

Board of Commissioners

Mark Jones, Chair
Benita Finney, Vice Chair
Richard Poindexter
Terry Renegar
M Brent Shoaf



County Manager
Commissioners Room
123 S. Main Street
Mocksville, NC 27028

May 6, 2024 7:00 PM

MINUTES

**Davie County - Board of Commissioners
Regular Session**

1. Meeting Called to Order - Chair Jones

2. Invocation - Rev Roger Rayburn, Mocks Church

Invocation was offered by Rev Roger Rayburn of Mocks Church.

3. Pledge of Allegiance - Michael D. Byrd

The Pledge of Allegiance was led by Michael D. Byrd

4. Ethics & Conflicts Disclosure - County Attorney, Ed Vogler

County Attorney Ed Vogler stated: "Pursuant to NCGS 160A-86 and the Davie County Board of Commissioners Code of Ethics adopted December 2, 2019, I would ask each of you before you adopt the agenda if there is any actual, potential or perceived conflicts of interest with respect to any matter on the proposed agenda which will come before the Board for a vote at this meeting today. If so, please speak up and let the Board know at this time before the agenda is adopted." No Commissioner spoke. Vogler then stated, "It is therefore concluded that there are no actual, potential, or perceived conflicts of interest by any Board member."

5. Adopt Agenda - Chair Jones

Vice Chair Finney made a motion to adopt the agenda. Commissioner Renegar seconded the motion. All were in favor, and the motion passed 5-0 (Mark Jones, Benita Finney, Richard Poindexter, Terry Renegar, M Brent Shoaf)

6. Commissioner's Presentation - Chair Jones

a. Proclamation - Clerks to the Boards of County Commissioners Week

Chair Jones read and presented a proclamation to Karen Logan for Clerks to the Boards of County Commissioners Week.

7. Public Comment Period - County Attorney, Ed Vogler

a. Public Comment Period Rules

There were 7 individuals who signed up for the public comment section.

Joe Everette Sr. is here to speak in opposition of the Advance Rezoning. - a photograph was shown of a photo dated today of units placed beside dumpsters. He spoke about the pollution that he feels would be caused if this zoning change occurred.

Harold Wood is here to speak about the need for an outdoor pickle ball facility, and he

requested a forward motion to get this put in place for the future.

Tom Browder is here to speak about the Bailey/Rye Rezoning and spoke highly of both parties involved. He feels this business would be beneficial to Davie County.

Ashley Everett stated that she is here to speak about the opposition of the Advance Rezoning, and she feels that Mr. Rye already owns property that is currently zoned for his requested business and should build in this location instead of the proposed property. She feels this is harmful for the County and the public is not for this facility.

Jody Everette is here to speak in opposition of the Brad Rye Rezoning, he read an email that he sent to the Commissioners and encouraged the Commissioners to vote no.

Sandra Mooneyham is here to speak in opposition of the Brad Rye Rezoning. She feels this rezoning should not be approved and related back to an email that she sent to the Commissioners.

Chip Miller is here to speak on pickle ball. He wanted to express how great the recreation center is that we have here in Davie but he is also requesting a outdoor pickle ball facility.

8. Public Hearing

a. Public Hearing Comment Rules

i) Road Name Change - Sweat Trail to Sweet Trail

Johnny Easter presented a PowerPoint regarding the renaming of Sweat Trail, Mocksville, NC to Sweet Trail, Mocksville, NC.

The Public Hearing was opened at 7:40 P.M. County Attorney Ed Vogler read the requirements for those who wish to speak during the public hearing.

There were no individuals signed up to speak on this road name change.

The Public Hearing was closed at 7:41 P.M. by a motion made by Commissioner Poindexter and seconded by Vice Chair Finney. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

Vice Chair Finney voiced her concern about this road name change. She stated this is potentially an issue when it comes to mail and all Emergency Management Systems.

Commissioner Renegar made a motion to defer this renaming of Sweat Trail, Mocksville, NC to Sweet Trail, Mocksville, NC for 30 days and Vice Chair Finney seconded this motion. All were in

favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

9. Presentations

a. 5 Year Master Aging Plan - Kim Shuskey

Terry Renegar, as the Board Chair of the HHS Board, presented the AARP Livable Communities Certificate and wanted to recognize Kim Shuskey for her efforts.

