



**TOWN OF MOUNT GILEAD
BOARD OF COMMISSIONERS
AGENDA**

**110 West Allenton Street, Mount Gilead, North Carolina, 27306
November 6, 2023**

The Mount Gilead Board of Commissioners will meet on Monday, November 6, 2023, at 7:00 p.m. at Mount Gilead Fire Department, 106 East Allenton Street., Mt Gilead, NC, for the regular monthly business meeting.

- ITEM I. CALL TO ORDER (Mayor Harris)**
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
- ITEM II. ADOPTION OF THE AGENDA (Action)**
- ITEM III. APPROVAL OF THE MINUTES (Action)**
A. August 28, 2023 Closed Session Minutes (Not Included In Agenda)
B. September 12, 2023 Open Session Minute (Page 2)
C. September 12, 2023 Closed Session Minutes (Not Included In Agenda)
D. September 19, 2023 Open Session Minutes (Pages 3-4)
E. September 19, 2023 Closed Session Minutes (Not Included In Agenda)
F. October 3, 2023 Meeting Minutes (Pages 5-8)
- ITEM IV. PUBLIC COMMENT (Town Manager Dylan Haman)**
Reading of the Rules for Public Comment (Page 9)
- ITEM V. OLD BUSINESS (Action)**
A. Stanback Park Sidewalk Extension Project (Pages 10-11)
- ITEM VI. NEW BUSINESS**
A. Budget Amendment To Disburse Funds To The IRS (Pages 12-14) **(Action)**
B. Easement Agreement For Retreat At Lake Tillery Development Agreement (Pages 15-22) **(Action)**
C. Road and Sidewalk Improvement Bids (Pages 23-26) **(Action)**
D. Mixed Use in the Central Business District (Pages 27-32) **(Action)**
E. Update on Finance Officer Position (Not Included In Agenda) **(Information)**
F. Update on NPDES Permit (Not Included In Agenda) **(Information)**
G. Lilly's Bridge Force Main Improvement Project RFQs (Page 33) **(Information)**
H. Annexation Support From PTRC (Pages 34-37) **(Action)**
- ITEM VII. COMMITTEE REPORTS (Mary Poplin)**
A. Community Garden (Page 38)
- ITEM VIII. STAFF REPORTS (Information)**
A. Public Works – Public Works Director Daniel Medley (Pages 39-40)
B. Police Department – Chief Talmedge Legrand (Pages 41-50)
C. Fire Department – Chief Keith Byrd (Page 51)
D. Town Manager- Dylan Haman (Pages 52-53)
E. Code Enforcement Report-(Information in Packet) (Pages 54-56)
F. Wastewater Treatment Plant – ORC Manager, Donna Mills (Information in Packet) (Page 57)
- ITEM IX. MAYOR AND COMMISSIONERS REPORT (Information)**
- ITEM X. ADJOURNMENT (Action)**

Town of Mount Gilead
September 12, 2023
7 pm
Library

The Mount Gilead Board of Commissioners held a meeting on September 12, 2023 at the Mount Gilead Library. The following Board members were present: Mayor Beverly Harris; Mayor Pro-Tem Tim McAuley; Commissioners Paula Covington, Dr. Vera Richardson, Mary Lucas; and Town Manager Dylan Haman.

Mayor Harris called the meeting to order followed by a moment of silence and the Pledge of Allegiance.

Commissioner Dr. Vera Richardson made the motion to approve the agenda. Mayor Pro-Tem Tim McAuley seconded the motion and it was carried. The purpose of this meeting was to interview 2 applicants for the position of Town Clerk.

Commissioner Dr. Vera Richardson made the motion to go into closed session. Commissioner Paula Covington seconded the motion and it was carried.

Two (2) applicants were interviewed by the Board for the position of Town Clerk.

Mayor Pro-Tem Tim McAuley made the motion to come out of closed session. Commissioner Dr. Vera Richardson seconded the motion and it was carried.

Commissioner Dr. Vera Richardson made the motion to adjourn the meeting. Commissioner Paula Covington seconded the motion and it was carried.

Beverly Harris, Mayor

Mary H. Lucas, Minutes

Town of Mount Gilead
September 19, 2023
6pm
Library

The Mount Gilead Town Board held a meeting on September 19, 2023 at the Mount Gilead Library. The following Board members were present: Mayor Beverly Harris; Mayor Pro-Tem Tim McAuley; Commissioners Paula Covington, Dr. Vera Richardson, Mary Lucas; and Town Manager Dylan Haman.

Mayor Harris called the meeting to order followed by a moment of silence and the Pledge of Allegiance.

Commissioner Dr. Vera Richardson made the motion to approve the agenda as amended to discuss the position of Finance Officer. Commissioner Paula Covington seconded the motion and it was carried.

Purpose of meeting: Interview two(2) more applicants for the position of Town Clerk.

Commissioner Dr. Vera Richardson made the motion to go into closed session. Commissioner Paula Covington seconded the motion and it was carried.

The Town Board of Commissioners interviewed 2 applicants for the position of the Town Clerk.

Commissioner Dr. Vera Richardson made the motion to come out of closed out of closed session. Commissioner Mary Lucas seconded the motion and it was carried.

After much discussion, the board voted on Lessie Jackson for the position of Town Clerk.
Votes: 3-Yes and 1-No.

The board agreed to offer Mrs. Jackson as position of Town Clerk with the salary range of \$40,000 to \$50,000. Preferred salary starting at \$45,000. Mrs. Jackson would be on a 6 month probation.

Town Manager Dylan Haman spoke with the board about the position of Finance Officer. After discussion, the board told Town Manager to advertise for the Finance Officer position whether it be part-time/full-time at the starting range of \$35,000 to \$55,000. According to the qualifications of the applicants.

Commissioner Dr. Vera Richardson made the motion to advertise for Finance Officer position with agreed salary range as stated. Commissioner Mary Lucas seconded the motion and it was carried.

Mayor Pro-Tem Tim McAuley made the motion to adjourn the meeting. Commissioner Vera Richardson seconded the motion and it was carried.

Beverly Harris, Mayor

Mary H. Lucas, Minutes



TOWN OF MOUNT GILEAD BOARD OF COMMISSIONERS MEETING MINUTES

110 West Allenton Street, Mount Gilead, North Carolina, 27306
October 3, 2023

The Mount Gilead Board of Commissioners met on Tuesday, October 3, 2023, at 7:00 p.m. at Highland Community Center, 131 Hoffman Road., Mt Gilead, NC, for the regular monthly business meeting. Present were Mayor Beverly Harris, Mayor Pro Tem Tim McAuley, Commissioner Paula Covington, Commissioner Mary Lucas, Commissioner Vera Richardson, Town Manager Dylan Haman, Town Clerk Lessie Jackson, Public Work Supervisor Daniel Medley, and Police Chief Talmedge LeGrand. Absentee was Fire Chief Keith Byrd.

ITEM I. CALL TO ORDER

Mayor Harris called the meeting to order at 7:00 p.m. with a moment of silence and the Pledge of Allegiance.

ITEM II. ADOPTION OF THE AGENDA

Commissioner Paula Covington made a motion to adopt the agenda, Commissioner Mary Lucas second the motion and the motion carried.

ITEM III. APPROVAL OF THE MINUTES

Commissioner Vera Richardson made a motion to adopt the minutes, Mayor Pro-Tem Tim McAuley second the motion and the motion carried.

ITEM IV. PUBLIC COMMENT

(Town Manager Dylan Haman)

-Patsi Laracuate-300 Stanback St. would like to point out that at the last board meeting Commissioner Paula Covington ask that the Stanback Park sidewalk extension to be tabled until the next month meeting and it be not on the agenda again, not even for discussing again. This project has gotten progressively more expensive and more likely to grow in cost as our Board puts off making a decision. Mrs. Laracuate request all communication about this project, as well as all agendas and board minutes where the Stanback Park sidewalk project was discussed; will forward an email request soon for that information. I submitted an email to the Town Manager Dylan Haman, Mayor Beverly Harris, Town Clerk Lessie Jackson about people listening to the meeting on line is stating the microphones was not loud enough, and I have not heard back from any of them, but they sound better. I tried to donate a refrigerator to the town for the pool, specifically for the park program kids. Did the Board know that my kids had warm water all summer and warm watermelon? Mrs. Laracuate stated that she had went in person to the Town Manager Dylan Haman and sent two emails, so she donated the refrigerator elsewhere. That leaves the question of how many missed opportunities have the town missed out on. I have requested and read through all 140 pages about Amy Roberts and what happen with the IRS, and one of the things I notice is there is ten plus letters from the IRS request 60 days, you add them together that is 600 days all the while the IRS is charging us interest. The question I asked of the Town Manager Dylan Haman and felt dismissed, so I am bringing it to the Board why are we being charge interest by the IRS who has repeatedly said to us that they need 60 more days in writing, so I would really like an answer to that question. Publicly the Board tell us to come to them if you have any thing, but when we do, I feel often feel ignored or dismissed, Mayor Pro-Tem you said after a Concern Citizens meeting we all need to work together in this community, where is that energy from you and the rest of the Board?

-Jones Almond-210 E. Allenton St.-I am basing my entire questions on one statement that was in an article in the Montgomery Herald. First, did J.B. Watson receive a letter from the IRS, or whoever sent the letter? Did anyone from the town think to call, send an email, or a copy of the letter to J.B. Watson? Were there any accounting procedures that J.B. Watson should have notice in their oversight and audit as the towns' accountants, and who caught the error? BB and T merge with SunTrust to become Truist; the question here is was there an error in the conversion. Does the state share any responsibility by not noticing a balance that was increasing in an account that should not have had extra payments? My statement is there are four organizations involved in this issue; I feel that anyone or all should be shared in the fault or error of this issue should pay the final amount due after negotiation is complete. Mr.

Almond think some heads should roll with J.B. Watson, and maybe we should consider changing accountants, based on old information and have not heard anything up to date on the IRS situation.

-Mary Poplin-201 S. Main St.-Mrs. Poplin stated that I have been here off and on in this town from the last 40 years of so, and have been living here the last several. Over the years, I have notice we went from a close knit community with a nice vibe where people work together, neighborhoods mixing and people mixing more, and she notice the political divide to be less. I do not know if it is an artifact of national politics twinkling down and top down leadership hurting us this way; but I have notice in town we have a spirit problem, a nastiness problem. I do not know what we can do as leaders in our community to reach out to our neighbors and connect with them and connect with them in a real way. We are a town of 1100 people who are human beings who are all trying our best to best to make a difference. I know that you all work hard for the community and you are leaders here, so I am asking the you that in your constituents and in your neighborhoods, and I know that there is so much the Board of Commissioner and a Mayor can do in a town that you have limited control. However, I am wondering if there is anything that we can do as a town to try to help improve the unity of the people in the town.

-Johnny Greene-567 Parkertown Rd. - Mr. Johnny Green who is over Concern Citizens, and Community watch; on the October 12, 2023 at 7:00 p.m. at Leah Levine Auditorium for the Mayor Candidates Debate. This little town should try to pull together, he have been here a long time and as Mrs. Poplin stated this little town need to try to pull together. Mr. Greene states that he see people still parking alongside the road in Parkertown.

ITEM V.

