



**REGULAR
MEETING *MINUTES*
MAYODAN TOWN COUNCIL
June 8, 2026
6:00 p.m.
James A. Collins Municipal Building**

MAYOR AND COUNCIL PRESENT:

Mayor Dwight Lake
Mayor Pro Tem John Miller
Melanie Barnes
Doug Cardwell
Letitia Goard
Buck Shelton

STAFF PRESENT:

Town Attorney Eugene Russell
Town Manager Melody Shuler
Town Clerk Sarah Hopper

The Mayodan Town Council met at 6:00 pm on June 8, 2026, in the Council room of the James A. Collins Municipal Building, and with a quorum present, Mayor Lake called the meeting to order.

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENTS:

No one wished to speak.

RECOGNITION:

A. Black Mountain Software Training Completion

The presentation highlighted the Town of Mayodan's successful participation in the **North Carolina League of Municipalities (NCLM) Municipal Accounting Services (MAS) Program**, an initiative designed to strengthen municipal financial management through modern accounting software, technical assistance, and the implementation of best financial practices. The Town was recognized for its successful conversion to the new financial management system and the improvements made to its financial operations.

During the presentation, appreciation was expressed to the **North Carolina State Legislature** for funding the MAS Program, the **Town of Mayodan Board** for its support throughout the conversion process, and the **Local Government Commission (LGC)** for partnering with the Town and NCLM to enhance financial accountability and reliability.

Special recognition was also given to **Brianna Cardwell, Finance Officer, and Sarah Hopper, Town Clerk**, for their hard work, dedication, and commitment in helping make the Town of Mayodan a successful, thriving, and well-managed community.

B. New Police Officer Michael Michaux

Police Chief Tim Knight introduced the Town's newest Police Officer, Michael Michaux, to the Council. Chief Knight shared that Officer Michaux joins the Mayodan Police Department after previously serving with the **Rockingham County Sheriff's Office**. He expressed his enthusiasm for having Officer Michaux join the department and welcomed him to the Town of Mayodan.

C. New Wastewater Treatment Plant ORC Joel Freeman

Town Manager Melody Shuler introduced Joel Freeman to the Town Council as the Town's newly hired Operator in Responsible Charge (ORC) for the Wastewater Treatment Plant. Mr. Freeman joins the Town of Mayodan from the City of Winston-Salem. Council welcomed Mr. Freeman to the Town of Mayodan.

D. Recognition of Lucy Lewis for Service Through the Lead for North Carolina Program

Mayor Dwight Lake recognized Lucy Lewis for her dedicated service and leadership through the Lead for North Carolina program. He thanked Ms. Lewis for her hard work, professionalism, and the meaningful contributions she made during her time with the Town of Mayodan. Mayor Lake read a Certificate of Appreciation recognizing her commitment and lasting impact on the community and presented the certificate to Ms. Lewis. Council joined Mayor Lake in expressing their appreciation and wishing her continued success in her future endeavors.

CONSENT AGENDA :

A. Approval of Minutes

- a. Regular Meeting Minutes of May 11, 2026**
- b. Budget Workshop Minutes of May 18, 2026**

B. Budget Amendments

C. AFG Grant Resolution

D. SAFER Grant Resolution 2026

Motion by Councilmember Miller, seconded by Councilmember Barnes, to approve the consent agenda as presented.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton

Nays: None.

Motion carried unanimously

PUBLIC HEARING:

A. Public Hearing & Decision - Proposed Budget FY26-27

FY 2026–2027 Annual Budget Adoption

Town Manager Shuler presented the proposed Fiscal Year 2026–2027 Annual Budget to the Town Council in accordance with the North Carolina Local Government Budget and Fiscal Control Act. She explained that the budget reflects the priorities established during the annual budget process and is balanced in all funds. The proposed budget continues the Town's commitment to providing quality public services, maintaining infrastructure, and investing in capital improvements while preserving the Town's strong financial position. She also noted that the proposed property tax rate will remain unchanged at **\$0.665 per \$100 of assessed valuation**.

