

**TOWN OF FOUR OAKS  
TOWN COUNCIL MEETING  
JANUARY 16<sup>TH</sup>, 2024  
AGENDA**

- 1) Call to Order
- 2) Invocation and Pledge of Allegiance
- 3) Approval of Minutes for Town Council Meeting – December 18<sup>th</sup>. 2023
- 4) Proclamation
  - a) All In Red
- 5) Public Comments
- 6) Public Hearings
  - a) **QUASI:** Austin-Parker Village, LLC, Petitioner& Owner – Request a Variance on Front and Rear Setbacks on parcel located at 33 Culver Ave. in the Town's ETJ; Parcel # 08I11014E. (TABLED NOV. 20, 2023 UNTIL JAN. 16, 2024 MEETING)
- 7) New Business
  - a) Consent Order Acceptance – Mike Wilber, Hewett Law Group
  - b) Resolution for Annexation Investigation – Mayes Farm, L.P., located at 5761 US Hwy 301, Four Oaks, NC, Parcel # 08I11013
  - c) Resolution Authorizing Town Bank Account Signers
- 8) Budget Amendments
  - a) General Fund - #BA 2023-24 01
  - b) Water/Sewer Fund - #BA 2023-24 01
- 9) Mayor's Comments
- 10) Department Reports
  - a) Police – Bradley
  - b) Parks & Rec & Outreach – Robertson
  - c) Water and Sewer – Hines
  - d) Sanitation & Streets – Surles
  - e) Finance – Vacant
- 11) Adjournment

**TOWN OF FOUR OAKS**  
**TOWN COUNCIL MEETING**  
**JANUARY 16<sup>TH</sup>, 2024**  
**MINUTES**

**Call to Order**

Mayor Vic Medlin called the January 16<sup>th</sup>, 2024 regular scheduled Town Council meeting to order at 6:30 p.m. Those present included Commissioners Michael Bradley, Tony Capps, Mike Hines, and Kim Robertson. Carles Surles. Also, present were Police Chief Stephen Anderson; Planning & Zoning Administrator / Building Inspector Mike Cook, Town Clerk Martha Garriss recording minutes, Town Attorney Mike Wilber, and Mike Dart from FO Benson New in Review. Not present and excused Commissioner Carles Surles.

**Invocation and Pledge of Allegiance**

Commissioner Capps gave the opening Invocation with Chief Anderson leading the Pledge of Allegiance.

**Approval of Minutes**

**Town Council Meeting – December 18<sup>th</sup>, 2023**

Commissioner Capps made a motion to approve the minutes for the December 18<sup>th</sup>, 2023 regularly scheduled meeting as presented, seconded by Commissioner Bradley, voting unanimous, motion passed.

**Proclamation**

Mayor Medlin read the proclamation proclaiming February 2024 as “ALL IN RED Month”.

**Public Comments**

Pam Price, resident and downtown property owner, shared concerns about the painted pink building at 102 N Main Street in the historic district and the vape shop with bright lights at Peachtree Centre on US 301 entering into town. She suggested possibly having a monthly meeting between the business owners and the board. Mayor Medlin commented the town is actively working with Ben Hitchings to begin working on the town ordinances. Commissioner Robertson commented she had done some research and Four Oaks is listed with the State as having a Historical District and we need a historical committee to help the town abide by the State historical regulations. We once had a committee or commission and we need to look into this. The current board and staff will be looking into the historic district concerns.

Eric Fogleman, business owner 101 E Wellons St., commented the design committee presented some recommendations to the board in April 2021 which included the historic district.

Roy Massengill, owner of Austin Parker Village, LLC, commented he was there for the variance request to build the last house in the Austin Parker Village Community. He added the HOA had met and elected the board of directors and the community building was in progress of being completed.



Ted Marsh, resident in Austin Parker Village and HOA board of director, commented they had met in the community building and were working with Mr. Neighbors to finish things up to have a community building and have gatherings in there. Mayor Medlin inquired if the general population was good with the variance to finish the last house. Mr. Marsh responded he doesn't know of any issues with the variance. Commissioner Hines and Building Inspector Cook discussed the permits are still open as a single-family dwelling not a community building. Inspector Cook added the permit is open for a SF dwelling not a community building and it should not be occupied until it has a CO. Mr. Cook commented the property owner will need to come to the town and apply for a special use permit to convert it to a community building. Mr. Marsh commented that should not be at the expense of the HOA because it is something that should have already been in place. A community building would be commercial and must meet different codes than residential. After more discussion, the HOA was advised to seek legal counsel, if needed, between HOA & developer to work out the issues.

Linda Lassiter, resident in Austin Parker Village, commented she was representing more than 50% of the residents that do not want the community building due to the added costs for the HOA. She and others have asked the HOA to have a vote on who wants the community building. She was in favor of the variance.

### **Public Hearings**

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

a) **QUASI:** Austin-Parker Village, LLC, Petitioner & Owner – Request a Variance on Front and Rear Setbacks on parcel located at 33 Culver Ave. in the Town's ETJ; Parcel # 08I11014E. (TABLED NOV. 20, 2023 UNTIL JAN. 16, 2024 MEETING)

Attorney Mike Wilber directed Mayor Medlin to reopen the quasi-public hearing from November 20, 2023.

Motion to reopen the quasi-public hearing from November 20, 2023 for the request for a variance on the front and rear setbacks on parcel # 08I11014E located at 33 Culver Ave. was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

Attorney Wilber stated for the record, the board will serve as the board of adjustment to hear the variance request and the vote must be 4/5 majority for each of the four findings for it pass.

Board considered sworn in for the hearing in November: Mike Cook, Roy Massengill, and Elton Pridgen.

Mike Cook had no additional information to add to the evidence. Mr. Massengill & Mr. Pridgen had nothing to add for the hearing. Mr. Pridgen commented he isn't a licensed commercial contractor but the reason for building the as a single-family dwelling was the community did not know if they wanted a community building or just to sale as another residence. He has built it to commercial spec just in case.

Attorney Wilber shared an email with the Board from Durwood Stephenson concerning a PUD community. Mayor Medlin explained the community was approved for a R-6 zoning therefore the email will not be used as evidence.

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.

Motion to close the quasi-public hearing was made by Commissioner Bradley, seconded by Commissioner Capps, voting unanimous, motion passed.

Attorney Wilber presented the Board of Adjustment 4 finding of facts for the Board to vote upon:

- a) Unnecessary hardship would result from a strict application of the ordinance: Motion to approve finding of fact (a) was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.
- b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography: Motion to approve finding of fact (b) was made by Commissioner Bradley, seconded by Commissioner Hines, voting unanimous, motion passed.
- c) The hardship did not result from actions taken by the applicant or the property owner: Motion to approve finding of fact (c) was made by Commissioner Capps, seconded by Commissioner Hines, voting unanimous, motion passed.
- d) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved: Motion to approve finding of fact (d) was made by Commissioner Hines, seconded by Commissioner Capps, voting unanimous, motion passed.

Attorney Wilber commented that all 4 finding of facts were approved therefore a motion to approve the variance would be in order.

Motion to approve the request for a variance on the front and rear setbacks on parcel # 08I11014E located at 33 Culver Ave. in its entirety was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

## **New Business**

### **(a) Consent Order Acceptance**

Mayor Medlin presented the consent order between the Town and DEV, INC dba Travelers Inn which addresses maintaining a public nuisance as defined in Chapter 19 of the North Carolina General Statutes on property located at 97 NC Hwy 96 S, Four Oaks, NC. The order specifies certain requirements for clients including keeping records of all clients and prohibiting rental to clients with an address within a 25-mile radius unless there is a natural disaster. Chief commented the purpose for this order is to help control drug trafficking and other issues that occur at the Travelers Inn. Motion to adopt the consent order as presented was made by Commissioner Bradley, seconded by Commissioner Capps, voting unanimous, motion passed.

### **(b) Resolution for Annexation Investigation – Mayes Farm, L.P., located at 5761 US Hwy 301, Four Oaks, NC, Parcel # 08I11013**

Mayor Medlin relayed we have received an application for a voluntary annexation for Parcel # 08I11013 located at 5761 US Hwy 301, Four Oaks, NC., by owner Mayes Farm, L.P. to build a new apartment community. Motion to approve the resolution directing the Town Clerk to investigate the petition for a voluntary annexation for Parcel # 08I11013 received under GS



160A-31, was made by Commissioner Capps, seconded by Commissioner Bradley, voting unanimous, motion passed.

(c) Resolution Authorizing Town Bank Account Signers

Clerk Garris presented a resolution to update the bank signature card authorized signers at UCB & KS Bank to: Vic Medlin, Mike Hines, Martha Garris, Rhonda Lee. Motion to approve the resolution authorizing the town bank account signers as presented was made by Commissioner Bradley, seconded by Commissioner Capps, voting unanimous, motion passed.

## **Budget Amendments**

### **General Fund and Water & Sewer Fund - #BA 2023-24 01**

Commissioner Hines presented the mid-year budget amendments for the general fund and the water & sewer fund as of December 31, 2023 to align the budget allocation and expenses.