OLD BUSINESS

- A. Ordinance to Abate 500 West Allenton Street
Brandon Emory President of Alliance Code Enforcement-Brandon went into details about the Ordinance for the structure at 500 W. Allenton St., and why the Board should approved the Ordinance. Commissioner Paula Covington thanked the President of Alliance Code Enforcement Brandon Emory and Town Manager Dylan Haman for playing an active role to educate the Board on the Ordinance for 500 W. Allenton St. Brandon Emory, President of Alliance Code Enforcement also continued explain the code enforcement report for the month of September 2023. Motion made by Commissioner Mary Lucas to adopt the Ordinance ordering the Town of Mt. Gilead Code Enforcement to proceed to activate purpose to act according to the NC Housing Code and the General Statue, Mayor Pro-Tem Tim McAuley second the motion, and the motion carried.

ITEM VI.

NEW BUSINESS

- A. Sanitary Sewer Project Ordinance Amendment
This Ordinance has already been adopted from a grant we received last year through the State Appropriation Process it is the exact same Ordinance, but over the past few months we have been cleaning up some old project Ordinances. This is another one and the only change is in section 6 it now says that funds maybe advance from the water/sewer fund for the purpose of this, and before it says funds maybe advance from our general fund. There is a difference and we need to make that amendment for our auditors. Commissioner Paula Covington made a motion to adapt the Sanitary Sewer Project Ordinance Amendment, Commissioner Vera Richardson second the motion and the motion carried.
- B. Yellow Book Audit
This is another part of the auditing process. This is to review the Grant portion of our audit; it is a secondary auditing firm. This company reviewed the audit last year. The Yellow Book Audit is the second review of the state and federal grant portion of the audit. We just need to approve giving this company the ability to review this aspect of our audit. Commissioner Paula Covington made a motion to adapt the Yellow Book Audit to continue reviewing the audit, Commissioner Vera Richardson second the motion and the motion carried.
- C. Update on Agreement with Lennar
The agreement with Lennar, which is the lake project. Money was appropriated through the state appropriation process, and that money was appropriated to the County so we are in conversation with the County about how we are going to moving forward. We are working on some new language, and we will have to come back together with the Board to review that language. Once the agreement is approved with the new language, Town Manager Dylan Haman think the project will move forward. We are already in the first part of the project, which is the improvements on the lift station, which the Board knows is a two-phase project. First phase is the lift station, and the second phase is the force main, running from the lift station back to the wastewater treatment plant.

This second aspect is what we will be discussing moving forward. Town Manager Dylan Haman will send out an email to the Board to set up a date and a time, once we have the language for the updated amendment. We will move forward from there.

D. Mount Gilead Fund Balance Policy Resolution

Town Manager Dylan Haman met with Perry James from the NC League of Municipalities, we discussed the town finances, and some of the financial policies that the town has. Perry James is formally the financial officer for the City of Raleigh; he recommends that many small towns have a fund balance policy. It is essentially a minimum amount of money maintain in our bank accounts at all time, both in order to ensure liquidity, and also it is just generally good practice. This policy has provision for example if you get above a sudden threshold what you do with that money, and simply put that money back into a capital project ordinance where we can do some more fund projects. This policy is the first step moving in a proper direction. Mayor Pro Tem Tim McAuley made a motion to adopt the Fund Balance Policy Resolution, Commissioner Vera Richardson second the motion and the motion carried.

E. Cotton Gin Drive Update

Town Manager Dylan Haman gave an update on Cotton Gin Dr., he explain the agreement and that the town is seeking bids at the time.

F. Local Water Supply Plan Resolution

A plan every five years, just stating what will happen in case of a shortage, and what steps the town will take to fix the problem. Mayor Pro Tem Tim McAuley made a motion to adopt the Local Water Supply Plan Resolution, Commissioner Paula Covington second and the motion carried.

G. Christmas Party for Employees and Board

Town Manager Dylan Haman shared with the Board the employees of the town will be hosting their Annual Christmas Party December 14, 2023 at 6:30p.m., at Riverwild.

ITEM VII.

COMMITTEE REPORTS

A. Community Garden

(Mary Poplin)

The Community Garden will be doing tours during fall festival this year; the tours are scheduled for 11a.m. and 4p.m. during the fall festival. Master gardeners will be onsite during the tours, if you would like to discuss gardening. Mary Poplin continue to inform the Board on what they are planting at the garden.

ITEM VIII.

STAFF REPORTS

A. Public Works – Public Works Director Daniel Medley

During the month of September most of the work happened out at the lake, we had a lot of sewer leaks; due to the storms. We also, clean town entrances, and did some mowing at the walking trail, mowed all Town buildings, mowed sewer plant, and mowed park along with ballfields. Things still in progress Cotton Gin Dr., AIA Study, and Grant study for the park.

B. Police Department – Chief Talmadge Legrand

During the month of September, our department participated in two Governor's Highway Safety Events. One was The Labor Day Booze It & Lose It, and Child Passenger Safety Week campaigns. The Mt. Gilead Police Department continue to patrol and initiate traffic stops to show officer presence to avert criminal activity, and to provide a safer environment for our community. Mayor Beverly Harris and Chief Talmadge Legrand recognize Sgt. Hunter Stone and Mr. Liam Lamonds for saving a life of a person who had overdosed.

C. Fire Department – Chief Keith Byrd

Information in packet, Town Manager gave a brief summary about the annual fire department BBQ fundraiser.

D. Town Manager- Dylan Haman

Town Manager Dylan Haman stated that we are continuing to work on our 22-23 audit. Deneal Bennett who is the town auditor was in Town Hall, had work through some of 22-23, and will continue working on it. Town Manager Dylan Haman responded to a question that was asked earlier by Mr. Jones Almond. Town Manager Dylan Haman stated in our General Ledger which is our accounting system, the way that it was shown was that the money had been disbursed to the IRS, unless someone would shown the letter the town hall received, there would be almost no way for any CPA to have found what was happen with the IRS. Town Manager Dylan Haman shared

that he is taking some classes, and that we had signed up Lessie Jackson for her Municipal Clerk class. Town Manager Dylan Haman will be out of the office November 14-17, 2023 for a budgeting course, and then on November 29-30, 2023 for an internal control course. Internal control are just ways to prevent fraud. The state budget was released and passed this month, there is several programs being funded in Montgomery County one is a dental hygienists program at the Montgomery Community College as well as several other programs at the high school. There also was some money appropriated for a water/sewer project and Town Manager Dylan Haman is discussing with the County whether the money can be used for the water/sewer project. Glenn Dunn, the attorney at Pointer Spruill will continue to represent the town in our negotiation with Lennar I think that is getting close to being completed, as I said early we would have to come back and have a separate meeting for that. The town Planning Board met last Thursday and they want to move forward with two items, one the rezoning of Washington Park Rd., and the second is zoning text amendment to allow for mix use in the central business district allowing people to live in their business downtown. Mollie is continuing to work on fall festival 2023, she has received a number of applicants as vendors we have over 60 now and we are doing well. Last year we had about 52, this year as you can see the number has increased. Town Manager Dylan Haman reiterated what Mary Poplin had stated earlier about the community garden. Town Manager Dylan Haman also updated the Board with information about a meeting with DOT about the Stanback Park Side walk extension. Commissioner Mary Lucas asked the next board meeting to be change because of election instead of meeting on November 7, 2023 change the meeting to November 6, 2023 at 7:00 p.m. location will be determine.

E. Code Enforcement Report-(Information in Packet)

ITEM IX.

MAYOR AND COMMISSIONERS REPORT

- *Mayor Beverly Harris said that she would be getting plaques for Sgt. Hunter Stone, and Mr. Liam Lamonds. She also wanted to thank everyone for his or her support as she finish up her term as mayor.
- *Commissioner Vera Richardson also gave a big thank you to everyone that came out and supported Highland Community Center Breakfast.
- *Commissioner Paula Covington gave a thank you to everyone that came and supported the fundraiser for Madison Grace, and gave an update on Madison progress.
- *Mayor Pro Tem Tim McAuley gave a speech on the town coming together and supporting each other events.

ITEM X.

ADJOURNMENT

Commissioner Vera Richardson made the motion to adjourn the meeting and Mayor Pro Tem Tim McAuley second the motion and the motion carried. The meeting adjourned at 8:10 p.m.

Beverly Harris, Mayor

Lessie D. Jackson, Town Clerk

TOWN OF MOUNT GILEAD

Post Office Box 325
110 West Allenton Street
Mount Gilead, North Carolina 27306
Incorporated 1899
Phone (910) 439-5111 – Fax (910) 439-1336

Mayor
Beverly A. Harris

Mayor Pro Tem
Tim McAuley

Commissioners
Vera Richardson
Paula Covington
Mary Lucas

Town Manager
David Smith

Town Clerk
Amy Roberts, CMC

Rules for Public Comment

Meeting of the Town Board of Mount Gilead always include a Public Comment period. The purpose of this time is for members of the community and the general public to make their views known directly to the Town Board. To ensure a fair proceeding for all who wish to speak, please be aware of the following rules that were unanimously adopted in December 2016, that will be observed during all public meetings:

1. All persons wishing to speak shall do so from the podium to ensure an accurate record of testimony. Each person requesting to speak shall do so by signing their name, phone number on the Public Comment sign up sheet and must provide a phone number, address, and/or email address in order. No one is permitted to speak from the audience or interact and/or question the person speaking. This is a public comment session and not a public debate. Open Meetings laws for the State of North Carolina, section 197, pg. 87., and section 239, pg. 105, agree that a Mayor nor the Board of Commissioners are allowed to respond to public comment or debate with a citizen during this time. If a response is necessary, a separate meeting can be called to discuss the issue at hand or if the answer is readily available it will be answered during Department Reports by the Town Manager.
2. Each person who has signed up to speak shall have one opportunity to speak for a period not to exceed 3 minutes in duration. The speaker will not be permitted to speak again once they leave the podium, or their 3 minutes expire.
3. The Board requests that a group be represented by a spokesperson in order to keep repetitive testimony at a minimum. If this spokesperson is representing a group of more than 5 citizens, he/she is afforded the opportunity to speak for a period not to exceed 5 minutes.
4. Town staff will note all comments and provide answers directly to citizens or make information available town-wide during department reports or at the next meeting.
5. Inflammatory or immaterial testimony will not be allowed.
6. In addition to the comment period during the public meeting, individuals can provide written comments to the Town Board of Commissioners by submitting them in writing to the Town Clerk. This can be addressed by email to clerk@mtgileadnc.com or via USPS at PO Box 325, Mt. Gilead, NC 27306.

Meeting Date: 11/6/2023	Agenda Item Number: V-A
Submitted By: Dylan Haman	Department: Powell Bill
Attachments: Stanback Park Sidewalk Extension Project Update	

Topic: Stanback Park Sidewalk Extension

Staff Summary: The Stanback Park Sidewalk Extension project was started in 2019. The Town originally had 5 years to complete the project, but due to unforeseen circumstances, the price of the project has increased. The Town Board must decide to either extend the project by adopting a new grant agreement to finish the project or pay NCDOT back approximately \$16,000. There is no additional match assistance from NCDOT.

Staff is requesting guidance from the board regarding which option to take moving forward. The Board must take action prior to March 2024.

