezoning and subdivision requests by Jones Creek, LLC, petitioner and Terry Lee Clary and H. Edwin Lee, Jr., owners located at 203 Hollingsworth and off Old School Rd. until we can get a little more information on some of the Boards questions and concerns was made by Commissioner Hines, seconded by Commissioner Surles. Mayor Medlin told Brian Leonard, the engineer, that he would need to get with Commissioner Hines and whomever else to address the concerns then you can come back and look at it next month. Motion passed 3 to 1.

Favor - Commissioners Hines, Hardy, & Surles  
Opposed - Commissioner Robertson

Motion to table the annexation hearing for Jones Creek, LLC, petitioner and Terry Lee Clary and H. Edwin Lee, Jr., owners located at 203 Hollingsworth and off Old School Rd., Four Oaks, NC, Parcels # 08H10043, 08H10047A, & 08H10048 due to the rezoning and subdivision applications being tabled was made by Commissioner Hardy, seconded by Commissioner Hines, voting unanimous.

## **New Business**

### **Adopt 2023 Town Council Regular Meeting Schedule**

Clerk Garris presented the 2023 Town Council regular meeting schedule to the Board. All meetings will remain on the 2<sup>nd</sup> Monday of each month except for Easter Monday in April and it will be on Tuesday, April 11. Motion to approve the 2023 meeting schedule was made by Commissioner Hardy, seconded by Commissioner Surles, voting unanimous.

## **Mayor's Comments**

Mayor Medlin turned the meeting over to Joan Pritchett, Chamber of Commerce Director, reported: (1) we had a fabulous Tree Lighting event and Christmas parade with Santa seeing approximately 105 families; (2) January 26 will be hosting the Chamber's Annual Membership Appreciation Dinner; & (3) they are working on the events for 2023. Mayor thanked Joan and the Chamber for all they are doing.

Mayor Medlin reported: (1) have 5 or 6 applicants for the vacant board seat, the board will be talking to each person, making some recommendations, & hopefully make the appointment in January depending on how things go; & (2) Downtown Streetscape update – bidders have indicated the project is too small or too big so we are going to expand the scope, rebid, and hopefully get more interest from contractors because we have more grant money to use towards the larger scope.

## **Department Reports**

### **Police – Chief Stephen Anderson**

Chief Anderson read the monthly police report (attached). Chief Anderson added the department has a BLET graduate and he will be moving forward with getting him started & trained.

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

Commissioner Robertson reported: (1) thanked JR & Chris for getting the Christmas lights & decorations up; & (2) met with WithersRavenel to get started with the P&R Master Plan which will allow the town to apply for more grants.



**Water and Sewer – Hines**

Commissioner Hines highlighted the water and sewer report (attached). Water had revenue of \$29,420 and the sewer had revenue of \$30,262. The 12-month daily average per gallon was a 1% loss for water and 12% loss for sewer.

**Sanitation & Streets**

Commissioner Surles reported: (1) streets & sanitation were good; & (2) there are lots of leaves and the guys are working hard to pick up; & (3) looking to get a joint garbage bid to help save money by purchasing in bulk.

**Finance – Hardy**

Commissioner Hardy highlighted the financial report (attached) with total funds of \$3,131,881. Commissioner Hardy made a motion to approve the October payables listed in the attached report, seconded by Commissioner Surles, voting unanimous. He reported the 2021-2022 audit has been completed and sent to the LGC for approval, and then once approved the auditor will present to the board hopefully within the next couple months.

Mayor Medlin and the Board wished everyone a safe Merry Christmas.

**Adjournment**

With no further business brought before the Town Council, motion to adjourn at 8:35 p.m. was made by Commissioner Hardy, seconded by Commissioner Hines, voting unanimous.



Vic Medlin, Mayor

ATTEST:



Martha Garriss, NCCMC  
Town Clerk