

**STATE OF NORTH CAROLINA
COUNTY OF GASTON
TOWN OF CRAMERTON**

December 10, 2020

The Board of Commissioners for the Town of Cramerton met on Thursday, December 10, 2020 at 6:00 p.m., as a virtual meeting via Zoom.

Call to Order and Determination of Quorum. Mayor Cauthen, Commissioner Abernathy, Commissioner Atkinson, Commissioner Neeley, and Commissioner Rice confirmed their attendance for the record. Mayor Cauthen determined there was a quorum. Mayor Pro Tempore Koutsoupas joined the meeting at 6:06 p.m.

Staff Present: David Pugh, Town Manager; Attorney Karen Wolter; Josh Watkins, Planning Director; Police Chief Adams; and Wilene Cunningham, Town Clerk.

Invocation and Pledge of Allegiance. Commissioner Neeley provided the invocation and the pledge of allegiance was given by all.

Adoption of Agenda for this meeting. The Town Manager stated the special called meeting for the presentation of the Lifetime Citizens Award scheduled for tonight at 5:00 p.m. was cancelled. Mayor Cauthen stated the proclamation recognizing David Young will be read into the minutes at a later date. The public hearing to consider the request from NewStyle Communities to rezone approximately 13.42 acres off of South New Hope Road is being requested to be tabled until the January 7th, 2021 Board meeting. Resolution 2020-05 for the Public Works downtown parking lot can be added under Agenda Items not requiring a Public Hearing. A motion was made by Mayor Pro Tempore Koutsoupas to adopt the proposed amended agenda. The motion was seconded by Commissioner Rice. Commissioner Abernathy voted yes; Commissioner Atkinson voted yes; and Commissioner Neeley voted yes. The vote was 5 to 0 to approve the proposed agenda.

Public Comments: Attorney Wolter read the following email into the record.

Houston Helms
136 Berry Mountain Road
Cramerton, NC

Members of the Board...

My congratulations to Commissioner Rice re: is election victory and upcoming assignment as Gaston County District Court Judge; he'll be fantastic in the seat and for our County.

I'm writing to explicitly express my interest and ambitions of fulfilling Commissioner Rice's term as ToC Board Member. I recall telling some of you, I'd make the Board aware of my interests should I continue to FEEL the passion for our town; to contribute at the Board level. I do feel that passion. In fact, I never lost it. And it's that 'pull' to SERVE with all of you that has me writing you tonight. The opportunity to lead our town WITH all of you is an opportunity you don't let pass.

Having been a part of processes to appoint Commissioners in the past, I recognize the Board has options re: this matter. One of not filling Commissioner Rice's seat, or of a search for the best qualified candidate at the BoCs discretion. I, of course, will respect whatever the BoC wishes. In fact, the call from Wilene into my voice mail ~12 years ago when Commissioner Ramsey moved to the School Board, was my initiation to the Board.

And there's no doubt in my mind there's a better qualified candidate than myself; so many of our citizens are well qualified for the role. It's why I didn't run against Commissioner Atkinson; his passion for our town was clear/evident in 2019.

But I am ready, experienced, deeply passionate, elected twice previously... and known by all of you. I'd appreciate your consideration of my interest. I'd serve with the enthusiasm and partnership you'd expect. I look forward to the Board's next steps in fulfilling Judge-Elect Rice's seat.

And if I have an opportunity to sit next to Commissioner Neeley... well, who doesn't want that opportunity.

Sincerely...
Houston

Work Session

a. Action Item:

- i. N.C.G.S. 143-318.11(a)(6)] - To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.
- ii. NCGS 143-318.11(a)(5) - To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. A motion was made by Commissioner Neeley to enter into closed session at 6:12 p.m. The motion was seconded by Commissioner Rice. Commissioner Abernathy voted yes; Commissioner Atkinson voted yes; and Mayor Pro Tempore Koutsoupas voted yes. The vote was 5 to 0 in favor.

Commissioner Abernathy confirmed her attendance; Commissioner Atkinson confirmed his attendance; Mayor Pro Tempore Koutsoupas confirmed his attendance; Commissioner Neeley confirmed her attendance; and Commissioner Rice confirmed his attendance. A motion was made by Commissioner Atkinson to return to open session at 7:59 p.m. The motion was seconded by Commissioner Rice. Commissioner Abernathy voted yes; Commissioner Neeley voted yes; and Mayor Pro Tempore Koutsoupas voted yes. The motion was 5 to 0 in favor.