Direct Cost: \$55,400/\$15,902.74	Line Item Utilized N/A
Amount Remaining after Action:	In Current Budget: Yes/No
Plans if Not in Current Budget: Adopt a project amendment.	

Staff Recommendation: Based on Current Fund Balance trends, staff recommends returning the original funding to NCDOT.

Examples of Motions:

Approve: I make a motion to direct Staff to pursue a new grant agreement for the Stanback Park Sidewalk Extension Project, and design an amended budget to pay for it.

Deny: I make a motion to direct staff to repay NCDOT and design an amended budget to pay for it.

Need More Time: I make a motion to table this agenda item to another meeting on (date):

TOWN OF MOUNT GILEAD

Post Office Box 325
110 West Allenton Street
Mount Gilead, North Carolina 27306
Incorporated 1899

Phone (910) 439-5111 – Fax (910) 439-1336

Mayor
Beverly A. Harris

Mayor Pro Tem
Tim McAuley

Commissioners
Paula Covington
Vera Richardson
Mary Lucas

Town Manager
Dylan Haman

Town Clerk
Lessie D. Jackson,
Town Clerk

Mayor and Board,

On October 11, 2023, I met with Alison Kluttz at NCDOT to discuss the Stanback Park Sidewalk extension project. Below, I will discuss the information provided to me by DOT as it relates to this project.

1. We need to either complete the project, agree to adopt a new project ordinance, or repay NCDOT approximately \$16,000.00 by March of 2024.
2. The new project cost for the Town is \$55,400.
3. There is no available match assistance for this project from NCDOT.
4. We can utilize Powell bill funds for this project, if the board would like. We currently have \$82,203.22 in the Powell Bill Account. If the Board chooses to utilize Powell Bill Funds for this project, we would be unable to pave additional roads this year with Powell Bill Money.
5. The Town is responsible for paying 100% of the cost of any cost overruns past the NCDOT estimate amount.

I am requesting guidance from the Town Board regarding how you would like to move forward with this project.

Dylan Haman, Town Manager

Meeting Date: 11/6/2023	Agenda Item Number: VI-A
Submitted By: Dylan Haman	Department: Administration
Attachments: An Ordinance to Amend the Mount Gilead Budget Ordinance to Disburse Funds to the Internal Revenue Service in FY 23-24	

Topic: IRS Budget Amendment

Staff Summary: The Board of Commissioners must pass a budget amendment in order for staff to disburse payments to the Internal Revenue Service related to the ongoing failure to pay 941 notices.

Direct Cost: \$500,000	Line Item Utilized Multiple
Amount Remaining after Action: 0	In Current Budget: Yes/No
Plans if Not in Current Budget: N/A; Budget Amendment	

Staff Recommendation: Staff recommends passing the proposed budget amendment.

Examples of Motions:

Approve: I make a motion to approve the proposed budget amendment to disburse payments to the Internal Revenue Service in FY 23-24.

Deny: I make a motion to deny this proposed amendment.

Need More Time: I make a motion to table this agenda item to another meeting on (date):

**AN ORDINANCE TO AMEND THE MOUNT GILEAD BUDGET ORDINANCE TO
DISBURSE FUNDS TO THE INTERNAL REVENUE SERVICE IN FY 23-24**

WHEREAS, The Town of Mount Gilead has received Failure to Pay 941 notices since September 30, 2021, or earlier; and

WHEREAS, The Town Manager received Failure to Pay 941 notices on May 26, 2023; and

WHEREAS, the Town Auditor was provided receipts by the Town of Mount Gilead, disbursing funds which agreed with the 941 liability during the yearly audit; and

WHEREAS, 941 funds were improperly disbursed to the North Carolina Department of Revenue; and

WHEREAS, Reimbursement from the North Carolina Department of Revenue is expected as revenue; and

WHEREAS, The Town of Mount Gilead owes the Internal Revenue Service for 33 months of unpaid payroll tax;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MOUNT GILEAD, THAT the Town of Mount Gilead 23-24 Budget Ordinance is amended as follows.

Section 1. The General Fund Revenues are to be increased as follows

10-100-81 NCDOR REIMBURSEMENT	\$224,795.66
10-360-10 APPROPRIATED FUND BALANCE	75,204.34
TOTAL	\$300,000.00

Section 2. The General Fund Expenditures are to be increased as follows

10-400-04 FICA	\$300,000.00
TOTAL	\$300,000.00

Section 3. The Water/Sewer Fund Revenues are to be increased as follows

20-100-81 NCDOR REIMBURSEMENT	\$149,863.77
20-320-10 APPROPRIATED FUND BALANCE	50,136.23
TOTAL	\$200,000.00

Section 4. The Water/Sewer Fund Expenditures are to be increased as follows

20-400-02 FICA	\$200,000.00
----------------	--------------

TOTAL	\$200,000.00
--------------	---------------------

Total Increase \$500,000.00

Section 5. This Amendment is balanced in accordance with § 159-8.

PASSED AND DULY ADOPTED on this, the 6th day of November, 2023.

Lessie Jackson,
Town Clerk

Beverly A. Harris,
Mayor

(SEAL)

Meeting Date: 11/6/2023	Agenda Item Number: VI-B
Submitted By: Dylan Haman	Department: Governing Board
Attachments: First Amendment to Development Agreement	

Topic: Easement Amendment to Development Agreement

Staff Summary: Lennar has proposed an amendment to the active Development Agreement. This amendment primarily impacts the County, as the County has agreed to assist Lennar with the acquisition of easements. Lennar tells us this amendment is critical for them to receive approval on the project.

As a three part agreement, the other parties require the town to pass this amendment, however, Mount Gilead has proposed an amendment to the agreement which has not yet been adopted by Lennar.

Mount Gilead has proposed an amendment that:

1. Lennar will agree to pay for improvements exceeding the \$8,000,000 appropriation for the Lilly's Bridge Force Main Improvement Project.
2. Adjusts the buildout time for the Lilly's Bridge Force Main Improvement project and ties it to when funding actually becomes available to Mount Gilead.
3. Unifies the current amendments into a single agreement.

Direct Cost: N/A	Line Item Utilized N/A
Amount Remaining after Action: N/A	In Current Budget: Yes/No
Plans if Not in Current Budget: N/A	

Staff Recommendation: Adopt the Easement amendment contingent on Lennar adopting an appropriate amendment proposed by the Mount Gilead legal counsel.

Examples of Motions:

Approve: I make a motion to adopt the Easement Amendment proposed by Lennar contingent on Lennar's approval of the Amendments proposed by the Mount Gilead Legal Counsel.

Deny: I make a motion to deny the Easement Amendment proposed by Lennar.

Need More Time: I make a motion to table this agenda item to another meeting on (date):

Prepared by and return after recording to

St. Amand & Efird PLLC

3315 Springbank Lane, Suite 308

Charlotte, NC 28226

STATE OF NORTH CAROLINA

**FIRST AMENDMENT TO DEVELOPMENT
AGREEMENT**

COUNTY OF MONTGOMERY

(cross-reference: Book 928, Page 498)

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT hereinafter at times the "**Amendment**"), is made and entered into this ____ day of _____, 2023 (the "**Effective Date**") by and between Lennar Carolinas, LLC, a Delaware limited liability company, (hereinafter sometimes referred to as "**Developer**"), and the County of Montgomery, a North Carolina County, a body politic and corporate (hereinafter sometimes also referred to as "**Montgomery County**" or the "**County**"), and the Town of Mt. Gilead, an incorporated North Carolina Town (hereinafter sometimes also referred to as "**Mt. Gilead**" or the "**Town**"). Developer, the County and the Town may at times be hereinafter collectively referred to as the "**Parties**."

RECITALS

WHEREAS, on June 1, 2023 the Parties entered into that certain Development Agreement recorded on August 10, 2023 in Book 928, Page 498 in the Office of the Register of Deeds for Montgomery County (the "**Development Agreement**"), for the development of approximately 644.45 acres located in Montgomery County, North Carolina (the "**Property**");

WHEREAS, Developer has completed a Traffic Impact Analysis Review Report entitled "Lake Tillery Residential," dated April 11, 2023, related to the Property and development of the Project, the contents of which are incorporated by reference as if fully set forth herein (the "**Traffic Impact Report**");

WHEREAS, the North Carolina Department of Transportation (the "**NCDOT**") has provided feedback related to the Traffic Impact Report, pursuant to that letter from R.J. Monroe, District Supervisor, dated April 17, 2023, the contents of which are incorporated by reference as if fully set forth herein (collectively, with the Traffic Impact Report, the "**TIA**");

WHEREAS, the NCDOT requires a number of traffic improvements to serve the Project and mitigate the traffic impact of the Project upon the surrounding area (as more particularly defined in Section 3, the "**Traffic Improvements**");

WHEREAS, a portion of the Traffic Improvements require offsite easements over surrounding properties for the installation and maintenance thereof (each an “**Offsite Traffic Easement**” and collectively, the “**Offsite Traffic Easement**”);

WHEREAS, the Developer has agreed to install the Traffic Improvements;

WHEREAS, the subject to the terms and provisions herein, the County has agreed to assist Developer the acquisition of the Offsite Traffic Easements and where necessary exercise eminent domain; and

WHEREAS, the Parties wish to amend the Development Agreement to incorporate the installation of the Traffic Improvements and acquisition of the Offsite Traffic Easements.

NOW, THEREFORE, in consideration of the foregoing and other mutual promises hereinafter set forth and other consideration, the receipt of which is hereby acknowledged and confessed, the Parties do hereby agree as follows:

1. Recitals. The foregoing recitals of fact are agreed to be true and correct and are incorporated herein by reference.
2. Defined Terms. All defined terms used herein shall have the same meanings ascribed to them in the Development Agreement unless the context of this Amendment shall provide otherwise.
3. Traffic Improvements as Duty of Developer. Section IV of the Development Agreement is hereby amended to include the following:

The Developer shall pay for the design and construction of all Traffic Improvements necessary to serve the Project as required by the NCDOT, pursuant to the TIA, and upon completion shall transfer to the NCDOT, County or Town, as applicable, at no cost, all such Traffic Improvements. For the purposes of this Development Agreement, the Traffic Improvements including without limitation the following: (i) the installation of a turn signal along NC Highway 24/NC Highway 27 (ii) the installation of a turn signal at the intersection of NC Highway 73 and NC Highway 24/NC Highway 27; (iii) the installation of a turn lane at the intersection of NC Highway 73 and NC Highway 24/NC Highway 27; (iv) the installation of a turn signal at the intersection of NC Highway 73 and Lilly’s Bridge Road; (v) the installation of turn lanes at the intersection of NC Highway 73 and Lilly’s Bridge Road; (vi) the installation of turn lane at the intersection of Livingston Point and Lilly’s Bridge Road; (vii) the installation of a turn signal at the intersection of Lilly’s Bridge Road and a yet-named internal Project road; (viii) the installation of turn lanes at the intersection of Lilly’s Bridge Road and a yet-named internal Project road Site Drive A; (ix) the installation of turn lanes at the intersection of Emerald Shores Road and Lilly’s Bridge

Road; (x) installation of turn lanes at the intersection of Livingston Point and yet-named internal Project road Site Drive B; (xi) installation of turn lanes at the intersection of Livingston Point and yet-named internal Project road Site Drive C; (xii) installation of turn lanes at the intersection of Emerald Shores Road and yet-named internal Project road Site Drive D; and (xiii) installation of turn lanes at the intersection of Emerald Shores Road and yet-named internal Project road Site Drive E (collectively, the “**Traffic Improvements**”).

