

MINUTES
Town of Marshall Board of Alderman
Regular Meeting
December 21, 2020
6:00pm

Mayor Wallin asked everyone to please stand for the Pledge of Allegiance and moment of silence.

Alderman in attendance were Billie Jean Haynie, Thomas Jablonski (via Zoom at 6:08pm), Aileen Payne, Christiaan Ramsey, and Laura Ponder Smith. Also in attendance were Town Administrator Forrest Gilliam and Town Attorney Jamie Stokes.

Mayor Jack Wallin called the regular monthly board meeting to order at 6:03pm.

Item 1

Mayor Jack Wallin called for a motion to approve the agenda as presented. Alderman Christiaan Ramsey made the motion and Alderman Billie Jean Haynie seconded the motion. The motion was approved by a vote of 4-0.

Item 2

Mayor Jack Wallin called for a motion to approve the minutes from Regular Monthly Board of Alderman Meeting, Monday, November 16, 2020. Alderman Aileen Payne made the motion and Alderman Billie Jean Haynie seconded the motion. The motion was approved by a vote of 4-0.

Item 3

The Board discussed a proposal to change the name of Back Street to Jerry Plemmons Way, in memory of Jerry Plemmons. The issue was advertised in the newspaper and public comment was solicited. Copies of written comments from Betty Hurst and Ricky McDevitt, both in favor of the proposed renaming, were shared with the Board, and Betty Hurst spoke in favor of the renaming during the meeting. Businesses at the two active addresses on the street also responded favorably to the change.

Upon motion by Alderman Billie Jean Haynie, seconded by Alderman Laura Ponder Smith, the Board voted 4-0 to adopt the enclosed resolution renaming State Road 1202 to "Jerry Plemmons Way" and authorizing the town administrator to proceed with the administrative steps to change the street signs.

Item 4

Garry Moore, Vaughn and Melton, presented a recommendation for repairs to Town Hall related to building settlement discovered following the 2018 and 2019 flooding that occurred in Marshall. Mr. Moore explained that core drilling had taken place to confirm the extent of any issues under and surrounding the building and stated his recommendation that the abandoned concrete culvert under the building be filled with concrete and capped. It is believed that the majority of any settling of the building is due to the deterioration and slow collapse of this culvert. Core samples surrounding the building indicate saturation that may lead to additional settlement over time, but monitors will be installed inside the building after the culvert issue is resolved to see if any additional settlement takes place and determine whether additional repairs need to be made. Mr. Moore estimated the immediate repairs to cost between \$10,000 and \$15,000. Forrest Gilliam, Town Administrator, stated that funds were included in the current year's budget to cover these repairs.

Upon motion by Alderman Christiaan Ramsey, seconded by Alderman Thomas Jablonski, the Board voted 5-0 to accept Mr. Moore's recommendation and proceed with the repairs as soon as possible.

Item 5

Forrest Gilliam, Town Administrator, explained that the date for the January regular meeting of the Board of Alderman falls on the Martin Luther King, Jr. Day Holiday. Mayor Wallin asked if the Board wished to move the meeting date or leave it at its regular scheduled date.

Upon motion by Alderman Christiaan Ramsey, seconded by Alderman Thomas Jablonski, the Board voted 5 -0 to change the date for the January regular meeting of the Board of Alderman to January 25, 2021, at 6:00pm.

Item 6

Forrest Gilliam, Town Administrator, presented a Certificate of Sufficiency regarding the application for non-contiguous annexation by JASK Management, LLC for property located at 4030 U.S. Highway 25 -70. The issue has been reviewed by the Planning Board, which has recommended approval of the annexation and zoning of the property as Mixed Use. A public hearing by the Board of Alderman is required for consideration of both the annexation and rezoning request.

Upon motion by Alderman Billie Jean Haynie, seconded by Alderman Laura Ponder Smith, the Board voted 5 -0 to set the public hearing for non-contiguous annexation for Monday, January 25 at 5:45pm.

Item 7

Forrest Gilliam, Town Administrator, presented the Tax Collection and Water/Sewer Collection Report for November 2020.

A copy of the Unaccountable Water Report and Monthly Operating Report for the Roberts Wells from Don Byers was presented to the Board.

Forrest Gilliam, Town Administrator presented Budget Amendment 2020 -009, which records insurance proceeds for repair to a Police Department vehicle and increases the Police Vehicle Parts and Repairs line to cover the expense of the repairs. Upon motion by Alderman Laura Ponder Smith, seconded by Alderman Christiaan Ramsey, the Board voted 5 -0 to approve Budget Amendment 2020-009.

Forrest Gilliam, Town Administrator presented Budget Amendment 2020 -010, which records revenues and expenses for the Downtown WiFi grant, funded by the Appalachian Regional Commission and State funds that were previously awarded to Madison County for the purpose of internet connectivity in Marshall. Mr. Gilliam explained the details of how the grant and project implementation will work, and the Board discussed the feasibility of the project and how it would impact other priorities of the Town. No funds have been spent on the project, nor has the Town received any funds from the project funders. Upon motion by Alderman Christiaan Ramsey, seconded by Alderman Thomas Jablonski the Board voted 5-0 to authorize the town administrator to notify the grant funders of the Town's desire to withdraw from the grant.

Forrest Gilliam, Town Administrator, provided updates to the Board on various projects:

Funds for the Downtown Wi-Fi project, applied for in July, have been awarded by the Appalachian Regional Commission. Mr. Gilliam will follow up to make sure that the Town is not obligated to any ongoing subscription costs for the service under the proposed grant agreement that has been sent to him.

Scope of work/specifications for the new Maintenance Building are being put together. The project falls under the statutory threshold for informal bidding.