Town Manager Shuler recommended adoption of the following budget ordinances:

- **FY 2026–2027 Operating Budgets**
 - General Fund: **\$5,306,000**
 - Water & Sewer Fund: **\$4,407,000**
- **FY 2026–2027 Capital Improvement Program (CIP) Budgets**
 - General Fund: **\$5,566,000**
 - Water & Sewer Fund: **\$1,945,200**

Town Manager Shuler also presented ordinance amendments for the following multi-year project funds:

- Washington Mills Park Fund: **\$2,439,220**
- Town Hall & Police Department Conversions Fund: **\$595,000**
- Multi-Use Path US 220 Business Fund: **\$2,160,000**

In addition, Council was asked to establish the following new project ordinances:

- Farris Memorial Park Trail Expansion: **\$251,200**
- 2nd Avenue Water Main Replacement: **\$1,300,000**

Following discussion, Council adopted the FY 2026–2027 Operating Budget Ordinances, Capital Improvement Program Budget Ordinances, the project ordinance amendments, and the new project ordinances as presented.

Mayor Lake opened the public hearing at 6:18 pm

No questions or comments from the public.

Mayor Lake closed the public hearing at 6:30 pm

Motion by Councilmember Cardwell, seconded by Councilmember Shelton, to approve 2026-2027 FY Budget as presented, with no change in tax rate of \$0.665 per \$100 of valuation.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton

Nays: None

Motion carried unanimously

*****A copy of the Budget Ordinance 2026-2027 FY is hereby referred to as a part of these minutes, and a copy is on file in the Town Clerk's office for public viewing. *****

Motion by Councilmember Goard, seconded by Councilmember Cardwell, to approve 2026-2027 FY approved the following Capital Improvement Fund Ordinances and amendments as presented: Capital Improvement Fund Ordinance for the Library Conversion and Police Department Expansion Project; the amended Capital Improvement Fund Ordinance for the US 220 Business Multi-Use Path Project; the amended Capital Improvement Fund Ordinance for the Washington Mills Park Project; Capital Improvement Fund Ordinance for the 2nd Avenue Water Main Replacement Project; and Capital Improvement Fund Ordinance for the Farris Memorial Park Trail Expansion Project.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton.

Nays: None.

Motion carried unanimously.

*****A copy of the 2026-2027 FY Operating Budget Ordinance, Water and Sewer Budget Ordinance, Capital Improvement Fund Ordinances and amendments Project is hereby referred to as a part of these minutes, and a copy is on file in the Town Clerk's office for public viewing. *****

B. Public Hearing & Decision - Flood Damage Prevention Ordinance

Town Manager Melody Shuler presented the proposed Flood Damage Prevention Ordinance to the Town Council. She explained that FEMA has issued updated Flood Insurance Rate Maps (FIRMs) and a Flood Insurance Study (FIS) for Rockingham County, effective June 10, 2026. To maintain the Town's eligibility in the National Flood Insurance Program (NFIP), the Town is required to adopt updated floodplain management regulations that comply with state and federal requirements before the effective date. Failure to adopt the ordinance could result in suspension from the NFIP and the loss of access to federally backed flood insurance for property owners.

Following the required public hearing and receipt of public comment, Council adopted the Flood Damage Prevention Ordinance on second reading as presented. Staff will submit the adopted ordinance and supporting documentation to the North Carolina Division of Emergency Management and FEMA prior to the June 10, 2026 effective date.

Mayor Lake opened the public hearing at 6:37 pm

No questions or comments from the public.

Mayor Lake opened the public hearing at 6:40 pm

Motion by Councilmember Barnes, seconded by Councilmember Miller, to adopt the Flood Damage Prevention Ordinance and Second Reading as presented.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton

Nays: None

Motion carried unanimously

C. Public Hearing & Decision - Text Amendments for Data Processing and Solar Energy Facilities

Lucy Lewis presented the proposed Text Amendment TA-002-2026 (Data Processing Facilities) and Text Amendment TA-003-2026 (Solar Energy Facilities). She explained that the Town's current Zoning Ordinance does not contain specific regulations for data processing facilities, including data centers, artificial intelligence processing facilities, and cryptocurrency mining operations, nor does it include comprehensive standards for medium-scale and utility-scale solar energy facilities.

