

**TOWN OF FOUR OAKS
TOWN COUNCIL MEETING
DECEMBER 18TH, 2023
AGENDA**

- 1) Call to Order
- 2) Invocation and Pledge of Allegiance
- 3) Approval of Minutes for Town Council Meeting – November 20th, 2023
- 4) Presentations by Patricia Chisolm-Jones
- 5) Public Comments
- 6) Acceptance of Election Results for the Municipal Election Held on November 7, 2023
- 7) Oaths of Offices –
 - (a) Tony Capps – Commissioner by Honorable Judge Joy Jones
 - (b) Kim Robertson – Commissioner by Honorable Mayor Vic Medlin
 - (c) Carles Surles – Commissioner by Honorable Mayor Vic Medlin
- 8) Proclamation - Honoring Andy Hardy
- 9) Public Hearings
 - (a) **QUASI:** Mickey & Anita Lamm, Petitioners & Owners – Request for a special use permit to allow for a 31ft x 51ft metal carport on their property located at 1270 Keen Road in the Town's ETJ; Parcel # 08I11065J.
 - (b) **QUASI:** John Keene, Petitioner & Owner – Request for a special use permit to allow for a 50ft x 50ft oversized storage building on his property located at 5922 US Hwy 301 in the Town's city limits; Parcel # 08I11011N.
- 10) New Business
 - (a) Parks and Recreation Comprehensive Plan
 - (b) Acceptance of Streets – Austin-Parker Village – Town Attorney, Chip
 - (c) Resolution to Appoint FO Development Corporation, Inc. Board of Director
 - (d) Adopt 2024 Town Council Regular Meeting Schedule
- 11) Mayor's Comments
- 12) Department Reports
 - (a) Police – Bradley
 - (b) Parks & Rec & Outreach – Robertson
 - (c) Water and Sewer – Hines
 - (d) Sanitation & Streets – Surles
 - (e) Finance – Vacant
- 13) Closed Session – GS 143-318.11(a)(3) & (4) Discuss pending litigation matters with Town Attorney & an Economic Development matter
- 14) Adjournment

**TOWN OF FOUR OAKS
TOWN COUNCIL MEETING
DECEMBER 18TH, 2023
MINUTES**

Call to Order

Mayor Vic Medlin called the December 18th, 2023 regular scheduled Town Council meeting to order at 6:30 p.m. Those present included Commissioners Michael Bradley, Andy Hardy, Mike Hines, Kim Robertson, and Carles Surles. Also, present were Public Works Director Barry Stanley, Police Chief Stephen Anderson; Planning & Zoning Administrator / Building Inspector Mike Cook, Town Clerk Martha Garris recording minutes, Town Attorney Chip Hewett, and Mike Dart from FO Benson New in Review.

Invocation and Pledge of Allegiance

Commissioner Surles gave the opening Invocation with Mickey Lamm leading the Pledge of Allegiance.

Approval of Minutes

Town Council Meeting – November 20th, 2023

Commissioner Surles made a motion to approve the minutes for the November 20th, 2023 regularly scheduled meeting as presented, seconded by Commissioner Bradley, voting unanimous, motion passed.

Presentations

Patricia Chisholm-Jones, discussed the Dolly Parton Kids Book program and introduced the newly established partnership with Adventures Under the Sun, Kids Academy, Kids Konnection, Four Oaks Men's Community Outreach, First Baptist Church, & Chisholm-Jones Haven. She shared an example of the box of books, backpacks, & lunch bags each partner will be receiving and commented each will be receiving books monthly. Mayor Medlin thanked Mrs. Chisholm-Jones for helping make Four Oaks a better place.

Public Comments – None

Acceptance of Election Results for the Municipal Election Held on November 7, 2023

Motion to accept the election results held on November 7, 2023 was made by Commissioner Hines, seconded by Commissioner Hardy, voting unanimous, motion passed.

Oath of Offices

Tony Capps, Kim Robertson, & Carles Surles – Town Commissioners

Honorable 11th District Court Judge Joy A. Jones read the Oath swearing in Tony Capps as Commissioner. The Oath was signed accordingly.

Honorable Mayor Vic Medlin read the Oaths swearing in Kim Robertson & Carles Surles as Commissioners. The Oaths were signed accordingly.

Commissioner Tony Capps replaced Outgoing Commissioner Andy Hardy.

