

**TOWN OF FOUR OAKS
TOWN COUNCIL MEETING
OCTOBER 16TH, 2023
AGENDA**

- 1) Call to Order
- 2) Invocation and Pledge of Allegiance
- 3) Approval of Minutes for Town Council Meeting – September 18th, 2023
- 4) Proclamations
 - (a) Little Miss Four Oaks Emma Boswell
 - (b) Junior Miss Four Oaks Emilia Claire Fogleman
- 5) Oaths for Planning Board
 - (a) Tamara Dunn
 - (b) Chad Stewart
- 6) Public Comments
- 7) Public Hearings
 - (a) **LEGISLATIVE:** Meherrin Fertilizer, Inc. & 8182 Properties, LLC, Petitioners & Owners – Request to Rezone Parcel # 08J11199X from R-A to B-2H located at 4003 US Hwy 301 in the Town’s City Limits.
 - (b) **QUASI:** Joey & Donna Godwin, Petitioners & Owners – Request for a Special Use Permit to allow for a New Singlewide Manufactured Home located at 1748 Old School Rd in the Town’s ETJ; Parcel # 08H10007E.
- 8) New Business
- 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 – Hardy
- 11) Closed Session – GS 143-318.11(a)(3) Discuss pending litigation matters with Town Attorney
- 12) Adjournment

**TOWN OF FOUR OAKS
TOWN COUNCIL MEETING
OCTOBER 16TH, 2023
MINUTES**

Call to Order

Mayor Vic Medlin called the October 16th, 2023 regular scheduled Town Council meeting to order at 6:30 p.m. Those present included Commissioners Michael Bradley, Mike Hines, Kim Robertson, and Carles Surlles. Also, present were 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. Not present and excused Commissioner Andy Hardy.

Invocation and Pledge of Allegiance

Commissioner Surlles gave the opening Invocation with Emma Boswell and Emilia Fogleman leading the Pledge of Allegiance.

Approval of Minutes

Town Council Meeting – September 18th, 2023

Commissioner Surlles made a motion to approve the minutes for the September 18th, 2023 regularly scheduled meeting as presented, seconded by Commissioner Hines, voting unanimous, motion passed.

Proclamations

- (a) Mayor Medlin read a proclamation honoring Emma Boswell on being crowned Little Miss Four Oaks 2023.

- (b) Mayor Medlin read a proclamation honoring Emilia Claire Fogleman on being crowned Junior Miss Four Oaks 2023.

Oaths for Planning Board

Honorable Mayor Victor Medlin read the Oaths swearing in Tamara Dunn and Chad Stewart as members of the Four Oaks Planning Board. The Oaths were signed accordingly.

Public Comments

Catherine Daughtry, resident at 53 Culver Avenue, addressed the Board representing the Austin-Parker Village Community. The community did seek legal counsel for advice. Since last time they addressed the Board, some front porch posts had been replaced but not all. The posts were shimmed in without anchors. She and other residents were requesting for the building inspector to reinspect all the porch posts in Austin-Parker Village and to get ordinances in place so that when change orders are done after Board approves a project, the developer has to take the changes back to Board for approval. Ms. Daughtry added that there were piles of debris and garbage still there and the amenities they were promised are incomplete. Mayor thanked Ms. Daughtry for keeping the Board updated.

Joan Pritchett, Chamber of Commerce Director, gave an update on some upcoming events in town:

- a) October 31 – Trick or Treating and Food Truck in Four Oaks from 5:30 – 8:00 pm
- b) November 9 – Oyster Roast at FOVFD Station 2 – tickets are available for purchase
- c) November 14 – Veterans Recognition Program at the American Legion at 11 am
- d) November 30 – Christmas Tree Lighting
- e) December 2 – Christmas Parade at 11 am

Public Hearings

Mayor Medlin called the meeting into a legislative public hearing.

