

**Town of West Jefferson - Board of Aldermen**  
**Special Meeting Minutes**  
**July 10, 2018 | 6:00 p.m.**

**Board Members Present:** Mayor Dale Baldwin, Alderman Calvin Green, Alderman Jerry McMillan, Alderman John Reeves, Alderman Stephen Shoemaker, Alderman Brett Summey, Sr.

**Town Staff Present:** Town Manager Brantley Price, Town Clerk Rebecca Eldreth, Town Attorney David Paletta, Police Chief Jeff Rose, Maintenance Supervisor Eric Miller, WWTP Superintendent Brandon Patrick.

Several other residents of the community also attended.

At 6:00 p.m. Mayor Baldwin called to order the meeting of the Board of Aldermen. Alderman Shoemaker gave the invocation. Those in attendance then stood for the Pledge of Allegiance led by Alderman McMillan.

**Approval of the July 10, 2018 Agenda** – With no changes, Alderman Summey made the motion to approve the agenda as presented. Alderman Reeves seconded with a unanimous vote of 5-0 in favor.

**Public Hearing**

**Consideration of Voluntary Annexation of Parcels 19227 085 & 19227 086 01** – The Mayor stated the public hearing is to hear any comments on the proposed voluntary annexations of a total of two parcels of property into the city limits. The Mayor stated the property owners are petitioning to be annexed to receive in Town water and sewer rates and to become an attraction for the Town of West Jefferson. The Mayor opened the public hearing for the annexation at 6:02 pm. With no comment, the Mayor closed the public hearing at 6:03 pm.

**Consideration of Voluntary Annexation of Parcels 19227 490 003 & 19227 490 005** – The Mayor stated the public hearing is to hear any comments on the proposed voluntary annexations of a total of two parcels of property at the terminus of West Town Way into the city limits. The Mayor stated the property owners are petitioning to be annexed to gain Town utility services. The Mayor opened the public hearing for the annexation at 6:03 pm. Attorney John Logston spoke on behalf of the Highlander Company in favor of the annexation to continue the process of developing the property as medium density residential (R-7) single family homes. With no further comment, the Mayor closed the public hearing at 6:10 pm.

**Consideration of Rezoning Parcel 19223 001 956 from Medium Density Residential (R-7) to Highway Commercial (HC)** – The Mayor stated the public hearing is to hear any comments on the proposed rezoning of the property located off Fairview Drive. The Mayor stated the property owner is requesting the rezoning to construct a warehouse as a warehouse is not a permitted use in a medium density residential area. The owner also plans to request a conditional use permit if the property is rezoned to allow for the construction of mini-warehouses. The Mayor opened the public hearing at 6:10 pm. David Ashley, property owner, explained to the Board the plan for the property if rezoned.

**Consideration of Rezoning Parcel 19267 464 from Residential Agricultural (RA) to Medium Density Residential (R-7)** – The Mayor continued the public hearing to hear any comments on the proposed rezoning of the property located at the terminus of Ridgeline Drive. The Mayor stated Ridge Care Properties is requesting the rezoning to construct single family dwellings on the property. With no comment, the Mayor closed the public hearing at 6:15pm.

**Consideration of Text Amendments to Zoning Ordinance** – The Mayor stated the public hearing is to hear any comments on the proposed text amendments. The Mayor opened the public hearing at 6:15pm. Representatives for both the local businesses and corporate stores expressed their opinions to the Board on the revision of the sign regulations. With nothing further, the Mayor closed the public hearing at 6:21pm.

### **Regular Session**

**Approval of Minutes- June 4, 2018 Regular Meeting, and June 27, 2018 Special Meeting** – With no changes, Alderman Shoemaker made the motion to approve all minutes as presented. Alderman Reeves seconded with a vote of 4-0 in favor.