Upon return to open session a motion was made by Commissioner Rice to amend the Town Manager's contract to extend his current contract by two calendar years through June 2024. The motion was seconded by Commissioner Neeley. Commissioner Abernathy voted no; Commissioner Atkinson voted yes; and Mayor Pro Tempore Koutsoupas voted no. The vote was 3 to 2 in the affirmative to approve an extension to the Town Manager's two-year contract through June 2024. No other action was taken in closed session.

Proclamations

- a. **A proclamation for essential workers as Cramerton 2020 Citizens of the Year.** Copy to be placed in minutes book.
- b. **A proclamation for Commissioner Donald Rice on his years of service as a Cramerton Commissioner.** Mayor Cauthen read the proclamation and a signed copy will be placed in the minutes book.
- c. **A proclamation recognizing the 2020 Cramerton Citizen Lifetime Award.** Mayor Cauthen stated the proclamation to recognize David Young as the 2020 Cramerton Lifetime Citizen will be read into the record at a later date.

Presentations

- a. **FY 2019-2020 Audit Presentation by Martin-Starnes.** Kelly Gooderham with Martin Starnes joined the meeting at 8:23 p.m. and provided an update on the Town's recent audit. She thanked the Town for selecting their firm and voiced her praises for the staff. The Town's audit has been submitted and accepted by the LGC and a clean unmodified opinion regarding the Town's audit was issued by Martin Starnes.

Agenda Items Requiring a Public Hearing

- a. **Public Hearing – A public hearing to consider the request from NewStyle Communities, Inc. to rezone approximately 13.42 acres off of South New Hope Road for a single-family age restricted development. This rezoning request would allow for thirty (30) single-family detached homes and two (2) 6,000 square feet commercial buildings.** Mayor Pro Tempore Koutsoupas made a motion to table the public hearing until the January 7, 2021 Board of Commissioners hybrid meeting. The motion was seconded by Commissioner Neeley. Notifications for the public hearing will be provided after action is taken by the Board tonight. Attorney Wolter stated this meeting will probably be held as a Zoom virtual meeting due to continued COVID-19 restrictions and not a hybrid meeting. Mayor Pro Tempore Koutsoupas restated his original motion to table the public hearing until the January 7, 2021 Board of Commissioners meeting. The motion was seconded by Commissioner Neeley. Commissioner Abernathy voted yes; Commissioner Neeley voted yes; and Commissioner Rice voted yes. The motion was 5 to 0 in favor.

Consent Agenda (Action Item): Consider approval of the consent agenda.

- a. **Cramerton BOC Meeting Minutes.** A motion was made by Mayor Pro Tempore Koutsoupas to approve the consent agenda. The motion was seconded by Commissioner Rice. Commissioner Abernathy voted yes; Commissioner Atkinson voted yes; and Commissioner Neeley voted yes. The vote was 5 to 0 in favor.

Agenda Items NOT Requiring a Public Hearing

a. Planning and Zoning

i. Cramerton Land Use Plan (LUP) Update

1. **Action Item: Consider recommendation from LUP Search Committee for top choice for LUP update firm and to begin contract negotiations.** A motion was made by Mayor Pro Tempore Koutsoupas to approve the recommendation from the LUP search committee and to begin contract negotiations with LandDesign. The motion was seconded by Commissioner Rice. Commissioner Abernathy voted yes; Commissioner Atkinson voted yes; and Commissioner Neeley voted yes. The vote was 5 to 0 in favor. Mayor Cauthen thanked everyone who served on this ad hoc committee.

ii. Villages at Cramerton Mills (VCM)

1. **Action Item: Consider approval of VCM Phase 1E Townhome plat.** The Planning Director stated this was the third and final townhome plat for the VCM Phase 1E section adjacent to the CaroMont facility. This will be the final seventeen (17) townhomes facing Hamrick Road. Staff is recommending approval from the Board for this final plat for these townhomes. Mayor Cauthen asked if the street names as listed were correct. The Planning Director stated yes these were the street names that were approved for this development. A motion was made by Commissioner Rice to approve the VCM Phase 1E Townhome plat. The motion was seconded by Commissioner Neeley. Commissioner Abernathy voted yes; Commissioner Atkinson voted yes; and Mayor Pro Tempore Koutsoupas voted yes. The vote was 5 to 0 in favor.

