

**TOWN OF FOUR OAKS  
TOWN COUNCIL MEETING  
SEPTEMBER 18<sup>TH</sup>, 2023  
AGENDA**

- 1) Call to Order
- 2) Invocation and Pledge of Allegiance
- 3) Approval of Minutes for Town Council Meeting – August 21<sup>st</sup>. 2023
- 4) Proclamations
  - (a) Special Presentation by Mayor Medlin – Postponed in August
  - (b) Tom Britt
  - (c) Stephen Anderson
- 5) Appointment of Rhonda Lee as Deputy Clerk and Martha Garris as Finance Officer
- 6) Oaths for Rhonda Lee & Martha Garris, if Appointment Approved
- 7) Public Comments
- 8) Public Hearings
  - (a) **LEGISLATIVE:** The Town of Four Oaks Development Corporation, Petitioner & Owner – Request to Rezone Parcel # 08I11027 from R6-MH to I-1L located at 546 Boyette Rd and Parcels # 08H10191E;08I11028 in the Town’s City Limits.
  - (b) **LEGISLATIVE:** The Town of Four Oaks Development Corporation, Petitioner & Owner – Request to Rezone Parcels # 08H10191E;08I11028; & 08I11027A from R-6 to I-1L located at 508, 514, & 536 Boyette Rd in the Town’s City Limits.
  - (c) **LEGISLATIVE:** Joseph & Patty Underwood, Petitioners & Owners – Request to Rezone Parcel #08H99009L from R8-5S to R-6 located on S. Baker St.in the Town’s City Limits.
  - (c) **QUASI:** Tarheel Services & Construction, LLC; Scott Dunn & Stewart Adams, Petitioners & Owners – Request for a Special Use Permit to allow for a Used Singlewide Manufactured Home located at 453 Devils Racetrack Rd in the Town’s ETJ; Parcel # 08L15199.
- 9) New Business
  - (a) Update Contract between the Town & Fire Department
  - (b) WithersRavenel Resolution & Proposal for AIA Application
  - (c) Resolution to Allow for CommWell Health - Building Reuse – Rural Health Application
  - (d) Discuss & Resolution for Planning Board Appointment – Chad Stewart & Tamara Dunn
  - (e) Resolution Appointing The Town of Four Oaks Development Corporation Directors – Atty Hewett
- 10) Mayor’s Comments
- 11) Department Reports
  - (a) Police – Bradley
  - (b) Parks & Rec & Outreach – Robertson
  - (c) Water and Sewer – Hines
  - (d) Sanitation & Streets – Surles
  - (e) Finance – Hardy
- 12) Closed Session – GS 143-318.11(a)(4) - Discuss Economic Development Matters
- 13) Adjournment

**TOWN OF FOUR OAKS  
TOWN COUNCIL MEETING  
SEPTEMBER 18<sup>TH</sup>, 2023  
MINUTES**

**Call to Order**

Mayor Vic Medlin called the September 18<sup>th</sup>, 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 Charles Surlis. Also, present were Police Chief Stephen Anderson; Public Works Director Barry Stanley; 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 Hines gave the opening Invocation with Chad Stewart leading the Pledge of Allegiance.

**Approval of Minutes**

**Town Council Meeting – August 21<sup>st</sup>, 2023**

Commissioner Robertson made a motion to approve the minutes for the August 21<sup>st</sup>, 2023 regularly scheduled meeting as presented, seconded by Commissioner Hines, voting unanimous, motion passed.

**Proclamations**

- (a) Mayor Medlin read a proclamation honoring Ellis Jones and Patricia Chisholm-Jones on their 60<sup>th</sup> Wedding Anniversary.
- (b) Commissioner Hardy read a proclamation honoring Tom Britt on receiving the Johnston Now Veteran Service Award.
- (c) Commissioner Bradley read a proclamation honoring Stephen Anderson on receiving the Johnston Now Honors of Distinguished Police Officer.

**Appointment of Deputy Clerk and Finance Officer**

Motion to approve the resolution to appoint Rhonda Lee as Deputy Clerk and Martha Garris as Finance Officer was made by Commissioner Hardy, seconded by Commissioner Bradley, voting unanimous, motion passed.

**Oaths Of Office**

Honorable Mayor Victor Medlin read the Oaths swearing in Rhonda Lee as Deputy Clerk and Martha Garris for Finance Officer. The Oath was signed accordingly.

**Public Comments - None**

## **Public Hearings**

Mayor Medlin called the meeting into a legislative public hearing.

