



BOARD OF COMMISSIONERS

MINUTES

March 20, 2023

Regular Meeting

7:00 PM

Mayor Huneycutt welcomed everyone and asked the town clerk to call the roll. Commissioner Brett Barbee, Commissioner Joey Carpenter, Commissioner Lanny Hathcock, Mayor Chris Huneycutt, Commissioner Latoya Jackson and Commissioner Bud Smith were all present. Mr. Doug Burgess, Town Administrator, Mr. TJ Smith, Chief of Police, Mr. Josh Almond, Parks and Recreation Director and Mr. Reggie Bowers, Utility Supervisor were also present. Town Attorney Albert Benshoff was present.

Mayor Huneycutt asked everyone to stand for the pledge of allegiance to the flag and that was followed by devotions from Commissioner Jackson. She spoke on being believers who are called to serve God and that we are expected to give of ourselves in our church and communities. Christians are a diverse group and they won't always agree with each other, but the goal is to have unity. Each of us are a contribution to God's purpose. As a community, we all have a job and that job is to do what works for God's kingdom. She finished with 1 Corinthians 12:25, so that there should be no division in the body, but that the members may have the same care for one another in love.

Mayor Huneycutt stated there was a need for an amendment to the agenda to add a closed session for personnel as well as change the order of the public hearings. The Evidentiary Public Hearing would be first followed by Public Hearing #1 (Rezoning corner of Dorsett and East Third Street – Matthew Whitley) and finishing with Public Hearing #2 (Rezoning of Parcel Number 559402856286 located near Big Lick Intersection). Commissioner Barbee made a motion for these changes and Commissioner Jackson seconded. Voted and carried unanimously.

Evidentiary Public Hearing

Mayor Huneycutt asked if all parties were present and informed the board they may not participate if they have a fixed relationship in the matter. He also informed the board they needed to make sure they let everyone know if they have received any communication from outside the meeting regarding this public hearing situation. No board members spoke on either situation. Attorney Benshoff stated that this hearing is not like a rezoning hearing. He said this is a quasi-judicial hearing which means it's like a court hearing and the commissioners serve in the role of judges. The rules for this hearing are different from land use decisions like rezoning. He mentioned to everyone that if they plan to speak as a witness, to please focus on the facts, ordinance standards and not personal preference/opinion. Attorney Benshoff shared other information regarding a quasi-judicial hearing including who can testify as witnesses and about who would have to be sworn in by Mayor Huneycutt.

Mr. Mike Efird and Mr. Anthony Cowan with the Isaacs Group were sworn in to provide information on this matter. He shared that Blue Dot Concrete (AKA BDRM Oakboro, LLC) is requesting a special use permit to allow the operation of a concrete plant located at 420 South Main Street, Oakboro. There are certain requirements for this permit:

1. A pre-application conference was held on December 15, 2022

2. A full set of engineering construction plans were presented for review and immediately sent to AMT Engineers. AMT reviewed the plans and sent a letter to the Town of Oakboro stating that the plans are in compliance with the Town of Oakboro's Engineering Standards.
3. Mr. Efird did a preliminary review of the plan and found several items that needed to be addressed in order to bring the construction plans into compliance with the UDO.
4. On February 22, 2023, Blue Dot Concrete resubmitted a new set of plans with all of the requested changes in place.
5. The Town of Oakboro's Project Review Committee met and reviewed the construction plans and approved the project with the requested corrections.
6. Blue Dot Concrete held a required community meeting on January 27, 2023 at Oakboro Town Hall. Local residents attended and participated in an informal discussion of the project and voiced their concerns. A copy of the meeting and questions/answers from the meeting is available at Oakboro Town Hall.
7. An application and a required fee were presented to the Town of Oakboro on January 27, 2023. At that time the application was determined to be complete.
8. Public advertising requirements have been met. The project was advertised in the Stanly News and Press for two consecutive weeks. In addition, a sign was placed on the property with a date and located of the public hearing as required.
9. Approval from Stanly County Fire Marshall for water necessary for fire fighting has approved.
10. The proposed concrete plant is consistent with the Land Use Plan especially the following sections:
 - a. 9.3.1 – "Industrial Development: Encourage industrial development which is compatible with the area's long-term quality of life, matches available infrastructure and services and employees the skills of area workers."
 - b. 9.3.3 – "Locate Industry Development on land that is physically suitable and has unique location advantages for the industry."
 - c. 9.3.6 – "Ensure that warehousing and storage facilities will have direct access to the transportation routes and are appropriately buffered according to their location."
 - d. 9.3.8 – Support development of flex industrial sites that incorporate a combination of commercial and industrial uses.
11. The total area of the proposed concrete plant is 6.1 acres; therefore, they meet the requirement for a 5-acre minimum for this project.
12. This project is also surrounded by industrial zoning so those requirements for an industrial business met.