b. Public Works

iii. Downtown Parking Property

1. **Action Item: Consider approval to release bid documents for the parking project upon approval of the lease agreement by the Masonic Lodge.** A motion was made by Commissioner Atkinson to move forward to release bid documents for the parking project until approval of the lease agreement by the Masonic Lodge. The motion was seconded by Commissioner Rice. Commissioner Abernathy voted yes; Commissioner Neeley voted yes; and Mayor Pro Tempore Koutsoupas voted yes. The vote was 5 to 0 in favor.
2. **Action Item: Consider approval to approve Resolution 2020-05.** A motion was made by Commissioner Rice to approve Resolution 2020-05 Mini-Brooks Act. The motion was seconded by Commissioner Abernathy. Commissioner Neeley voted yes; Commissioner Atkinson voted yes; and Mayor Pro Tempore Koutsoupas voted yes. The vote was 5 to 0 in favor.

iv. Cramerton Road Maintenance Project 2021

1. **Financing (loan) options.** The Town Manager said several banks have been contacted for possible loan options for the proposed road maintenance project 2021.
2. **Initial timeline and proposed roads for maintenance.** Steps for filing with the Local Government Commission finance department will be done to procure this type of loan. High Street, Eleventh Street, Timberlake area, New Town, Central Park area, and Woodlawn Avenue near Twelfth and Thirteenth Streets are areas that are being reviewed per corings.

c. Board of Commissioners

i. BOC meeting schedule for calendar year 2021.

1. **Action Item: Consider Approval of 2021 Calendar Year Meeting Schedule.** Commissioner Abernathy asked about the June 3rd budget meeting. She said she might be out of town that week. A motion was made by Commissioner Neeley to adopt the proposed 2021 calendar year meeting

schedule. The motion was seconded by Commissioner Abernathy. Commissioner Atkinson voted yes; Mayor Pro Tempore Koutsoupas voted yes; and Commissioner Rice voted yes. The motion was 5 to 0 in favor.

ii. 2021 Goals & Objectives

1. **Action Item: Date and location for 2021 Goals and Objectives Work Session.** All board members consented to scheduling the 2021 Goals and Objectives work session meeting for January 30th. The Town Manager stated he would contact Darren Rhodes.

iii. Helix/ R Sculpture

1. **Action Item: Review, discussion, and possible action regarding the proposed location for the Helix/R sculpture and results of the public feedback survey.** The public feedback survey was open from November 6th to November 27th. The Board asked that this project be moved into the investigative stage to determine how it will be installed and the cost points. This information will be presented and discussed at the budget planning process in the spring. Commissioner Abernathy said she personally was not a big fan of this location but this is the power of reaching out to stakeholders. She stated she would support the proposed location and commended the Town Manager for formulation of the public feedback survey so quickly. Over sixty (60) people responded to the survey and ninety (90) percent of the citizens liked the proposed location. Commissioner Abernathy consented to the proposed location of the Helix/R sculpture; Commissioner Atkinson consented; Mayor Pro Tempore Koutsoupas consented; Commissioner Neeley consented; and Commissioner Rice consented. Commissioner Neeley asked the Town Manager if he had received any feedback from Dr. Houchard with Gaston County Schools. The Town Manager said he had spoken to Dr. Houchard and the Helix/R sculpture would not be feasible logistically for their usage. The Town Manager stated that the investigative process would begin and information would be provided to the Board at the upcoming budget process.

