

YANCEYVILLE TOWN COUNCIL
MEETING MINUTES
Tuesday, September 15th, 2022
6:00 pm

The meeting of the Town Council was held in person in the Yanceyville Museum of Art at the Yanceyville Municipal Services Building located at 158 East Church Street, Yanceyville NC and conducted virtually through the WebEx platform on Thursday, September 15th, 2022, at 6:00pm.

Council Members present: Mayor- Alvin Foster, Mayor Pro Tem- Odessa Gwynn, and Brian Massey

Council Member absent: Keith Tatum

Staff present in person: Kamara Barnett-Town Manager/Clerk, Gerogetta Swann- Deputy Clerk, Lee Farmer- Town Attorney, Bradley Davis- Planning/ Zoning Consultant and Harmon Crutchfield, Finance Consultant

Item 1: Call to Order

Mayor Alvin Foster called the Town Council Meeting to order at 6:03pm. The meeting opened with a prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that the Yanceyville Town Council rules and procedures reflect the revisions of the North Carolina open meeting law of the North Carolina General Statues, a copy of the Yanceyville Town Council rules and procedures are available upon request. Yanceyville Town Council also has rules and procedures for electronic meetings that reflect the revisions of the North Carolina open meeting law of the North Carolina General Statues, a copy of the Yanceyville Town Council rules and procedures are available upon request.

Item 2: Review and Adoption of Agenda — Mayor & Council

Mayor Foster indicated Item Six: Update on BrightLeaf Hoedown- Amanda Hodges would be removed and replaced with Closed Session NC General Statues 143.318.11 Attorney Client Consultation and Real Estate. Mayor Foster asked Town Council for a motion to adopt the agenda with said changes. After a short review, Mayor Pro Tem Gwynn made a motion to adopt the agenda with said changes. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 3: Consent Agenda

- a.) Minutes from August 2nd, 2022, Town Council Meeting
- b.) Consideration of Resolution by Governing Board to request funding for water Line Replacement, Water and Wastewater Treatment Plant Upgrades/Consideration of Water and Sanitary Sewer Capital Improvement Plan

Mayor Foster asked Town Council to review items from the Consent Agenda. After a brief, review, Mayor Pro Tem Gwynn made a motion to adopt the minutes from August 2nd, 2022, Town Council Meeting as presented, approval of Resolution by Governing Board to request funding for Water Line Replacement, Water and Wastewater Treatment Plants Upgrades, and Approval of Town of Yanceyville Water and Sanitary Sewer Capital Improvement Plan. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 4: Public Comment

None

Item 5: Water and Wastewater Treatment Facilities Update: Jerry Shupe, Vice President East Region Inframark

Mr. Shupe was not present; Mayor Foster skipped this item.

Item 6: Closed Session - G. S. 143-318.11 Attorney Client Consultation and Real Estate

Mayor Foster asked Town Council for a motion. Mayor Pro Tem Gwynn made a motion to go into Closed Session NC General Statues 143-318.11 Attorney Client Consultation and Real Estate. The motion was seconded by Councilman Massey and passed with a unanimous vote.

After Town Council returned from Closed Session, Mayor Foster asked for a motion to come out of Closed Session. Mayor Pro Tem Gwynn made a motion to come out of Closed Session. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion to go back into Regular Session. Councilman Massey motion to go back to into Regular Session. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Mayor Foster noted that while in Closed Session Town Council needed a approve a lease contract with Verizon Wireless. Town Attorney Farmer explained over the last four years the Town has been in conversations with Verizon Wireless regarding co-locating an antenna on the Town's elevated Water Storage Tank. He mentioned that if the Town agreed to the contract Verizon would also build out a corral to place antenna on. Verizon agrees to pay the Town \$2,000 once the contract has been executed and \$24,000 annually in addition to 1.5% CPI.

Mayor Foster asked Town Council for a motion. Councilman Massey made a motion to approve the Verizon Wireless Contract. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Item 7: Update on Planning/Zoning and Code Enforcement -Bradley Davis

Mayor Foster introduced Mr. Bradley Davis to Town Council. Mr. Davis explained the following.

Zoning Ordinance Code Enforcement Process and Procedures (Article 4 of Chapter 160D) provides the details on "Administration, Enforcement, and Appeals".