### **(a & b) The Town of Four Oaks Development Corporation, Petitioner & Owner – Request to Rezone Parcel # 08I11027 from R6-MH to I-1L located at 546 Boyette Rd and Parcels # 08H10191E;08I11028; & 08I11027A from R-6 to I-1L located at 508, 514, & 536 Boyette Rd in the Town’s City Limits.**

Mike Cook relayed to the Board that the owners would like to rezone parcel # 08I11027 located at 546 Boyette Rd from R6-MH to I-1L and parcels # 08H10191E;08I11028; & 08I11027A from R-6 to I-1L located at 508, 514, & 536 Boyette Rd for future development needs. This is the site where the Alliance Corporation & JCC will build the Advanced Manufacturing Training Facility. The properties are in the town’s city limits. Public notices were in the newspaper on August 30 & September 6, 2023; signs were placed on the properties; and letters were mailed out to 27 property owners within a 500 feet radius. At the planning board meeting multiple residents expressed concerns about the traffic and what it would mean for the homes and properties in the area. Planning Board was recommending for approval for a rezoning.

Karen Wood, resident at 629 Boyette Rd., expressed her concerns to make sure this is not spot zoning and her concerns for the residents in the area if it is spot zoning. She is opposed due to the current traffic issues and the traffic it will add.

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

Motion to approve the rezoning request of parcel # 08I11027 at 546 Boyette Rd from R6-MH to I-1L was made by Commissioner Hardy, seconded by Commissioner Hines, voting unanimous, motion passed.

Motion to approve the rezoning request of parcels # 08H10191E;08I11028; & 08I11027A from R-6 to I-1L located at 508, 514, & 536 Boyette Rd was made by Commissioner Bradley, seconded by Commissioner Hardy, voting unanimous, motion passed.

Mayor Medlin called the meeting back into a legislative public hearing.

### **(c) Joseph & Patty Underwood, Petitioners & Owners – Request to Rezone Parcel #08H99009L from R8-5S to R-6 located on S. Baker St.in the Town’s City Limits.**

Mike Cook relayed to the Board that the owners would like to rezone parcel #08H99009L located on S. Baker St. from R8.5S to R-6 in the town’s city limits. Public notices were in the newspaper on August 30 & September 6, 2023; sign was placed on the property; letters were mailed out to 60 property owners within a 500 feet radius; and there were no inquiries. Planning Board was recommending for approval for a rezoning. This is currently a nonconforming lot due to the size.

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

Motion to approve the rezoning request of parcel #08H99009L located on S. Baker St. from R8.5S to R-6 was made by Commissioner Robertson, seconded by Commissioner Hines, voting unanimous, motion passed.

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

**(d) Tarheel Services & Construction, LLC; Scott Dunn & Stewart Adams, Petitioners & Owners – Request for a Special Use Permit to allow for a Used Singlewide Manufactured Home located at 453 Devils Racetrack Rd in the Town’s ETJ; Parcel # 08L15199.**

Attorney Hewett swore in Mike Cook and Scott Dunn 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 demo the old existing home and place a used manufactured singlewide home on their parcel to upgrade the property at 453 Devils Racetrack Rd on 1.013 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 August 30 & September 6, 2023; sign was placed on the property; letters were mailed out to 10 property owners within a 500 feet radius; and there were no inquiries. Planning Board was recommending for approval.

Mayor Medlin inquired about the surrounding area and if this would fit in. Mr. Cook responded this is a mixed-use area.

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.

Applicant was present but had no additional testimony.

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

Attorney Hewett presented the Chapter 160 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 Hardy, 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 Robertson, 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 Hardy, 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 Hardy, seconded by Commissioner Robertson, 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 used singlewide manufactured home located at 453 Devils Racetrack Rd in the Town's ETJ on parcel # 08L15199 was made by Commissioner Bradley, seconded by Commissioner Hines, voting unanimous, motion passed.

## **New Business**

### **(a) Update Contract between the Town & Fire Department**

Mayor Medlin presented the updated contract between the Town and Four Oaks Fire Department.

Motion to approve the contract between the town and fire department was made by Commissioner Hardy, seconded by Commissioner Bradley, voting unanimous, motion passed.

### **(b) WithersRavenel Resolution & Proposal for AIA Application**

This resolution is to authorize WithersRavenel to complete and submit the Asset Inventory and Assessment funding applications for water and wastewater to the NCDEQ's Division of Water Infrastructure at a cost of \$7,500. The grant funds are equal to \$150,000 for water and sewer each.

Motion to approve the resolution for the AIA funding application completion and submission by WithersRavenel was made by Commissioner Hardy, seconded by Commissioner Surles, voting unanimous, motion passed.