(a) Motion to approve the budget amendments for the general fund as presented was made by Commissioner Hines, seconded by Commissioner Capps, voting unanimous, motion passed.

(b) Motion to approve the budget amendments for the water & sewer fund as presented was made by Commissioner Hines, seconded by Commissioner Capps, voting unanimous, motion passed.

Commissioner Robertson inquired about hiring a town administrator or town manager, as mentioned during the budget session in June 2023. Mayor Medlin responded we can look into it and decide what is needed. We need some help in the office whether it be another employee for the office & Mike or an administrator. Commissioner Robertson added another employee could even work with local businesses and hear the concerns. More discussion to come in February.

## **Mayor's Comments**

Mayor Medlin recommended making Mike Hines the Mayor Pro Tem. Motion to appoint Mike Hines as Mayor Pro Tem was made by Commissioner Bradley, seconded by Commissioner Robertson, voting unanimous, motion passed.

Mayor Medlin appointed the department reassignments for the commissioners: Police – Commissioner Surles; Parks & Rec and Outreach & Appearance – Commissioner Robertson; Water & Sewer – Commissioner Bradley; Sanitation & Streets – Commissioner Capps; & Finance – Commissioner Hines. Commissioner Capps will also be the point of contact for the zoning and ordinance reorganization working with Ben Hitchings. Commissioner Robertson will also be working with Appearance for the town.

## **Department Reports**

### **Police – Bradley**

Chief read the monthly police report (attached). He reported: (1) department has a new hire to fill the current vacancy and a cadet starting BLET for future hire; & (2) as a follow up on the simulator training, Dustin Norris is interested in selling his training simulator to the Town for \$18,000 which includes the projector, equipment, and software. No ongoing subscription costs. Commissioner Capps asked if the software license is transferable. Chief was unsure and is going to get more information and possibly have Dustin & the sales representative come speak to the board to answer questions.

**Parks & Rec and Outreach – Robertson**

Commissioner Robertson reported: (1) looking at getting a new sign for Barbour's Grove Park and use the remaining grant funds to pay for it; & (2) Barry, Mike, & herself had met with the county about the East Coast Greenway. In December 2019, the board adopted the map for the trail as follows: The trail crosses Holt Lake on Hwy 301 to Boyette Rd to Keen Rd; Keen Rd to Allendale Rd; Allendale Rd to Parker Rd; Parker Rd to Parkertown Rd and back to Hwy 301 toward Benson. She asked the board if they wanted to keep with that trail or look at other options. The board was good with keeping the same trail as adopted in December 2019.

Mayor Medlin commented there is a young lady in town that would like to help under privileged kids learn how to swim. She is working on some details and plans to ask the town to support the cost for the training. This will probably be a topic for discussion in the near future.

**Water and Sewer – Bradley**

Commissioner Bradley highlighted the water and sewer report (attached). Water had revenue of \$34,106 and the sewer had revenue of \$17,023. The 12-month daily average per gallon was 1% loss for water and a 21% loss for sewer. Rainfall was 6.1" which adds to the infiltration. He added the town is working to correct sewer issues as the budget allows.

**Sanitation & Streets - Surles**

Mayor Medlin commented we do have a contract for assistance if we get any snow or ice.

**Finance – Hines**

Commissioner Hines highlighted the financial report (attached) with total funds of \$3,709,845 and presented the December payables. Motion to approve the December payables listed in the attached report was made by Commissioner Hines, seconded by Commissioner Capps, voting unanimous, motion passed.

**Public Comments (Continued)**

Joan Pritchett, Chamber of Commerce Director, reported they had a great annual membership dinner and the Chamber is working on programs & events for 2024 which will be posted soon. She announced they are considering having a second oyster roast in the early spring.

Commissioner Capps asked what the percentage of businesses in town are part of the Chamber because he feels it is a good idea for the town, business owners, & chamber to work together.

She responded the Chamber has approximately 117 members but unsure on the percentage that are business owners. Mrs. Pritchett did explain that as part of the chamber meeting, the mayor is now the ex-officio from the town which is a good way to keep open communication between the town and chamber.

**Closed Session**

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

No actions taken or motions made.


Motion was made by Commissioner Hines, seconded by Commissioner Robertson 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 8:06 p.m. was made by Commissioner Capps, seconded by Commissioner Hines, voting unanimous, motion passed.

  
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Vic Medlin, Mayor

ATTEST:

  
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Martha Garriss, NCCMC  
Town Clerk