Our current enforcement options include notices of violation and stop work orders, civil penalties, revoking and withholding permits, and legal action in court.

Before there can be enforcement there must be inspection.

Current Zoning Code Nuisance Enforcement Practice (Residential or Staff Complaints)

- 1-Personal Contact -phone call and/or Door Hanger (10-30 days)
- 2-Warning — Notice of Violation (NOV) Letter | (10-30 days)
- 3-Warning — Notice of Violation (NOV) Letter 2 (10-30 days)
- 4- Civil and/or Criminal (No actions to date)

1. Nuisance Notifications:

- a.184 Main St. Appliance Refurbishing, Requested Covering all appliances that remain outside after closing hours (Verbal)
- b. 371 Church Steet. Construction waster, furniture, trash (Letter sent 2nd notice)
- c. 396 Dillard School Dr. Abandon vehicle, trash (Letter sent)
- d. 412 Dillard School Dr. Abandon vehicle, trash, appliances. (Letter sent)
- e. 400 Parkway Dr. Trash, furniture, assorted items (letter sent)
- f. 955 Mian St. (overgrowth of vegetation surrounding home, front door entrance blocked (letter sent)
- g. 00-E. Main: Chronic nuisance violator. Abandoned vehicles, accumulation of trash, waste material, debris (letter w/pics)
- h. 290/324 Wall Street: abandoned, uninhabitable residential structures. Not secured. (Letter w/pics)

Mr. Davis asked for questions after his presented the above information. Mayor Foster thanked Mr. Davis for presenting update.

Item 8: Town Attorney Report- Lee Farmer

- a.) Consideration of Resolution calling for a Public Hearing in Connection with the Issuance of Multifamily Housing Revenue Bonds for Dillard School Apartments

WHEREAS, the Town Council (the "Town Council") of the Town of Yanceyville, North Carolina (the "Town") met in Yanceyville, North Carolina at 6:00pm on the 15th day of September, 2022; and

WHEREAS, pursuant to Section 160D-1311 (b) of the General Statutes of North Carolina, the Town is granted the power to directly exercise the powers of a housing authority organized pursuant to the North Carolina Housing Authorities Law, Article I of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"); and

WHEREAS, the Act in N.C.G.S. 157-9 gives the Town, acting as a housing authority, the power "to provide for the construction, reconstruction, improvement, alteration or repair of any housing project" and "to borrow money upon its bonds, notes, debentures or other evidences of indebtedness and to secure the same by pledges of its revenues"; and

WHEREAS, Dillard School Apartments, LLC, a North Carolina limited liability company, or an affiliated or related entity, has requested that the Town assist it in financing the acquisition of the historic Dillard School buildings and the constructing, renovating, and equipping therein of a 53-unit multifamily residential rental development for seniors to be known as Dillard School Apartments (the "Development") and the Town has agreed to do so; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Town for the Development may only be issued after approval of the plan of financing by the Town Council of the Town following a public hearing with respect to such plan;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Yanceyville, North Carolina, as follows:

The officers of the Town are hereby directed to call a public hearing with respect to the Development and the issuance by the Town of its multifamily housing revenue bonds to provide financing therefor to be held October 4, 2022 at 7:00 pm (or as soon thereafter as the hearing may be held), and to publish notice of such public hearing not less than seven days prior to such date as required by Section 147(f) of the Code and the Treasury Regulations promulgated thereunder.

1. All other acts of the Town Council and the officers of the Town which are in conformity with the purposes and intent of this resolution are hereby ratified, approved, and confirmed.
2. This resolution shall take effect immediately.

Council Member Gwynn moved the passage of the foregoing resolution and Council Member Massey seconded the motion and the resolution was passed by the following vote:

Ayes: Council Members: Foster, Gwynn, Massey
Nays: Council Members: None
Not voting: Council Members: Tatum (Absent)

b.) Resolution Adopting Northern Piedmont Regional Hazard Mitigation Plan

WHEREAS, the citizens and property within the Town of Yanceyville are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the town are particularly vulnerable to drought, extreme heat, hailstorm, hurricane and tropical storm, lightning, thunderstorm wind/high wind, tornado, winter storm and freeze, flood, hazardous material incident, and wildfire; and

WHEREAS, the Town desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 2 1 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has enacted General Statute Section 166A-19.41 (State emergency assistance funds) which provides that for a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and.

