

MINUTES

**THESE ARE THE MINUTES FROM THE REGULAR MONTHLY MEETING OF
THE BOARD OF COMMISSIONERS FOR THE
TOWN OF CONETOE, NORTH CAROLINA
May 10th, 2023**

The Board of Commissioners of the Town of Conetoe met for a Regular Monthly Meeting at 6:30pm in the Town Hall Council Room at 204 West Church Street, Conetoe, NC.

PRESENT

Commissioners: Jenny Staton-Hinnant, Clay Webb, Regina Gray, and Mayor Pro-Tem Delane Bryant

ABSENT

None

ALSO PRESENT

Town Clerk: Kelly Hunter

Town Attorney: Dan Hartzog, Jr.

1. MEETING CALLED TO ORDER/PLEDGE OF ALLEGIANCE/ INVOCATION

Mayor Pro-Tem Bryant called the meeting to order and explained that all public comments are to be held until the public comment portion of the meeting. Mayor Pro-Tem Bryant led the Pledge of Allegiance. The invocation was given by Mrs. Linda Meeks. Mayor Pro-Tem Bryant acknowledged our guest, Town Attorney Dan Hartzog, Jr.

2. APPROVAL OF PROPOSED AGENDA BY COUNCIL

Commissioner Webb made a motion to approve the agenda as presented. Commissioner Hinnant seconded the motion and it carried unanimously.

3. READING OF THE MINUTES

Commissioner Webb made a motion to accept the minutes from the regular session that was on March 14, 2023. The minutes were presented by Town Clerk, Kelly Hunter. Commissioner Grey seconded the motion and it carried unanimously without amendment.

4. CITIZEN RECOGNITION

- a. The Town of Conetoe recognized longtime resident Mrs. Edna Johnson as it's citizen of the month. She has given the Town many years of service as a local business owner, the Town Clerk, and she served on the Town Board as a commissioner.

- b. Commissioner Webb made a motion to accept and closed the Citizen Recognition portion. Commissioner Hinnant seconded the motion and it carried unanimously without amendment.

5. DEPARTMENTAL AND ADMINSTRATIVE REPORTS

a. Buildings and Town Maintenance Report

- i. The DOT has completed most of the work on the right of ways. They are digging out the ditches on Thigpen Road and cleaning up the drain pipes under the driveways to help with draining. The last item on their list is the drain tile that goes underneath HWY 42 in front of the Town Hall building.
- ii. It is requested that any yard waste in the form of loose debris, such as leaves, pine straw, etc., be put in bags. Any citizen physically unable to do that or needing assistance is asked to contact the Town Hall. All yard waste needs to be out by 7:00AM or it may have to wait until the next pickup date.

b. Parks and Recreations Report

- i. There will be an information session on the Walk Audit next Wednesday Night, May 17th, a Power Point presentation will be given at this. The actual Walk Audit will take place on Tuesday, May 23rd.

c. Events

- i. The Town is looking forward to hosting a Memorial Day Service at the Veterans Monument. Forms of Recognition for any Veteran's in the Conetoe area that have served in our Military are available at the Town Hall.

d. Clerk Report

- i. A list of both completed and upcoming reports required for the Town was presented.
- ii. Bank Totals were given for all accounts. A list of Bills paid and Money deposited were given to the Board for review and approval.
- iii. The 10-month Budget to Actual is due to the State Treasurers office on May 16th, as well as, the Budget Draft for upcoming FY 22-23. We will be having a Budget meeting/workshop to review the Draft and create the Budget Proposal.
- iv. It is the intention of the Board to vote and approve the purchase of the Fire Department building for \$70,000.00. The funds for this purchase as well as the attorney fees and insurance will come from the General Fund. It is the desire of the Board to then do a revenue replacement for this expenditure using ARPA funds to the amount of \$68,907.00.
 - 1. Commissioner Webb made a motion to accept and approve all the bills paid and deposits made for the month of May. Commissioner Hinnant seconded the motion and it carried unanimously.

e. Town Administrator Report

- i. The Upper Coastal Plains Counsel of Government Executive Board Meeting is scheduled for May16th.

- ii. The Park Mini-Grant from Edgecombe County in the amount of \$2,000.00 is to be deposited within the next month. We will use this money to buy supplies and games for the Super Summer Saturday Program the Town is hosting this summer. Anyone interested in volunteering and helping please let us know.
 - 1. Commissioner Hinnant made a motion to accept and approve and close all the Departmental and Administrative Reports. Commissioner Gray seconded the motion and it carried unanimously.

6. OLD BUSINESS

- a. The Purchase Resolution of the Fire Department located at 201 Dawson Drive, in Conetoe, North Carolina was read out loud by Mayor Pro-Tem Bryant.
 - 1. Commissioner Webb made a motion to accept the Resolution and approve the purchase of the property. Commissioner Gray seconded and it carried unanimously.
 - 2. Commissioner Webb made a motion to approve and closed the Old Business portion of the meeting. Commissioner Gray seconded the motion and it carried unanimously.

7. WILKINS FAMILY PETITION TO REZONE

- a. It is the request of the family to petition the Board to have the property located at 102 Factory Street in Conetoe, North Carolina rezoned from business to residential.
 - i. Town Attorney Dan Hartzog, Jr. spoke that the proposed rezoning must be consistent with that of the surrounding properties. There are concerns that rezoning the property could be deemed as spot zoning. This is not permitted under North Carolina State Law without a reasonable basis public-policy basis for doing so. He stated that this vote has nothing to do with possession of the property only the rezoning of it is being considered. He stated that the applicator should be allowed to speak in regards to the petition.
 - ii. The applicator, Vivian Haynes, along with other members of the Wilkins family were given an opportunity to speak before the Board. She stated concerns for how the property was originally rezoned. The family discussed what they wanted to use the property for and asked that the Board take these things into consideration.
 - iii. Attorney Hartzog stated that the Board needs to have a discussion to keep the property as is or rezone. A consensus must be met in the form of a vote. The Board cannot legally consider who the owner is or what the proposed use of the property is when voting. When considering rezoning the Board can only consider is the property appropriately zoned business or appropriately zoned residential.
 - iv. Commissioner Gray voted no to rezoning
 - v. Commissioner Hinnant voted no to rezoning the property
 - vi. Commissioner Bryant voted no

vii. Commissioner Webb voted no

8. PUBLIC COMMENTS

i. Jack Bynum

1. Expressed his concerns regarding the matter of the Wilkins property. He conveyed his thoughts on zoning obstacles for both residents and the Board moving forward.

Commissioner Webb made a motion to accept and close the public comments. Commissioner Gray seconded the motion.


9. COMMISSIONER COMMENTS

- a. Commissioner Bryant wanted to reiterate that she will not be taking the position as the Mayor. She will remain a Commissioner and run the Town Hall meetings as the Mayor Pro-Tem until the election.
- b. Commissioners Webb and Gray thanked everyone for coming out.
 - i. Commissioner Webb made a motion to approve and close the comments portion. Clay seconded

10. ADJOURNMENT

- a. The next Regular Meeting is scheduled for Tuesday, June 13th, 2023 at 6:30pm in the Town Hall Board Room Commissioner Gray made a motion to adjourn this meeting and move to the closed session Commissioner Webb seconded the motion and it carried unanimously.


Mayor Pro-Tem, Delane Bryant


Kelly Hunter, Town Clerk