

**TOWN OF NORTH WILKESBORO  
COMMISSIONERS REGULAR MONTHLY  
MEETING JUNE 8, 2021  
5:30 p.m.**

**HELD AT THE STONE FAMILY CENTER FOR THE PERFORMING ARTS**

**Zoom online platform:**  
<https://us02web.zoom.us/j/86878083957>

**And YouTube:**  
<https://www.youtube.com/channel/UC7NdWfFjwMjbLuarfqHDemg>

THERE WERE PRESENT:            Robert L. Johnson, Mayor  
   Andrew Palmer, Commissioner/Mayor Pro-Tem  
   Angela Day, Commissioner  
   Debbie Ferguson, Commissioner  
   Bert Hall, Commissioner  
   Michael Parsons, Commissioner

ALSO PRESENT:                    Wilson B. Hooper, Town Manager  
   Debra Pearson, Town Clerk  
   Daniel Johnson, Town Attorney  
   Meredith Detsch, Town Planner  
   Interim NWP Chief Rob Thornburg  
   Connie Bauguess, Finance Officer

**CALL TO ORDER**

**Mayor Johnson called the meeting to order at 5:35 p.m. and delivered the Invocation. Mayor Johnson asked Interim Chief Rob Thornburg to lead the Pledge of Allegiance.**

**IV. Additions/Deletions to the Agenda:** There were no additions or deletions to the agenda.

**V. Approval of the Agenda:** Mayor Johnson called for a motion to approve the agenda. **Commissioner Hall made the motion to approve the agenda as stated, seconded by Commissioner Parsons. Motion unanimously carries.**

**VI. Public Comments:** Mayor Johnson opened the floor for public comments. There were no persons that wished to speak. Resident Alisa Phillips joined the meeting via zoom audio, and commented that she only wanted to listen to the traffic calming segment. She did not make a public comment.

## **VII. Consent (action)**

*All consent items may be approved in one motion. Items requiring further discussion will be pulled and voted upon separately.*

### A. Approval of Meeting Minutes-

- April 13, 2021 Budget Workshop Minutes
- May 4, 2011 Regular Session
- May 4, 2021 Minutes Closed Session Approved and Sealed
- May 27, 2021 Work Session Minutes

### B. Budget Amendments-

- Amendment #16, #17, #18, #19, #20, #22
- Capital Project Ordinance Amendment #4
- Splash Pad Capital Project Ordinance
- Elevated Water Tank Capital Project Ordinance Amendment

**Motion to approve consent items A. and B. was made by Commissioner Parsons and seconded by Commissioner Day. Motion unanimously carries.**

## **VIII. Town Manager/Attorney's Reports-**

Town Manager Wilson Hooper gave an update to the Traffic Calming progress being made in North Wilkesboro. 6<sup>th</sup> and 8<sup>th</sup> Streets have seen enhanced enforcement. The street at the top of 6<sup>th</sup> and I Street may be squared off to improve safety as right now the road alignment permits southbound drivers on Hinshaw to carry all their speed onto the descent down 6<sup>th</sup> St. A three-way stop is being considered and quotes are being sought. A bike lane for the southbound lane on 6<sup>th</sup> street is also being considered. This project could be completed by the end of summer 2021. The Town Manager also mentioned the possibility of apply for help from the Governor's Highway Safety Plan Program. With it, the town may be able to fund overtime for town police to enforce traffic laws. This would begin by funding 15% the first year, 30% the second year, and 50% the third year with funds matched by the town.

## **IX: Policy:**

### C.) North Wilkesboro Housing Authority Appointments-

It is time to appoint or reappoint three (3) members of the North Wilkesboro Housing Authority Board of Directors. Three current board members seeking reappointment are Nelson Martin, Melissa Richardson and Ruth Paredes. All three were appointed to their current positions in spring of 2016 and have expressed interest in continuing to serve on this board. The remaining board members request their reappointment. **Mayor Johnson asked for a motion to approve Nelson Martin, Melissa Richardson and Ruth Paredes to the NWAHA board. Motion to approve was made by Commissioner Palmer and seconded by Commissioner Day. Motion unanimously carries.**

### D.) Presentation on Article III, Section B of Zoning Ordinance-

Planning Director Meredith Detsch has presented updates of the Town's zoning ordinances and supporting town codes at previous Commissioner's meetings. Tonight, the board was asked to call for a public hearing to be scheduled for June 24<sup>th</sup> on the amended text on the zoning ordinance, Article III, Administration, the Boards, (B) The Board of Adjustment. **Motion to call for a public hearing to be held June 24, 2021 was made by Commissioner Ferguson and seconded by Commissioner Parsons. Motion unanimously carries.**

E.) In-Person Meeting Guidelines –

Town Manager Hooper presented recommended guidelines to the board concerning in- person Commissioner’s meetings set to begin in summer, 2021. This is to help ensure meetings can be held safely in the Commissioner’s Board Room in Town Hall. This information was for discussion only and will require only a “head nod” from the majority of the Board to make it official. The eight proposed guidelines were covered individually and received a “thumbs up” from the Commissioners. *See Proposed Guidelines for Holding in-Person Meetings at Town Hall attachment.*

**X. Public Hearings-**

F.) Public Hearing on Changes to Town Code Chapter 16, Subdivisions–

Planning Director Meredith Detsch previously presented proposed changes to Town Code Chapter 16, Subdivisions. The Board agreed upon and called for a Public Hearing to be held June 8, 2021 on the matter. **Mayor Johnson declared the floor open for the Public Hearing. Planning Board Recommendation, A Policy and Major Changes Document, and the redline Text of Town Code Chapter 16, Subdivision Ordinance with additional Updates were once again covered. With no comments or discussion from the board or the public, Mayor Johnson declared the Public Hearing closed. Motion to approve the Changes to Town Code Chapter 16, Subdivisions was made by Commissioner Parsons, reading the consistency statement “Approve Town Code Chapter 16, Subdivisions with edits as changed with the following consistency statement: the Town of North Wilkesboro deems the proposed amendments to be consistent with the Town of North Wilkesboro’s Comprehensive Plan dated June 5, 2018 and any other applicable plans. The proposed amendments are supportive of the following Plan’s purposes: Establish the legal foundation for zoning and subdivision changes, guide future land-use related regulations, and provide predictability for private-sector development. The proposed zoning amendment is reasonable and in the public’s interest because it supports the Comprehensive Plan.”, and was seconded by Commissioner Ferguson. Motion unanimously carries.**

G.) Public Hearing on changes to Wireless Communications Ordinance-

Planning Director Meredith Detsch previously presented the proposed changes to the Town code, Wireless Communication Ordinance. **Mayor Johnson declared the floor open for the Public Hearing. Items covered again were Planning Board Recommendation, Policy and Major Change Document and the Redlined Text of Wireless Communication Ordinance. With no comments or discussion from the board or public, Mayor Johnson declared the Public Hearing closed. Motion to approve Changes to Town Code, Wireless Communication Ordinance was made by Commissioner Ferguson, reading the consistency statement “Approve the Town’s Wireless Communication Ordinance, edits as changed with the following consistency statement: The Town of North Wilkesboro deems the proposed amendments to be consistent with the Town of North Wilkesboro’s Comprehensive Plan dated June 5<sup>th</sup> 2018 and any other applicable plans. The proposed amendments are supportive of the following Plan’s purposes: Establish the legal foundation for zoning and subdivision changes, guide future land-use related regulations, and provide predictability for private-sector development. The proposed amendment is reasonable and in the public’s interest because it supports the Comprehensive Plan.”, and was seconded by Commissioner Parsons. Motion unanimously carries.**

H.) Public Hearing on Changes to Town Code Chapter 2, Article II Board of Commissioners-

Town Manager Wilson Hooper has asked the Board to consider making a change to the North Wilkesboro Town Code adopting a common format for the two current meetings held each month. Currently there is a Regular Board of Commissioners Meeting held the first Tuesday after the first Monday of each month, and a Commissioners Work Session held the fourth Thursday of each month. If approved the change to the town code would format these meeting as two Regular Commissioners Meetings. **Mayor Johnson declared the floor open for Public Hearing. Town Manager Hooper went over the Proposed Operating Practices Changes to Town Code. With no comments or discussions from the board or public, Mayor Johnson declared the Public Hearing closed. Motion to approve Changes to Town Code Chapter 2, Article II, Board of Commissioners was made by Commissioner Ferguson and seconded by Commissioner Palmer. Motion unanimously carries. See North Wilkesboro Board of Commissioners Proposed Operating Practices -Changes to Town Code attachment.**

I.) Public Hearing on Changes to Town Code Chapter 5, Demolition Bond –

The current Town Code, Chapter 5.2 (a)(2) reads: *“In all cases of removal or demolition of a building or structure, a good and sufficient bond in the sum of five hundred dollars shall be posted by the property owner or by his or her contractor at the time of application for a permit, to insure complete removal or demolition including all rubble and debris. Failure on the part of the property owner or his or her contractor to completely demolish, remove and clear the premises, after thirty days- notice by the building inspector, shall be cause for forfeiture of the bond.”* A previous Board found this amount to be inadequate as that amount would not cover the costs the town would incur to complete the demolition. In the FY 219-20 budget, the Board attempted to remedy the situation by updating the fee schedule to read: Demolition permit \$45.00.... *(Bond equivalent to the cost of demolition project)*. This causes the two ordinances to conflict. Staff Therefore recommends the language of Chapter 5.2 (a)(2) be amended. **Mayor Johnson declared the floor open for a Public Hearing. Town Manager Hooper briefly covered the Town Code update again and read the proposed language. Commissioners are asked to approve the change to the Town Code to eliminate the conflicting regulations. The Board will also be asked to approve any amendments to the fee model at a later date. With no comments or discussion from the board or the public, Mayor Johnson declared the Public Hearing closed. Motion to approve Changes to Town Code Chapter 5, Demolition Bond was made by Commissioner Palmer, and seconded by Commissioner Day. Motion unanimously carries. See Recommended Amendment to the Language of Chapter 5.2 (a)(2) attachment.**

J.) Public Hearing on FY21-22 Proposed Budget and Supplementary Spending Plan –

Town Manager Wilson Hooper began by thanking the Staff and particularly Finance Officer Connie Bauguess for her work in completing the FY 2021-2022 General Fund and Water/Sewer Fund budgets, the Supplementary Spending Plan, and the Contribution to Wilkes Economic Development Corporation. **Mayor Johnson declared the floor open for Public Hearing to approve the FY 2021-2022 General Fund Budget, the Water/Sewer Fund Budget and the Supplemental Spending Plan. Town Manager Hooper went over the items for approval including a number of small, new investments for both the General Fund and the Water/Sewer budgets. The Supplemental Spending Plan created to carry out the priorities of the Board comes from the CARES and ARP stimulus funds, the sale of town property, and a healthy balance in various town reserve funds. Projects requested by the Board include water system, public safety facilities, traffic calming and paving/stormwater infrastructure. Manager Hooper asked the Board to approve these budgets and the spending plan at this meeting unless there were any changes to be made to the documents. With no comments or**

discussion from the Board or the public, Mayor Johnson declared the Public Hearing Closed.