Kim Shuskey and Michelle Ellis presented the 5-year aging plan to the Board of Commissioners.

Vice Chair Finney made a motion to approve this 5-year master aging plan and was seconded by Commissioner Shoaf. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

b. Capital Improvement Plan Presentation - Robin West, Brad Blackwelder, Johnny Lambert

The Capital Improvement Plan was presented by Robin West, Brad Blackwelder and Johnny Lambert.

Chair Jones asked if each department had an opportunity to present any and all CIP plans before this CIP plan was presented.

Brad Blackwelder confirmed that all departments in October 2023 were given the opportunity to submit a form with all CIP requests.

c. March 2024 Financial Presentation - Robin West

Robin West spoke about the March 2024 financial summary report.

10. County Manager's Report - County Manager, Brian Barnett

County Manager, Brian Barnett would like to recognize Greg Forbes for being named as the Citizen of the year as well as Paramedic of the Year.

He wanted to let everyone know that along with Clerks week, it is also Nurses week, Correction Officer week and Foster Care awareness Month, and he wanted to be sure they were shown the appreciation they deserve as well.

He informed everyone that Smart Start would like everyone with small children to complete a survey on child care.

He let everyone know that our Health and Human Services staff would like to invite everyone to the recovery road event on May 15, 2024.

He discussed the monthly Fire Marshall and Emergency Management educational

opportunities.

He let everyone know that on May 14 at 8:30 there will be a budget workshop to discuss our 2024-2025 budget and capital improvement plan.

Finally he wanted to wish all the mothers a Happy Mothers Day.

11. Consent Agenda - Chair Jones

Commissioner Finney made the motion to approve the consent agenda. Commissioner Poindexter seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

- a. Approval of Minutes - Regular Scheduled Meeting April 1, 2024
- b. Approval of Minutes - Closed Session April 1, 2024
- c. Board Re-Appointment - Piedmont Triad Regional Council - Carolyn McManamy
- d. Budget Transfers / Amendments - Finance
- e. Equipment Deletions and Awarding of Firearms
 - a. Delete Glock 43 X sn #bvl 658 & Glock 17 nw 537 (weapons carried by retiring Deputy Sheriff Tripp Brockwell and Detention Center Officer Donald Jones) from the County's fixed asset inventory and authorize the weapons to be awarded to Mr. Brockwell and Mr. Jones, pursuant to NCGS 20-187.2.
- f. Proclamation - National Law Enforcement Week
- g. Proclamation - Older American's Month
- h. Resolution in Support of High Impact / Low-Cost Program
- i. Tax Reports, Releases, Refunds

12. Old Business - Chair Jones

- a. Deferred from the April 1, 2024 Meeting - Zoning Map amendment G8120A006, located on NC Highway 801 South, consisting of approximately 3 acres from Residential 20 and Residential Agricultural to Highway Business

Johnny Easter shared a presentation on the conditions that were agreed upon by the applicant for this rezoning.

Commissioner Poindexter made the motion pending the signature of the applicant to follow all conditions to approve the zoning map amendment G8120A006, located on NC Highway 801 South, consisting of approximately 3 acres from Residential 20 and Residential Agricultural to Highway Business seconded by Commissioner Shoaf. The motion passed 4-1 (Jones, Poindexter, Renegar, Shoaf)

13. New Business

There was no new business.

14. Commissioners' Comments

The Commissioners thanked everyone for coming out tonight and thanked everyone who spoke during the public comment period and made the presentations tonight.

Commissioner Shoaf spoke about pickle ball and gave a few examples of courts that could possibly be made into pickle ball courts.

Vice Chair Finney thanked all the professions that are recognized in May.