- a) **Meherrin Fertilizer, Inc. & 8182 Properties, LLC, Petitioners & Owners – Request to Rezone Parcel # 08J11199X from R-A to B-2H located at 4003 US Hwy 301 in the Town's City Limits.**

Mike Cook relayed to the Board that the owner would like to rezone parcel # 08J11199X located at 4003 Us Hwy 301 from R-A to B-2H to clean-up the zoning to match the other two parcels within the project. The parcel is in the town's city limits. Public notices were in the newspaper on September 27 & October 4, 2023; sign was placed on the property; letters were mailed out to 16 property owners within a 500 feet radius, and there was one inquiry for clarity. Planning Board was recommending for approval.

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

Motion to approve the rezoning request of parcel # 08J11199X located at 4003 Us Hwy 301 from R-A to B-2H was made by Commissioner Robertson, seconded by Commissioner Surles, voting unanimous, motion passed.

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

- b) **Joey & Donna Godwin, Petitioners & Owners – Request for a Special Use Permit to allow for a New Singlewide Manufactured Home located at 1748 Old School Rd in the Town's ETJ; Parcel # 08H10007E.**

Attorney Hewett swore in Mike Cook 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 place a new Clayton Homes singlewide manufactured home on their parcel at 1748 Old School Road on 1.198 acres. The property is zoned RA in the town's ETJ which require a special use permit for manufactured homes; it can meet the required setbacks 40', 15' & 30' and the 20,000 sq ft minimum size requirement; and based on staff determinations it meets the chapter 160D 4 finding of fact requirements. Public notices were in the newspaper on September 27 & October 4, 2023; sign was placed on the property; letters were mailed out to 7 property owners within a 500 feet radius; and there were a couple inquiries for clarity. Planning Board was recommending for approval.

Mayor Medlin inquired if the location was beside Tim Purvis. Mr. Cook responded yes and added the Godwin's were putting the home on the property for their son and at some point, they plan to build them a home on their property beside it.

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.

Applicants were present but had no additional testimony.

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 Bradley, seconded by Commissioner Surles, 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 Hines, 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 Robertson, 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 a new singlewide manufactured home located at 1748 Old School Rd in the Town's ETJ on parcel # 08H10007E was made by Commissioner Hines, seconded by Commissioner Surles, voting unanimous, motion passed.

New Business - None

Mayor's Comments

Mayor Medlin thanked the town on behalf of the fire department for a successful fundraiser. The funds raised will go towards purchasing a new brush truck and safety equipment. He read a thank you note from the family of Mr. Walter Holt for the flower arrangement given by the town when he passed away.

Department Reports

Police – Bradley

Chief Anderson read the monthly police report (attached).

Parks & Rec and Outreach – Robertson

Commissioner Robertson reported: (1) football games were going well; (2) replacing the sidewalks and adding the accessibility ramp in the Barbour’s Grove Park were almost complete; and (3) she asked the board to consider purchasing the property beside the Kiddie Park located at 604 N Main St. owned by the Ogburn Family for \$60,000.

Motion to purchase parcel # 08002004 located at 604 N. Main Street in the amount of \$60,000 and to authorize Mayor Medlin to conduct all financial transactions and execute all documents related to the purchase was made by Commissioner Robertson, seconded by Commissioner Surles, voting unanimous, motion passed.

Water and Sewer – Hines

Commissioner Hines highlighted the water and sewer report (attached). Water had revenue of \$46,605 and the sewer had revenue of \$29,741. The 12-month daily average per gallon was a break even for water and a 20% loss for sewer. Rainfall was 3.8” which adds to the infiltration.

Sanitation & Streets

Commissioner Surles reported streets & sanitation were good. Town guys are getting busy with picking up the leaves and limbs around town.

Finance – Hardy

Mayor Medlin highlighted the financial report (attached) with total funds of \$2,897,097 and presented the September payables. Motion to approve the September payables listed in the attached report was made by Commissioner Hines, seconded by Commissioner Bradley, voting unanimous, motion passed.

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 Surles, voting unanimous, motion passed.

No actions taken or motions made.

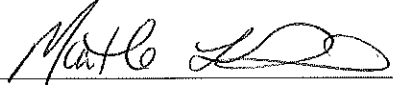
Motion was made by Commissioner Surles, seconded by Commissioner Hines to move out of closed session and into regular session, voting unanimous, motion passed.

Adjournment

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



Vic Medlin, Mayor

ATTEST:


Martha Garris, NCCMC
Town Clerk