

REGULAR MEETING

A Regular Meeting of the Mayor and Board of Commissioners of the Town of North Wilkesboro was held in the Commissioners Room at Town Hall on Tuesday, February 2, 2010.

THERE WERE PRESENT: Robert L. Johnson, Mayor
Dr. Leo Baugham, Commissioner
Jeffrey Elmore, Commissioner
Debbie Ferguson, Commissioner
Bert Hall, Commissioner
Bart Hayes, Commissioner

COMPRISING THE ENTIRE BOARD, ALSO:
Hank Perkins, Town Manager
Gary Vannoy, Attorney
Kay F. Minton, Town Clerk

Mayor Johnson called the meeting to order at 7:00 p.m. The Mayor delivered the Invocation and Police Major Scott Teague led the Pledge of Allegiance.

Mayor Johnson asked for a motion to approve the consent agenda. Motion to approve the consent agenda was made by Commissioner Elmore, seconded by Commissioner Hall, and unanimously carried. The consent agenda items were as follows:

- a. Approval of the Minutes of the January 5, 2010 Regular Meeting.
- b. Approval of audit contract for FY 2009/2010 with Martin, Starnes & Associates (*on file in the Clerk's office*).
- c. Approval of Budget Amendment #1.
- d. Approval of Resolution in support of the 2010 federal Preserve America Historic Preservation Fund Grant application.
- e. Approval of Resolution of Support for the N. C. Small Towns Economic Prosperity Grant (NC STEP).

TOWN OF NORTH WILKESBORO
AMENDMENTS TO BUDGET ORDINANCE
FISCAL YEAR ENDING 6/30/2010
BUDGET AMENDMENT #1

BE IT ORDAINED by the Governing Board for the Town of North Wilkesboro, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2010:

SECTION 1. To amend the General Fund, the expenditures are to be changed as follows:

		<u>Increase</u>	<u>Decrease</u>
10-5100	Police Department	\$ 71,520	
10-5600	Streets & Highways Department	\$159,720	
10-4400	Finance	\$ 20,000	

10-5300 Fire \$13,990

This will result in a net increase of \$265,230 in the expenditures of the General Fund. To provide additional revenue for the above, the following revenues will be increased:

10-3500	State Grants	\$13,990
10-3850	Financing Proceeds	\$60,000
10-3990	Appropriated Fund Balance	\$191,240

SECTION 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and the Finance Officer for their direction.

Adopted this 2nd day of February, 2010.

/s/ Robert Johnson, MAYOR

ATTEST:

/s/ Kay Minton, Town Clerk

RESOLUTION OF THE TOWN OF NORTH WILKESBOO
IN SUPPORT OF THE 2010 FEDERAL PRESERVE AMERICA
HISTORIC PRESERVATION FUND GRANT APPLICATION

WHEREAS, the Town of North Wilkesboro and Historic Downtown North Wilkesboro are linked as a community; and

WHEREAS, the Town of North Wilkesboro, Historic Downtown North Wilkesboro and the County of Wilkes is designated as a Preserve America Community;

WHEREAS, the Town of North Wilkesboro and Historic Downtown North Wilkesboro intend to request grant assistance from the 2010 Federal Preserve America Historic Preservation Fund;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NORTH WILKESBORO:

That the Town of North Wilkesboro and Historic Downtown North Wilkesboro understand the responsibilities and benefits of receiving the 2010 Federal Preserve America Historic Preservation Fund Grant.

That the Town of North Wilkesboro will provide for efficient operation and maintenance of the demonstration project.

That the Town of North Wilkesboro and Historic Downtown North Wilkesboro are committed to preserving, recognizing, designating and protecting their local cultural resources.

That the Town of North Wilkesboro supports the joint application of North Wilkesboro and Historic Downtown North Wilkesboro in the 2010 Federal Preserve America Historic Preservation Fund Grant.

Adopted this the 2nd day of February, 2010, at North Wilkesboro, North Carolina.

TOWN OF NORTH WILKESBORO

/s/ Robert L. Johnson, Mayor

ATTEST:

/s/ Kay F. Minton, Town Clerk

RESOLUTION OF THE TOWN OF NORTH WILKESBORO
IN SUPPORT OF NORTH CAROLINA SMALL TOWNS
ECONOMIC PROSPERITY DEMONSTRATION GRANT APPLICATION FOR THE
NORTH CAROLINA RURAL CENTER

WHEREAS, the Towns of North Wilkesboro, Wilkesboro, and Ronda are linked as a community; and

WHEREAS, the Town of North Wilkesboro, Town of Wilkesboro, and the Town of Ronda have experienced major structural changes within the local economy; and

WHEREAS, the Town of North Wilkesboro, the Town of Wilkesboro, and the Town of Ronda intend to request grant assistance from the Rural Center for the North Carolina Small Towns Economic Prosperity demonstration project;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NORTH WILKESBORO:

That the Town of North Wilkesboro understands the responsibilities and benefits of receiving the North Carolina Rural Center Small Towns Economic Prosperity Grant.