### **(c) Resolution to Allow for CommWell Health- Building Reuse – Rural Health Application**

This resolution was to allow for CommWell Health to apply for the Building Reuse Program Grant toward project construction costs thru the town. The funding will be based on the number of new employees CommWell will have at \$10,000 per employee. Discussion has been that CommWell will reimburse the Town for installing the waterline extension to its facility on Boyette Road.

Motion to approve the resolution for the Building Reuse Grants Program application completion was made by Commissioner Robertson, seconded by Commissioner Hardy, voting unanimous, motion passed.

### **(d) Discussion & Approve Resolution for Planning Board Appointment**

The Planning Board advertised for 2 vacant seats consisting of one for the city limits and one for the ETJ. There were 2 applications received: Tamara Dunn for the city limits and Chad Stewart for the ETJ.

Motion to approve the resolution to appoint Tamara Dunn for the city limits vacant seat and to recommend Chad Stewart for the ETJ vacant seat to the County Board for approval was made by Commissioner Hines, seconded by Commissioner Hardy, voting unanimous, motion passed.

(e) **Resolution Appointing The Town of Four Oaks Development Corporation Directors**

Attorney Hewett explained, in an effort to update The Town of Four Oaks Development Corporation (“ToFODC”), we have a resolution to appoint the new board of directors for the ToFODC by the town council. The ToFODC board will meet later to approve the amended bylaws and appoint officers. The board members should consist of two from the town elected officials and three from the public. Mayor Medlin commented the current ToFODC board of directors and officers have resigned for the purpose of allowing the Four Oaks Board of Commissioner to select a new board for the ToFODC and the following are being nominated to serve as new directors: Vic Medlin – 2-year term; Mike Hines – 3-year term; Linwood Parker 2-year term; Ian Trammell – 3-year term; and leave one vacant public seat to appoint Andy Hardy after the 2023 elections.

Motion to approve the resolution to appoint the new board of directors for The Four Oaks Development Corporation as presented, to be effective immediately, was made by Commissioner Hardy, seconded by Commissioner Robertson, voting unanimous, motion passed.

### **Mayor’s Comments**

Mayor Medlin commented the Acorn Festival was a great event and thanked everyone for making the town such a special place. Mayor introduced 2 candidates for the board of commissioners that were present: Ian Trammell & Virgil Saliard, Jr.

Mayor reported we have met with Ben Hitchings, with Green Heron Planning, LLC, about updating the town ordinances which will begin early 2024. This will be a comprehensive review of our ordinances and table of uses to help unify the town ordinances. He will sit down with the boards and discuss what we need and will provide training. He charges by the hour and can work with the town’s budget in phases.

### **Department Reports**

#### **Police – Bradley**

Chief Anderson read the monthly police report (attached).

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

Commissioner Robertson reported: (1) football games are underway and going well; (2) WithersRavenel is working on the P&R Comprehensive Plan and they will present in November for approval in December; & (3) work will begin soon to replace sidewalks in Barbour’s Grove Park which the town has grant funds to help pay for this work.

#### **Water and Sewer – Hines**

Commissioner Hines highlighted the water and sewer report (attached). Water had revenue of \$49,260 and the sewer had revenue of \$35,475. The 12-month daily average per gallon was a 3% loss for water and 19% loss for sewer. Rainfall was 5.5” which adds to the infiltration.

#### **Sanitation & Streets**

Commissioner Surles reported streets & sanitation were good.

**Finance – Hardy**

Commissioner Hardy highlighted the financial report (attached) with total funds of \$3,251,498 and presented the August payables. Motion to approve the August payables listed in the attached report was made by Commissioner Hardy, seconded by Commissioner Bradley, voting unanimous, motion passed.

Commissioner Bradley reported the Fire Department has received a FEMA staffing grant that will pay for 3 additional full time 24-hour employees for 3 years at 100%. This will allow the fire department to have up to 6 full time 24- hour employees.

**Closed Session**

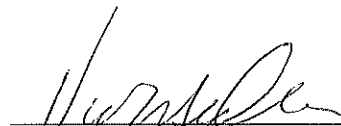
Motion to go into closed session per GS 143-318.11(a)(4) to discuss economic development matters was made by Commissioner Hines, seconded by Commissioner Robertson, voting unanimous, motion passed.

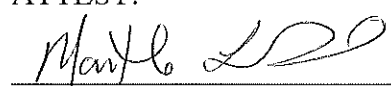
No actions taken or motions made.

Motion was made by Commissioner Bradley, seconded by Commissioner Hardy 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 7:40 p.m. was made by Commissioner Hardy, seconded by Commissioner Bradley, voting unanimous, motion passed.

  
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Vic Medlin, Mayor

ATTEST:  
  
\_\_\_\_\_  
Martha Garris, NCCMC  
Town Clerk