

MINUTES
Town of North Wilkesboro
Board of Adjustment
June 10th, 2021
6:00 p.m.

Members Present: Matthews, Hawn (on Zoom), Staley, Alternatives Church and Nichols
Also, Present: Meredith Detsch (Planning Director of North Wilkesboro), Danny Long

Vice-Chair Matthews called the meeting to order at 6:54 pm.

The Vice-Chair Matthews asked the board members to state their name in order to determine a quorum. Hawn, Church, Staley, Matthews, Nichols all stated their name and Vice-Chair Matthews declared that a quorum was reached.

Vice-Chair Matthews asked to approve the agenda and for any additions or deletions to the agenda. Hearing none Church moved to approve the agenda as submitted and Nichols seconded the motion. The motion passed unanimously 5-0.

Vice-Chair Matthews asked for a motion to dispense of the minutes of the meeting held on February 11th, 2021. Church moved to approve the minutes as presented and Nichols seconded the motion. The vote was called by Vice-Chair Matthews and it was unanimously voted (5-0) to approve the February 11th, 2021 minutes.

Vice-Chair Matthews asked staff to present the items on the agenda. Detsch explained to the board that there were no public hearings for tonight's meeting, it was a house keeping agenda for items the board.

Detsch presented the first new business item, for information only, Zoning Ordinance amendments, Article III Administration, The Boards. (B) Board of Adjustment. As the board members had heard during the previous Planning Board meeting this item was discovered when Detsch was updating the Rules of Procedures. Detsch edited the text to comply with 160D. The other boards had similar make up with their ordinance and these edits strengthened the ordinance. Items updated included the authority, powers and duties, quorum, conflicts of interest for the board and information for record keeping and reordering the appeal section. This text change was fleshing out the ordinance more to be in line with the 160 D requirements. No vote was needed at tonight's meeting. Detsch wanted to ensure that the board was made aware of these changes before taking the final text to the Board of Commissioners. The Planning Board held a public hearing on the item earlier this evening, June 10th, 2021, and there were no changes or comments from the public.

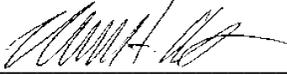
The next item is an update on 160 D. Detsch presented this item to the board. Detsch explained that the Zoning Ordinance has now been passed and is in effect. The board's make up has now increased with an additional regular ETJ member on the Board of Adjustment and now is only one in-town member and one ETJ member for the alternates. This is to comply with the new 160D requirements for equal representation of town and ETJ. The Town is going to get creative about recruiting additional members and Detsch asked the board for help with recruiting colleagues. The board needs two regular ETJ members and one alternate ETJ member. The Board's make up is now three in-town regular members, three ETJ regular members, one in-town alternate and one ETJ alternate totaling eight members. Detsch explained that unfortunately one of the in-town members for the alternate spot would need to step down. Church or Nichols would need to volunteer. Church volunteered to step down from the position after this evening's meeting. That now leaves the spot available for an ETJ alternate member which complies with the ordinance requirements and 160D. Detsch has received an application for the alternate ETJ position, Danny Long who is also on our Planning Board. Long's application was given to the board members for consideration and he was present at the meeting to answer any questions. Nichols moved to recommend Danny Long for the Alternate ETJ position and Staley seconded the motion. The motion passed unanimously (5-0). Detsch explained the next step was to take it to the Board of Commissioners

who will make an official request to the Wilkes County Board of Commissioners to appoint Danny Long. The Wilkes County Board of Commissioners are the appointing body for ETJ members on the Planning Board and Board of Adjustment. Detsch would get this to the June 24th Board of Commissioner's meeting for consideration.

The next item on the agenda for was the updated Rules of Procedures. The board had received training on June 2nd by N-Focus staff member Bill Bailey, and he had made several recommendations for the board to consider at their next meeting. Detsch explained she has taken the old Rules of Procedures and updated them per the 160D requirements and the School of Government's recommended Board of Adjustment Rules of Procedures and all changes are shown on the document in blue. Nichols asked about the attendance requirement and Detsch noted if a board member missed more than three regular meetings the Chair should notify them in writing and on the fourth meeting missed the board can vote them out. This only applies if the member doesn't show, if there is an illness or other situation it may be recognized as excused. Vice-Chair Matthews wanted to clarify the total number of members on the board. Detsch explained that the new Board's make up is now three in-town regular members, three ETJ regular members, one in-town alternate and one ETJ alternate totaling eight members. Detsch explained they needed six regular members. They lost Jane Wilburn a few months ago who was an ETJ regular member and now 160 D requirements requires the board to have added an additional ETJ member. Detsch explained we need two regular ETJ members. Vice-Chair Matthews asked if the town would be advertising for the positions and Detsch said yes. As mentioned in the Planning Board meeting earlier this evening staff is going to get more creative with advertising the positions and may need the board to give a testimony or video of being on the board. Social media and other advertising will be done. Word of mouth is a great way to get potential members and the board members could help promote these positions. Detsch showed the zoning map with the ETJ noted for the board members to think about potential applicants. Vice-Chair Matthews asked if every time someone is addressing the Chair or Vice-Chair they should say madam. Detsch said it was up to the board, it's the formal way of addressing the Chair or Vice-Chair. Nichols asked about the timeframe for voting as the Rules and Procedures note the board should wait thirty days before making a decision. Detsch wanted the board to discuss that and make a decision on what they were comfortable with. Nichols asked if it could say "may wait" instead of "shall"? Detsch said yes and that was her recommendation. Vice-Chair Matthews asked about the conflicts of interest and Detsch explained that 160D has expanded on that now. Anything that could appear a conflict or think it's a potential conflict of interest or family related it's now recommended the board member recuse themselves. Detsch explained she has updated the Rules of Procedures with all notes taken during their training session at the beginning of the month and noted this is a living document that can be edited anytime, it just has to be done during a public meeting. Vice-Chair Matthews asked what if there isn't a quorum for the meeting and Detsch explained she tries to call and email the board members before the meeting to ensure there will be one or will reschedule accordingly. Vice-Chair Matthews asked about subdivisions as it was struck from the Board of Adjustment's purview with 160D and Detsch explained the Planning Board would consider Subdivision Plats and the only time the Board of Adjustment would see subdivision items is for Cluster Subdivision as it is a Special Use Permit. All appeals of Subdivision Plats and the Ordinance will go to the Courts. Nichols moved to approve the Rules of Procedures and Staley seconded it. The motion passed unanimously (5-0).

Staff reports were presented. They had discussed the staff report during the Planning Board meeting and the board members had a few questions on vacant houses. Vice-Chair Matthews noted there is a vacant house in Finley Park still nearby to her residence and Detsch asked if the grass was tall again. Vice-Chair Matthews said it was being mowed. Nichols asked how long a house can sit vacant. Detsch would find out but to her knowledge as long as the house is being up kept and paying taxes she didn't believe there was a standard but would find out.

Vice-Chair Matthews asked for a motion to adjourn the meeting. Staley moved to adjourn the meeting at 7:20 pm and seconded Nichols seconded the motion. The motion passed unanimously (5-0).



Meredith Detsch, Planning Director
Board of Adjustment Secretary

DocuSigned by:

Lisa Casey

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Lisa Casey, Board of Adjustment Chair or
Frieda Matthews, Board of Adjustment Vice-Chair