4. **Offsite Traffic Easement Acquisition Duty of Developer; County Agreement to Condemn.** Section IV of the Development Agreement is hereby amended to include the following:

The Developer agrees to use good faith efforts to procure all Offsite Traffic Easements necessary for the installation of the Traffic Improvements and use reasonable design techniques, such as asymmetrical design, to mitigate the need for County action. In the event that the Developer is unable to obtain any of the Offsite Traffic Easement, the Developer shall notify the County in writing of the same (each an “**Offsite Easement Notice**”). The Offsite Easement Notice shall include a copy of any relevant correspondence, a description of the property needed for the Offsite Traffic Easement (the “**Required Parcel**”), drafts of easement documents, description of the use of the easement, and any other items Developer deems helpful or useful in demonstrating all attempts were made. Subject to the provisions of N.C.G.S. §40A-3(b)1 and N.C.G.S. §40A-42, within thirty (30) days of the receipt of the Offsite Easement Notice, the County, through its Board of Commissioners agrees to vote on and approve the use of eminent domain to condemn the Required Parcel for the Offsite Traffic Easement, and to direct its counsel to file the appropriate condemnation action within the Superior Court of Montgomery County. The forgoing shall not preclude the County from acquiring or attempting to acquire the easements without the use of eminent domain within the thirty (30) days following the receipt of the Offsite Easement Notice.

5. **Counterparts.** This Amendment may be executed in multiple counterparts, and when assembled shall constitute one and the same instrument.

Signature Page Follows

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment under seal as of the day and year first above written.

COUNTY OF MONTGOMERY

BY: _____ (SEAL)

PRINT NAME: Dana Dawson

Chair, Montgomery County Board of Commissioners

STATE OF _____)

)

COUNTY OF _____)

I, the undersigned Notary Public for _____ County, do hereby certify that Dana Dawson, the Chair of the Montgomery County Board of Commissioners, who is personally known to me, or who was proved to me on the basis of satisfactory evidence to be the person who executed the foregoing instrument, appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this _____ day of _____, 2023.

(affix notarial stamp below)

Notary Public

Print Name

My Commission Expires: _____

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment under seal as of the day and year first above written.

TOWN OF MT. GILEAD

BY: _____ (SEAL)

PRINT NAME:

Mayor, Town of Mt. Gilead

STATE OF _____)

)

COUNTY OF _____)

I, the undersigned Notary Public for _____ County, do hereby certify that _____, the Mayor of the Town of Mt. Gilead, who is personally known to me, or who was proved to me on the basis of satisfactory evidence to be the person who executed the foregoing instrument, appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this _____ day of _____, 2023.

(affix notarial stamp below)

Notary Public

Print Name

My Commission Expires:_____

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment under seal as of the day and year first above written.

DEVELOPER

LENNAR CAROLINAS, LLC,

A Delaware limited liability company

BY: _____ (SEAL)
Mark Henninger, Vice President

STATE OF _____)

)

COUNTY OF _____)

I, the undersigned Notary Public for _____ County, do hereby certify that Mark Henninger, the Vice President of Lennar Carolinas, LLC, who is personally known to me, or who was proved to me on the basis of satisfactory evidence to be the person who executed the foregoing instrument, appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this _____ day of _____, 2023.

(affix notarial stamp below)

Notary Public

Print Name

My Commission Expires: _____

Meeting Date: 11/6/2023	Agenda Item Number: VI-C
Submitted By: Daniel Medley	Department: Powell Bill
Attachments: Street and Sidewalk Improvement Bids	

Topic: Road Improvement Bids

Staff Summary: Staff has identified 476 feet of road and 5 sections of sidewalk which need to be improved.

Road Improvements (\$23,000):

- Emmaline Street (overlay and compact asphalt)
- School Street (excavate 400 foot of road to remove roots, and stone/compact, overlay with asphalt)

Sidewalk Improvements (\$14,320):

- 107 W Allenton (Public Works entrance)
- 206 E Allenton
- 400 N Main
- 406 East Allenton

TOTAL: 37,320

The proposed improvements leaves 12,680 for general maintenance (pothole repair etc).

Direct Cost: \$37,320	Line Item Utilized: 10-650-15
Amount Remaining after Action: \$12,680	In Current Budget: Yes/No
Plans if Not in Current Budget: N/A	

Staff Recommendation: Approve the proposed road and sidewalk improvement bids.

Examples of Motions:

Approve: I make a motion to approve the proposed road and sidewalk improvement bids.

Deny: I make a motion to deny the proposed road and sidewalk improvement bids.

Need More Time: I make a motion to table this agenda item to another meeting on (date):

Joe McManus Asphalt Services

11975 McManus RD

Midland, NC

Proposal

Phone: 704-490-6069

fax: 704-781-5584

Email: jmacmix@aio.com

Website: www.joemcasphaltservices.com

August 31, 2023

Attn: Daniel Medley
Public Works Director
Town Of Mt Gilead

Phone: 910-439-5111/704-438-8988

Email: dmadley@mtgileadnc.com

We propose to furnish all labor and materials to perform the following:

On 400'/18'

- Excavate 400/9 to remove roots
- Add needed abc stone and compact to standards
- Overlay with total with 2" asphalt compacted \$15,500.00

Payment due upon completion. Please note: Due to the level of volatility in the petroleum market we must index our pricing on this project. We reserve the right to change our price based on any increase after the date of this quote.

Authorized Signature _____

Joe McManus

This estimate is for completing work as described above. Materials guaranteed to be as specified. Our workers are fully covered by Workers Compensation Insurance.

ACCEPTANCE OF PROPOSAL: The above price, specifications and conditions are satisfactory and are hereby accepted. Payment will be made as outlined above.

Signature: _____ Date: _____

Joe McManus Asphalt Services

11975 McManus RD

Midland, NC

Proposal

Phone: 704-490-6069

fax: 704-781-5584

Email: jmacmix@aio.com

Website: www.joemcasphaltservices.com

October 4, 2023

Attn: Daniel Medley
Public Works Director
Town Of Mt Gilead

Phone: 910-439-5111/704-438-8988

Email: dmadley@mtgileadnc.com

We propose to furnish all labor and materials to perform the following:

On 76' / 16' at end of Emaline

- Clean all debris
- Apply tack coat
- Overlay with total with 1.5" asphalt compacted \$7,500.00

Payment due upon completion. Please note: Due to the level of volatility in the petroleum market we must index our pricing on this project. We reserve the right to change our price based on any Increase after the date of this quote.

Authorized Signature _____

Joe McManus

This estimate is for completing work as described above. Materials guaranteed to be as specified. Our workers are fully covered by Workers Compensation Insurance.

ACCEPTANCE OF PROPOSAL: The above price, specifications and conditions are satisfactory and are hereby accepted. Payment will be made as outlined above.

Signature: _____ Date _____

Hailey's Contracting Services, LLC

104 Marks Creek Rd.

Hamlet NC 28345

sheronhailey81@gmail.com

(910) 206-4472

DATE: 10-16-23

CLIENT: Mount Airy Public Works

Mount Airy NC 27356

Hailey's Contracting Services, LLC we always work hard to do the best job possible for our clients. We have experienced men on our team, who are more than qualified for the job. We are always looking out for the best interest for the clients, we have been in business for over 20 yrs.

Our prices can't be beat.

Neither can our services!!

The prices:

CONCRETE 9,120⁰⁰ (Groves and Delivery fee)
EXPANSION 840⁰⁰ (cut every 4ft)
GRADING 4,000⁰⁰ (dispose of old concrete)
FORMING 1,560⁰⁰ (All materials)
FINISHING 6,000⁰⁰ (Labor and light brown finish)
SUBTOTAL 21,520⁰⁰ (14,320 without the 115 W All on job)

CLIENT SIGNATURE _____

Sincerely,

Sheron Hailey, Owner/Operator

Areas of jobs:

1107 Public Works (entrance driveway)

2016 East Allamona St

4106 North Main St

4106 East Allamona St

115 W Allamona St (parking lot)

Meeting Date: 11/6/2023	Agenda Item Number: VI-D
Submitted By: Dylan Haman/Michael Harvey	Department: Planning and Zoning
Attachments: Zoning Ordinance Text Amendment	

Topic: Mixed Use in the Central Business District

Staff Summary: Town Staff and the Planning Board have been working on a text amendment to allow for Live/Work Units and Townhouses in the Central Business District. The planning board has reviewed the proposed text amendment and recommends it to the Town Board.

Mixed Use housing in the Central Business District is recommended on pages 59, 72, and 76 of Mount Gilead's adopted 2040 Comprehensive Land Use Plan.

Direct Cost: N/A	Line Item Utilized:
Amount Remaining after Action: N/A	In Current Budget: Yes/No
Plans if Not in Current Budget: N/A	

Staff Recommendation: Approve the proposed text amendment to allow for Mixed Use housing in the Central Business District.

Examples of Motions:

Approve: I make a motion to approve the proposed Zoning Ordinance Text Amendment to allow Mixed-Use housing in the Central Business District consistent with the recommendations on pages 59, 72, and 75 of the Mount Gilead adopted 2040 Comprehensive Land Use Plan.

Deny: I make a motion to deny the proposed Zoning Text Amendment... (you must explain how this is reasonable and consistent with the comprehensive plan to comply with NCGS 160D-605).

Need More Time: I make a motion to table this agenda item to another meeting on (date):

Uses												
X = Permit from Zoning Administrator S = SUP from Board of Commissioners X/C = Permit from Zoning Administrator; use must meet additional conditions “-“ = not permitted U = Uses determined by underlying zoning district	R-A	R-15	R-15M	R-8	R-6	O-I	CB	GB	NB	I	LD-CD	Additional Conditions
Pharmacy	-	-	-	-	-	X	X	X	X	-	-	
Recreational Uses												
Arenas	-	-	-	-	-	-	-	S	-	-	-	9.9
Assembly Halls, coliseums, armories, ballrooms, reception halls and exhibition buildings	-	-	-	-	-	-	-	S	-	-	-	9.11
Park and Open Space Areas including Athletic Fields	X	X	X	X	X	X	X	X	-	-	X	
Planned Recreational Resort	S	-	-	-	-	-	-	-	-	-	X	9.63
Recreational Facilities, Public	X	X	X	X	X	X	X	X	-	-	X	
Recreation Services, Indoor	X	X	X	X	X	X	-	X	-	-	-	
Recreation Services, Outdoor	S	S	S	-	-	-	-	-	-	-	X	9.68
Recreational Vehicle Park and Campground	S	-	-	-	-	-	-	-	-	-	X	9.69
Residential Uses												
Accessory Dwelling Unit, Attached	-	X	X	X	X	-	-	-	-	-	-	
Accessory Dwelling Unit, Detached	X/C	X/C	X/C	S	S	-	-	-	-	-	-	9.3
Boarding or Rooming House for up to 3 boarders	X/C	X/C	X/C	-	-	-	-	X/C	-	-	-	9.14
Boarding or Rooming House for 4-to 6 boarders	X/C	X/C	X/C	-	-	-	-	X/C	-	-	-	9.14
Cluster Subdivisions	X/C	X/C	X/C	-	-	-	-	-	-	-	-	9.23
Manufactured Home, Class A	X/C	-	X/C	-	X/C	-	-	-	-	-	-	9.48
Manufactured Home, Temporary	X/C	X/C	X/C	X/C	X/C	-	-	-	-	-	-	9.49
Manufactured Home Park	-	-	S	-	-	-	-	-	-	-	-	9.50
Manufactured Home Subdivision	-	-	-	-	-	-	-	-	-	-	-	
Residential Building, Condominium <u>And/or Live/work Units</u> ¹	S	S	S	S	S	-	-X/C ²	-	-	-	X	9.71
Residential Building, Duplex	-	-	-	-	S	-	-	-	-	-	-	9.72
Residential Building, Multi-family	-	-	-	-	S	-	S	-	-	-	-	9.73
Residential Building, Single-family	X	X	X	X	X	X	-	-	-	-	X	
Residential Building, Townhouse	S	S	S	S	S	-	S	-	-	-	X	9.74
Service Uses												
Cemetery	S	-	-	-	-	-	-	-	-	-	-	9.18
Mausoleum	S	-	-	-	-	-	-	-	-	-	-	9.18
Personal Services	-	-	-	-	-	-	X	X	X	X	X	

¹ Staff chose the condominium land use category as the most suitable alternative to allow housing within the Central Business (CB) district given existing regulations associated with establishing the use. There are requirements for covenants and deed restrictions on the land use staff believes are appropriate given the mixed use nature of the area where the use will be located, giving staff greater opportunity to work with developers to address development concerns and potential liability issues.