Proclamation Honoring Andy Hardy

Mayor Medlin read and presented Andy Hardy with a proclamation of appreciation.

Public Hearings

Mayor Medlin called the meeting into a quasi-public hearing.

(a) Mickey & Anita Lamm, Petitioners & Owners – Request for a special use permit to allow for a 31 ft x 51 ft metal carport on their property located at 1270 Keen Road in the Town's ETJ; Parcel # 08I11065J.

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

Mike Cook relayed to the Board that the owners would like to build a 31 ft x 51 ft oversized metal carport on their property at 1270 Keen Rd to park their vehicles and mower under. The property is zoned RA in the town's ETJ which requires a special use permit for accessory buildings over 1,000 sq ft.; it can meet the required setbacks; and based on staff determinations it meets the chapter 160D 4 finding of fact requirements. Public notices were in the newspaper on November 29 & December 6, 2023; sign was placed on the property; letters were mailed out to 6 property owners within a 500 feet radius; and there were no inquiries. Planning Board was recommending for approval.

Mickey Lamm, applicant, had no additional comments.

There were no further comments by the staff or questions for the staff. The board will consider the application and any supporting documents that have been submitted to the town as well as the testimony of the staff as evidence for the finding of facts.

Mayor Medlin closed the quasi-public hearing.

Attorney Hewett presented the Chapter 160D special use 4 finding of facts for the Board to vote upon:

- a) Will not endanger the public health or safety: Motion to approve finding of fact (a) was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.
- b) Will not injure the value of the adjoining property: Motion to approve finding of fact (b) was made by Commissioner Capps, seconded by Commissioner Bradley, voting unanimous, motion passed.
- c) Will be in harmony with the area in which it is located: Motion to approve finding of fact (c) was made by Commissioner Robertson, seconded by Commissioner Bradley, voting unanimous, motion passed.
- d) Will be in conformity with the future land use plan, thoroughfare plan, or other plans officially adopted by the Board of Commissioners: Motion to approve finding of fact (d) was made by Commissioner Bradley, seconded by Commissioner Surles, voting unanimous, motion passed.

Attorney Hewett commented that all 4 special use finding of facts were approved therefore a motion to approve the special use permit would be in order.

Motion to approve the special use permit in its entirety to allow for an oversized building on the property located at 1270 Keen Rd in the Town's ETJ on parcel # 08I11065J was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

Mayor Medlin called the meeting back into a quasi-public hearing.

(b) John Keene, Petitioner & Owner – Request for a special use permit to allow for a 50ft x 50ft oversized storage building on his property located at 5922 US Hwy 301 in the Town's city limits; Parcel # 08I11011N.

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

Mike Cook relayed to the Board that the owners would like to build a 50 ft x 50 ft oversized storage building on his property at 5922 US Hwy 301 to store equipment and tractors for his business. The property is zoned B-2H in the town's city limits which requires a special use permit for accessory buildings over 1,000 sq ft.; it can meet the required setbacks; and based on staff determinations it meets the chapter 160D 4 finding of fact requirements. Public notices were in the newspaper on November 29 & December 6, 2023; sign was placed on the property; letters were mailed out to 27 property owners within a 500 feet radius; and there were no inquiries. Planning Board was recommending for approval.

John Keene, applicant, had no additional comments. Mr. Keene responded to an inquiry, the building will be used for storage of equipment & tractors.

There were no further comments by the staff or questions for the staff. The board will consider the application and any supporting documents that have been submitted to the town as well as the testimony of the staff as evidence for the finding of facts.

Mayor Medlin closed the quasi-public hearing.

Attorney Hewett presented the Chapter 160D special use 4 finding of facts for the Board to vote upon:

- (a) Will not endanger the public health or safety: Motion to approve finding of fact (a) was made by Commissioner Bradley, seconded by Commissioner Robertson, voting unanimous, motion passed.
- (b) Will not injure the value of the adjoining property: Motion to approve finding of fact (b) was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.
- (c) Will be in harmony with the area in which it is located: Motion to approve finding of fact (c) was made by Commissioner Robertson, seconded by Commissioner Capps, voting unanimous, motion passed.
- (d) Will be in conformity with the future land use plan, thoroughfare plan, or other plans officially adopted by the Board of Commissioners: Motion to approve finding of fact (d) was made by Commissioner Capps, seconded by Commissioner Bradley, voting unanimous, motion passed.

