

Board of Commissioners

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

**County Manager**

Brian Barnett
Commissioners Room
123 S. Main Street
Mocksville, NC 27028
July 10, 2023 6:00 PM

MINUTES

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

1. Meeting Called to Order - Chair Jones

Attendee Name	Title	Status
Richard Poindexter		Present
Terry Renegar		Present
Mark Jones	Chair	Present
Benita Finney	Vice Chair	Present
M Brent Shoaf		Present

2. Invocation - Reverend, Lori Anne Bowen, Pastor, First United Methodist Church

The Invocation was offered by Reverend Lori Anne Bowen, Pastor, First United Methodist Church.

3. Pledge of Allegiance - Glenn Spark US Army retiree

The Pledge of Allegiance was led by Glenn Spark, US Army retiree.

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 (Jones, Finney, Poindexter, Renegar, Shoaf).

6. Appointment of Clerk - Chair Jones (Karen E Logan (Ed Vogler to give Oath of Office))

Vice Chair Finney made a motion to approve the appointment of Karen Logan to fill the role of the Clerk to the Board of Commissioners. Commissioner Shoaf seconded this motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf).

1. Oath of Office (Clerk, Karen Logan)

Ed Vogler gave the oath of office, Karen Logan repeated and completed the oath. Photos were taken. Oath was signed by Karen Logan and Chair Jones.

7. Presentations - County Manager, Brian Barnett / National Civic League Board Member, Mayor Patti Garrett

1. All America City (County) Award

Chair Jones welcomed Mayor Patti Garrett and asked County Manager Brian Barnett to proceed with this. County Manager Brian Barnett shared a short bio of Mayor Patti Garrett on her accomplishments and achievements. She noted this was 74th annual All American City (County) award that was hosted in Denver Colorado. Explained the process of being nominated and being chosen for this award. She stated how much she loved the enthusiasm from the youth and the Ignite Davie program itself that was presented. Mayor Pattie Garrett presented the 2023 All American City Award. Chair Jones requested Mocksville Town Manager Ken Gambill to gather the individuals involved with this program to come up for photos and have the award be presented to them. Mayor Patti Garrett thanked the County Commissioners and the committee.

Chair Jones thanked Mocksville Town Manager Ken Gambill and the committee for their hard work and efforts to achieve this award.

8. Public Comment Period - County Attorney, Ed Vogler

1. Public Comment Period Rules

There were four (4) individuals who signed up to speak during Public Comments:

- Jane Simpson Ignite Davie – She spoke on the Davie Community Foundation and how she is proud to be an All America County. She expressed that the Foundation believes that Ignite Davie should be made permanent – She indicated the \$500,000.00 challenge match has been offered by the Davie Community Foundation and all money raised by Dec 31 will be matched up to that \$500,000.00. She challenged Commissioners, County Manager, Attorney and the community to donate.
- Brandy Koontz - local attorney – She stated she is here to talk about books – She referenced the Holy Bible and noted it was the most important book she has the luxury of owning – she addressed her concern on the removal of 1 specific book after 1 request to take this out of circulation. She stated this violates the first amendment and library bill of rights which guarantees freedom of press. She feels that everyone should have access to content and freedom to read and that no person or group has the right to take laws into its own hands. She pointed out several due processes procedures and stated she wanted to inform the Commissioners that she wants to see the right decisions made for the community.
- Kathleen Falin – She spoke on her latest library experience and encounters, she praised Andrew Claybrook for politely offering his assistance and how she has always left the library with any book she needed or was able to place it on hold. She stated that the employees are intelligent and exceptional resources and also named Rachel Nelson with the children summer reading program. She asked the Commissioners whoever they select should be someone who is there to excel the Library not someone is unfamiliar with the Library.
- Khristen Mears - she is Vice Chair of the Davie County Library Board of Trustees, spoke of concerns she has with what she feels are violations of the policies set forth by the Library Board of Trustees in reference to suggesting and approving new Board of Trustee members by the Board of Davie County Commissioners. Specifically she is concerned about 1 nomination that has not been vetted or approved by the Library Board of Trustees. She want to understand the vote by the commissioners and questioned does the whole board have a say or is the decision only made by 1? She is concerned by 1 of the candidates and wants to understand how can someone serve the community if they are not familiar with the resources. She wants to understand how someone who has never met the board can be on this board. She would like to know why the nominee was chosen. She is requesting that the appointment process and selection process be made public and referenced the code of ethics signed by the Commissioners. Khristen questioned the integrity and decision making ability of the commissioners.