² Staff is recommending this use be allowed subject to the approval of a site plan by staff subject to compliance with development conditions contained in Section 9.71 of the Ordinance.

the park.

- (3) Visibility. Such establishments shall present no visible evidence from any street outside the park of a commercial nature which would attract customers other than occupants of the park.
- (4) Access. Such establishments shall not be directly accessible from any public street, but shall be accessible only from a street within the park.
- (5) Manufactured Homes. No manufactured home may be parked or stored in a recreational vehicle park, except that one Class A manufactured home may be located within the park for the exclusive use as the principal dwelling unit for the park manager or operator. The park manager or operator's dwelling shall be removed from the property upon cessation of the Recreational Vehicle Park or Campground operation.

9.70 Recycling Drop-Off Site.

- (A) A 50-foot side and rear yard buffer shall be required for any site which abuts a residential or mixed use district.
- (B) No outdoor storage of goods to be recycled shall be permitted. All such materials shall be enclosed within bins, buildings, or storage containers.
- (C) Recycling Drop-Off sites shall only be allowed in service alleys in the CB – Central Business and GB – General Business zoning districts.

9.71 Residential Building, Condominium.

- (A) Types of Permitted Condominium Units.

The following types of condominium units shall be permitted under this Article, subject to conformance with the development district standards of this Ordinance:

- (1) Single-family detached units. Condominium projects in any residential district shall comply with all setback, height, coverage, and area restrictions in the same manner as those standards would be applied to platted lots in a subdivision. In the case of a site condominium project, not more than one (1) single-family dwelling unit and permitted accessory structure shall be proposed or constructed on a condominium lot. No dwelling unit in a site condominium may be located on a condominium lot with any other approved principal use. The condominium unit shall be considered a lot under this Ordinance.
- (2) Attached residential or multiple-family residential units. Condominium buildings and units created by the construction of multiple or attached residential units containing individually owned condominium units, or by conversion of existing multi-family or attached units or an existing building into residential condominium units shall conform to all requirements of this Ordinance and the applicable zoning district.
- (3) Live/Work units within the Central Business (CB) District.

- a. Individual dwelling/condominium units shall be permitted on upper levels of commercial structures within the CB general use zoning district subject to the standards of this section of the Ordinance.³
- b. Ground floor or basement⁴ residential units shall be reserved for the owner/operator of commercial land uses operating from the structure. Units shall be limited to no more than 45%⁵ of the gross floor area of the first floor or basement area of the building.⁶
- c. Use limited solely to property zoned CB;⁷
- d. Uses shall only be permitted on upper floors of a structure. Under no circumstances may a residential land use be located on the ground floor (i.e. street level) of the structure;⁸
- e. Access to live/work units shall be limited to single-family residential units and separate/independent from non-residential activities located within the structure;⁹
- (2)f. Structures housing live/work units shall be brought into compliance with applicable State building code to allow for multiple mixed-use occupancy of the structure.¹⁰

(B) Density. The density of the condominium project shall be determined by the density limits of the zoning district listed in Article 4, Table 4.4.

~~(B)~~(1) Within the CB general use zoning district, the number of Live/Work units shall be determined by the density limits of the zoning district lined in Article 4, Table 4.4 as well as applicable State building code standards.¹¹

(C) Review Requirements. A condominium project shall be subject to the site plan requirements listed in Section 10.3 - Permits and the following additional information:

- (1) Ownership interest. Declaration of all persons with an ownership interest in the land on which the condominium project will be located, including a description of the nature of each entity's interest (e.g. fee owner, option holder, lessee or land

³ The term live/work seems consistent with the overall purpose and intent of the Town with this amendment. Attempting to preserve residential land uses in the downtown area and promoting additional housing options for business owners.

⁴ 'Basement' was added at the request of the Planning Board.

⁵ Percentage increased. Originally, staff recommended a 35% gross floor area limit. Planning Board suggested a 45% limit.

⁶ This will allow the owner to 'live where they work'.

⁷ The use will be limited to the CB district.

⁸ Staff is recommending the activity only be permitted on second, third stories of a building. The first floor should be preserved for commercial activities.

⁹ This standard is to ensure residents do not have to go through the non-residential land use area to access their living space.

¹⁰ State building code will require modification(s) to structure to accommodate living spaces over non-residential land uses. This might include fire wall separation or even sprinkler protection. Whatever is required, it will be subject to the determination of the Montgomery County Inspections department.

¹¹ Staff added language referencing existing Town density standards as well as potential State building code limits on the total number of residential units that can be placed within a non-residential structure. The overall design of the building, and compliance with the Building Code, may be the ultimate limiting factor in this process.

contract vendee).

- (2) Developer. Identification of the developer, if different from the owner.
- (3) Proposed use. The proposed use(s) of the condominium project.
- (4) Density. The total acreage of the condominium site, acreage set aside for road rights-of-way or easement, number of condominium units to be developed on the subject parcel and density computation on a unit per acre basis.
- (5) Circulation. The vehicular and pedestrian circulation system planned for the proposed development, including the designation of roads for dedication to the public.
- ~~(6)~~ Road layout. The location of existing roads adjacent to the development, with details for the location and design of interior roads and access drives, and proposed connections to abutting roads.
 - ~~(6)a.~~ For Live/Work units within the CB general use zoning district, the site plan needs to denote vehicular ingress/egress for residents.¹²
- (7) Unit lot orientation. The proposed layout of structures, unit lots, parking areas, open space and recreation areas. Parking for live/work units shall be provided in accordance with single-family residential land uses in accordance with Section 6.4 (F) of the Ordinance.¹³
- (8) Drainage. Site drainage showing topography and flow directions, including computations of flows into storm sewers or retention or detention areas;
- (9) Natural features. Specific locations and dimensions of wetland areas, wetland buffers, floodplain, and significant natural features such as tree stands, unusual slopes, streams and water drainage areas. The gross land area of all wetland areas and proposed open space dedications shall be provided if applicable.
- (10) Condominium Restrictions. All deed restrictions, restrictive covenants or other proposed regulations for the layout, use and maintenance of public or common areas and structures shall be incorporated into the site plan as detail sheets and notes.
- (11) Documents. The master deed, condominium bylaws, restrictive covenants, and related condominium documents shall be provided for Town Attorney review.
- (12) Additional Information. The following additional information shall be submitted for review:
 - (a) Cross sections of roads, driveways, shared driveways, sidewalks, and other paved areas.
 - (b) Details of any proposed sanitary, storm, and water system improvements.

¹² The Town needs to be able to verify that residents will have independent vehicular access to the parcel and to their residences without having to rely on on-street parking for support.

¹³ AS with all residential projects, the Ordinance requires a minimum number of parking spaces for residential land uses. This language merely references the applicable standard in the Ordinance.

- (c) All necessary easement documents showing the dedication of land areas for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing or removing pipelines, mains, conduits and other installations of a similar character; providing public utilities, including conveyance of sewage, water and storm water run-off across, through and under the property subject to said easement; and excavating and refilling ditches and trenches necessary for the location of said structures.

9.72 Residential Building, Duplex.

Duplexes are permitted on corner or through lots in districts designated in Article 4, Table 4.5 according to the following standards:

- (A) The entrances to each unit may face different streets.
- (B) If a duplex building fronts on two (2) streets, the building shall meet the minimum front yard setback from both streets upon which a unit faces.
- (C) The lot shall have at least one and one-half (1-1/2) times the minimum lot area for the district in which it is located.

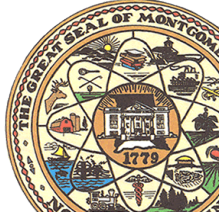
9.73 Residential Building, Multi-Family.

- (A) Density. See Dimensional Requirements listed Table 4.4 for maximum density permitted in zoning district.
- (B) Lot Width. The minimum lot width for all multi-family developments shall be 100 feet.
- (C) Building Setback Lines. All principal buildings shall be located at least 35 feet from any property lines.
- (D) Building Location. Buildings containing dwellings shall be set back a minimum of 15 feet from internal driveways and parking areas.
- (E) Building Separation. A separation of at least 20 feet shall be provided between all buildings on the same site.
- (F) Building Height. The maximum height for all structures in a multi-family development shall be 35 feet.
- (G) Screening and Buffers. A visual screen and/or vegetative buffer composed primarily of evergreen trees shall be provided around the perimeter of the development to effectively screen the development from view of adjoining properties.
- (H) Control of Potential Nuisance Uses. Mechanical equipment rooms, air conditioning units or cooling towers, swimming pools, water filtration systems, children's play areas and sporting facilities shall not be placed within 50 feet of adjacent land used or anticipated to be used for single-family residential.
- (I) Internal Relationships. All structures, uses, and facilities shall be grouped in a safe, efficient, convenient and harmonious relationship in order to preserve desirable natural features and minimize disturbances to the natural topography of the site.

COUNTY OF MONTGOMERY

102 East Spring St. P.O. Box 425 Troy, North Carolina 27371-0425
Telephone: (910) 576-4221 Fax: (910) 576-4566
www.montgomerycountync.com

BOARD OF COMMISSIONERS
Dana Dawson, Chairman
Mary Hassell, Vice Chair
Steve Hair, Commissioner
Kay Robinson, Commissioner
John Shaw, Commissioner



OFFICERS
Frankie Maness County Manager
Amber Daniels Finance Director
Melissa Pipkin Register of Deeds
Russell J. Hollers County Attorney
Pete Herron Sheriff
Misty Coffin Clerk to the Board

November 1, 2023

DELIVERY VIA ELECTRONIC MAIL

Dylan Haman
Town Manager
Town of Mount Gilead
110 W. Allenton St.
PO Box 325
Mount Gilead, NC 27306

Re: Lilly's Bridge Force Main Project
S.L. 2023-134 Allocation

Dylan:

Please accept this letter as acknowledgement that the above-referenced funds are intended for the Lilly's Bridge Force Main Project. As you are aware, the County was specified as the recipient of \$8,000,000 in the State budget for a Water/Sewer Directed Project. While the budget document itself is silent to the exact project, the County made no other request for water/sewer funding.