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Town of Yanceyville has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Town Council of the Town of Yanceyville to fulfill this obligation in order that the Town will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the Town;

NOW, THEREFORE, be it resolved that the Town Council of the Town of Yanceyville hereby:

1. Adopts the Northern Piedmont Regional Hazard Mitigation Plan.

2. Vests Caswell County Emergency Management and the Yanceyville Fire Department with the responsibility, authority, and the means to:

- (a) Inform all concerned parties of this action.
- (b) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.

3. Appoints the Caswell County Emergency Management and the Yanceyville Fire Department to assure that the Hazard Mitigation Plan is reviewed annually, and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Town Council of the Town of Yanceyville for consideration.

4. Agrees to take such other official action as maybe reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted this the 15th day of September 2022

Mayor Foster asked Town Council for a motion. After a brief, short review, Mayor Pro Tem Gwynn made a motion to adopt the Northern Piedmont Regional Hazard Mitigation Plan. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 9: Town Manager Report- Kamara Barnett

Town Manager Barnett announced the BrightLeaf Hoedown Festival would take place on Saturday, September 24, 2022, from 9am — dusk and encouraged all to attend. Flyer included in packet.

Town Manager Barnett requested Town Council to schedule a Public Hearing for a Rezoning Requested by Property Owner, Anthony Parker, 290 Main Street for the November 1st, 2022, Town Council Meeting at 7:00pm.

Mayor Foster asked Town Council for a motion. Mayor Pro Tem Gwynn made a motion to schedule a Public Hearing for a Rezoning Request by Property Owner, Anthony Parker, 290 Main Street on November 1st, 2022, Town Council Meeting at 7:00pm. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Town Manager Barnett mentioned that the Yanceyville Planning Board has a vacant seat. She noted that a Yanceyville Planning Board Ballot Sheet was included the Agenda Packet. She explained that Ms. Alisha B. Chapman and Mr. Matthew P. Hoagland have indicated they have

interest in serving on the Town of Yanceyville Planning Board. Town Manager Barnett explained that there is one vacant position to be appointed by the Town Council. She noted that a candidate must receive at least three (3) votes to be approved to serve on the Planning Board. If an applicant does not receive at least three votes from Town Council members, they will not be appointed. Town Manager Barnett noted that she will continue to bring candidates to Town Council in future meeting if an applicant fails to receive three votes during this selection process. She also mentioned that it does not prevent the candidate from being considered in the future.

Town Manager Barnett noted that Deputy Clerk Swann totaled the votes and gave the results to Mayor Foster. Mayor Foster read aloud that Ms. Alisha B. Chapman received three votes.

Mayor Foster asked for a motion. Councilman Massey made a motion to appoint Ms. Alisha B. Chapman to the Yanceyville Planning Board. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Town Manager Barnett introduced Mr. Harmon Crutchfield, HE Crutchfield & Associates Financial Consultant to Town Council. Mr. Crutchfield reviewed and discussed the close out of the previous fiscal year and provided current financial statements to Town Council. Mr. Crutchfield suggested forwarding Financial Statements to Town Council by the 15th of each month to give Town Council an opportunity to review and gather any questions or concerns and ahead of Regular Town Council Meetings.

Town Manager Barnett indicated that if the Town has a desire to dispose of real property it must be first declared as surplus. She indicated after a brief overview of Town properties she would recommend that Town Council declare Map and Parcel 0067 124 Tax Number: 0067.00.00.0124.0000 as surplus.

Mayor Foster asked for a motion. Councilman Massey made a motion to declare Map and Parcel 0067 124 Tax Number: 0067.00.00.0124.0000 as Surplus. Yanceyville Planning Board. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Town Manager Barnett asked if there were any questions about the Public Works/Maintenance report attached to the agenda packet

Item 10: Informal Discussion/Public Comment- Discussion & Comments must directly relate to agenda items.

None

Item 11: Adjournment

Mayor Foster asked Town Council for a motion to adjourn the August 10th, 2021, Town Council Meeting. After no further discussion, Councilman Tatum made a motion to adjourn. Councilman Massey seconded the motion that passed with a unanimous vote.

Kamara Barnett, Town Clerk and Georgetta Swann prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting.

Respectively Submitted:

Alvin Foster, Mayor

Kamara Barnett, Town Clerk

Georgetta Swann , Deputy Clerk