

Board of Commissioners

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

**County Manager**

Brian Barnett
Commissioners Room
123 S. Main Street
Mocksville, NC 27028
May 8, 2023 6:00 PM

MINUTES

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

1. Meeting Called to Order - Commissioner Jones

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

2. Invocation - Minister Tamela Ijames Tatum, New Jerusalem Apostolic Church

The Invocation was offered by Minister Tamela Ijames Tatum, New Jerusalem Apostolic Church.

3. Pledge of Allegiance - Roger Funderburk

The Pledge of Allegiance was led by veteran Roger Funderburk.

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, Mark 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. Public Comment Period, County Attorney, Ed Vogler

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

- 1) 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 Brent Ward's nomination and that he has not been vetted or approved by the Library Board of Trustees.
- 2) Jake Miller - has chosen to defer his time to speak and will speak during the public hearing.
- 3) Brian Cesoro - who is a Davie County resident in Kinderton- spoke in reference to Davie County Public Utilities employees with specific thanks to Andy Atwood. There was a water leak in front of his house, the Public Utilities employees spent two days working in his front yard. The employees found the leak, had to be careful because of gas line, the crew spent many hours working on fixing the problem. He really appreciated the hard work they did.
- 4) Brandy Koontz - local attorney - is concerned about the possibility of the Library Board of Trustees by-laws being bypassed; she asked the Commissioners not to violate or circumvent the procedures already in place. Ms. Koontz pointed out various procedures and called into question the Commissioners integrity.

7. Public Hearing, Development & Planning Services Director, Johnny Easter

Development and Planning Services Director, Johnny Easter presented Zoning Map Amendment 2023 -04 Miller Tree Service, Inc. Miller Tree Service, Inc. has applied to rezone approximately 6.22 acres from Residential 20 (R-20) and Residential Agricultural (R-A) to Highway Business- Conditional (H-B C). The subject property is located on Underpass Rd. The property is further described as Davie County Tax Parcel G800000082. On April 25th the Planning Board unanimously approved the request with conditions: Building Contractor- Heavy; and adding supplemental buffering to fill in the gaps with evergreen trees/bushes along Underpass Rd. The supplemental buffering will extend from the entry across Bailey Rd to 414 Underpass Rd.

The Public Hearing was opened at 6:16 p.m. County Attorney Ed Vogler read the requirements for those who wish to speak during the public hearing.

- 1) Albert Russell, lives on 264 Bailey Road, had questions about why the Commissioners would pass this request; he also wondered why the requestors are not locating their business on 801. He states he is against this request and felt this is spot zoning.
- 2) Jake Miller, lives on Bailey Road, he owns a residential commercial tree service and is looking for a central location to locate his equipment. He has agreed to the extra requirements asked by the Planning Board in order for this property to be re-zoned. He stated the property has been for sale for many years because of the odd-shaped lot.

The Public Hearing was closed at 6:30 p.m. by a motion made by Commissioner Poindexter and

seconded by Commissioner Renegar. All were in favor, and the motion passed 5- 0 (Jones, Finney, Poindexter, Renegar, Shoaf). The Commissioners discussed how difficult it would be to develop the property as it is an oddly shaped property. Commissioner Poindexter made a motion to rezone the property with the conditions previously mentioned. Commissioner Renegar seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf).

8. Consent Agenda, Chair, Mark Jones

Vice Chair Finney asked about the cost of CMP update. Recreation and Parks Director, Paul Moore came forward and mentioned the cost is \$65000 and this amount was previously budgeted.

Commissioner Poindexter questioned if the library appointments are something the Commissioners will be in violation of if they approve the suggested Library Board of Trustees appointees. County Attorney Ed Vogler stated the Library Board of Trustees serves as an advisory board. A copy of approved Library Board of Trustees by-laws was not located in any previous County Commissioners minutes. The Library Board of Trustees adopted their by-laws in September, 1996. The Library Board of Trustees makes recommendations but the Board of County Commissioners have the authority to appoint the members to the Library Board of Trustees. Typically the Trustees make the recommendations for appointees and typically they have been approved as presented.

Vice Chair Finney made a motion to approve the appointment of Brent Ward to fill the unexpired vacancy left by Carole Demmy. Commissioner Shoaf seconded this motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf). Vice Chair Finney made a motion to approve the modified consent agenda. Commissioner Renegar seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf).

1. Resolution to Provide for Annual Updates for EMS Fees
2. Resolution - Authorizing Joining and Incorporating the Yadkin-Pee Dee Water Management Group
3. Resolution - Accepting American Rescue Plan funds - \$5,340,000
4. Resolution - CMP Update Contract Negotiations
5. Resolution - Stream Restoration Project Agreement
6. Approval of April 3, 2023 Regular Meeting Minutes & Special Called Meeting April 24, 2023
7. May 8, 2023 Budget Amendments
8. Tax Report, Releases, Refunds

9. Sewer Allocation Request - Hillsdale Group
10. Sewer Allocation Request - Hall Walker Sewer Capacity Request
11. Proclamation - Emergency Medical Services Week - May 21-27, 2023
12. Proclamation - National Day of Prayer
13. Proclamation - National Nurses Week - May 6-12, 2023
14. Proclamation - Mental Health Awareness Month - May
15. Proclamation - Corrections Officer week May 7- 13, 2023
16. Proclamation - National Police (Deputies) Week
17. Proclamation - Older American's Month
18. Board Appointments - Library Board of Trustees - Brent Ward, David Joyner
19. Fixed Asset Deletion

9. County Manager's Report, Brian Barnett

County Manager, Brian Barnett recognized four departments: Health & Human Services, Community Paramedic, Cooperative Extension, and Recreation and Parks for the individual grants they have received to finance projects.

He also mentioned May is mental health awareness month.

10. Old Business, Chair, Mark Jones

There was no Old Business discussed this evening.

11. New Business, Chair, Mark Jones

There was no New Business discussed this evening.

12. Commissioners' Comments

The Commissioners thanked all for attending this evening's meeting, were appreciative of the compliment offered to our Public Utilities employees, expressed their appreciation of County employees and offered prayers to the folks who live in Texas.

13. Adjourn, Chair, Mark Jones

Commissioner Poindexter made a motion to adjourn this evening's meeting at 6:50 p.m. Commissioner Shoaf seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf).