

**TOWN OF NORTH WILKESBORO  
COMMISSIONERS REGULAR MONTHLY  
MEETING APRIL 6, 2021**

**5:30 p.m.**

**HELD AT THE NORTH WILKESBORO POLICE DEPARTMENT TRAINING ROOM**

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 Chief Charles R. Thornburg  
   Public Services Dir. Dale Shumate

**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:** Commissioner Palmer noted that March 25, 2021 Work Session Minutes had “held via zoom” in the header, and although the meeting was broadcasted it was not actually a zoom meeting but rather an in person meeting. That header will be corrected. **Commissioner Hall made the motion to approve the agenda as stated with the slight change and was seconded by Commissioner Ferguson. Motion unanimously carries.**

**VI. Awards and Recognitions:** Two new Officers were present to take their Oath of Office and to be sworn in ceremoniously by Mayor Johnson. Those Officers are Officer Donald Caudle and Officer Bryan Baity. Both Officers officially joined the North Wilkesboro Police force March 12, 2021.

**VII. Public Comments:** Mayor Johnson opened the floor for public comments. There were no persons that wished to speak.

**VIII. 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-
  - February 25, 2021 Work Session Minutes
  - February 25, 2021 Approve and Seal Closed Session Minutes
  - March 2, 2021 Regular Session Minutes
  - March 25, 2021 Work Session Minutes
- B. Budget Amendments-

- Amendment #9- Replace Town Hall Payment Window, roof repairs at NWPD and NWFD Fire Truck
- Amendment #10-Budget Expenses to Replace main Pump at Highway 268 Sewer Pump Station

C. Accept Elevated Storage Tank Funding Offer- Resolution #2021-05 to Accept Funding Offer for the Elevated Water Tank from the NCDEQ

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

**IX. Town Manager/Attorney's Reports-** Traffic Calming was again the topic discussed by the Town Manager and Commissioners. Town Manager Hooper states more information will be coming regarding the Heavy Equipment Signs. Where the signs will be placed and what they will say are being determined as is enforcing them when they are placed. Actions such as placing digital speed signs, and “pinching” or narrowing techniques have been tried as well as Officer placements in areas known for having speeders and heavy traffic. Speed bumps, curb radius adjustments (squaring off the curb), and street parking as speed and traffic deterrents have also been discussed. Commissioner Palmer is in favor of making the wide turn onto Finley Avenue from Highway 18 a turn lane that would require drivers to stop at the light before turning onto Finley Avenue and adding extra verbiage to street signs regarding trucks.

*Attorney Johnson has nothing to report at this time.*

**X. Business:**

D. Donation of Surplus Generator- The generator at the Town Wastewater Plant failed and was replaced with a surplus Federal Government generator. The Board agreed to deem the generator surplus and donate it “as-is” to Wilkes Ministries of Hope. John Triplett with the organization gladly accepted it and thanked the Town for the donation. **The Board of Commissioners unanimously approved this donation with Commissioner Parsons making a motion to approve and commissioner Day seconding the motion.** The Board informally asked the Town Manager to send a message to Mr. Triplett asking him to make the generator available to “His Light Ministries” if needed since they were the non-profit group that originally inquired about having the generator donated. *See Resolution #2021-06 Donation to “Wilkes Ministry of Hope”.*

E. 9<sup>th</sup> St./C St. Milling/Paving Budget Amendment- 9<sup>th</sup> Street up to C Street in North Wilkesboro is in need of repaving. A map of the area as well as images of the street’s condition were presented to the Board. Those images show cracked pavement and several patched sections. Using Powell Bill Funds, a Budget Amendment for \$132,730.00. (\$24,000. from Streets and Sidewalks Funds), **Commissioner Ferguson made a motion to approve 9<sup>th</sup> Street/C Street Milling/Paving Budget Amendment, with Commissioner Day seconding the motion. Motion unanimously carries. See Budget Amendment #11**

F. Smoot Park Splash Pad- The Board of Commissioners have decided the Town of North Wilkesboro will break ties with Mr. Buster Mastin, owner of Mastin Aquatics, on breach of contract grounds. A letter of demand was mailed to Mr. Mastin March 19, 2021. The Town will contact with another aquatic company, complete the splashpad and then seek legal judgement against Mastin Aquatics. To date the town has received comparable bids from three (3) contractors. All bid amounts are approximately \$150,000.00 each. Staff will amend the Recreation Department budget with \$100,000 from the Contingency Fund. If the Town should receive payment from Mr. Mastin or wins a judgment in court, that money would be placed into the General Fund. **Motion to approve using Recreation Department and Contingency Funds to complete the Smoot Park Splashpad was made by Commissioner Ferguson and seconded by Commissioner Hall. Motion was approved 3 for and 2 against, with Commissioners Palmer and Parsons voting against the approval.**

