

*The
Village
of Walnut Creek*

P.O. Box 10911 • Goldsboro, NC 27532 • (919) 778-9687



The Village of Walnut Creek Council met in Regular Session, June 24th, 2020 7:30pm, at 103 Village Drive.

PRESENT:

Mayor – Danny Jackson
Mayor Pro Tem - Cyndi Dupuy
Councilman – Phillip Moye
Councilman – John Seegars
Councilman – Stoney Sloan

Admin/Chief – Robert Parchman

Clerk – Peggy C Page
Attorney - Phillip Baddour

Also, in attendance:

See attached Sign in Sheet

Mayor Danny Jackson called the meeting to order and Councilman Moye led the Pledge of Allegiance. Mayor Jackson provided the opening prayer.

Public Hearing

1. An ordinance adopting a comprehensive plan for the Village of Walnut Creek.

Mayor Jackson provided a brief explanation on the purpose of the public hearings, and then announced the first item. Mayor Jackson advised that the Village Attorney Phil Baddour will be providing a detailed explanation and will be answering questions.

Mr. Baddour explained the comprehensive plan divides the Village into residential, governmental, industrial, and open areas. Although this will not go into effect until January 2021 it was the decision of the Council to adopt this ordinance during the June 2020

meeting. Mayor Jackson then opened the floor for public comment. There were no public comments.

Mayor Jackson stated the second item was an ordinance readopting the zoning map. Attorney Baddour explained the intent of the ordinance, and why the Village was readopting a zoning map after forty years. The zoning will basically stay the same except for a couple of exceptions. The reason is because of the changes in the law the Village can no longer enforce the R-35 CT zoning as it pertains to the type of material used in home construction. Attorney Baddour then explained the difference between R-35CT and R-35 Patio Home Residential Conditional District. The changing of the zone was done at the request of the Village Attorney and Village Council. Some property owners currently in R-35CT already within the Village agreed with the change and applied for rezoning. Attorney Baddour also stated he was unable to locate any documentation concerning the zoning of the commercial properties listed. These exceptions are listed below.

Mayor Jackson then opened the floor for public comment.

Andy Adams -100 Pinehurst Lane- Mr. Adams asked for clarification of the location of the property that was being rezoned. Mayor Jackson explained where the property was located.

No further public comments were made, Mayor Jackson closed the public comment.

2. An ordinance adopting a zoning map for the Village of Walnut Creek which includes the following:

- **Initial zoning of the areas annexed into the Village by satellite annexation commonly known as the Village Green and Handy Mart on Highway 70.**
- **Changing the zone of the following from R-35 CT to 94.55A R-Patio Home Residential Conditional District (Patio Home RCD):**
 - **The 5.05-acre tract owned by Goldsboro Milling Company, South Wooten Point Rd, rear tract, Frontage 318' Depth 737', Wayne County PIN #3536763566.**
 - **The 1.56-acre tract owned by Six Maxwells, LLC, Meadow Lark Rd, rear tract, Depth 224', Wayne County PIN #3536656344.**
 - **The 23.29-acre tract owned by Six Maxwells, LLC, Mill Rd, rear tract, Depth 1,035', Wayne County PIN #3536668004.**

- **Re-adoption of the existing zoning map with the addition and change set out in (a) and (b) above.**

Mayor Jackson then read the third item concerning civil penalties, and Attorney Baddour provided a brief explanation.

Mayor Jackson opened the floor for public comments.

J.L. Howell- 305 Walnut Creek Drive – Mr. Howell stated the fines were ludicrous, and no real mediation was possible if the resident was to appear before the same board that established the fine. Mr. Howell stated he was against the establishment of civil penalties.

No other public comments were made.

3. An ordinance to amend the zoning ordinance to establish civil penalties for violating the zoning ordinance and other ordinances and to remove criminal penalties as punishment for certain ordinances.

Mayor Jackson then presented the Budget Ordinance and Administrator Parchman read the budget message.

Mayor Jackson opened the floor for public comment concerning the Budget FY 2021

Andy Adams -100 Pinehurst Lane- Requested the roadways in the area he lives to be repaired, he stated there were numerous places that needed attention.