We understand that the Town may desire clarity in regards to the County's intentions with the funds before moving forward with project. It should be noted that the County has actually requested that our legislative delegation consider a technical correction to the State budget to recognize the Town as the grantee and there are ongoing efforts being made with the North Carolina Department of Environmental Quality to direct the funding to the Town.

Inasmuch, the County recognizes these funds are in direct support of the developer's agreement that the Town and County entered into with Lennar earlier this year for the Lilly's Bridge Force Main Project, and is proceeding accordingly. Please let me know if I can be of further assistance.

Sincerely,

Frankie Maness
County Manager

Meeting Date: 11/6/2023	Agenda Item Number: VI-H
Submitted By: Dylan Haman	Department: Governing Body
Attachments: Mount Gilead Annexation Support Services	

Topic: Annexation Support From PTRC

Staff Summary: The Development on Lilly's Bridge Road is more than three miles from the Town Limits of Mount Gilead, which means that voluntary satellite annexation per NCGS 160A-58 is not possible. In order to have the potential for annexation, Town Staff requires support from the Piedmont Triad Regional Council to pursue a Local Bill.

Direct Cost: \$25,000	Line Item Utilized 10-800-57
Amount Remaining after Action: \$8,050	In Current Budget: Yes/ No
Plans if Not in Current Budget: Budget Amendment	

Staff Recommendation: Staff recommends approving the proposed contract with PTRC to assist with annexation.

Examples of Motions:

Approve: I make a motion to approve the proposed agreement with PTRC to support the annexation of 645 Acres along lily's Bridge Road.

Deny: I make a motion to deny this proposed agreement

Need More Time: I make a motion to table this agenda item to another meeting on (date):

November 3, 2023

Mr. Dylan Haman
Manager
Town of Mount Gilead

Dear Dylan,

Thank you for asking the Piedmont Triad Regional Council (PTRC) to assist the Town of Mount Gilead in the **ANNEXATION OF APPROXIMATELY 645 ACRES ALONG LILLY'S BRIDGE ROAD**.

SCHEDULE – PTRC in consultation with the Town Manager proposes to assist in the annexation of approximately 645 acres along Lilly's Bridge Road. These services will be provided remotely from our Kernersville office for 1 year from the date of signing this contract letter. The proposed budget provides for travel to and from Mount Gilead as needed.

STAFF – Jesse Day, Regional Planning Director, AICP and Adam Shull, Assistant Regional Planning Director will be the primary PTRC staff members providing these services. Ginger Booker, former Assistant Director for PTRC will also provide consulting services to Mount Gilead under contract from PTRC.

BUDGET – The proposed budget is **not to exceed \$25,000** to complete the following scope of work to support the annexation legislation, coordination and other items needed to successfully navigate the process and insure protocols and equity is achieved.

SERVICES – The following scope of services are proposed for PTRC to provide coordination assistance for the annexation process. Specifically, PTRC will:

1. Develop an Annexation Benchmarks list/tool that contains key steps, deliverables and responsibilities of the Town for the annexation process; Incorporate by reference the development agreement any steps/items that are relevant;
2. Consult with the Town to identify responsibilities for tasks and status of implementation from County, Lennar and Town staff; and
3. Meet periodically with town staff, legislative representatives and professional support to assure communication and alignment of tasks and to identify questions/issues to be resolved.

PROPOSED ACTIVITIES

1. Develop local legislation, provisions and effective date - Develop annexation bill contents. What is the effective date of annexation? Effective upon passage? What role will

Lennar play with the town or county on effective date or other provisions? Town has certain filing and registration requirements. Will the bill allow time for this?

2. Additional funds - Identify amount and source of funds Lennar expects legislature to appropriate for any additional infrastructure. Will the Town be the recipient of these funds?
3. Development profile - Verify any restrictions Lennar expects to place on occupants/purchasers. Will there be age requirements? Will streets be public or maintained by HOA? If HOA maintained, what is track record in other Lennar communities? Will any portions of the development be gated?

TOWN'S RESPONSIBILITIES (PTRC TO PROVIDE SUPPORT AS NEEDED)

1. New map – Assure production of new official GIS map of the Town with annexation area.
2. Filing and Recording Requirements (G.S. 160A-22, -29, -58.8 and -58.61; G.S. 163-288.1 and 2). File the map of new town boundaries with Montgomery County Register of Deeds and NC Secretary of State.
3. Provide map and assure coordinated flow of information to and from Montgomery County Board of Elections – Board of Elections should make town aware of new voting districts, new precincts, if any. Coordinate with Board of Elections and town attorney to assure no there are no federal voting rights requirements to be complied with. This may require a charter amendment depending on how it is structured and linked back to the legislative change allowing the annexation.
4. Additional notifications – Follow League of Municipalities guidance for additional notifications, e.g. to county tax director, Duke Energy, annual notice to State Office of Management and Budget, any other entities.
5. Maintain constant communications with town engineer and arrange periodic Board briefings regarding sewer upgrades and financing. Discussing capacity and how phase 1 (lift station) interfaces with phase 2 (new lines).
6. Recommend zoning for annexation area - Agree on timeline for public hearings and implementation of changes consistent with town Zoning Ordinance.
7. Notify and communicate with rural fire department, if applicable. Calculate financial impact of annexation, if any, on rural fire protection district, paying particular attention to phasing of actual development and impact on fire service. Most often when it is annexed prior to development, there's little or no payment based on the de minimus exception. However, if some development has taken place, it could change the calculation. If applicable, assure that residents of area are not double taxed.
8. Initiate research, provide information and seek agreement from Board of Commissioners on whether to increase number of commissioners. This should probably not occur until later, contingent upon population growth. If number changes, town charter will need to be revised. (This is done through the General Assembly).
9. Commission a Fire and Police study at agreed-upon time to evaluate capital and staffing needs and any interim services by volunteer departments (Lake Tillery and Mt. Gilead)

currently providing service in the area.

NOTE: Pay attention to the effective date of annexation and make it effective June 30th or July 1st. No prorated tax bill would be involved and would reduce the risk of double taxation to fire districts.

INDEMNIFICATION – PTRC agrees to indemnify and save harmless the Town of Mount Gilead against all claims made for damages that may arise as a result of its work pursuant to this agreement, and understands nothing within this agreement creates or establishes an employer and employee relationship between the parties. Both parties may end this contractual arrangement by providing the other party 30 days written notice.

We appreciate the opportunity to assist the Town of Mount Gilead with its technical assistance needs. If the Town concurs with this agreement as described herein, please return a signed copy to me. Please call me with any questions or suggestions (336.904.0300).

Sincerely,



Jesse Day, AICP
PTRC Planning Director

Mr. Dylan Haman, Town Manager

Date

"This instrument has been pre-audited in the manner required by the local government budget and fiscal control act."

Finance Director

Date

Community Garden Update- Preparing for Fall Festival and More!

Greetings, fellow garden enthusiasts!

Our green patch of earth continues to buzz with activity, and we've got plenty to share from our recent efforts.

First, let's talk about a fantastic contribution from Jack Jordan, who generously donated a substantial amount of mulch to help us prepare for the Fall Festival. With sleeves rolled up and shovels in hand, several members of our garden community worked tirelessly to spread this mulch. We're immensely grateful for Jack's support and the collective sweat and determination of our garden team.

The Fall Festival was wonderful for us and we were able to introduce about 15 new people to the garden and many of them want to continue to help.

In the ongoing battle against garden challenges, we tackled the pesky mold on our squash leaves with determination. We pruned away the affected leaves, ensuring our plants stay healthy and disease-free. Additionally, some squash plants that fell victim to borers were removed, making room for new growth.

We are considering treating the mildew that squash is prone to with some sodium bicarbonate, which you would best known as baking soda.

Our zucchini harvest yielded some delicious results, and we made the decision to say farewell to our flourishing okra plants next week because it's just too cold for them.

Amidst the gardening frenzy, we planted some newly donated elephant garlic and fine-tuned our irrigation system to keep everything thriving. We also diligently pulled weeds, ensuring our garden beds remain tidy and weed-free.

All our transplants are holding up well, and we made sure to provide them with the hydration they needed.

We heard back from the moon tree committee regarding our application. It's in the processing phase, and we're keeping our fingers crossed for a positive response.

Speaking of trees, we're gearing up for some tree-focused work this fall, aiming to nurture and protect these vital elements of our garden.

The children's garden is looking absolutely wonderful, and there's still plenty of mulch to spread. To address an ant issue that is cropping up, we'll be using borax, an organic treatment derived from the earth itself.

We're thrilled with the progress we're making and continue to grow pollinator plants to enhance the beauty of the garden while supporting essential pollinators like bees and butterflies.

As autumn approaches, we're preparing to put our big bed to rest for the season and shift our focus to maintaining the smaller beds through the winter. Additionally, we're taking measures to protect our trees from our deer friends.

Thank you for your unwavering support, and for being a part of the growth and vibrancy of our community garden. Stay tuned for more updates as we continue our journey of nurturing nature and fostering community.

With gratitude and green thumbs,
The Gathering Garden





TOWN OF MOUNT GILEAD DEPARTMENT REPORTS

110 West Allenton Street, Mount Gilead, North Carolina, 27306
OCT, 2023

PUBLIC WORKS

The following is a list of the activities and duties performed by the Public Works Department in October

Water/Sewer Services

1. Unclog sewer main J Chambers
2. Read towns water meters
3. Repair sewer Swift island plantation
4. Repair Effluent pump at WWTP
5. Water Tap Short St
6. Water tap Myrtle Wood

Repairs and Cleanup Activities

1. Cleaned All the Towns Entrances
2. Cleaned Pavilions and park parking lots
3. Mowed walking trail
4. Mowed all Town buildings
5. Mowed sewer plant
6. Mowed park along with ballfields
7. Prepped town for fall festival

Equipment/Vehicle Maintenance

1. Regular oil checks
2. Equipment oil checks
3. Oil change on one service vehicle

Routine Monthly Activities

- Lift stations 1-15 - weekly checks
- Non-payment cutoffs - Completed -10
- Cleaned curbs and gutters on Julius Chambers, W. Allenton St N. Main, E Allenton
- Other street cleaning removing trash from right-of-way.

In Progress Projects

- Cotton Gin Dr
- AIA STUDY



Town of
**MOUNT GILEAD POLICE
DEPARTMENT**

**123 North MainStreet - Post Office Box 325
Mount Gilead, North Carolina, 27306**
Phone: (910) 439-6711 Fax: (910) 439-1855

MEMORANDUM

**To: Dylan Haman
 Town Manager**

**From: Talmedge LeGrand
 Chief of Police**

Date: October 30, 2023

**Subject: Mount Gilead Police Department Monthly Report for October
 2023**

During the month of October, our department participated in the Governor's Highway Safety events including the Halloween "Booze It & Lose It" Campaign.

The Mount Gilead Police Department issued 19 citations, 9 warning citations, investigated 4 vehicle collisions, and effected 8 arrests.

