

The Wingate Board of Commissioners met in regular session at the Wingate Government Center (101 W. Wilson Street) with the following persons in attendance:

**Present:** Mayor Gary Hamill, Commissioners: Bart Farmer, Thomas LeGrand, John Lowery, John Mangum, and Peggy Taylor

**Absent:** None

**Staff:** Town Manager Brad Sellers, Town Clerk/Finance Officer Karen Wingo, Town Attorney Melanie Cox and Planning Director Michelle Nance

## Call to Order

At 6:00 PM, Mayor Hamill called the meeting to order. A quorum was present.

## Approval of Agenda

Manager Sellers requested the addition of New Business – Annexation of Town Owned Property. **Motion** by Commissioner Mangum to approve the meeting agenda as amended. **Second** by Commissioner Lowery and unanimously approved.

## Public Hearings

### A.) B&C Land Farming Glencroft Phase 2 Development Agreement

Reid Phifer (adjoining property owner) said he already has problems with Glencroft owners trespassing and damaging his property. He does not have anything against growth but we can't seem to come up with a number of costs to pay your way living in Wingate. He knows that nobody knows that number but we should figure it out. Please consider the burden on fire, police, streets and schools.

Mayor Hamill asked if this agreement has any changes from what the subcommittee approved? Attorney Cox replied that the applicant agreed to all of the subcommittee requests.

Commissioner Taylor asked what happens if the developer files bankruptcy? Attorney Cox replied that we would then call the insurance bonds on the infrastructure on Phase 2.

Commissioners Lowery asked if they foresee any more issues with this project? Mr. Finn replied there are several issues with this project. In addition to the water, there is a tremendous amount of rock they will need to work around. Placement of ponds and utilities will be a challenge.

Attorney Cox noted that this agreement will be filed with the Register of Deeds. If property should change ownership, it must still be developed under all of these terms and conditions. She reviewed the latest agreement updates.

- Roads in Phase 1 Timeline – will be repaved before issuing the 63<sup>rd</sup> certificate of occupancy and no later from when they are half way through building the homes. The reclamation will consist of mixed depth of 12 inches with 50 pounds of cement per square yard and surface asphalt at 2 inches with S9.5b.
- Location of tree in each lot may change based on underground utilities.
- Staff recommended that driveways be at least 25 feet from structure to back of curb.
- Amenities in Phase 2 – walking trail, gazebo, 3 picnic tables and 2 grills
- Amenities in Phase 1 –passive park with gazebo, 3 picnic tables and 2 grills
- Architectural standards – minimum 1,400 square foot homes
- Porches minimum depth of 6 feet
- 2 materials will be used on front elevation of each home with 30% of front will be brick or stone and 18 inches along the base must be brick or stone
- Homes with eaves must have minimum overhang of 8 inches
- Water meter setting fee each home is \$700 and no capacity fees

Commissioner Lowery asked about the Home Owners Association? Mr. Finn replied they have no jurisdiction over Phase 1 but they will create an HOA for Phase 2. They will start a capital reserve fund and will turn account over to the home owners once 70% of homes are sold.

Nancy Ciampi (Wingate Planning Board member) expressed concern over this development becoming a rental community. She asked if they would stipulate how many properties can be rentals? No one was aware of that type of condition being allowable.

Planning Director Nance emphasized that, what the Board is seeing tonight, is substantially different from the application requested back in January. Due to the Development Agreement, these homes will be built to a much higher standard than what our current ordinance requires. There are several photos provided by developer to represent what the homes will look like. She explained the parking space length requirement of 25 feet was recommended by town engineer to keep vehicles out of the right of way.

Commissioner LeGrand asked about the location of the passive park. Mr. Finn replied that it will be located across from the second entrance.

Keith Finn with True Homes said that he appreciates the Boards' willingness to negotiate this agreement. He will be intimately involved through the entire build out and will be our point of contact. He is confident that we will be proud of what is built here. As far as the HOA is concerned, True Homes has many communities across NC and they all have functioning HOAs.

True Homes is working with Union County on fire flows and they will start modeling as soon as DA is approved. They still have to get the water to work on paper to proceed with project.

Being no additional comments, Mayor Hamill closed the public hearing at 6:34PM.