### **Consideration of Text Amendments**

- a. **Deletion of Section 1105(n) Prohibited Signs and 1114(c)(1) Removal of Non-conforming Signs** – Both sections 1105(n) and 1114(c)(1) apply to banners, flags, streamers, spinners, placards, and pennants and deletion of the sections would make this type of sign legal and businesses will be allowed to have this type of sign displayed throughout the city limits. Alderman Reeves expressed his concern for deleting the regulation stating that the Town must have regulations in place. Town Attorney David Paletta listened to the desires of the Board and suggested the wording of the motions that would provide the wanted outcome. Alderman Shoemaker made the motion to keep the current ordinance in place by not to deleting section 1105(n) and 1114(c)(1) and to form a committee that will revise Article XI Sign Regulations of the current zoning ordinance. Alderman Reeves seconded the motion with a vote of 4-1 with Alderman Green opposing.
- b. **Deletion of section 1114(c)(2) Removal of Non-conforming Signs** – Town Attorney David Paletta addressed the Board to explain the options for the amending sign regulation. After some discussion Alderman Green made the motion to delete Section 1114(c)(2) which would grandfather in the existing signs. Alderman Green seconded the motion with a unanimous vote of 5-0 in favor.
- c. **Deletion of Section 505.38-505.39 Setback Regulations to Medium Density Residential (R-7)** – The Mayor explained to the Board that both these sections are no longer needed since the setback requirements were amended. With no discussion, Alderman Shoemaker made the motion to delete both sections of the ordinance. Alderman Green seconded with a vote of 5-0 in favor.
- d. **Revision of Section 1206(E)(1) minimum pavement width** – Mayor Baldwin explained that the pavement width of 30 feet seemed excessive after the development of a subdivision in Town. The planning Board recommended the pavement width be reduced to 23' from the current regulation of 30'. The 23' width of pavement would include two (2) 9' driving lanes and a one (1) 5' biking/walking lane. With no discussion, Alderman Reeves made the motion to amend the regulation as recommended from the Planning Board. Alderman Summey seconded the motion with a unanimous vote of 5-0 in favor.

### **Consideration of Voluntary Annexation**

- a. **Parcel # 19227 085 & 19227 086 01 – St Mary's Episcopal Church** – With no discussion, Alderman McMillan made the motion to approve the voluntary annexation. Alderman Shoemaker seconded with a vote of 5-0 in favor.

- b. Parcel # 19227 490 003 & 19227 490 005 – West Town Way – Town Attorney David Paletta addressed the Board and recommended the Board deny the proposed annexation. Attorney Paletta stated he would like to allow the Town more time to conduct storm water runoff studies of the subdivision due to the flooding of a neighboring property and the revision of Section XII Subdivisions of the zoning ordinance. Attorney Paletta also recommend the Highlander Company to reapply after they meet certain requirements including their storm water runoff plan be approved by the Town’s engineer. Upon the recommendation of the Town Attorney, Alderman Summey made the motion to deny the annexation. Alderman McMillan seconded the motion with a vote of 4-1 with Alderman Shoemaker opposing.

### **Consideration of Rezoning**

- a. Parcel # 19227 001 956 from R-7 to HC – With no discussion, Alderman Shoemaker made the motion to approve the rezoning of the property off Fairview Drive. Alderman Green seconded with a vote of 5-0 in favor.
- b. Parcel # 19267 464 from RA to R-7 – Town Attorney David Paletta addressed the Board about the rezoning of this parcel stating the rezoning is the first step in developing a subdivision. Attorney Paletta recommended to the Board to deny the request for rezoning to allow the Town to take a pause in subdivision development while the Town addresses the storm water regulations in the current zoning regulations. Alderman McMillan made the motion to approve Attorney Paletta’s recommendation and deny the rezoning. Alderman Summey seconded with a vote of 4-1 with Alderman Shoemaker opposing.

### **Consideration of Statements that are Consistent/Not Consistent with the 2008 Land Use Plan**

- a. Deletion of Section 1114(c)(2) Removal of Non-conforming Signs – With no discussion, Alderman Shoemaker made the motion to approve the statement as read. Alderman Summey seconded the motion with a vote of 5-0 in favor.
- b. Deletion of Section 505.38-505.39 Setback Regulations to Medium Density Residential – With no discussion Alderman Shoemaker made the motion to approve the statement as read. Alderman McMillan seconded the motion with a vote of 5-0 in favor.
- c. Revision of Section 1206(E)(1) – Alderman Reeves made the motion to approve the statement as read. Alderman Summey seconded the motion with a vote of 5-0 in favor.
- d. Rezoning of Parcel # 19227 001 956 from RA to R-7 – Alderman Shoemaker made the motion to approve the statement as read. Alderman Summey seconded with the vote of 5-0 in favor.

**Discussion of Library parking** – Suzanne Moore and John Maddox provided an update to the Board on the library parking lot expansion. The update included an engineered drawing of the proposed project as requested in a previous meeting. Alderman Shoemaker made the motion to approve the proposed project allowing the library to move forward and to secure funding from the County. Alderman McMillan seconded the project with a vote of 4-1 with Alderman Green opposing.

Discussion of Ashe Community Paramedic Program – Program Coordinator Cody Darnell presented the new program to the Board. The new paramedicine program allows paramedics to perform in home assessments for high risk and at-risk patients throughout the community. The program is funded through grants for the next 3 years. The program will launch in Ashe County on October 1, 2018.