iv. Cramerton Board of Commissioners Vacancy

1. **Action Item: Discussion of vacancy on Cramerton Board of Commissioners and possible procedure of filling the vacancy.** Mayor Cauthen stated a vacancy will not occur until after tonight's meeting adjourns so no action will be taken at this time. Attorney Wolter advised that the Board's Rules of Procedure states that the Board shall have no sooner than fourteen (14) days after the date of resignation or notice of intent to resign and a date certain, and no later than thirty (30) days after the date of resignation the Mayor shall open the floor for nominations to allow debate by the Board for someone to fill the vacancy. Between now and the next Board meeting someone can be suggested for nomination. The Board can also during this time adopt an alternative procedure or extend timelines if needed. Commissioner Rice stated his letter of resignation was given to the Town Clerk earlier today stating his resignation was effective at the adjournment of tonight's meeting. Commissioner Abernathy shared information regarding how the process worked in 2016 when she filled a vacancy of the Board of Commissioners before she was elected in 2017. She asked if the previous process was already established or was that the process for just that particular vacancy. Mayor Cauthen stated there have been several processes including formation of an ad hoc committee along with applications and interviews. There is also the possibility of having the candidate with the highest vote from the last election being considered. Commissioner Abernathy stated that the process allowed anyone in the Town the opportunity to apply for the vacancy. Commissioner Neeley nominated Houston Helms to replace Commissioner Rice. Commissioner Abernathy asked about the procedure of filling the vacancy was being determined tonight or on January 7th. Attorney Wolter stated the Board could discuss and would need to vote to amend the procedure tonight. Commissioner Abernathy stated she was not sure if our citizens would be aware of this vacancy and the timeline. She

stated that Brad Milton contacted her and he was interested in the timeline as to when Commissioner Rice's position would be available. Commissioner Neeley stated that Houston Helms members had received the highest number of votes in the last two (2) elections. The Board discussed implementing a process which would notify citizens of the vacancy and allow for applications and then interviews. Mayor Pro Tempore Koutsoupas made a motion to amend the Board's Rules of Procedures to provide an application process for nominating and selecting a person to fill the vacancy left by Commissioner Rice's resignation similar to the same process that is being used for the Planning and Zoning Board. Commissioner Atkinson seconded the motion. Attorney Wolter stated the motion needs to be changed to amend Rule 38 of the Board's Rules of Procedure and to allow an application process for nominating and selecting a person to fill the vacancy left by Commissioner Rice's resignation. Details will be discussed at the next possible meeting. Attorney Wolter asked if the Board was ready to select the ad hoc committee at tonight's meeting. Mayor Cauthen said he would prefer this be delayed as this process will be somewhat lengthier as the process is different from the current Rules of Procedure. Mayor Cauthen recommended that we decide on the procedure and then decide on the structure of the ad hoc committee at the January 7th Board meeting. Attorney Wolter said all of the Board members will probably want to be part of the candidate interview process instead of just having two (2) Board members as part of the candidate interview process. Mayor Pro Tem Koutsoupas made a motion to amend Rule 38 in the Board's Rule of Procedure to allow for an application and interview process in selecting a replacement to fill the vacant seat left by Commissioner Rice. Commissioner Abernathy seconded the motion. Commissioner Atkinson voted yes; Commissioner Neeley voted yes; and Commissioner Rice voted yes. The vote was 5 to 0. Further discussion will be held regarding the application process at the January 7, 2021 Board meeting.

Manager's Report:

COVID-19 (Coronavirus) – Due to stricter rules having been put in place in the last few days from the governor's office it is being recommended that the Board continue to meet via Zoom for the near future.

The Town Manager stated Donnie Hicks with the EDC has advised him that there continues to be interest from groups regarding the school property owned by the Gaston County School Board at Wilkinson Boulevard and Lakewood Road. Construction continues on the sidewalk in front of the Stuart W. Cramer High School on Lakewood Road near the Duke Power substation and should continue until the end of the year.

Verbal update regarding leaf season pick-up – The Public Works Department should be finishing the leaf pickup on Cramer Mountain and then the route will start over in the Lakewood neighborhood by next week. Discussion was held about the hiring of possible contractors to assist the Public Works Department with leaf pickup. Commissioner Atkinson stated that an email had been received from Trey Helms with the Cramer Mountain HOA about the Town not picking up any leaf piles that were left by private contractors hired by residents and he would like to see a retraction of this email. Attorney Wolter stated the last revision to the code of ordinances included changes to the Town solid waste, leaf collection, including picking up limbs and yard waste left by contractors. Attorney Wolter stated she would review the ordinance. The Town Manager said the definition of tree trimmings does include leaves. A motion was made by Commissioner Atkinson that the Town will pick up any loose-leaf piles placed in the proper area of the yards and Section 92.032(e) does not refer to loose leaves blown to the curbside for collection. Commissioner Rice seconded the motion. Commissioner Neeley asked for clarification on this action. Attorney Wolter stated any loose-leaf piles placed by the curbside will be picked up by the Town even if a hired contractor provides the service. Commissioner Abernathy voted yes; Commissioner Neeley voted yes; and Mayor Pro Tempore Koutsoupas voted yes. The vote was 5 to 0 in favor to interpret the code to allow Town staff to pick up leaves from contractors.