**Motion to approve the FY 2021-2022 General Fund Budget, the Water/Sewer Budget and the Supplemental Spending plan was made by Commissioner Ferguson and seconded by Commissioner Day. Motion unanimously carries.**

*See Proposed Town of North Wilkesboro Budget Ordinance FY 2021-2022 Attachment here, and view the FY 21-22 Proposed Budget and the Supplemental Spending Plan Package on line at: <https://www.north-wilkesboro.com/DocumentCenter/View/891/2021-to-2022-Managers-Proposed-Budget> <https://www.north-wilkesboro.com/DocumentCenter/View/892/2021-Supplemental-Spending-Plan->*

## **XI. Policy-**

### **K. Town Manager Evaluation Process-**

Board members have been developing a Managers Evaluation form. Human Resource Officer Trish Wagoner has been helping the Board with the evaluation form. The intention of the Board is to have the evaluation form ready and approved prior to the Town Manager's evaluation, which is due to be held by August, 2021. A three-point grading system with a comment section has been agreed upon by the Board, and it is the consensus of the Board to be able to approve this after a closed session meeting at the July 6<sup>th</sup>, or the July 22, 2021 meeting. The method in which the Board evaluates the Town Manager is totally elective and the Town Managers employment agreement currently states the following:

*“Employer shall no less than annually review the performance of the Employee (typically in August) subject to a process, form, criteria, and format for the evaluation which shall be mutually agreed upon by the Employer and the Employee. The process at a minimum shall include the opportunity for both parties to: (A) prepare a written evaluation, (B) meet and discuss the evaluation, and (C) present a written summary of the evaluation results. The final written evaluation should be completed and delivered to the Employee within 30 days of the evaluation meeting.”*

## **XII. Mayor and Commissioner Topics-**

Commissioner Ferguson reports that Wilkes Regional Medical Center now has a full time Oncologist and there may be a second Oncologist on the staff by next year. Atrium, formerly Carolina's Health Care, has acquired Wilkes Regional/Wake Forest Baptist Medical Center.

With no other comments or concerns, Mayor Johnson called for a motion to adjourn **Meeting was adjourned 7:10 p.m. with a motion made by Commissioner Hall and seconded by Commissioner Parsons.**

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Debra W. Pearson, Clerk

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Robert L. Johnson MAYOR

Approved \_\_\_\_\_

*In-Person Meetings attachment*

**PROPOSED GUIDELINES FOR HOLDING IN-PERSON MEETINGS AT TOWN HALL**

1. Meetings shall, at a minimum, abide by limitations on the size of gatherings and other provisions included in NC Executive Orders.
2. Meetings shall include a virtual option for all participants (public, staff, elected officials). However, since the state statutes are unclear about whether a Commissioner participating remotely can count towards a quorum calculation, or cast a binding vote, Commissioners wishing to exercise this option must give advanced notice to the Mayor, Town Manager, and Town Clerk.
3. Staff members participating in-person shall wear masks while in the meeting room, regardless of vaccination status.
4. Other participants are strongly encouraged to wear masks.
5. The Town will have masks available at the door of the meeting room.
6. Public seating will be limited to 12 chairs.
7. Microphones will not be used.
8. Ceremonial activities should be kept to a minimum to reduce meeting time and keep attendance in check.

*Changes to town Code Chapter 5, Demolition Bond Attachment*

- Chapter 5.2 (a)(2) of the Town Code reads as follows:
  - *“In all cases of removal or demolition of a building or structure, a good and sufficient bond in the sum of five hundred dollars shall be posted by the property owner or by his or her contractor at the time of application for a permit, to insure complete removal or demolition, including all rubble and debris. Failure on the part of the property owner or his or her contractor to completely demolish, remove and clear the premises, after thirty days-notice by the building inspector, shall be cause for forfeiture of the bond.”*
- A previous Board found this protection to be inadequate, as \$500 would not cover the Town’s cost of completing a removal or demolition if the contractor were to walk away.
- What’s more, the Town’s practice at the time of accepting a \$500 check from the contractor was also risky, as the check could be cancelled, leaving the Town with nothing.
- Therefore, as part of the FY19-20 budget, the Board attempted to remedy this situation by updating the schedule of fees to read:
  - *Demolition permit..... \$45 (Bond equivalent to the cost of demolition project)*
- As it stands, these two ordinances conflict. Town Attorney Johnson has advised that the written paragraph likely takes precedence, rendering the requirement in the schedule of fees unenforceable.