Ms. Lewis explained that the proposed text amendments establish definitions and development standards related to location, buffering, infrastructure capacity, environmental impacts, compatibility with surrounding land uses, and long-term site management. The amendments would require these uses to be reviewed through the Special Use Permit process, providing a framework for evaluating future proposals while protecting public infrastructure, community character, and adjacent properties.

Ms. Lewis stated that the Planning Board reviewed the proposed amendments and unanimously recommended approval. Following the public hearing and receipt of public comments, Council approved Text Amendment TA-002-2026 (Data Processing Facilities) and Text Amendment TA-003-2026 (Solar Energy Facilities), including the associated Reasonableness and Consistency Statements, as

Mayor Lake opened the public hearing at 6:47 pm

Lucy Lewis presented the proposed text amendments and, as part of her presentation, shared an email submitted by John Rhodes. At Mr. Rhodes' request, Ms. Lewis read the email into the record for Council's consideration during the public hearing.

Cindi Johnson thanked and appreciated the steps Council had taken.

John Rhodes emailed: Members of the Mayodan Town Council and Town Manager, My name is John Rhodes, and I am the owner of a 60-acre parcel located on top of Mayodan Mountain. As a property owner directly impacted by this zoning amendment, I respectfully request that this correspondence be read aloud into the official record during the public hearing portion of the June 8 meeting, or at minimum, that its core tenets be summarized for the public record.

I am writing to formally submit my public comments regarding Text Amendment #TA-002-2026, which establishes zoning and development standards for data centers. I strongly support the Council's use of its statutory authority under North Carolina General Statutes Chapter 160D to enact a temporary moratorium and draft these regulations. As the massive 1-million-square-foot facility under construction just across the town line in Madison demonstrates, our rural communities, mountain topography, and

natural resources face unprecedented risks. To ensure Mayodan's ordinance is legally ironclad and fully protective of its citizens, I ask that the council strengthen the current text in three critical areas before adoption:

1. Topographical Noise Mitigation (N.C. Constitution, Article I, Section 19) Under the North Carolina Constitution, citizens have a fundamental right to the protection of their property values and the peaceful enjoyment of their land. Low-frequency industrial noise from data center cooling infrastructure travels upward, transforming mountain ridges into acoustic amphitheaters. The draft ordinance must move beyond vague mitigation language and mandate a strict, measurable 45-decibel ambient noise cap at the property line of any residential zone, requiring fully enclosed sound-attenuation structures.

2. Watershed and Ground Water Protections (N.C. Groundwater Reasonable Use Doctrine) My property features a large natural creek, and like many rural landowners on the mountain, I rely entirely on shared underground aquifers for well water. High-intensity data centers consume millions of gallons of water daily. Under North Carolina common law, the Reasonable Use Doctrine protects landowners from groundwater depletion that impairs adjacent properties. The ordinance should require mandatory, independent Hydrogeologic Impact Studies before any special-use permit is granted to guarantee local wells and mountain streams are not drained or degraded.

3. Public Utility and Grid Protections (Federal Power Act / Consumer Protection) The Federal Power Act protects consumers from unjust and unreasonable utility rates. Massive tech infrastructure frequently triggers localized grid upgrades and substations, the costs of which are often passed down to residential taxpayers. The council should amend the text to require developers to submit legally binding utility agreements proving they are funding 100% of grid infrastructure upgrades, ensuring Mayodan families do not subsidize corporate utility bills through rate hikes.

By codifying these specific, measurable standards into Text Amendment #TA-002-2026, Mayodan will establish a legally enforceable framework that protects taxpayers and rural property owners alike. I request that this letter be distributed to all council members and entered into the official public record for the June 8, 2026, hearing.