15. Closed Session - Chair Jones

- a. Closed Session Pursuant to NCGS 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

At 8:51 P.M. Commissioner Poindexter made the motion to enter into closed session. Vice Chair Finney seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

16. Vote on Closed Session Item

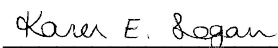
At 9:00 P.M. Commissioner Richard Poindexter made the motion to go back into the open session. Vice Chair Finney seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

Commissioner Poindexter made the motion to approve the agreement to amend the Counties Complaint to add the pharmacy benefit managers (PBMs) Defendants. Commissioner Renegar seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

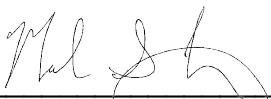
17. Adjourn - Chair Jones

At 9:02 Vice Chair Finney made the motion to adjourn. Commissioner Poindexter seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)

Attest:



Karen E. Logan
Clerk to the Board of Commissioners



Mark Jones
Board Chair of Commissioners

Zoning May Amendment DC24-G8-0006 - Brad Rye

Sandra Mooneyham [REDACTED]

Wed 5/1/2024 3:05 PM

To [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners,

As the majority property owner to be affected most by this rezoning, I must ask if this is a decision worth making to benefit **ONLY two individuals** and be to the detriment of the surrounding residences and property owners. This decision should never have passed the zoning board and should never have been put in your hands. Just because most of the area of my family's property is undeveloped doesn't make it open to be destroyed by a neighbor or you with water runoff of such a sizable nature and financial damage.

As stated in my prior email, it is clear that the sellers have finally found a buyer who is willing and has the funds to build within the constraints of the sellers property. The awkwardness and positioning of the driveway, building & septic show there is a story as to why the positioning is what it is. Someone, anyone, find out what the story is. Then and only then will you see that this benefits **ONLY TWO PEOPLE**, buyer and seller.

This is all we have been provided to see what the proposed construction is to be. I do know where the septic will be, based on personally seeing the perk testing done in the corner of our property at 139 Feed Mill Road and 145 Feed Mill Road.



We, the James family, respectfully request that you **DENY** this unnecessary rezoning and protect our undeveloped property from an unnatural and early death due to the conditions that this construction will place on our land. Voting yes for the benefit of **TWO people** is just not a good enough reason to vote yes. There is no real value to the neighborhood of Advance for this rezoning. It does not fit into the rural characteristics of Advance and never will. It stands to reason, given the other sites this owner operates on, that the intention is to hide from view the eyesores currently located at his current locations.

I respectfully ask that you vote **NO** to this proposed rezoning and protect not only we, the surrounding residents, but also Advance as well. Rezoning commercial when the build site is surrounded by residential neighbors is just not appropriate to what the citizens in Davie County want for our county. There are plenty of locations within Davie County appropriate for this business. Just not in our back yards.

Sandra Mooneyham

SE Territory Manager - MD to FL



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

View our catalogs here:

REELS: <https://anyflip.com/jeglb/obpu/>

FERTILITY: <https://anyflip.com/jeglb/pthi/>

JRM PARTS CATALOG: <https://anyflip.com/jeglb/vmct/>

OREGON: [2023 Oregon Catalog \(flippingbook.com\)](https://2023OregonCatalog.flippingbook.com)

Rye/Bailey Rezoning

Jody Everett [REDACTED]

Tue 4/30/2024 10:16 AM

To:County Commissioners [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Commissioners,

At this point after 4+ months of pointing out the issues with various iterations of the proposed Rye/Bailey rezoning I really don't have a lot left to say. **Now is your chance to send a message that Davie County is NOT the rezoning and uncontrolled development nightmare that many in the county already believe it to be.** As I'm sure you've seen from the recent articles and editorials in the Davie Enterprise, as well as local social media posts too numerous to count, the residential taxpayers of the county are fed up with the rapid expansion of business and multifamily developments throughout the county . This current Rye/Bailey proposal flirts with the issue of spot zoning. I've previously offered Mr. Bailey \$50,000 for the parcel which is 18% above tax value and he said I wasn't even in the ballpark and refused to counter offer when I requested. Mr. Bailey is certainly free to ask whatever he wants for his property but the reality is the only way that parcel is playing in a different ballpark is if **this board** rezones to commercial to benefit one landowner at the detriment of surrounding owners' property values.

Despite numerous proposals, Mr. Rye has yet to provide any concrete details that would address neighbors' concerns around screening, traffic, water runoff, or financial damage. Mr. Rye has clearly demonstrated an URGE to build but has not demonstrated any definitive PLAN. While I appreciate the board potentially attempting to place restrictions on the rezoning there is no way any restrictions could possibly foresee the future well enough to protect the residential neighbors. Had this site been along the highway where other business are located conditions may have been more appropriate. **However, this proposal, 150 yards deep into the woods with the build site itself SURROUNDED ENTIRELY by residential neighbors is inappropriate under any conditions.**

I encourage you all to take this opportunity to vote **NO** to the proposed rezoning, thereby protecting the rural character of Davie County and sending a message to all residents of the county that our voices are heard.