That the Town of North Wilkesboro will provide for efficient operation and maintenance of the demonstration project.

That the Town of North Wilkesboro understands the importance of developing community leaders that are representative and inclusive of our community.

That the Town of North Wilkesboro supports the joint application of North Wilkesboro, Wilkesboro, and Ronda for the North Carolina Rural Center Small Towns Economic Prosperity Grant.

Adopted this the 2nd day of February, 2010, at North Wilkesboro, North Carolina.

TOWN OF NORTH WILKESBORO

/s/ Robert L. Johnson, MAYOR

ATTEST:

/s/ Kay F. Minton, TOWN CLERK

***** END CONSENT AGENDA *****

There were no additions or deletions to the agenda. There was no one who wished to speak during public comments.

Mayor Johnson declared the meeting open for the purpose of holding a public hearing to consider amendments to Section 10.4 and 10.5 of the Town's zoning ordinance. Planning Director Joshua Harrold advised that the amendment to Section 10.4 deals with multi-tenant signage, allowing for an increase in the amount of ground-mounted signage allowed for individual zoning lots in excess of twenty-five acres, and Section 10.5 to allow for freestanding signs in multi-family conditional zoning districts. There being no one who wished to speak on this matter, Mayor Johnson declared the public hearing closed. Commissioner Baugham made a motion to approve the amendments to the zoning ordinance. Motion was seconded by Commissioner Hayes and unanimously carried.

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
OF THE TOWN OF NORTH WILKESBORO**

BE IT ORDAINED, by the Board of Commissioners of the Town of North Wilkesboro in Regular Session assembled, that the Zoning Ordinance of the Town of North Wilkesboro is hereby amended as follows:

1. Section 10.4, Sign Placement - amend by adding item (F)(2), to read as follows:

10.4 Sign Placement.

(F) Multi-tenant Signage.

(2) Any sign not legible or easily noticeable from public property or a public right-of-way and obviously not intended to attract the attention of the public is exempt, however; for individual zoning lots greater than 25 acres consisting of exclusively multitenant usage, one ground-mounted sign may be allowed for each individual business provided that:

- (a) The maximum sign height shall be no more than 5 feet;
- (b) The maximum square footage shall be no more than 15 square feet; and
- (c) The sign shall be located in front of the front façade of the building and within the landscaped area.

2. Amend Section 10.5, for Permanent Signs by Zoning District, to allow freestanding signs in multi-family conditional zoning:

Signs shall be permitted and prohibited within certain zoning districts as follows:

Permanent Signs By Sign Type and Zoning District

SIGN TYPE	R-20	R-10	R-6	MF-CD	OI	NB	CBD	GB	HB	LI	GI
Canopy/Awning	-	-	-	-	S	S	S	S	S	S	S
Directional/Incidental ¹	P	P	P	P	P	P	P	P	P	P	P
Directory	-	-	-	-	S	S	S	S	S	S	S
Flag	P	P	P	P	P	P	P	P	P	P	P
Freestanding	S ²	S ²	S ²	<u>P</u>	-	-	-	S	S	S	S
Marquee	-	-	-	-	-	-	S	-	-	-	-
Monument	S	S	S	S	S	S	S	S	S	S	S
Billboard/Outdoor Advertising	-	-	-	-	-	-	-	-	S	S	S
Planned Development	S	S	S	S	S	S	S	S	S	S	S
Portable	-	-	-	-	P	-	-	P	P	P	P
Projecting	-	-	-	-	-	-	S	-	-	-	-
Suspended	-	-	-	-	-	-	S	S	S	-	-
Wall	S	S	S	S	S	S	S	S	S	S	S
Window	-	-	-	P	P	P	P	P	P	P	P

¹ Some signs in this category may be permitted without a permit

² Only permitted for nonconforming businesses zoned residential

P = permitted without a permit

S = Permitted only upon issuance of a valid sign permit

“-“ = not permitted

Sign types not specifically listed in this table are not permitted

Approved this the 2nd day of February, 2010.