Thank you for your leadership and your dedication to protecting Mayodan Mountain.

Cindy Johnson expressed her appreciation to the Town and staff for their work in developing the proposed ordinance amendments. She asked that any future proposal for a solar energy facility or data processing facility continue to require a public hearing before receiving approval. Staff confirmed that both uses would be subject to the Special Use Permit process, which includes review by the Planning Board, a public hearing, and final approval by the Town Council. Ms. Johnson also encouraged the Town to carefully consider the potential impacts of future data processing facilities on the Town's wastewater system, referencing concerns associated with a similar facility in Madison.

Keith Martin asked whether the proposed solar energy regulations would address an existing solar installation on Ayersville Road, noting that it did not appear to fit within the definitions presented in the proposed ordinance. He also inquired whether the Town had resolved previous concerns regarding that facility, specifically referencing an alleged setback issue in which the installation was reportedly not located the required 50 feet from the property line. He asked for clarification on how the proposed regulations would apply to similar situations in the future. Mr. Martin concluded by stating that he hoped the Town could reach a reasonable compromise in addressing these matters.

Town Manager Shuler responded that the existing solar installation is currently in violation because the property owner did not obtain the required zoning permit. She stated that the Town is taking appropriate enforcement action to address the violation. Town Manager Shuler further explained that the proposed text amendment would not apply to that particular installation because it qualifies under existing renewable energy laws and, therefore, is not subject to the provisions of the proposed ordinance. She

added that, because the installation was constructed without the required zoning permit, the property owner will be required to remove it to achieve compliance with the Town's zoning regulations.

Joni Carter asked whether the email would be incorporated into the proposed ordinance. Staff responded that the information contained in the email could be considered during the review process and that the email could also be included as an attachment to the ordinance or the meeting record, if appropriate.

Town Manager Shuler clarified that the email submitted would not result in changes to the proposed text amendment at this time. She explained that the ordinance language as presented would remain unchanged. However, staff would review the information provided to determine whether additional action is warranted and whether a future text amendment should be considered.

Mayor Lake closed the public hearing at 6:51 pm

Motion by Councilmember Barnes, seconded by Councilmember Goard, to approve approval of Text Amendment TA-002-2026 (Data Processing Facilities) and Text Amendment TA-003-2026 (Solar Energy Facilities), including the associated Reasonableness and Consistency Statements as presented.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller and Shelton

Nays:

Motion carried unanimously

E. Congratulating the Dalton McMichael High School Phoenix Softball Coaches and Team on Their 2026 NCHSAA 3A State Championship Runner-Up Finish

Mayor Dwight Lake welcomed the Dalton McMichael High School Phoenix Softball coaches and team to the meeting and congratulated them on their outstanding 2026 NCHSAA 3A State Championship Runner-Up finish. Mayor Lake read the Town's resolution recognizing the team's accomplishments and then presented the resolution to the coaches and team. Council expressed its appreciation for the dedication, hard work, and success of the players and coaching staff and congratulated them on an exceptional season.

D. Public Hearing & Decision – Special Use Application for Curb, Gutter, and Sidewalk Alternatives for N 7th Avenue ~ CONTINUED

Town Manager Shuler explained that this agenda item was a continuation of the discussion from the previous Council meeting. At that meeting, Council requested that the Technical Review Committee (TRC) evaluate the proposed development, identify the anticipated cost of widening North Seventh Avenue from Jackson Street to the end of the road, and review the potential stormwater impacts associated with the project.

Town Manager Shuler reported that the TRC, consisting of the Rockingham County Fire Marshal, the Mayodan Fire Chief, the Public Works Director, and the Rockingham County Senior Planner, had completed its review and recommended several revised conditions. These conditions superseded those previously recommended by the Planning Board and included:

- A final roadway design providing a minimum 20-foot-wide access for emergency vehicles in compliance with applicable fire codes.
- A drainage plan prepared by a licensed engineer demonstrating no adverse stormwater impacts, subject to TRC approval.