Administrator Parchman responded- “I am aware of the condition of the roads you are referring too. I do intend on getting estimates on repairs, but repaving is something the Village cannot do in this budget.”

4. Budget Ordinance

Mayor Jackson ended the public hearings and excused the Planning Board do discuss item 1,2, and 3 and present their recommendations to the Council.

Consent Agenda:

The minutes and financials for May 2020 were presented. Mayor Jackson asked if there were any comments on the May minutes or financials. There were no questions or comments. Mayor Jackson asked for a motion to approve the agenda which was made by Councilman Moye. Motion passed unanimously.

Public Comment Period:

Steve Lamb- 204 Foxden Lane- Mr. Lamb stated he continues to have issue with Suddenlink and asked the Council to pursue another provider.

No other comments were made, Mayor Jackson closed the public comment period.

Council Comments:

Councilman Seegars stated he was in the beginning stages of negotiations with other cable providers in the area and is currently working on a possible solution.

Administrator/Police Chief Reports

Administrator/Chief Parchman stated a CAT Z report was filed with FEMA for administrative costs incurred by the staff in processing the FEMA paperwork. The Village received a check from FEMA for \$15,000.00. This money will reimburse the Village for the engineering costs and office staff time. Chief Parchman stated he spoke with Mr. Jim Young a representative for the Maxwell's and requested an easement for sewer line from the Maxwell property to Village Drive.

Chief Parchman provided the Council with additional information concerning water meter replacement. Chief Parchman requested the Council to approve the request to replace the water meters. After a brief discussion, the Council approved the replacement of the water meters. Mayor Pro Tem Dupuy made a motion to purchase the new meters, motion passed unanimously.

Administrator/Chief Parchman presented the monthly police report.

The police report is available at the Village Office. See Attached.

Mayor Jackson recognized the Planning Boards return and requested the Council to hear their recommendation.

Planning Board Recommendations

Chairman Craig Bowen stated the Planning Board reviewed once again the zoning map and other items discussed in the public hearing and agrees with all items as presented. Mr. Bowen stated the Planning Board recommends the Council to approve the ordinances.

Mayor Jackson reread the Comprehensive Plan once again, asked if anyone had any comments, there were no discussions, Councilman Seegars made a motion to approve the Comprehensive Plan, motion passed unanimously. A copy of the ordinance adopted is attached hereto.

Mayor Jackson reread the proposed ordinance concerning re-adoption of the existing zoning map of Walnut Creek. There was no discussion. Mayor Jackson asked for a motion. Mayor Pro Tem Cyndi Dupuy made the motion and it was approved unanimously. A copy of the ordinance adopted is attached hereto.

Mayor Jackson reread the proposed ordinance concerning the establishment of civil penalties for zoning violations, and to remove criminal penalties. Mayor Jackson asked for a motion and or discussions.

Councilman Sloan stated he wanted the minutes to reflect addressing one of the residents' concerns about the civil penalties. Councilman Sloan stated "it was his understanding a lot of these zoning infractions will be administered by the Zoning Enforcement Officer, and then the Council will be an appellate authority if the resident disagreed with that. Councilman Sloan stated he was not sure the resident understood that there was an appellate process in the system that the resident could use. Councilman Sloan then asked Attorney Baddour if that was correct. Mr. Baddour replied, "that's true".

Mayor Jackson asked if there was any further discussion, if not is there a motion to approve the ordinance? Mayor Pro Tem Dupuy made the motion and it was approved unanimously. A copy of the ordinance adopted is attached hereto.

Mayor Jackson then asked if there was any further discussion on the proposed Budget FY 2021 or questions for Chief Parchman.

Councilman Seegars motioned for the approval of the budget and it passed unanimously. A copy of the ordinance adopted is attached hereto.

Clerk's Report:

Clerk Page stated she was working on closing the 2020 budget year. Clerk Page stated the village accountants were beginning the audit process.

Committee Reports:

Mayor Pro Tem Dupuy- Planning Board and Police:

Mayor Pro Tem Dupuy stated the new radar signs on the dam will provide the Council with information concerning the number of speeders when law enforcement is not present. Pro Tem Dupuy then asked Mr. Craig Bowen to discuss what the Planning Board was currently working on. Mr. Bowen stated the past meeting consisted of reviewing the boathouse application, and the proposed ordinances. Mayor Jackson thanked the Planning Board for all their hard work and stated they were an asset to the Village.