Boards Reports

Board of Adjustment – Met December 14

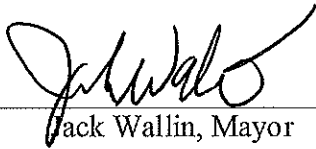
Planning Board – No meeting

Parks and Recreation – No Meeting.

Department Reports

Fire Department – Report is in packet.
Police Department – Report is in packet.
Water Department – Report is in packet.
Maintenance Department – Report is in packet.
Zoning Department – Report is in packet.
Finance Department - Report is in packet.

Upon motion by Alderman Aileen Payne, seconded by Alderman Christiaan Ramsey, the Board voted 5-0 to adjourn at 6:56pm.



Jack Wallin, Mayor



Forrest Gilliam, Town Clerk

ANNEXATION ORDINANCE
ORDINANCE AO-2021-01

WHEREAS, the Town of Marshall has received a petition under G.S. Chapter 160-A-58 from JASK Management, LLC., owner of real property as described in the petition for annexation dated September 30, 2020, asking that the property be annexed and incorporated with the Town limits upon and after the effective date of this Ordinance; and,

WHEREAS, the Town Clerk has certified to the Board of Alderman the sufficiency of the petition; and,

WHEREAS, notice of a public hearing was published in the News Record/Sentinel newspaper, a newspaper having general circulation in the municipality, on January 13, 2021, which was more than 10 days prior to the date of the public hearing; and,

WHEREAS, a public hearing was held on January 25, 2021 at 5:30 pm, in the Town Hall Meeting Room at 180 South Main Street in Marshall, North Carolina, on the question of this annexation, and at the hearing, all persons were given an opportunity to be heard on the questions of the sufficiency of the petition and the desirability of the annexation; and,

WHEREAS, the Board of Alderman of the Town of Marshall finds and determines that (i) the area described in the petition meets all the standards set out in G.S. 160A-58.1(b); (ii) the petition bears the signatures of all of the owners of real property within the area proposed for annexation (except those not required to sign by G.S. 160-A-58.1 (b)); (iii) the petition is otherwise valid, and (iv) the public health, safety and welfare of the inhabitants of the town and of the are proposed for annexation will be best served by the annexation.

NOW, THEREFORE, BE IT ORDANIED by the Board of Alderman of the Town of Marshall, North Carolina, that:

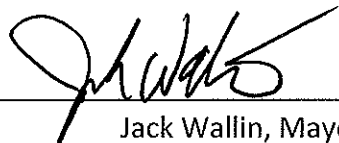
Section 1 By virtue of the authority granted by G.S. Chapter 160A-58 the following described territory is hereby annexed and made part of the Town of Marshall upon and after the effective date of this Ordinance:

The real property described in petition for annexation dated September 30, 2020, owned by JASK Management, LLC. Parcel consisting of 2.00 acres +/- recorded in Plat Book 8, Page 241, Madison County Registry and being all of that property conveyed by deed recorded June 2, 2017 in Book 631 at page 414, Madison County Registry. Property located at 4030 U.S. Highway 25-70, PIN#9716-64-5912.

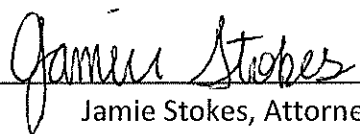
Section 2 Upon and after the effective date of this Ordinance, the above-described territory shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Marshall, and shall be entitled to the same privileges and benefits as other parts of the Town of Marshall. Said territory shall be subject to municipal taxes according to G.S. Chapter 160A-58.10.

Section 3 The property owners agree to bear the cost of extending water and sewer services to the property.

This Ordinance is adopted this 25th day of January, 2021, and is to become effective on January 26th, 2021 at midnight.

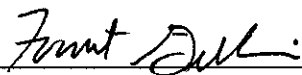


Jack Wallin, Mayor



Jamie Stokes, Attorney

ATTEST:



Forrest Gilliam, Clerk to the Board

ORDINANCE NO. ZM-2021-01
AN ORDINANCE AMENDING THE TOWN OF MARSHALL
Official Zoning Map

WHEREAS, an application has been received to requesting the rezoning of the lot located at 4030 U.S. Highway 25-70 in Marshall, NC and Identified as PIN # 9716-64-5912 from Madison County Zoning R-A to Town of Marshall Zoning – Mixed Use (MU) and;

WHEREAS, the Town of Marshall Planning Board has recommended that the request be approved; and

WHEREAS, after review and consideration of the proposed amendment to the Official Zoning Map of the Town of Marshall, it is the desire of the Board of Aldermen of the Town of Marshall to approve the amendment as recommended.

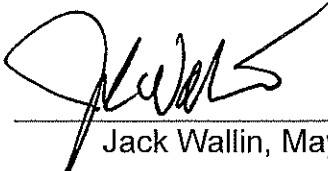
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF MARSHALL, NORTH CAROLINA THAT:

Parcel consisting of 2.00 acres+/- recorded in Plat Book 8, Page 241, Madison County Registry and being all of that property conveyed by deed recorded June 2, 2017 in Book 631 at page 414, Madison County Registry. Property located at 4030 U.S. Highway 25-70, PIN#9716-64-5912 be rezoned from R-A to Mixed Use (MU).

BE IT FURTHER ORDAINED THAT:

This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this 25th day of January, 2021.



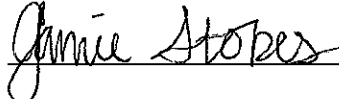
Jack Wallin, Mayor

ATTEST:



Forrest Gilliam, Clerk to the Board

Approved as to Form:



Jamie Stokes, Attorney