

**Village of Misenheimer**  
**Council Meeting - Community Building**  
**July 9, 2018**

<b>Council Present:</b>	Michael "Frizbee" Herron, Mayor Jeff Watson, Mayor Pro Tem Micah Edquist, Finance Officer Peter Edquist Mike Burrage	<b>Staff:</b>	Anita Blair, Administrator/Clerk Erik McGinnis, Police Chief
		<b>Visitors:</b>	Mac McCarley, Legal Counsel Phil Burdge – Part-time MPD Police Officer Jon Byers – Planning Board Member Lane Peeler – Planning Board Member Jamie Hammill – Planning Board Member

**Council Absent:** Mike Burrage

**1. Call to Order:** Mayor Herron called the meeting to order at 6:00 pm.

**2. Moment of Silence:** Mayor Herron requested that a moment of silence be observed.

**3. Ethics Statement:** Blair read the Ethics Statement asking if any Council members present may have any potential conflict(s) of interest or any known or perceived conflict(s) of interest related to the meeting Agenda presented. None were noted.

**4. Introduction of Staff & Visitors:** Phil Burdge, new part-time Police Officer, and new Planning Board Member, Jamie Hammill were welcomed to the meeting.

**5. Approval of 07/09/18 Agenda:** M. Edquist moved to amend the agenda to move the Police Report immediately after the Agenda approval. P. Edquist seconded the motion and it was approved 4/0.

**6. Police Report:** Chief McGinnis reviewed the police report. There were 250 traffic stops, 233 total charges, 11 arrests, 6 warrants for traffic violations, 5 were felony possession of controlled substances. Most were from a Governor's Highway Safety checkpoint that Misenheimer participated in. No arrests were made for anything that occurred in the Village.

Phil Burdge introduced himself to Council and provided insight on his background and goals. He has been in law enforcement for 15 years. His goal is to support and keep all of the people in Misenheimer safe.

**7. Recess:** The Planning Board convened at this time

**8. Reconvene at the end of the Planning Board Meeting:** Mayor Herron opened the Council meeting.

**9. Consideration of zoning for the Michael Wangler property located at 48780 US Hwy 52 North, Misenheimer, NC:**

- **Presentation of Zoning Recommendation** – The recommendation from the Planning Board was to zone the Wangler property Residential-Agriculture.
- **Public Hearing** – Mayor Herron opened the public hearing. Hearing no public comments, Mayor Herron closed the public hearing.
- **Council Action** – M. Edquist moved to adopt the zoning recommendation of Residential-Agriculture for the Wangler property and to adopt the following consistency statement: The Village Council finds that considering existing uses, potential for future development, consistency with surrounding development, and the Comprehensive Plan for the Village of Misenheimer, this rezoning is consistent with the plan. P. Edquist seconded the motion and it was approved 4/0.

**10. Consideration of Amendment to Zoning Ordinance– to combine Planning Board & Board of Adjustment and to create 3 alternate seats for the combined board:**

- **Presentation of Zoning Ordinance Amendment** – The recommendation from the Planning Board was to combine the Planning Board and Board of Adjustment with 5 members sitting on the Board with 3 alternates. This would be a Planning Board with Board of Adjustment powers.
- **Public Hearing** – Mayor Herron opened the public hearing. Concerns were stated about having enough board members and alternates for the upcoming variance hearing that could sit for the hearing with no conflicts. Village Attorney, Mac McCarley, read G. S. 160 A-388(e)(2) and recapped that one could not have a fixed opinion prior to hearing the matter that is not subject to change, have undisclosed ex-parte communications, or a close familial business or other associational relationship with affected person, or a financial interest in the outcome of the matter. McCarley noted that being an employee clearly disqualifies a Board of Adjustment member. Hearing no further comments. Mayor Herron closed the public hearing.
- **Council Action** - Mayor Herron suggested that Council consider appointing 5 alternates to this Board. M. Edquist moved to amend the zoning ordinance to combine the Planning Board and Board of Adjustment and to appoint 5 alternates to the Planning Board and adopt the following consistency statement: The Village Council finds that considering existing uses, potential for future development, consistency with surrounding development, and the Comprehensive Plan for the Village of Misenheimer, this zoning amendment is consistent with the Plan. Watson seconded the motion and it was approved 4/0.