Jody
[REDACTED]

PUBLIC COMMENT SIGN UP SHEET
PLEASE PRINT YOUR NAME

	<u>Name</u>	<u>Topic of Concern</u>
1.	Joe M. Everett, Sr	Advance rezoning
2.	Harold Wood	Pickleball Facilities
3.	Tom Browder	Bailey / Rye Rezoning
4.	Ashley Everett	Rye / Bailey
5.	Jody Everett	Rye / Bailey
6.	Sandra Mooneyham	Rye / Bailey
7.	CHIP MILLER	
8.		
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Please be advised that this sign-up sheet is a public record and subject to disclosure
under the public records law of the State of North Carolina.

Public Hearing 5-6-2024

Sweat Lane to Sweet Lane Road hearing

Openings and closings:

The Chairman announced that this is the day and hour of the public hearing, *(pursuant to NCGS 153A-239.1 of the General Statutes of North Carolina and Chapter 94 of the Davie County Code or Ordinance)* regarding the renaming of Sweat Trail, Mocksville NC to Sweet Trail, Mocksville, NC.

There has been due notice given pursuant to the requirements of the North Carolina General Statutes and the Davie County Code of Ordinance by way of due publication of notice of the public hearing in a newspaper with a general circulation in Davie County. The Clerk to the Board has attached the affidavit showing publication in said paper.

I would ask that all who wish to comment at this public hearing come forward to the podium, state your full name for the Board and then comment on the proposal

Comments-----

CLOSING

Seeing no one further coming forward to comment, I will now turn the public hearing back to the Board chairman, closing the public comments section of this public hearing, providing the Board the opportunity to discuss among themselves what/if any action there is to be taken at this time.

Congratulations to Davie County, NC for becoming the 19th community in North Carolina, and the 881st community in the United States, to enroll in the AARP Network of Age-Friendly States and Communities.

Because of the work already conducted on the Master Aging Plan, Davie County has been accepted and recognized as a member of this network. As a member, Davie County is showing their commitment to becoming more age-friendly under the criteria established by AARP.

Thank you for being among the nation's local leaders who have committed to Davie County becoming more livable and age-friendly, and working to improve the community for people of **all ages** and life stages. The forward thinking demonstrated by this commitment will make Davie County an ever better place to be! In addition, AARP and local leaders recognize that *well-designed, age-friendly communities foster economic growth and make for happier, healthier residents of all ages.*

We also thank Kim Shuskey for her leadership efforts on the Master Aging Plan, and working through this plan to enroll and ensure Davie County is recognized as an AARP Network of Age-Friendly States and Communities.



Development & Facilities Services

298 E. Depot Street, Ste 100 | Mocksville, NC 27028 | 336.753.6050 | f 336.751.7689

DavieCountyNC.gov



Applicant: **Brad Rye**

Parcel #: **G8120A0006**

Planning Board Meeting Date Approval: **2/27/24**

1. All representations made by the petitioners as part of the rezoning process be incorporated in the Conditional Highway Business Zoning Map Amendment approved by the Board of Commissioners as if fully set forth.
2. The use of the property shall be limited to the following use: Building Contractors-General
3. No outdoor storage.
4. Any dumpster(s) on the property shall be enclosed with a 10' opaque fence.
5. The proposed building shall be at least 45' from the shared property line described as Davie County Tax Parcel G800000103.
6. Add a 20' buffer consisting of: Two rows of evergreen conifers or broadleaf evergreens placed not more than five feet apart which would grow to form a continuous hedge of at least six feet in height within two years of planting; an opaque fence located within the buffer; such fence shall be a minimum of 6' above the finish grade. The buffer shall cover the location of the proposed building to the east. South and west. Leave at least a 10' natural buffer to the rest of the property.

I understand and agree to the above zoning conditions above as approved at the Davie County Board of County Commissioners Meeting held 5/6/24.

Applicant Signature: Brad Rye 5/6/2024