Mr. Anthony Cowan was next to speak. He is with the Isaacs Group which is a land surveying/civil engineering company out of Charlotte. Mr. Cowan is a licensed surveyor and engineer and has been for 23 years. Blue Dot hired The Isaacs Group to get this project designed, permitted and approved so they could build it. He shared that 25:08

Mayor Huneycutt entertained a motion to approve the minutes from February 20, 2023 as written. Commissioner Barbee made the motion to approve the minutes and Commissioner Carpenter seconded. Voted and carried unanimously.

Mayor Huneycutt entertained a motion to approve the accounts payable in the amount of \$129,183.56. A motion to approve the accounts payable was made by Commissioner Barbee and seconded by Commissioner Carpenter. Voted and carried unanimously.

Open Forum

Mr. Cornelius Gause thanked the board for allowing him to speak. He is concerned about the local businesses being prepared for Charlotte Pipe coming online this summer and now also because of the Concrete Plant there will be even more trucks on the road. He mentioned there would be an influx of traffic. He also stated that people would like to come into town to grab a bite to eat and wondered if the local businesses were prepared. He questioned if there would be work 24/7 and Commissioner Barbee mentioned that there would but no production on third shift. Mr. Gause mentioned that would some of the stores stay open later to accommodate these folks. Commissioner Barbee stated that he hoped it would be a good thing for the town businesses. Mr. Gause agreed. Commissioner Hathcock feels like the local businesses have thought about it because it is an opportunity for them; however, the board has no control over telling the local businesses what they can and can not do as far as hours. Commissioner Hathcock hopes that the local businesses have thought this through and if not he hopes they will consider it because it is a prime opportunity.

Mr. Jayden Lee was the next up to speak. He mentioned he was coming before the board to ask for permission to complete his Eagle Scout Project at the Oakboro Long Street Park by putting up benches at the basketball court. He mentioned that he had texted Mr. Josh Almond this past Saturday and he hopes to get started as soon as the board approves.

Mr. Shaun Kenerly spoke to the board next. His issue is the sewer pump station behind his house in Ruby Ridge. He mentioned that he can't go into his back yard without smelling something. He spoke to the people who sold him the land and they stated they have nothing to do with it. He says when he looked at the land before purchasing, he didn't smell anything. He questioned if EPA had come out to do any tests because his family seems to be sick with respiratory infections. He said he can't even sit outside or have family over or the windows open. He would like to know what can be done. Commissioner Smith mentioned that another neighbor had the same concerns. He checked around and at one point it was the town's responsibility. However, now it is owned by Stanly County which leaves the Town of Oakboro out of it. Commissioner Hathcock stated that he knows they have done some testing down there in the past due to complaints. Mr. Doug Burgess asked permission from the Mayor to interject and let everyone know that Stanly County has contacted Odor Control within the past two weeks to try to alleviate this problem.

Mr. Terry Whitley was the next person to speak during open forum. He said this was a different type meeting and he had never spent more time on a rezoning public hearing. He said that the board at the time didn't even spend that much time on Charlotte Pipe because he was on the board then. His concern at this time was about who was in charge of the Historic Commission. Mr. Burgess said the town board

was in charge of this and asked if there was a commissioner over the Historic Commission. It was determined at this time that there was no board for the Historic Commission. Mr. Whitley questioned the board why we do not have a Historic Commission at this time. He stated that it was the board's responsibility to appoint one and to enforce the laws. He believes that right now, because there is no Historic Commission that nothing can be enforced. The main thing that brought this to his mind was seeing that his building had been painted and over the most historical thing in Oakboro. He also mentioned that where it said Pike's Drugs it now says Town of Oakboro. He stated that he has been out of town for two weeks and drove in last night to see this painting. Mr. Whitley asked if this was something the town board did. Commissioner Smith stated the best he could remember was this was the Greater Oakboro Business Association (GOBA). Mr. Whitley says that no one asked him if they could paint on his building. He said right now the sign is bright orange and yellow and doesn't comply at all with the historical downtown. Commissioner Smith verified that Mr. Whitley owned the building and Mr. Whitley confirmed. Mr. Whitley said that his partner in business, Bob Barbee called him today all upset over this. Commissioner Smith stated that no one approached the board concerning this. His point is that if we had the Historic Commission that sign would have had to go to that and then that sign would have probably been preserved or even the original sign brought back to life.