/s/ Robert L. Johnson, MAYOR

ATTEST:

/s/ Kay F. Minton, TOWN CLERK

The next item on the agenda was a request from the Wilkes County Public Library to close a portion of 10th Street, from Main Street to C Street, for a science fiction convention to be held on Saturday, July 31. The Town Manager was authorized to request this closure from DOT.

The next item on the agenda was to consider approval of a Resolution of Intent to amend the Town Charter to remove any references to the Police Department remaining under the control and supervision of the board of commissioners and mayor and the Town Manager assume responsibility for the administration of the Police Department. Commissioner Hall commented that since he was not at the January work session, he would like to table the matter until he had an opportunity to study the proposal. He said that he was under the impression that the board would hire the chief and then the manager would be in charge of the department. Commissioner Ferguson advised that the board would probably hire the chief this time due to timing issues, but she added that we've talked for years about making this change and she felt the time to do it might be when Chief Rhodes retired. She said that in most towns, the chief reports to the town manager and she thinks that system would minimize the influence of politics and give the police department a chance to operate more independently. She also stated that the town manager handles the budget and the police department accounts for half of the town budget, so it seemed sensible to her that the manager, who has to make the budget balance, be the person in charge. Town Manager Perkins advised that if the Board approved the Resolution of Intent, the public hearing would be advertised and then held on March 2nd. He advised that the board would not be able to vote on the ordinance to amend the town charter until the April 6th meeting. After some further discussion, Commissioner Hall made a motion to table the matter. Motion died for lack of a second. Commissioner Baugham then made a motion to call for a public hearing to consider amending the town charter. Commissioner Ferguson seconded the motion. Those voting IN FAVOR of the motion: Commissioners Baugham, Ferguson, Elmore, and Hayes. OPPOSED: Commissioner Hall. Motion carried by a vote of 4-1.

RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE
AMENDING THE CHARTER OF THE TOWN OF NORTH WILKESBORO

WHEREAS, pursuant to G.S. 160A-101 and 160A-102, the Board of Commissioners of the Town of North Wilkesboro may adopt an ordinance to amend the Charter of the Town of North Wilkesboro to implement any of the optional forms set out in G.S. 160A-101; and

WHEREAS, G.S. 160A-102 requires that proposed Charter amendment first be submitted to a public hearing and that due notice thereof be published not less than ten (10) days prior to the date fixed for the public hearing:

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of North Wilkesboro that:

1. The Board of Commissioners hereby intends to consider an ordinance amending the Charter of the Town of North Wilkesboro as set forth in Chapter 263 of the 1977 Session Laws of North Carolina, ratified April 25, 1977, as amended, to amend Article IV., Organization and Administration, to remove any references to the Police Department remaining under the control and supervision of the board of commissioners and mayor as it currently reads within Article IV, as authorized by G.S. 160A-101(9)(b), and the Town Manager shall assume responsibility for the administration of the Police Department.
2. A public hearing on the proposed ordinance is hereby called for Tuesday, March 2, 2010 at 7:00 p.m. in the Commissioners Room, 210 9th Street, North Wilkesboro, NC.
3. Following the public hearing called hereby, the Board of Commissioners shall consider passage of the ordinance at its regular meeting on Tuesday, April 6, 2010.
4. The Town Clerk is hereby directed to cause to be published in the Wilkes Journal Patriot, a proper notice of the public hearing called, which notice shall contain a summary of the proposed Charter amendments.

Adopted this the 2nd day of February, 2010.

/s/ Robert L. Johnson, MAYOR

ATTEST:

/s/ Kay F. Minton, Town Clerk

Town Manager Perkins presented some dates for the board members to consider for holding the annual board retreat. The board tentatively agreed on Saturday, March 27, at the North Wilkesboro Elks Lodge.

Town Manager Perkins advised that there had recently been some vandalism in the Highland Park area. He advised that a portion of Townsend Street, approx. 300 feet, was never completed during the construction of the subdivision and he would like to see opened. He said this area was very dark and he would like for Duke Power to set some poles and lights there as well. He explained that the town could clear, grade and gravel the section to connect the two sections of Townsend Street at a cost of less than \$5,000. The Police Chief and Fire Chief were in favor of opening the street. Perkins advised that it would also be helpful once the County started with new readdressing. The board authorized the Town Manager to handle the project.

There being no further business, Commissioner Hall made a motion to adjourn the meeting. Motion was seconded by Commissioner Elmore and unanimously carried. Mayor Johnson declared the meeting adjourned at 7:48 p.m.

_____ TOWN CLERK _____ MAYOR

APPROVED: _____