Garbage service will be one (1) day early by Waste Management the week of Christmas. Information will be provided via social media and a Connect-CTY message.

General Staff Reports

- **Update from Two Rivers Utilities, Mr. Mike Bynum:** A copy of report will be placed in the minutes book.
- **Police Department:** Chief Adams wished Commissioner Rice the best of luck for his future endeavors.
- **Fire Department:** Chief Foulk had no updates.
- **Finance:** The Finance Director was absent.
- **Town clerk:** No update. Thanked Commissioner Rice for his service to the Town.
- **Attorney:** No update. Thanked Commissioner Rice for his service to the Town and wished him the best for his election as a judge.
- **Parks and Recreation:** Construction has started on the Central Park trails and should take about one (1) to two (2) weeks. Cleanup continues on Goat Island from the recent flooding. FEMA awarded an additional \$50,000.00 for the turf due to the February 2020 flood. He offered thanks to Commissioner Rice for his service to the Town.
- **Planning and Zoning:** Nothing to report. Commissioner Neeley asked about the property on South New Hope Road. The Planning Director stated nothing can be done until the public hearing is held and it is advertised.

Topics of Discussion for Each Commissioner:

Commissioner Abernathy thanked the Land Use Plan ad hoc committee for the extra time it took for their service. She wished happy holidays to the entire staff, Town Manager, Town Clerk, and all the hardworking department heads. She thanked Commissioner Rice for his time he served on the Board and she is excited to see him in his new role as a judge. She was honored to work with him and wished him the best.

Commissioner Atkinson thanked the Town staff for the Christmas decorations around Town and it looks very festive. He said maybe the lights on the Goat Island Bridge could remain lit throughout the year. He thanked Commissioner Rice for his service and stated he enjoyed working with him. He wished everyone a Merry Christmas and Happy Hanukkah.

Mayor Pro Tempore Koutsoupas stated the additional lighting on the Goat Island Bridge and decorations around the Town looks great. He wished everyone a Happy Hannukah and a Merry Christmas. He wished Commissioner Rice all the best and enjoyed working with us and that he would be missed.

Commissioner Neeley said she would like to see the lights on Goat Island left on all year. The Town Manager said he and the Parks and Recreation Director would discuss this as a possibility. She said the Community Committee has Santa reading a book each Sunday afternoon through Christmas Eve. She said she would miss Commissioner Rice and he is going to make a great judge. She wished everyone a Happy Hannukah and a Merry Christmas.

Mayor Cauthen stated that the re-installation of the mural on the side of the fire department could be installed next week depending on the weather. He advised that Jena Goodman will be joining as a Gaston County representative of the South Fork River Health Committee. A phone call is scheduled for tomorrow with the executive director of Centralina COG to determine their possible role to facilitate the meetings. An informal introductory meeting will be held of the South Fork River Health Committee in the next week or so. Cramerton's Planning and Zoning Director along with the Parks and Recreation Director are serving on this board. Mayor Cauthen thanked Commissioner Rice for serving on the Board.

Commissioner Rice stated he remembered being part of one of the Town's Citizens Academy. He said he was grateful to everyone that has encouraged him along the way. He said he will continue to stay involved with the Town and volunteer with the Community Committee and the fire department. He reminded everyone that the Santa Ride will be on Saturday December 19th.

Adjournment: A motion was made by Commissioner Rice to adjourn at 9:52 p.m. The motion was seconded by Commissioner Neeley. Commissioner Abernathy voted yes; Mayor Pro Tempore Koutsoupas voted yes; and Commissioner Atkinson voted yes. The vote was 5 to 0 in favor.

Mayor William Cauthen

ATTEST:

Wilene Cunningham, Town Clerk