9. Consent Agenda - Chair Jones

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

1. Approval of Minutes - June, 2023
2. Resolution - Board of Elections
3. Resolution - Authorizing County Attorney to bring lawsuits
4. Resolution - Tax Office Peer Review
5. Board Appointment - Aging Services Planning Committee- Jennifer Carter
6. Board Appointment - Child Protection and Child Fatality Prevention Team - Dr. Allison Snider
7. Board Appointment - Health and Human Services Board - Aimee Farr (Psychologist Member)
8. Board Appointment - Juvenile Crime Prevention Council - Crystal Robertson
9. Board Reappointment Juvenile Crime Prevention Council - Julie Parker, Jennifer Custer, Aubrey Draughn
10. Board Re-Appointment - Health & Human Services Board - Kathy Cornatzer, Sara Buchanan, Dr. Clio Austin
11. Board Reappointment - Agricultural Advisory Board - J. Mark Hancock
12. Board Re-Appointment - Aging Services Planning Committee - Allison Brown - Ruth Brown
13. Board Re-Appointment - Jury Commissioner - Allen Whitaker
14. Board Re-Appointment - Martha Hoyle, Community Advisory Committee
15. Board Appointment - Library Board of Trustees - Jane McAllister, Teresa Bivins
16. Bid Award - Main Church Road 8" Water Main Extension (\$783,736, North State Water and Sewer)
17. Sewer Capacity Request - Henson Realty
18. Proclamation - Parks & Recreation Month - July
19. Tax Report, Releases, Refunds
20. Budget Amendment / Transfers

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

County Manager, Brian Barnett recognized Health & Human Services specifically the child

support unit for their collection rate of nearly 2 million dollars this year. Mr. Barnett congratulated the Public Health Division of Health and Human Services for receiving accreditation with honors with a near perfect score.

Mr. Barnett noted August 5th will be the annual duck race and July 29th will be the Electronic Recycling Event. He announced the process of a sign being placed as you enter Davie County that says "Davie County is the 2023 recipient of the All American County Award". He welcomed Karen Logan as the new clerk and thanked Stacy Moyer for all her hard work.

11. Old Business - Johnny Easter, Planning and Development Services Director

1. Zoning Map Amendment DC23-C3-0008 - Jordan Budd (Tax Parcel C300000008))

Johnny Easter – Planning and Development Services Director - Mr. Easter stated this was going back to the proposed Jordan Budd rezoning request for a conditional rezoning for a storage facility. Mr. Easter stated that he sent the proposed conditions and intended use and that Mr. Budd agreed to hours of operations be closed from 12-4 as well as he is proposing to put up a 6ft black opaque fence around the entire facility. Mr. Budd is proposing to the north of property to put emerald green evergreens on the property line and on the front of the property he wants to add azaleas and forsythia.

Mr. Easter asked the board if they had any questions regarding this.

Commissioner Renegar asked how tall the screening in front of 601 would be with Mr. Easter's answer being 6 ft opaque fence with azaleas and forsythia out front.

Commissioner Shoaf stated precedent of other storage facilities being open 24 hours a day and stated that in all fairness that the provision of being closed from 12-4 be removed unless Mr. Budd wanted to keep this provision.

Chair Mark Jones indicated to Commissioner Shoaf that he can add this to his motion when time comes.

Attorney Ed Vogler stated that best practices on conditional use is for it be produced in writing and signed before the vote or at the time of the vote or that the vote be conditioned upon signing. Chair Jones stated that Mr. Budd agreed to this.

Vice Chair Finney brought up the conditional zoning process for the benefit of the public and asked if the conditions remain if the sale fell through. Mr. Easter stated that if the conditions are approved it will follow the life of the property and any changes anyone would want would

have to go back before planning board to change anything and voted on by the commissioners. Finney addressed Mr. Budd and expressed she is trusting that he will make this facility look nice due to it being in a more residential area.

Chair Jones thanked Mr. Budd for being accommodating and requested a motion.

Commissioner Shoaf motioned to approve the rezoning for Mr. Budd but exclude the provision of being closed 12-4, consents to provisions of providing the evergreen tress, azaleas, the forsythia and the 6 ft. opaque fence. Attorney Ed Vogler asked if this would be subject to something in writing indicating Mr. Budd consents to this before it becomes effective. Commissioner Shoaf added that Mr. Budd formally consents to these provisions. Commissioner Poindexter seconded the motion, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf).

12. New Business

There was no New Business discussed this evening.

13. Commissioners' Comments - Chair Jones

All The Commissioners thanked all for attending the evening's meeting, all congratulated Karen Logan for becoming the new clerk, thanked Stacy Moyer for all she did when she was the clerk, expressed their appreciation of County employees. They all acknowledged and congratulated the accreditation of the child support group and the All America County Award.

Commissioner Renegar thanked all those who are willing to serve on any board.

Commissioner Shoaf addressed the Library Board and stated that he did not have an agenda to exclude any individual or applicant, he explained that he is always looking for talent and states there should always be room for anyone he feels would be an asset to any board.

Commissioner Finney thanked Reverend Lori Anne Brown for her prayer, she thanked all the employees working in the heat specifically the sheriffs office, Joseph Ashburn, Cameron Webb, Johnny Lambert and his crew and all fire departments, she then thanked Mayor Patti Garrett

14. Adjourn - Chair Jones

Commissioner Poindexter made a motion to adjourn this evenings meeting at 6:55 p.m.

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