- A 30-foot undisturbed stream buffer along the unnamed tributary to the Mayo River.
- A recorded 40-foot by 80-foot cemetery easement around the identified headstones, including a 10-foot access easement.
- Review and approval of all utility infrastructure and connections by the Town prior to final plat approval.
- Approval of all required erosion and sedimentation control permits before land-disturbing activities begin.

Town Manager Shuler stated that the applicant had agreed in writing to these conditions. She also noted that the drainage plan remains outstanding and would be reviewed by the TRC once submitted.

She explained that staff had obtained an estimate for widening North Seventh Avenue; however, the project would involve additional costs related to right-of-way acquisition, utility relocation, and engineering. Staff recommended having the Town's engineer prepare a comprehensive cost estimate, which could take approximately 30 days.

Town Manager Shuler further reported that the applicant did not agree to proposed conditions requiring an emergency and construction access to Utility Street or a financial contribution toward widening North Seventh Avenue, citing excessive costs and environmental impacts. She noted that any roadway improvements and stormwater requirements would ultimately be subject to review and approval by the North Carolina Department of Transportation (NCDOT). She also advised that the Fire Marshal had recommended widening the proposed roadway to 22–24 feet to better accommodate emergency vehicles; however, the applicant's plan continued to propose a 20-foot-wide roadway.

Town Manager Shuler concluded by presenting staff's recommendation, incorporating the revised TRC conditions, and invited questions from the Council before proceeding with further discussion.

Councilmember Shelton asked that photographs he had previously provided be displayed for the Council as part of the discussion. Using the photographs, he explained that they illustrated examples of ribbon roads discussed at earlier meetings, particularly roads with paved surfaces but open drainage ditches. He stated that his primary concern was stormwater drainage and shared photographs of drainage conditions along several ribbon roads throughout Town. Councilmember Shelton noted that many of the drainage improvements appeared to have been installed after development occurred, with homeowners and, in some instances, the Town attempting to address drainage issues over time. He emphasized that his goal was to avoid creating similar problems with future developments by ensuring that drainage is properly planned and designed from the outset, rather than relying on piecemeal improvements after construction.

Mayor Dwight Lake announced that the public hearing was a quasi-judicial hearing and explained that anyone wishing to provide testimony would need to be sworn in before speaking. He invited all individuals who intended to speak during the public hearing to come forward to be administered the oath by Town Clerk Sarah Hopper prior to the hearing proceeding.

Mayor Lake opened the public hearing at 7:07 p.m.

Town Clerk Sarah Hopper swore in the individuals who requested to provide testimony during the quasi-judicial public hearing. Those sworn in were Connie Fox, Vickie Shelton, Bryant Garner, Mike Simpson, Robert Peterson, Town Manager Melody Shuler, and Ken Mackovic, Jr.

Connie Fox stated that she had shared her concerns during the previous public hearing and hoped the Council understood the issues she had raised. She noted that she had previously offered to walk Council members through the drainage concerns on her property but was unsure whether anyone had visited the site since the last meeting. Ms. Fox asked whether there was a timeline or a plan in place to address the drainage issues associated with the proposed development. She stated that, based on the discussion, she assumed a plan would be developed but wanted clarification. Ms. Fox also reiterated her concerns regarding the proposed entrance and exit, particularly emergency access. She asked whether, if the development were approved, those concerns had been resolved or if they would continue to be addressed as part of the project.

Councilmember Doug Cardwell noted that no other development had been required to provide more than one entrance or exit and expressed his opinion that this development should be evaluated under the same standards.

Councilmember Shelton **stated** that River's Edge has two entrances.

Ms. Fox stated that her primary problem was the location of the proposed roadway. While she understood the discussion regarding widening North Seventh Avenue, she believed the circumstances differed from other developments, such as River's Edge, because that area has more open space. She expressed concern that the proposed development site presents unique challenges due to its location and reiterated her concerns regarding the roadway layout, access, and the potential impact on the surrounding area.

Town Manager Melody Shuler clarified that the proposed emergency access and construction entrance are not included in the current proposal.