Councilman Seegars-Lake Committee, Cable and Audit Committee:

Councilman Seegars stated the Lake Committee has concerns about the amount of boat traffic on the lake. Councilman Seegars stated there appeared to be several boats not obeying the speed limit and people not wearing PFDs. Recommends that law enforcement to have more presence on the lake to enforce the rules. Councilman Seegars stated the lake committee was concerned about "homemade boats" on the lake. The Lake Committee was in the process of drafting a proposal to present to the council in July. Councilman Seegars reiterated he was speaking with several other cable/phone providers to improve the service for residents.

Councilman Sloan – Water & Sewer, Insurance, Audit:

Councilman Sloan stated the picnic tables at the boat ramp have been ordered and should arrive soon.

Councilman Sloan stated after reviewing the insurance the Village has through L.O.M. and coupled with a low claim rate the premiums will be reduced by \$6613.00.

Councilman Sloan stated the spreadsheet for the loans was sent to the Village accountants and they found one small error but was easily corrected.

Councilman Sloan reported he has had numerous conversations with Gary Flowers at Municipal Engineering and there appears to be no problem meeting the September 30th deadline for DEQ funding. Councilman Sloan requested that the Council allow MES to pursue additional funding for the proposed infrastructure projects.

Councilman Sloan then reported on the openings of bids for Lift Station #1 and the sewer line repair, but the Village did not receive the required three bids on the sewer line, so Scott Edwards will extend the bid process. Councilman Sloan stated that Lift Station #1 bid was higher than the engineers estimate, and we may need to request additional funding from Golden Leaf, but we will not know the figure until the sewer line bids are submitted. Councilman Sloan explained the process that would be required to obtain additional funds.

Councilman Sloan reported the bid to replace Lift Station #1 was \$495,040.00 from Keen Plumbing. After a brief discussion with Mayor Jackson concerning the funding, Councilman Sloan stated, “we were not allowed to open the bids for the sewer line repair because only two were submitted.” After we receive the bids next Thursday then he would be able to address those concerns.

Councilman Sloan is working with local banks to obtain a remote deposit capability and expects proposals soon.

Councilman Sloan stated Scott Edwards was working on the system development fee and it should be ready in August.

Councilman Phillip Moye – Village Owned Properties, Village Relations and Trash & Recycling:

Councilman Moye stated several signs in the Village are to be replaced with the funds from FY2020.

Old Business:

1. **Consideration** of proposal to approve a new subdivision to combine lots 113, 114, 115, 116 and 117 of Muirfield Village with lots owned by Nagypal. Per Attorney Baddour, Attorney Henry Smith does not have it ready currently. Will continue to July 2020 Council Meeting.
No action was taken, carry over to July Meeting

New Business:

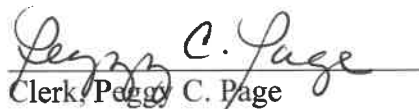
1. Budget FY 2021 -**Adopted**
2. Capital Project Ordinance- **No action taken, revisit in July after Council Review**
3. Resolution supporting the Neuse River Basin Hazard Mitigation Plan -**Adopted- Councilman Seegars made motion to approve, motion passed unanimously.**
4. Boathouse Application- **Approved- Mayor Pro Tem Dupuy made a motion to approve the application, motion passed unanimously. A copy of the Neuse River Basin Hazard Mitigation Plan attached hereto.**
5. Mayor Jackson requested that Councilman Moye and Chief Parchman investigate and research storm water policies and applications possibly to include an available funding. Attorney Baddour stated there may not be any funds available.

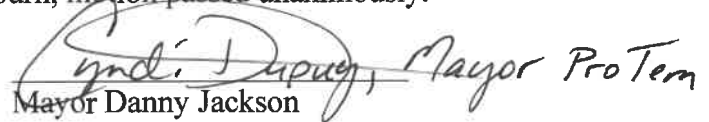
Announcements & Correspondence:

None

Adjournment:

Motion was made by Councilman Moye to adjourn, motion passed unanimously.


Clerk/Peggy C. Page


Mayor Danny Jackson