**XI: Policy:**

G. Zoning Ordinance and Town Code Update for 160D Public Hearing- All changes incorporating the new NCGS 160D rules must be completed by July 1, 2021. The Board has reviewed these changes over the past few months with Planner Detsch's direction and has covered these changes in two prior work session meetings with the Board of Commissioners. A Public Hearing called for by the Board of Commissioners will be held to approve these changes. The Planning Board has already approved them at their Public Hearing. The Board of Commissioners was asked to call for a public hearing for May 4, 2021 regarding the changes reviewed over the past few months.

**XII. Mayor and Commissioners Topics: -**

A couple of items were mentioned by the Commissioners. Commissioner Parsons asked about the Clark Property on Sparta Road. Planning Director Meredith Detsch commented that the last zoning map of the area that she has located is from 1986. She continues to research this topic. When asked about Mr. Charles Vaughn's request for "cluster" housing, Planner Detsch said that he would need to go back to the Planning Board with addition information. At this time Planning Director Detsch says she is focusing on the 160D deadlines. Commissioner Palmer mentioned the Town Manager evaluation process. With the evaluation coming up in July or August, the Board is in agreement that an evaluation process needs to be decided at least a month beforehand. Commissioners Parsons and Ferguson would like to see this item put on April's work session. Trish Wagoner, Payroll Specialist, will be the designated staff resource with the Commissioners for this topic.

**XIII. Closed Session:**

At 7:00 p.m. Mayor Johnson asked for a motion to go into a closed session. **Commissioner Palmer made a motion to go into closed session according to GS 143-318.11 to consult with an attorney employed or retained by the public body in order to maintain the attorney-client privilege between the attorney and public body. Commissioner Parsons seconded this motion. Motion unanimously carries.** At 7:30 and with no action taken, the Board returned to open session.

With no other comments or concerns, Mayor Johnson called for a motion to adjourn. **Meeting was adjourned at 7:35 p.m. with a motion made by Commissioner Parsons and seconded by Commissioner Ferguson.**

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Debra W. Pearson, Clerk

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Robert L. Johnson MAYOR

Approved \_\_\_\_\_

*Donation to Wilkes Ministry of Hope*

**Resolution #2021-06**

**RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS AND AUTHORIZING  
IT BE DISPOSED OF BY THE TOWN MANAGER BY DONATING TO “WILKES  
MINISTRY OF HOPE”**

**WHEREAS**, The Board of Commissioners of the Town of North Wilkesboro hereby declares the following property surplus and desires to dispose of certain surplus property of the Town;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners that:

The following described property is hereby declared surplus to the needs of the Town of North Wilkesboro:

- Generator 1975 Model #MEP006A Serial #FZ-01809

The Town Manager is authorized to dispose of the described property by donating the icemaker to “Wilkes Ministry of Hope” of North Wilkesboro, NC.

The Town Clerk has published notice summarizing this Resolution in accordance with G.S. 160A-280.

Duly adopted this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
Robert L. Johnson, MAYOR

ATTEST:

\_\_\_\_\_  
Debra W. Pearson, TOWN CLERK

*Budget Amendment #11*

TOWN OF NORTH WILKESBORO  
AMENDMENT TO BUDGET ORDINANCE  
FISCAL YEAR ENDING 6/30/2021  
BUDGET AMENDMENT 11

BE IT ORDAINED by the Governing Board for the Town of North Wilkesboro, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

SECTION 1. To amend the General Fund budget as follows:

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMENDMENT</u>	<u>FINAL BUDGET</u>
10-3430-0000 Powell Bill Street Allocation	\$140,000	-\$7,270	\$132,730
10-6900-9140 Transfer to Capital Reserve Powell Bill Funds	\$140,000	-\$140,000	-0-
10-5600-1800 M&R Streets and Sidewalks	\$24,000	\$132,730	\$156,730

To budget the Powell Bill Allocation to paving project in current year.

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 \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
Robert Johnson, MAYOR

ATTEST:

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Debra W. Pearson, Town Clerk