Ms. Fox stated that she wanted to clarify that the proposed emergency access was no longer included in the project. She then asked how the drainage issues would be addressed if the development were approved. Ms. Fox explained that she had not fully described all of the drainage problems affecting her property during the previous public hearing and noted that some of those issues stemmed from improvements made to Wilkins Street. She acknowledged that the roadway widening alone would not resolve her concerns and asked what plans were in place to address existing and future drainage impacts associated with the proposed development.

Town Manager Melody Shuler acknowledged that the Town recognizes there are existing issues with the width of North Seventh Avenue. She stated that staff had begun preliminary work over the past month to evaluate what would be required to widen the roadway and address the associated drainage concerns. Ms. Shuler explained that the next step would be to involve the Town's engineer to develop recommendations and cost estimates. She informed Council that she and Public Works Director Joey Hudy were scheduled to meet with the Town's engineer the following day to review the roadway and drainage issues. Ms. Shuler also noted that she and Mayor Dwight Lake had visited Ms. Fox's property to better assess the existing drainage concerns firsthand.

Ms. Fox expressed her appreciation for them coming. She stated that she understood not all of her existing drainage issues would be resolved through the proposed development, noting that some of the problems resulted from previous work completed on Wilkins

Street. She explained that the project was never fully completed after the contractor left, and the drainage issues have worsened over time. Ms. Fox stated that this is why she is raising her concerns early in the process. She expressed her hope that the Town would address the drainage issues associated with North Seventh Avenue before development occurs to help prevent similar issues in the future.

Vicki Shelton expressed appreciation that the Council had taken additional time to consider the proposal rather than acting immediately. She stated that she had a couple of comments. First of all, she thought that at the last meeting it seemed like everybody was "gung ho," saying, "We've got to do this, we need to do this," and now they had to take a step back...It's not just the problem of, I guess, getting in and out, or more traffic on Seventh; you're going to have emergency vehicles, someone's going to get stuck up there. We get stuck up there now already.

Also, it's 35 miles per hour up there, or in the town of Mayodan, which is, if you've got children, that's too fast in the town. The town limits should be 20; it's 20 on Main Street, I believe, and it's 35 on the side streets. That's crazy. But anyway, that would help, or a speed bump, but the longer, not the short, would help as well. But they need access, and the drainage Bucks around town all the time; he sees it, he's had to do his own, so we do need to be a little more proactive, and not just, we want the revenue, we want the people to come in, but in turn we have to step up to the plate and make it right up front.

Bryant Garner stated that, in the future, the Town should consider holding a public hearing before deciding to approve a large residential development on a small road that is not designed to handle significant traffic. He noted that traffic on North Seventh Avenue already increases whenever the pool opens up, and it really gets heavy during those periods. He expressed concern that adding approximately 23 to 24 new homes would significantly increase traffic and change a lot of things in that area. He suggested that the Town consider sharing in the cost of providing an additional access from Utility Street rather than requiring the developer to bear the entire expense, noting that the development would generate additional tax revenue for the Town of \$92 million in tax revenue.

Mr. Garner stated, you know, the houses are going to be about \$400,000, which is a lot more expensive than most of the houses we have in town. It's something we really need to look at. I wish y'all would look at it now, or consider putting an emergency entrance and exit in there. Put an entrance and exit in with curbs and speed bumps to slow everybody down so they're not using it as a regular entrance and exit coming into and leaving town. But that's basically it for me. Anything y'all can do would be much appreciated because we've got a lot of houses on Seventh Avenue that are next to the road. If you go in and widen it, you're going to be right up against those houses."

Mike Simpson, "I am deeply concerned about the traffic that's going to be on Seventh Avenue. Yeah, it would be nice to see Seventh Avenue widened a little anyway. That needs to be done because it's really too narrow already for the amount of traffic we have there.

"I walked that property a couple of weeks ago. I walked the whole perimeter, and I'm very much aware that, as you get close to Utility Street, there's a significant drop-off there. Yeah, it wouldn't be a piece of cake to go in there and put another entrance in if right-of-way is a problem. The Town owns all the land where the concerns with the right-of-way exist, so why is that a problem?