**B.) B&C Land Farming Glencroft Phase 2 Conditional Rezoning**

Mayor Hamill opened the public hearing. The purpose of this hearing is to consider the rezoning of land to R-4 with the conditions just discussed in the development agreement.

With no one requesting to speak, Mayor Hamill closed the public hearing at 6:35PM.

**Public Comments**

Mayor Hamill asked for any comments from the public. No one signed up to speak.

**Continued Business**

**A.) B&C Land Farming Glencroft Phase 2 Development Agreement**

Mayor Hamill expressed his appreciation for all the work everyone has put it to this project and he supports the agreement as presented.

**Motion** by Commissioner Farmer to approve the B&C Development Agreement as presented.

**Second** by Commissioner Mangum and approved by vote of 4-1 with Commissioner Taylor opposed.

*Development Agreement is attached as Exhibit 1 and incorporated herein by this reference.*

**B.) B&C Land Farming Glencroft Phase 2 Conditional Rezoning**

Mayor Hamill announced that this conditional rezoning application is significantly different from the rezoning petition that was denied back in January.

**Motion** by Commissioner Mangum to approve the rezoning of parcel 02-239-083 from R-20 to R-4 based on the following conditions:

1. The Development Agreement as approved by the Wingate Board of Commissioners, including Exhibit B Concept Site Plan.
2. Representative building elevations as attached. Where the elevations conflict with the approved Development Agreement, the conditions in the DA shall govern.
3. Open space supplemental plan as attached.

**Second** by Commissioner Farmer and approved by vote of 4-1 with Commissioner Taylor opposed.

**C.) B&C Land Farming Glencroft Phase 2 Consistency Statement**

Mayor Hamill read the Consistency Statement:

*The proposed rezoning is consistent with the Wingate 2020 Comprehensive Plan, which recommends residential growth in this area. In light of new, major transportation corridors and expected growth, the Board considers an affirmative vote to be reasonable and in the public interest.*

**Motion** by Commissioner Farmer to approve the consistency statement as read by Mayor Hamill.

**Second** by Commissioner LeGrand and unanimously approved.

## New Business

### **A.) Minutes of Previous Meeting**

**Motion** by Commissioner Lowery to approve the July 28, 2020 meeting minutes.

**Second** by Commissioner Mangum and unanimously approved.

### **B.) Union County AD Valorem Tax Settlement**

**Motion** by Commissioner Lowery to approve the Union County Tax Settlement as presented.

**Second** by Commissioner LeGrand and unanimously approved.

*Tax Settlement statements are attached as Exhibit 2 and incorporated herein by this reference.*

### **C.) Union County AD Valorem Tax Charge**

**Motion** by Commissioner Lowery to approve the Union County Tax Charge as presented.

**Second** by Commissioner Farmer and unanimously approved.

*Union County Tax Charge is attached as Exhibit 3 and incorporated herein by this reference.*

### **D.) CARES Act Subrecipient Agreement**

Finance Officer Wingo announced that she applied for and the Town was awarded \$31,548 from the CARES Act to go towards COVID-19 expenditures.

**Motion** by Commissioner Lowery to approve the CARES Act Subrecipient Agreement as presented. **Second** by Commissioner LeGrand and unanimously approved.

*CARES Subrecipient Agreement is attached as Exhibit 4 and incorporated herein by this reference.*

### **E.) ABC Board Vacancy**

Manager Sellers announced that Adam Rorie will be resigning from the ABC Board in September.

Jim Black applied back in 2018 and is still interested in serving.

**Motion** by Commissioner LeGrand to appoint Jim Black to the ABC Board.

**Second** by Commissioner Taylor and unanimously approved.

### **F.) Annexation of Town Owned Properties**

Manager Sellers recommended that we annex the public works and the S. Main properties.

**Motion** by Commissioner Mangum to direct staff to move forward with the annexation process.

**Second** by Commissioner Lowery and unanimously approved.

**Adjournment**

Being no additional business, Mayor Hamill entertained a motion to adjourn.

**Motion** by Commissioner Lowery to adjourn the regular meeting.

**Second** by Commissioner Taylor and unanimously approved.

The meeting was adjourned at 6:55 PM.

Respectfully submitted,



Gary R. Hamill, Mayor

**ATTEST:**



Karen M. Wingo, Town Clerk



Approved: September 15, 2020