The Mount Gilead Police Department completed Hazmat in-service training at the police department on October 16th.

The Mount Gilead Police Department provided security and road closures for the annual Fall Fest that was held on October 21st.

The department remains short-staffed and is looking to fill the position of patrol officer.

We are still accepting donations for Shop with a Cop and Coats for Kids.

Administration and Patrol

- Officers continue monitoring traffic at the new four-way stop at West Allenton Street and South Wadesboro Boulevard.
- Officers attended the scheduled grand jury session.
- Officers are continuing to check business doors each night.
- Continued with follow-up investigations in recent cases.
- Officers conducted various traffic stops.
- Officers are finishing their annual in-service training, as we prepare to audit the same.
- Ranking officers continue to fill in shifts for officers as needed shift schedule (sickness, training, vacancy etc.).
- Entered IBR (monthly crime report) into the state database for crime statistics. □ Continued entry of SBI Traffic Stop Reports.
- Routinely reviewed body camera videos.
- Continued escorts for businesses as they close at night.
- Department vehicles serviced with oil changes and tire rotations.

Attachments

- Calls for Service
- Activity Summary
- Reported Incidents – Officer assigned

Montgomery County Communications
199 South Liberty St Troy , NC 27371

CFS By Department - Select Department By Date
For MT GILEAD POLICE DEPT 9/28/2023 - 10/30/2023

MT GILEAD POLICE DEPT	Count	Percent
911 HANG UP	7	3.45%
ALARM (NOT FIRE) COMMERCIAL	3	1.48%
ALARM (NOT FIRE) RESIDENTIAL	3	1.48%
ANIMAL CALL (NOT ATTACKS)	1	0.49%
ASSAULT (NO INJURIES)	2	0.99%
ASSIST MOTORIST	5	2.46%
B-E	1	0.49%
CHILD CUSTODY	1	0.49%
CITIZEN ASSIST	2	0.99%
CIVIL DISTURBANCE	2	0.99%
COMMUNICATING THREATS	2	0.99%
DAMAGE TO PROPERTY	1	0.49%
DISORDERLY CONDUCT	1	0.49%
DOMESTIC	5	2.46%
ESCORT	23	11.33%
FIGHT	1	0.49%
FOLLOWUP INVESTIGATION	4	1.97%
HARASSMENT/STALKING	1	0.49%
INDECENT EXPOSURE	1	0.49%
INFORMATION	13	6.40%
INTOXICATED DRIVER	2	0.99%
INTOXICATED SUBJECT(s)	2	0.99%
JUVENILE(s)	3	1.48%
LARCENY	7	3.45%
LIFELINE	2	0.99%
MUTUAL AID - ASSIST OUTSIDE AGENCY	1	0.49%
NOISE VIOLATION	1	0.49%
OUTSIDE FIRE	1	0.49%
PROWLER	1	0.49%
PSYCHIATRIC - ABNORMAL BEHAVIOR - SUICIDE ATTEMPT	2	0.99%
ROAD HAZARD	2	0.99%
SCHOOL CROSSING	1	0.49%
SECURITY CHECK	17	8.37%
SERVE PAPER	2	0.99%
SHOTS FIRED	4	1.97%
SICK PERSON (SPECIFIC DIAGNOSIS)	1	0.49%
SPECIAL ASSIGNMENT	1	0.49%
STAB - GUNSHOT - PENETRATING TRAUMA	2	0.99%
SUSPICIOUS PERSON/VEH/ACTIVITY	22	10.84%
TRAFFIC ACCIDENTS (PD)	5	2.46%
TRAFFIC STOP	28	13.79%
TRANSPORTATION PI	4	1.97%

MT GILEAD POLICE DEPT	Count	Percent
TRESPASSING	4	1.97%
UNCONSCIOUS - FAINTING (NEAR)	1	0.49%
UNKNOWN PROBLEM (MAN DOWN)	1	0.49%
VANDALISM	2	0.99%
WANTED PERSON	2	0.99%
WELFARE CHECK	3	1.48%
Total Records For MT GILEAD POLICE DEPT	203	Dept Calls/Total Calls 100.00%
Total Records	203	

Incident\Investigations

290 - Destruction/Damage/Vandalism of Property	1
1348 - AWDWIKISI	1
1389 - Assault on a Female	1
2321 - Felony Larceny	1
2322 - Misdemeanor Larceny	4
2632 - Obtain Property by False Pretense	1
3400 - Possession Marijuana Paraphernalia	2
3401 - Possession Drug Paraphernalia	2
3465 - Possess Methamphetamine	1
3523 - Felony Possession Schedule II CS	1
3528 - Trafficking Marijuana	1
3540 - Simple Possess Schedule VI CS	1
3544 - PWISD Marijuana	2
3550 - Possess Marijuana Up To 1/2 oz	1
3834 - Misdemeanor Child Abuse	1
4540 - Poss Open Cnt/Cons Alc Psg Area	1
5328 - Communicating Threats	2
5405 - Driving While Impaired	1

5641 - Flee/Elude Arrest w/MV(F)

1

5709 - Second Degree Trespass

2

90Z - All Other Offenses

6

OFA - Order for Arrest

2

Total Offenses

36

Total Incidents

22

Arrests

2322 - Misdemeanor Larceny

1

2632 - Obtain Property by False Pretense

1

3528 - Trafficking Marijuana

1

3544 - PWISD Marijuana

2

4540 - Poss Open Cnt/Cons Alc Psg Area

1

Arrests

5328 - Communicating Threats

1

5405 - Driving While Impaired

1

5709 - Second Degree Trespass

2

OFA - Order for Arrest

2

Total Charges

12

Total Arrests

8

Accidents

Total Accidents	4
-----------------	---

Citations

Driving While License Revoked	5
-------------------------------	---

Expired Registration	1
----------------------	---

Failure To Stop (Stop Sign/Flashing Red Light)	1
--	---

No Operator License	2
---------------------	---

Other (Infraction)	8
--------------------	---

Speeding (Infraction)	1
-----------------------	---

Secondary Charge	10
------------------	----

Total Charges	28
---------------	----

Total Citations	19
-----------------	----

Warning Tickets

Total Charges	12
---------------	----

Total Warning Tickets	9
-----------------------	---

Incident Offenses/Victims/Status By Reporting Officer

MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (09/29/2023 - 10/30/2023)

2246 - Assistant Chief Austen B. Morton

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2309-0221	5641 - Flee/Elude Arrest w/MV(F)	State of North Carolina	Closed by Arrest	In Custody of Other Jurisdiction	09/29/2023
2309-0222	1348 - AWDWIKISI	Dumas Jr., Jerome Vincent	Active		09/29/2023
2309-0223	3544 - PWISD Marijuana 3528 - Maintn Veh/Dwell/Place CS 4540 - Poss Open Cnt/Cons Alc Psg Area	State of North Carolina	Closed by Arrest	Not Applicable	10/01/2023

Officer Total Incidents: 3

2647 - Lieutenant Jacob Shuping

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2310-0239	2632 - Obtain Property by False Pretense 2322 - Misdemeanor Larceny	Guilford County	Closed by Arrest		10/23/2023
2310-0241	2321 - Felony Larceny	Woodard, James Travis	Active		10/24/2023
2310-0242	5709 - Second Degree Trespass 5328 - Communicating Threats	Dollar General Shuping, C.J. Williamson, Eric Shaw	Closed by Arrest		10/24/2023
2310-0247	2322 - Misdemeanor Larceny	Robinson, Sandra Evette	Closed by Other Means		10/27/2023

Officer Total Incidents: 4

2774 - Patrol Officer Eric S. Williamson

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2310-00231	2322 - Misdemeanor Larceny	Food King	Closed by Other Means		10/05/2023
2310-0240	90Z - Dead on arrival	Bunnell, Mitchell	Closed by Other Means		10/24/2023

Officer Total Incidents: 2

Date: 10/31/2023 -- Time: 12:58

Page 1

Incident Offenses/Victims/Status By Reporting Officer

MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (09/29/2023 - 10/30/2023)

4531 - Sergeant Hunter T. Stone

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2310-0235	290 - Damage of Property	Town of Mount Gilead, Town of Mount Gilead	Active	Not Applicable	10/08/2023
2310-0236	2322 - Misdemeanor Larceny	Food King	Closed by Other Means	Not Applicable	10/16/2023

Officer Total Incidents: 2

6280 - Patrol Officer Bobby A. Hall

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2310-0226	90Z - Domestic Argument	Brown, Michelle Lee	Closed by Exception	Juvenile/No Custody	10/02/2023
2310-0227	90Z - Domestic Argument	Harris, Hubert	Closed by Other Means	Not Applicable	10/02/2023
2310-0230	5405 - Driving While Impaired	State of NC	Closed by Arrest	Not Applicable	10/03/2023
2310-0232	5709 - Second Degree Trespass	Tyson, Linda Ann	Closed by Arrest	Not Applicable	10/06/2023
2310-0233	90Z - Juveniles Attempting to Fight	Javeon	Closed by Exception	Juvenile/No Custody	10/06/2023
2310-0234	90Z - DOA	Ewing, Shelia Michelle	Closed by Other Means	Not Applicable	10/08/2023
2310-0246	1389 - Assault on a Female	Morton, Heather Blake	Closed by Exception	Prosecution Declined	10/26/2023

Officer Total Incidents: 7

7513 - Reserve Officer Corey Hurley

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2310-0228	3544 - PWISD Marijuana 90Z - Maintn Veh/Dwell/Place CS 3401 - Possession Drug Paraphernalia 3550 - Possess Marijuana Up To 1/2 oz 3400 - Possession Marijuana Paraphernalia OFA - Order for Arrest	State of North Carolina	Closed by Arrest	Not Applicable	10/03/2023

Incident Offenses/Victims/Status By Reporting Officer

MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (09/29/2023 - 10/30/2023)

7513 - Reserve Officer Corey Hurley

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2310-0238	3465 - Possess Methamphetamine 3523 - Felony Possession Schedule II CS 3401 - Possession Drug Paraphernalia 3540 - Simple Possess Schedule VI CS 3400 - Possession Marijuana Paraphernalia 3834 - Misdemeanor Child Abuse	State of North Carolina Roberts, Carley Michelle Tyson, Ma'Kyiah Kymani	Closed by Arrest	Not Applicable	10/20/2023
2310-0245	OFA - Order for Arrest	State of North Carolina	Closed by Arrest	Not Applicable	10/25/2023

Officer Total Incidents: 3

8523 - Sergeant Adam W. Lucas

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2310-0225	5328 - Communicating Threats	Thomas, Andrew Rayvon	Closed by Other Means	Juvenile/No Custody	10/03/2023

Officer Total Incidents: 1

Total Incidents: 22

Mount Gilead Fire Department



October: Summary of Calls

Fire - 20	Town - 13
<u>Squad - 13</u>	District - 15
Total - 33	County - 5
	<u>Out of County - 0</u>
Total - 33	

Our BBQ was a Success!

Thank You to all who supported us.



Thank You for Your Continued Support!