Department Updates

Budget and Finance

Commissioner Barbee referred to Mr. Burgess for an update. Mr. Burgess reported that revenue in the general fund is at 104% and expenditures at 74%. In water fund, revenue is at 47% and expenditures are at 42%. With sewer fund, revenues are at 66% and expenditures are at 53%. Mr. Burgess stated we were in good shape.

Cemetery and Streets

Commissioner Carpenter called on Mr. Reggie Bowers to give a report. Mr. Bowers stated that they had been having Mr. Mark Cash working on cleaning the ditches out and replacing the collapsed storm drains. The department has also been working on the dirt roads scraping and keeping stone on them where the rain washes it away. Mr. Daavid Castleberry Paving went around and paved potholes that were all over town. They have also replaced some signs and are currently looking into the signs that are not reflective and working towards getting all signs being reflective. Commissioner Carpenter asked where we were at with the removing the no parking signs in Ruby Ridge. Mr. Bowers said that he was waiting on the one sign to be made to replace the multiple signs that were up in Ruby Ridge. Commissioner Carpenter questioned signs being put up, he thought they were all coming down. Mr. Bowers shared that the multiple signs are being removed and there will be one sign at the entrances to the subdivisions. Mr. Bowers stated that he would make it more of a priority to get those signs down

Police Department

Commissioner Hathcock referred to Chief Smith. Chief Smith wanted to brag on his department. Officer Carey Money has been working with Oakboro for six years. He has stepped up and has been working at

the school to fill the SRO spot on the days he isn't working at the hospital. Officer Money is spending about 40 hours every two weeks.

Chief Smith recognized Sergeant Bryce Kaus and Captain Craig Richards because they had both passed their radar certification.

Chief Smith also recognized Payton James who is our brand new hire and he just finished his BLET class with high honors and he stated that we are currently waiting on his certification to come back in from the state. He wanted everyone to know the department was very proud of him and his accomplishments. Everyone applauded.

Chief Smith mentioned that K-9 Bane passed his National K-9 Certification through United Police Work Dog Association. This requires bite work, article search, drug search, and tracking and no mistakes are allowed. K-9 Bane was flawless in his work. Everyone applauded.

Chief Smith mentioned that Sergeant Eschert and the famous K-9 Joker took second place in the Hometown Heros Foundation which is a national competition between all the K-9 units across the nation. This foundation awarded K-9 Joker with \$5,000 which was received by the town today.

Chief Smith reported there were 125 incident reports, 3 supplements, 22 arrests, 501 field contacts and 90 citations were issued.

Parks and Recreation

Commissioner Jackson referred to Mr. Josh Almond. He stated that basketball season is finished and that soccer has started. He has 13 teams and 141 players. This is up 17% from last spring. All three of the baseball/softball fields in town are full nearly every night of the week. The first steering committee meeting for the DOT grant was held about two weeks ago and the meeting went well. Mr. Almond said that there would be some public engagement surveys with the whole town. The steering committee has two more meetings and they will hope to get a final plan in September or October. Mr. Almond also stated that he has also applied for a Stanly County Parks and Recreation grant and use that to resurface the basketball court at Long Street Park, the one that is fenced in. He hopes to turn that into a combination pickleball and basketball court. He should be presenting at the May meeting to the Stanly County Board and get a decision on that grant.

Public Works

Commissioner Smith referred to Mr. Reggie Bowers. Mr. Bowers stated that in the water department, seven new water meters were installed at new residential dwellings. He said that four old meters were replaced. The department installed two irrigation meters. Mr. Bowers had to do testing for all of the water for this quarter. Mr. Bowers has been working on getting the water switched so that Red Cross can turn and service Charlotte Pipe. He currently has that fixed; however they are still working on the vaults. In this process, a pressure reducing valve had to be installed on Hurley Road.