"If there's a problem because the water coming into the treatment plant comes under there—I mean, it comes under U.S. 220—then what's the difference in having another road go over it? To me, that's an issue that could be dealt with and could be resolved. It won't be inexpensive, but if you can't do it, then I don't think you need to allow this to happen.

"You owe it to the people who live on Seventh Avenue to treat us better than that when there is a solution to the problem."

Robert Peterson, "So, first question: How many houses, exactly? I've heard different numbers." **Staff responded,** "Twenty-four." **Mr. Peterson continued,** "Twenty-four. My assumption, from listening to you, is that the applicant has not wanted to work with the Town at all, as far as anything, right? They are not willing to."

Town Manager Shuler stated they have agreed to 6 out of 11 conditions,

Mr. Peterson stated, "But no money... so far."

Town Manager Shuler stated yes, that is correct.

----- "Really, I really think that he is going to make enough money out of it and everything else that he should work with the Town as far as that goes, because you're going to have to do something with Seventh Avenue. That's going to cost a lot of money and a lot of hassle because you're going to have to buy a lot of land from different people and everything else. It's not just widening the road. I really think that he should have to fork over some money if he wants to work with the Town. He wants to be here. He should work with the Town. Thank you."

Ken Mackovic, Jr. stated that he represented the company that submitted the application requesting the waiver. He began by stating that he felt the applicant had been very cooperative and open throughout the process, noting that they had exchanged emails with Town Manager Melody Shuler, attended meetings, and agreed to several requested conditions. However, he explained that certain requests become cost-prohibitive and, in his opinion, should not be the sole responsibility of a private developer when the project would also provide a benefit to the community.

Mr. Mackovic stated that the proposed development would create an estimated \$10 million addition to the Town's tax base, which he believes would continue to grow over time. He acknowledged the concerns expressed regarding North Seventh Avenue but stated that, in his opinion, those are existing Town issues that should have been addressed regardless of this development. He further stated that the property owner's desire to sell the property for residential development should not be hindered by conditions unrelated to the development itself.

Mr. Mackovic explained that his engineer reviewed the request for a secondary access to Utility Street and identified several concerns. He stated that the available road frontage on Utility Street is insufficient, additional property acquisition would likely be required, and construction of a roadway would impact the stream along the southwest property line. He noted that crossing the stream would likely require piping it and obtaining permits from the U.S. Army Corps of Engineers, a process that could take four to six months. He added that there is no guarantee the Corps would determine that such impacts are warranted.

Mr. Mackovic further stated that, based on his engineer's experience, many municipalities do not require a secondary access until subdivisions exceed 50 to 100 lots, while some require it for developments exceeding 30 lots. He noted that the proposed subdivision contains fewer than 30 lots and referenced several larger subdivisions he has worked on that were served by only one entrance and exit.

He also pointed out that one of the proposed Technical Review Committee conditions required preservation of the stream buffer, while another recommendation suggested creating an access across the stream. In his opinion, those recommendations conflicted with one another.

Regarding drainage, **Mr. Mackovic stated** that the proposed roadway width of 20 feet is the standard width for a residential street. He explained that all drainage and stormwater management plans must be reviewed and approved by the North Carolina Department of Environmental Quality (DEQ), noting that the agency has stringent requirements. He stated that detailed engineering plans addressing stormwater runoff, erosion control, drainage, and environmental impacts must be completed before any land-disturbing activity can begin.

Mr. Mackovic stated that the property currently has erosion issues resulting from previous logging activities and that those conditions existed prior to the proposed development. He explained that he had met with Mrs. Cook regarding concerns about her driveway and observed that existing runoff is occurring because there is currently no erosion control in place on the property. He emphasized that the development would be required to comply with all applicable Town and State regulations before construction could begin.