**Consideration of Resolution for Local Water Supply Plan** – Mayor Baldwin introduced the resolution stating that the NC Water Resources requires the Town Board to adopt a resolution stating the plan has been completed. With no discussion, Alderman Summey made the motion to adopt the resolution as presented. Alderman Reeves seconded the motion with a vote of 5-0 in favor.

**Consideration of Bond Order for USDA Loan and Final Note Resolution** – Mayor Baldwin stated the Bond Order and Resolution authorizing the issuance of bond anticipation note is for the USDA loan for the water and sewer project. The LGC is scheduled to review this matter and approve the issuance of the note on July 9, 2018, and the Bond Attorney will close on July 18, 2018. With no discussion, Alderman Summey made the motion to approve the Bond Order and Resolution as presented. Alderman McMillan seconded with a vote of 5-0 in favor.

**Discussion of Article XII Subdivision Revision** – Town Attorney David Paletta explained the need for revision to the Board. The Town is progressing and there has been an increase in development including the development of subdivisions. The regulations are hard to read and understand, so Attorney Paletta is revising the regulations. The revisions would make the regulations easier to read and eliminates any uncertainty that may exist about storm water management. The Board thanked Attorney Paletta for his recommendation.

**Police Report** – Police Chief Jeff Rose gave the Police report for the month of June. There were 140 calls dispatched through the communications center, 5 auto collisions were investigated, and 12 people were arrested on charges of larceny, assault and drug related crimes. Two persons were arrested/charged for drug violations. The Board thanked the Chief for his report.

**Water/Wastewater & Maintenance Report** – WWTP Superintendent Brandon Patrick gave a report to the Board on the WWTP. The upgrade to the Helen Blevins pump station is complete and a retention pump at the Catawissa well was replaced. All the water tank alarms are fully functioning and are tested weekly. Also, the filter plant is running but the flow has decreased. The Board thanked Brandon for his report.

**Maintenance Report** – Maintenance Supervisor Eric Miller gave an update on the Maintenance Department. There was a total of 78 one call tickets for the month of June. The department repaired 3 water leaks, completed 1 new water tap, hauled 4 loads to the landfill, and picked up all the brush before the Fourth of July holiday. New picnic table and benches have been installed at the park and new grills will go up tomorrow. The department assisted Vannoy construction on spotting mines and guardrails while working on the road widening project. Eric provided an update on the clean up after the Christmas in July festival. The new fire hydrant has been received and will be install at the 6<sup>th</sup> Street location. Jessica Wellborn with the HCOG has been working with the maintenance department in mapping all the culverts for storm water runoff and is 50% complete with the project. The new stop signs have been installed at the intersection of Main Street School Avenue and North 6<sup>th</sup> Avenue. Eric then made a recommendation to the Board for the upcoming revision of the subdivision ordinance concerning the Town taking possession of the road before all phases of the project are complete which causes the Town to continually repair the street during the ongoing development. The Board thanked Eric for his report.

**Town Manager Report** – Brantley Price gave his report to the Board. Brantley provided an update on several ongoing projects including the well site, belt press, and water line extensions which are in the final stages of approval, and the Town is looking to close on the interim financing by July 18, 2018. Town Attorney David Paletta has reviewed all the contracts with Carolina Grading for the project and has signed off on them. The project should start in the next 30-60 days after USDA approves the

contract. Doc's on Main has a planned opening day in September, as they must have the 5 jobs in place to secure the grant funding. Bull's Western Wear opened on June 16, 2018 and has received \$150,000 in reimbursement of the \$349,410 in CDBG grant funding for the completion of the project. Ebenezer's road block will be held Friday, July 20, 2018. Jak Reeves has dedicated a bench in memory of his father, Jim Reeves, at the new bumpout in front of the art council. The annual Christmas in July festival went well, and Brantley thanked all the volunteers involved with the festival.

**Public Comment** – None

**Aldermen Comments** – None

**Closed Session** – The Mayor asked for a motion to enter closed session per G.S. 143.318.11(a)(3) to consult with the attorney over attorney-client matters and G.S. 143.318.11(a)(5) to consult with the Town concerning land. The Mayor stated they would return to open session before adjourning. Alderman Summey made the motion to go into closed session. The time was 8:40pm.

**Adjournment** – The Board returned to open session at 10:00 pm. With no further items to be discussed or voted on, Alderman Shoemaker made the motion to adjourn the meeting, seconded by Alderman Green. A vote of 5-0 in favor.

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Dale Baldwin, Mayor

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Rebecca L. Eldreth, Town Clerk