

## **TOWN OF UNIONVILLE MINUTES OF REGULAR MEETING**

The Town Council of the Town of Unionville held their regular meeting on Monday, March 15, 2021 at 8:15 p.m. in Benton's Cross Roads Church Family Life gymnasium, 109 East Lawyers Road, Monroe, NC. Mayor Baucom and all Commissioners were present. Town Attorney Ken Helms was also present.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Commissioner Broadaway led the prayer of invocation.

Mayor Baucom welcomed everyone and called the meeting to order. There were no public comments.

Upon motion duly made by Jaren Simpson, seconded by Jeff Broadaway, Council unanimously approved the minutes of the February 15, 2021 regular meeting.

Mayor Baucom then referred to Agenda Item #9, Rezoning #ZC-20-04, rezoning a portion of parcel #08168006J, located at 1210 Sikes Mill Road, from RA-40 to CUD-LI (Light Industrial) for a tire recap or repair facility. Commissioner Benton made inquiry of Mr. Joey Gamble of the document he referred to during the Public Hearing. Mr. Gamble provided the North Carolina Residential Property Disclosure and referred to question #26 "Is there any noise, odor, smoke, etc. from commercial, industrial, or military sources which affects the property?" A copy of this form is appended to these minutes. There were no other questions regarding testimony during the Public Hearing. Jeff Broadaway made the motion to deny the rezoning of this property and Andrew Benton seconded the motion. The council then considered the four findings of fact:

1. Upon motion duly made by Ken Brown, seconded by Andrew Benton, Council unanimously found that the rezoning will not materially endanger the public health or safety, as the owner will be responsible for maintaining environmental health.
2. Upon motion duly made by Jaren Simpson, seconded by Ken Brown, Council unanimously found that the rezoning will substantially injure the abutting and adjoining properties, based upon the professional opinions of the real estate agents' testimony.
3. Upon motion duly made by Ken Brown, seconded by Andrew Benton, Council unanimously found that the rezoning will not be in harmony with the surrounding area, based upon several speakers, the large number of residents who signed the petition and the proximity to the childcare center and dwellings around it.
4. Upon motion duly made by Andrew Benton, seconded by Jaren Simpson, Council unanimously found that the rezoning will not be in general conformity to the Land Use Plan, the thoroughfare plan or other plan, as this property is not identified as future light industrial development on the Town's Future Land Use Map dated 2005.

Based upon the four findings of fact, and upon motion earlier made by Jeff Broadaway, seconded by Andrew Benton, Council unanimously denied Rezoning #ZC-20-04.

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Mayor Baucom recognized Finance Officer Darrell Baucom, who reviewed the Financial Statements, a copy of which is appended to these minutes. Mr. Baucom stated that the Balance Sheet shows no change in the checking account and reflects the receipt of franchise tax payments. In Budget vs Actual, we are \$12,000 ahead of budget in Sales and Use taxes and expenses are \$49,000 over budget primarily due to the VFD air packs. In Transactions by Account, there is nothing unusual; it reflects franchise tax payments of almost \$50,000 and sales tax of \$4,399. In upcoming expenses, there is nothing unusual. Upon motion duly made by Gene Price, seconded by Ken Brown, Council unanimously approved payment of pending bills.

Attorney Ken Helms will have the NCDOT resolution at the April 19, 2021 meeting.

Land Use Administrator Gaddy presented the final plat for major subdivision #SUB-20-19, six new lots out of three parcels—parcel numbers 08198011, 08198011B and 08198011D, located on Concord Highway. Parcel number 08198011 has two lots with dedicated easements and parcel 08198011B has one lot with a dedicated easement, all of which Planning Board approved at their March 1, 2021 meeting. This is the final plat, and must be approved by Town Council, as it qualifies as a major subdivision simply since it is more than five lots. Planning Board unanimously approved the major development permit at their March 1, 2021 meeting, and Planning Board Chairman Jerry Adams is here tonight to sign the map pending Council's approval of the final plat. Upon motion duly made by Ken Brown, seconded by Jaren Simpson, Council unanimously approved the final plat for Subdivision #SUB-20-19.

Mayor Baucom set a public hearing to consider annexation of and zoning application for Annexation #26, Essex Pointe subdivision, for Monday, April 19, 2021 at 6:00 p.m. in Benton's Cross Roads Church gymnasium.

Mayor Baucom set a public hearing for Rezoning #ZC-20-03, rezoning a two-acre portion of parcel #08129024, located at Sikes Mill Road/Love Mill Road intersection, from RA-40 to CUD-B-2 for a Dollar General Store for Monday, April 19, 2021 at 6:05 p.m. in Benton's Cross Roads Church gymnasium.

Mayor Baucom set a public hearing for Rezoning #ZC-21-01, rezoning of parcel numbers 08195016A and 08195016D, located on Lawyers Road from RA-40 to CUD-LI for a mini-warehouse facility with outside storage only for recreation vehicles, truck and trailer

storage for Monday, April 19, 2021 at 7:05 p.m. in Benton's Cross Roads Church gymnasium. Attorney Helms revealed that he is a member of Benton's Cross Roads Baptist Church but does not foresee any legal conflict in representing the Town. If Council feels uncomfortable with his representation, he urged them to seek other Counsel. No action was taken to that effect.

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In other business, Mayor Baucom reported that Mr. Mike Winchester of Litter Busters is planning a roadside clean-up day in Unionville in conjunction with NCDOT's Litter Sweep on Saturday, April 24, 2021. Volunteers will meet at the Unionville Town Hall at 8:15 a.m. and will be given trash bags and instructions for roadside litter cleanup and will pick up trash from 9:00 – 11:00 a.m. Filled trash bags will be left on the roadside and picked up by North Carolina Department of Transportation. Mr. Winchester's email address is [mwinchester@carolina.rr.com](mailto:mwinchester@carolina.rr.com). Upon motion duly made by Jeff Broadaway, seconded by Ken Brown, Council unanimously approved promotion of this event on the Town's website and Facebook page.

There being no other business, Mayor Baucom declared the meeting adjourned.

Respectfully submitted,

Sonya W. Gaddy  
Clerk

Approved as to form:

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R. Kenneth Helms, Jr., Town Attorney