Chief - *Keith Byrd*

DATE: November 3, 2023
TO: Mayor and Board of Commissioners
FROM: Dylan Haman, Town Manager
RE: Managers' Report

1. The Town Has been reimbursed \$308,005.66 to date from NCDOR. The Town has also received \$22,699.07 in interest. That money will all be utilized to pay what we owe the IRS for missing 941 payments. The money will be disbursed to the IRS once the Town Board approves the budget amendment at the 11/6/2023 meeting.
2. I have met with four engineering firms to discuss the Lilly's Bridge Force Main Improvement Project. As a reminder, this project is funded through the \$8,000,000 direct water/sewer appropriation from the State of North Carolina. Currently, the appropriation is in the County's name, but Frankie Maness (County Manager) has sent the Town a letter (included in your agenda packet for 11/6/2023) explaining that the money is for the Lilly's Bridge Force Main Improvement Project. We are working through the technical correction procedure to have the money go directly to the Town, or we will work out an interlocal agreement.
3. Town Legal Counsel has submitted a proposed amendment to the Development Agreement to Lennar and the County. Thus far, neither have approved the amendment. The amendment includes a few items that we feel need to be addressed such as:
 - a. Lennar agreeing to fund improvements beyond the \$11,500,000 which has been appropriated for the project.
 - b. Adjusting the project timeline based on when the funding is actually available to the Town.
 - c. Creating a unified agreement that comprehensively ties the proposed amendments together.
4. We have interviewed two candidates for the Finance Officer Position thus far. I am considering how I would like to proceed, and I will report to the board once I have made a decision.
5. The Town has received three bids for the current engineered Bruton Roundabout. The bids all came in at approximately \$80,000.00. At that expense, I do not recommend the project. I plan to meet with Mr. Bruton to see if there are potential other options. If there are none, then the project may need to be cancelled.
6. We received a draft Capital Improvement Plan for the Towns Wastewater system. We plan to meet with LKC to discuss specifics soon.
7. We are rolling out a new Request for Action and Agenda Proposal Procedure that should help to professionalize the Agenda Process. The Request for Action will be showcased at the 11/6/2023 board meeting, and will have a "cheat sheet" for the each agenda action items background, staff recommendation, cost, and potential motions for the board. The Agenda Proposal Procedure is a simple form that will allow board members to submit the proposed plan, benefits, risks, staff assessment and recommendation etc. for items the Board would like to consider.

8. Town hall staff will be utilizing vacation/comp time on December 28th and 29th in addition to the Holiday time on the 25th, 26th, and 27th. Town Hall will be closed Christmas week.



Alliance Code
Enforcement LLC

Monthly Report
Town of Mt. Gilead

Updated
October 31, 2023

403 S Cedar St	JV	ABATED
507 S Wadesboro Blvd	MH/OL	OPEN
166 Emmaline St	JV	OPEN
200 S Main St	MH	OPEN
116 Marshall St	JV	ABATED
303 Cedar St	JV	ABATED
500 W Allenton St	MH/OL	OPEN
103 Circle Dr	JV	ABATED
300 Washington Park Rd	MH	OPEN
211 Washington Park Rd	OL	OPEN
156 Washington Park Rd	JP/OL	OPEN
130 E Haywood St	JP	ABATED
295 Northview Rd	MH/JP	OPEN
203 Clinton St	JP	OPEN
412 Julius Chambers Ave	JV/JP	ABATED
102 E Ingram St	ZN	OPEN
405 Julius Chambers Ave	MH	OPEN
PID 750309076133 Julius Chambers Ave	MH	OPEN
101 Circle Dr	JV	ABATED
305 Stanback St	JV	ABATED
109 S Cedar St	JP	ABATED
418 S Wadesboro Blvd	MH/JP	OPEN
304 W Allenton St	JV/OS	OPEN
176 S Wadesboro Blvd	OL/JP	OPEN
299 Industry Ave	OL	OPEN



PROTECTING QUALITY OF LIFE

Alliance Code
Enforcement LLC

Monthly Report
Town of Mt. Gilead

Updated
October 31, 2023

MONTHLY HIGHLIGHTS

- 9 Cases have been ABATED.
- 10 Notice of Hearings
- 109 S Cedar St remodeled the property and removed the junk pile.
- 303 Cedar S, 103 Circle Dr, 412 Julius Chambers Ave, 101 Circle Dr and 305 Stanback St – All have complied and taken care of their Junk Vehicles.
- 295 Northview Rd – The property owner has cut the property and removed a lot of debris and junk. They have done a tremendous job and are working very diligently to get this property abated



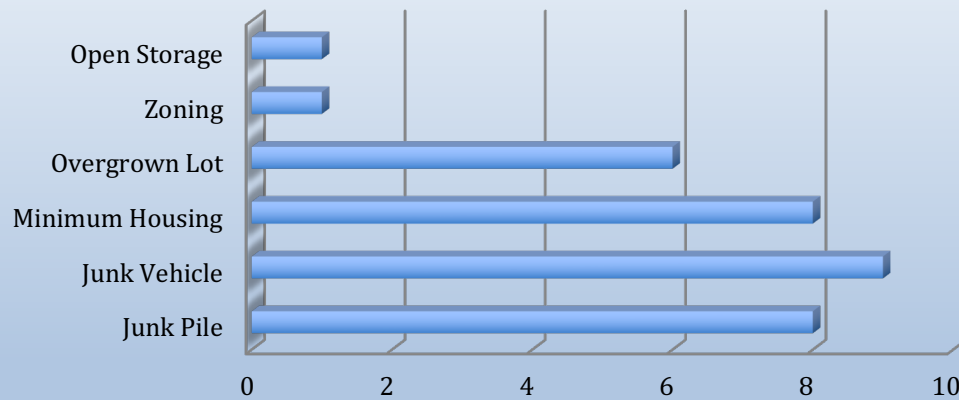
PROTECTING QUALITY OF LIFE

Alliance Code
Enforcement LLC

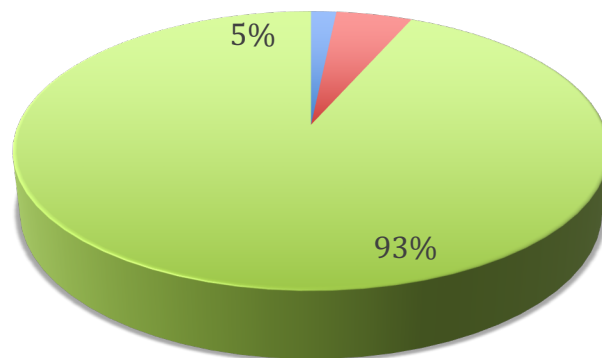
Monthly Report
Town of Mt. Gilead

Updated
October 31, 2023

Violations by the Numbers



	Junk Pile	Junk Vehicle	Minimum Housing	Overgrown Lot	Zoning	Open Storage
Violations by the Numbers	8	9	8	6	1	1



Total Cases - 244

Abated - 227

Unfounded - 0

Open In Progress - 12

New/No Progress - 4

■ OPEN - NEW/NO PROGRESS
 ■ OPEN - IN PROGRESS
 ■ ABATED
 ■ Unfounded



Department Monthly Report Wastewater Treatment Plant Donna Mills, ORC

November 6, 2023

- All reports completed, submitted.
- Corresponding with engineering firm on aging UV system, focusing on future upgrade and replacement.
- 2024 WWTP Permit Renewal in motion

Budget vs Actual (Summary)

Town of Mount Gilead
11/3/2023 2:21:21 PM

Page 1 Of 2

Period Ending 6/30/2024

10 GENERAL FUND								
Description	Budget	Encumbrance	MTD	QTD	YTD	Variance	Percent	
Revenues								
	1,635,127	0.00	0.00	0.00	625,526.00	(1,009,601.00)	38%	
Revenues Totals:	1,635,127	0.00	0.00	0.00	625,526.00	(1,009,601.00)	38%	
Expenses								
ADMINISTRATION	194,304	0.00	0.00	0.00	87,254.72	107,049.28	45%	
STREETS AND GROUNDS	157,800	(3,363.77)	0.00	0.00	36,146.99	125,016.78	21%	
PLANNING & ZONING	27,250	1,501.00	0.00	0.00	8,880.24	16,868.76	38%	
SOLID WASTE	97,400	0.00	0.00	0.00	35,747.97	61,652.03	37%	
PARKS AND RECREATION	110,193	0.00	0.00	0.00	49,405.85	60,787.15	45%	
POLICE DEPARTMENT	749,803	0.00	0.00	0.00	259,936.11	489,866.89	35%	
FIRE DEPARTMENT	171,200	32,287.70	0.00	0.00	25,228.33	113,683.97	34%	
REDEVELOPMENT CORP.	10,250	0.00	0.00	0.00	1,584.00	8,666.00	15%	
FITNESS CENTER	0	0.00	0.00	0.00	0.00	0.00		
POWELL BILL	50,000	0.00	0.00	0.00	0.00	50,000.00		
HIGHLAND COMM. CT.GRANT	0	0.00	0.00	0.00	0.00	0.00		
CEMETERY	5,000	0.00	0.00	0.00	1,444.32	3,555.68	29%	
GOVERNING BODY	51,527	0.00	0.00	0.00	18,477.30	33,049.70	36%	
LIBRARY	10,400	0.00	0.00	0.00	6,202.24	4,197.76	60%	
DEBT SERVICE	0	0.00	0.00	0.00	0.00	0.00		
	0	0.00	0.00	0.00	0.00	0.00		
Expenses Totals:	1,635,127	30,424.93	0.00	0.00	530,308.07	1,074,394.00	34%	
10 GENERAL FUND Revenues Over/(Under) Expenses:			0.00	0.00	95,217.93			
20 ENTERPRISE FUND								
Description	Budget	Encumbrance	MTD	QTD	YTD	Variance	Percent	
Revenues								
	1,605,262	0.00	0.00	0.00	638,196.26	(967,065.74)	40%	
Revenues Totals:	1,605,262	0.00	0.00	0.00	638,196.26	(967,065.74)	40%	

Budget vs Actual (Summary)

Town of Mount Gilead
11/3/2023 2:21:21 PM

Page 2 Of 2

Period Ending 6/30/2024

20 ENTERPRISE FUND								
Description	Budget	Encumbrance	MTD	QTD	YTD	Variance	Percent	
Expenses								
ADMINISTRATION	297,765	3,156.40	0.00	0.00	108,248.95	186,359.65	37%	
WATER OPERATIONS	330,981	(1,137.30)	0.00	0.00	115,715.30	216,403.00	35%	
WASTE WATER COLLECTION	377,321	(1,801.99)	0.00	0.00	86,078.19	293,044.80	22%	
WASTE WATER PLANT	358,220	(10,535.04)	0.00	0.00	100,454.36	268,300.68	25%	
SOLID WASTE	0	0.00	0.00	0.00	0.00	0.00		
GOVERNING BODY	0	0.00	0.00	0.00	0.00	0.00		
LIBRARY	0	0.00	0.00	0.00	7,000.00	(7,000.00)		
	0	0.00	0.00	0.00	7,000.00	(7,000.00)		
DEBT SERVICE	240,975	0.00	0.00	0.00	9,731.84	231,243.16	4%	
	0	0.00	0.00	0.00	0.00	0.00		
Expenses Totals:	1,605,262	(10,317.93)	0.00	0.00	434,228.64	1,181,351.29	26%	
20 ENTERPRISE FUND	Revenues Over/(Under) Expenses:		0.00	0.00	203,967.62			