**11. Public Comment Period: No regular session public comments were heard.**

**12. Carolina Thread Trail** – Mike Riemann reported that he has been in contact with Norfolk Southern Railway Company trying to obtain permission for the Carolina Thread Trail to cross over the railroad from Highway 52 to Wesley Chapel Road. He has already obtained permission and a design from the North Carolina Department of Transportation (NCDOT). In order for Norfolk Southern to consider this, a preliminary engineering study must be done at a cost of \$12,492. Mr. Riemann asked Council to consider using Powell Bill Funds for the study. He also noted there is no guarantee that once the study is done that the sidewalk crossing will be approved.

P. Edquist moved to approve using Powell Bill Funds in the amount of \$12,492 for the preliminary engineering study. M. Edquist seconded the motion and it was approved 4/0.

**12. Approval of 06/25/18 Council Minutes:**

- **Regular Session:** M. Edquist moved to approve the regular session minutes as presented. P. Edquist seconded the motion and it was approved 4/0.
- **Closed Session pursuant to NCGS 143-318.11(a)(6) – Personnel:** P. Edquist moved to approve the closed session minutes. M. Edquist seconded the motion and it was approved 4/0.
- **Closed Session pursuant to NCGS 143-318.11(a)(3)– Legal:** P. Edquist moved to approve the closed session minutes. M. Edquist seconded the motion and it was approved 4/0.

**13. Review Unaudited Financial Status at 06/30/18** - M. Edquist reported the following bank statement balances as of 6/30/18:

General Fund	\$ 506,252
Powell Bill Fund	\$ 70,937
Carolina Thread Trail	\$ 8,130 (Grant #2) Trail Acquisition Grant (Village, Richfield & New London)

June payables are estimated to be approximately \$24,000 with a June refund due of \$2,558. These items are not booked until after the audit is complete.

M. Edquist moved to make a FY 17/18 budget amendment to increase environmental protection by \$400 and decrease general government legal expenses by \$400. Watson seconded the motion and it was approved 4/0.

**14. Ratify Planning Board (PB) Appointments:**

M. Edquist moved to ratify the Planning Board appointments for: Lane Peeler, Jon Byers, Jeff Watson, Regina Simmons, Jamie Hammill, and Peter Edquist – Alternate. Watson seconded the motion and it was approved 4/0.

**15. Appoint Planning Board Alternates:** J. Watson moved to appoint 4 additional planning board alternates contingent on their accepting the appointment in the following order: Micah Edquist, Michael Herron, Mike Burrage, Jason Shrader, Brad Hatley, Carolyn Dial, Bob Tewmey, and Dawn Lucas. M. Edquist seconded the motion and it was approved 4/0.

**16. Village Office Painting Quote:** M. Edquist moved to approve the interior police station painting quote received by Sodexo from Ronald's Painting in the amount of \$4,100. Watson seconded the motion and it was approved 4/0.

**17. Village Fall Event – Food/Caterer Selection:** Council selected October 13, 2018 as the date for the fall event at last month's meeting. Council decided on a menu of fish, french fries, slaw, hush puppies and possibly oysters. Blair is to check with Greene's Catering on cost and availability. Council discussed serving alcohol. Blair will check with the Village insurance provider.

**18. Other Business:** P. Edquist moved to hire Phil Burdge full-time retroactive to 6/30/18. Watson seconded the motion and it was approved 4/0.

**20. Adjournment:** The meeting adjourned at 8:00 pm.

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Mayor Michael "Frizbee" Herron

Date

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Anita Blair, Administrator/Clerk

Date