Attorney Hewett commented that all 4 special use finding of facts were approved therefore a motion to approve the special use permit would be in order.

Motion to approve the special use permit in its entirety to allow for an oversized building on the property located at 5922 US Hwy 301 in the Town's city limits on parcel # 08I11011N was made by Commissioner Bradley, seconded by Commissioner Surles, voting unanimous, motion passed.

New Business

(a) Parks and Recreation Comprehensive Plan

Motion to approve the Parks and Recreation Comprehensive Plan as presented to the Board in November was made by Commissioner Robertson, seconded by Commissioner Surles, voting unanimous, motion passed.

(b) Acceptance of Streets – Austin-Parker Village – Town Attorney, Chip

Attorney Hewett addressed the board about the town accepting the streets in Austin-Parker Village in November which included Culver Ave., Kevior Ave., & Leisure Ave. Based on direction by the Town Board in November, Attorney Hewett presented the Deed, signed by the Grantor Roy Massengill, dedicating the Austin-Parker Village streets and utilities for acceptance. Motion to accept the deed dedicating the Austin-Parker Village streets and utilities to the Town was made by Commissioner Surles, seconded by Commissioner Capps, voting unanimous, motion passed.

(c) Resolution to Appoint FO Development Corporation, Inc. Board of Director

Motion to approve the resolution to appoint Andy Hardy as a director for The Town of Four Oaks Development Corporation was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

(d) Adopt 2024 Town Council Regular Meeting Schedule

Motion to adopt the 2024 Town Council Regular Meeting Schedule as presented was made by Commissioner Surles, seconded by Commissioner Bradley, voting unanimous, motion passed.

Mayor's Comments

Mayor Medlin commented: (1) read a letter of appreciation, from Curtis & Nell Phelps at 268 Meadowbrook Dr., to the public works department for their hard work and dedication for fixing a water leak in the Berry Downs Subdivision on Saturday, November 18; (2) reported the town had received an extension approval for the CDBG-CV Streetscape grant; (3) reported he had received a letter that the Holt Lake bridge on Hwy 301 will be replaced in 2025 & 2026; & (4) reported Linwood Parker was recently reappointed to the Johnston County Economic Development Board as a representative for the Town of Four Oaks.

Mayor Medlin wished everyone a Merry Christmas and encouraged everyone to enjoy spending time with family.

Department Reports

Police – Bradley

Commissioner Bradley read the monthly police report (attached). He reported that he and Chief had discussed Dustin Norris may be interested in selling his training simulator to the Town. They are going to be getting more information on this. Commissioner Robertson added that Chief had

reached out to JCC about training opportunities and was adding a person for the BLET class starting in January.

Parks & Rec and Outreach – Robertson

Commissioner Robertson reported: (1) thanked the staff for helping with the P&R Comprehensive Plan; and (2) the Ogburn property beside the Kiddie Park on Main St. had been purchased by the town.

Water and Sewer – Hines

Commissioner Hines highlighted the water and sewer report (attached). Water had revenue of \$41,153 and the sewer had revenue of \$40,030. The 12-month daily average per gallon was a 2% loss for water and a 20% loss for sewer. Rainfall was 2.6” which adds to the infiltration. He added we are having sewer issues and the guys continue to make repairs.

Sanitation & Streets

Commissioner Surles reported streets & sanitation were good.

Finance – Vacant

Mayor Medlin highlighted the financial report (attached) with total funds of \$3,379,546 and presented the November payables. Motion to approve the November payables listed in the attached report was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

Mayor Medlin thanked Commissioners Capps, Robertson, & Surles for running for commissioner. He added we hope to come up with an orientation plan to help new Commissioners get acquainted with the different areas of the Town.

Closed Session

Motion to go into closed session per GS 143-318.11(a)(3) & (4) to discuss pending litigation matters with the Town Attorney and Economic Development matters was made by Commissioner Bradley, seconded by Commissioner Surles, voting unanimous, motion passed.

No actions taken or motions made.

Motion was made by Commissioner Surles, seconded by Commissioner Bradley to move out of closed session and into regular session, voting unanimous, motion passed.

Adjournment

With no further business brought before the Town Council, motion to adjourn at 7:53 p.m. was made by Commissioner Bradley, seconded by Commissioner Surles, voting unanimous, motion passed.



Vic Medlin, Mayor

ATTEST:



Martha Garriss, NCCMC
Town Clerk