- **Staff therefore recommends that the language of Chapter 5.2 (a)(2) be amended to read as follows:**

*“In all cases of removal or demolition of a building or structure, a good or sufficient bond equivalent to the cost of demolition be posted by the property owner or his/her contractor at the time of application for a permit, to insure complete removal of demolition, including all rubble and debris. Failure on the part of the property owner or his/her contractor to completely demolish, remove, and clean the premises, after thirty days-notice by the building inspector, shall be cause for forfeiture of the bond*

**PROPOSED  
TOWN OF NORTH WILKESBORO  
BUDGET ORDINANCE  
FY 2021 – 2022**

BE IT ORDAINED by the Town Board of Commissioners of the Town of North Wilkesboro, North Carolina, meeting in regular session this 8th day of June, 2021, that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations, are adopted:

Section I – General Fund

A. Revenues

Taxes	\$2,395,498
State Shared Revenues and State Collected Local Taxes	2,503,100
Interest, Fees, Rents, Donations, Other	<u>2,261,890</u>
Total	<u>\$7,160,488</u>

B. Expenditures

<u>Department</u>	
Governing Body	\$139,132
Administration	251,812
Finance	262,897
Christmas Cheer	8,100
Legal	60,160
Planning & Inspections	265,328
Tourism	176,735
Public Buildings	280,500
Police	2,329,032
Police Supplement	64,787
Town Garage	110,098
Fire	683,557
Public Services	78,809
Streets	555,976
Sanitation	730,952
Recreation	394,334
Cemeteries	147,736
Special Appropriations	197,000
Transfers	163,000
General Fund Project Debt	66,350

Contingencies	194,193
Total	<u>\$7,160,488</u>

Section II – Water and Sewer Fund

A. Revenues

Charges for Utilities	\$2,621,600
Other Revenue	360,045
Total	<u>\$2,981,645</u>

B. Expenditures

Department

Special Appropriations	\$70,700
Transfers and Debt	307,464
Utility Billing	112,932
Utility Public Services	78,909
Water Treatment	846,114
Water Maintenance	642,719
Waste Treatment	644,107
Pump Stations	98,700
Contingencies	180,000

Total	<u>\$2,981,645</u>
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Section III – Firemen Supplementary Fund

A. Revenues

Contribution from Firemen’s Relief Fund	\$4,000
Fund Balance Appropriated	12,800
Total	<u>\$16,800</u>

B. Expenditures	2	<u>\$16,800</u>
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Section IV – General Fund Capital Reserve

A. Revenues	
Transfer From General Fund	\$163,000
Total	<u>\$163,000</u>
B. Expenditures	\$163,000
Total	<u>\$163,000</u>

Section V – Tax Rate Established

An Ad Valorem tax rate of \$0.52 per \$100 at full valuation is hereby established as the official tax rate for the Town of North Wilkesboro for the fiscal year 2021-2022.

Section VI – Privilege Licenses and Fees

Privilege License within the Town of North Wilkesboro are hereby levied at Board of Commissioners adopted rates provided by General Statute guidelines.

Section VII – Special Authorization – Budget Officer

The Budget Officer is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- A. He/She may transfer amounts between objects of expenditure and departments of the same fund without limit provided those transfers are reported to the Board of Commissioners at their next regular meeting.
- B. He/She may not transfer any amounts between funds nor from any contingency appropriation within any fund.

Section VIII – Utilization of Budget and Budget Ordinance

This ordinance and the budget document shall be the basis of the financial plan for the North Wilkes Municipal Government during the 2021-2022 fiscal year. The Budget Officer shall administer the budget, and shall ensure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the Budget. The

accounting section shall establish records which are in accordance with the budget and this ordinance and the appropriate statutes of the State of North Carolina.

All ordinances or parts of ordinances in conflict are hereby repealed.

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Robert L. Johnson, Mayor

ATTEST:

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Debra W. Pearson, Town Clerk