In sewer, the department worked and cleaned out 4" cleanouts on Dorsett Street. They also worked on a 2" force main at Forest Creek and next week should begin testing on this. The department repaired five pump stations this month. This past Friday they had the final walk through for the punch list on Dellinger

Construction for the Blue Sky Sewer Project on Buster Road. The pump station is up and running fine now. With locates from 811, he received 65 locates for the month.

Advisory Board/Code Enforcement

Commissioner Hathcock referred to Mr. Efird. Mr. Efird stated that we have a request for a final plat for Phase 3B of Forest Creek. Whenever a builder asks for a final plat if there are certain items that aren't complete he can bond it and that way he can guarantee that those things that are unfinished will be finished by the end of the project. Mr. Efird has to write a letter stating that everything required to finish the subdivision has been guaranteed if not complete. Currently, there is an issue with the mound of dirt that needs to be placed in another hole and built up level to complete the subdivision. Mr. Efird has spoke with the builder and told him he wanted this bonded. The builder stated he doesn't think he has to bond this because he has to finish it before they can finish the subdivision. However, Mr. Efird stated that's the nature of a bond. He talked to the contractor and he estimated it would be \$50,000 to \$55,000 to finish that part of the grading. Mr. Efird is asking for direction stating that he would like to include this and require a bond for that dirt to be put in the hole. He would feel better about writing a letter if there is a bond in place. That makes sure the money is there if the contractor doesn't finish doing the grading. This bond will be written at 125% making it around \$62,500. Commissioner Carpenter questioned how this could fall back on the town. Mr. Efird stated that at some point all of the subdivision would be turned over to the town and we would be responsible should this not be finished. Commissioner Smith commented that the bond just covers us and Mr. Efird confirmed. Commissioner Smith is in favor of the bond as is Commissioner Barbee. Commissioner Smith made a motion to require a bond for this Forest Creek Subdivision. It was seconded by Commissioner Carpenter. Voted and carried unanimously.

Board Comments:

Commissioner Smith thanked the boy scout for coming to the town and working towards his Eagle project. He commended him and told him that will be a big accomplishment. He also welcomed the new officer.

Commissioner Jackson congratulated Officer Allen and welcomed him to the town. She also thanked everyone for attending the meeting.

Commissioner Hathcock wanted to piggyback on what Commissioner Smith said. He wanted the citizens to know they could call the commissioners if they had any concerns. He also congratulated Officer Allen, Sergeant Eschert and K-9 Joker. He is very proud of K-9 Joker for receiving this invitation and knows that he will represent the town well. In addition, he commended Sergeant Kaus for deploying the stop sticks. He thanked everyone for coming out tonight.

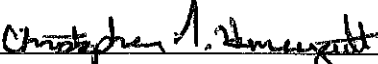
Commissioner Carpenter congratulated Officer Allen, K-9 Joker along with Sergeant Eschert and Sergeant Kaus for deploying the stop sticks. He mentioned he was impressed with what Sergeant Kaus did. He appreciates everyone coming out.

Commissioner Barbee agreed that it was nice to see so many people in the audience because they all care. He said the citizens voted the commissioners in and he wants to do what's right for them. He stated that decisions have to be made. The board investigates items brought to their attention.

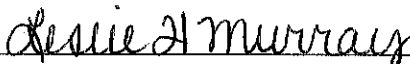
According to Commissioners Barbee, we shouldn't be having problems that we had 50 years ago. We should be fixing problems so the future commissioners don't have to deal with them down the road. He wanted to thank all of the officers for what they do as well as K-9 Joker. He thanked Mr. Bowers for what he does with his department and mentioned how valuable he has been. He thanked the citizens for allowing him to sit on the board.

Mayor Huneycutt stated the town has some wonderful employees and he is so grateful for that. Mr. Bowers does a great job. Mayor Huneycutt congratulated the officers and mentioned Officer Allen especially as being the new officer. He welcomed him to Oakboro Police Department. He went on to congratulate Sergeant Kaus for deploying the stop sticks and Sergeant Eschert and K-9 Joker. He stated it was a wonderful thing for K-9 Joker to be known throughout and not just in Oakboro. He was glad to see everyone at the meeting tonight because it shows they care about what's going on in their town. He's thankful the citizens have bestowed confidence in the commissioners to represent them to the best of their abilities. He thanked each board member for their work. He hopes that everyone has a safe night.

Commissioner Jackson made a motion to adjourn. Commissioner Smith seconded. Voted and carried unanimously.



Christopher N Huneycutt, Mayor



Leslie H. Murray, Town Clerk/Finance Officer