He stated that the applicant has agreed to the proposed stream buffer, cemetery easement, utility infrastructure review, and erosion and sedimentation control requirements. He also expressed support for reducing the speed limit within the Town's residential core to 25 miles per hour, stating that he believes it would improve safety.

Regarding participation in roadway improvement costs, **Mr. Mackovic stated** that the developer is already making a substantial investment by installing water and sewer infrastructure throughout the subdivision and constructing roads that meet North Carolina Department of Transportation standards. He expressed his opinion that improvements to existing Town-maintained roads should not become the developer's financial responsibility and questioned how a shared-cost arrangement could fairly be determined.

In closing, Mr. Mackovic stated that the applicant is simply trying to complete a quality residential development while complying with all applicable Town and State requirements. He acknowledged the concerns regarding North Seventh Avenue but reiterated his belief that those roadway issues are pre-existing conditions that should be addressed regardless of whether the proposed subdivision is approved. He also stated that, based on his engineer's review, a secondary emergency access may not be warranted and that pursuing such an access could require significant additional time and expense. **Mr. Mackovic concluded** by stating that he would be happy to answer any questions from the Council.

Councilmember Cardwell asked if the electrical, cable, and all other infrastructure would be underground.

Mr. Mackovic stated it would.

Mr. Mackovic **stated** that he wanted to mention one other thing. He stated, "There were some pictures shown. I'm not sure where they originated, you know, some of that. I don't know if those were in public rights-of-way or just private roadside ditches that people have done work to. So, I don't think those are fair depictions of what happens with roads that have no curb and gutter or that use open ditch lines."

Councilmember Shelton stated that those were pictures from properties that started off with ditches that didn't work for the homeowners. The homeowners had to pipe the ditches in because they felt they were controlling the water better than the ditches did. He stated that they're on every ribbon road that the Town has, dead-end roads, connecting roads, Road Street, Virginia Street, and Madison Street. He stated that it's been a problem with homeowners fighting the Town over who controls the water and who is

responsible for the water flow. The Town says it's the property owner, and the property owner says it's the Town. He stated that it's a hindsight thought because nobody was considering those issues on the front end. They were just worried about the tax revenue and the tax base they were adding, and then they had to go back and fix it.

Mr. Mackovic asked how old those houses were that he was referring to.

Councilmember Shelton stated, "Some of them are less than five years old. Some of them are probably 100 years old."

Mr. Mackovic stated, "I've never seen them that shallow." He stated that's less than five years old. Usually, DOT does a pretty good job of making sure that those ditch lines, you know, are good and flowing.

Councilmember Shelton stated, " We discussed that the DOT really doesn't show up and maintain these; that's the problem.

Vicki Shelton stated that this was everyone's concern. She commented that, although NCDOT and the North Carolina Department of Environmental Quality (DEQ) have responsibilities for roadway and drainage issues, residents do not always see those issues addressed. She noted that the Town-maintained side streets are generally well maintained, while Main Street, which is maintained by NCDOT, does not receive the same level of maintenance.

Mr. Mackovic stated a 50-foot right of way may have 20 feet of pavement, but it extends another 15 feet off each side of that pavement, which includes the back slope of that ditch, so it is a DOT matter.

Town Attorney Eugene Russell clarified that the North Carolina Department of Transportation (NCDOT) is responsible for maintaining only certain streets within the Town, primarily the main roads. He explained that the Town is responsible for maintaining all other Town streets and may use Powell Bill funds for those improvements. He noted that roads maintained by the Town are not the responsibility of NCDOT.

Councilmember Shelton **stated** that his concern was that when one property owner addresses a drainage issue, it can sometimes shift or worsen the problem for an adjacent property owner. He emphasized the importance of having a comprehensive drainage plan in place before development occurs, rather than relying on individual property owners to resolve issues after the fact. He asked whether modifications to private property, such as drainage improvements or retaining structures, require Town permits.

Councilmember Shelton noted that, in some cases, the Town has assisted with drainage improvements, while in other cases, residents have spent tens of thousands of dollars on ditching because the Town did not address the drainage issues and there was no forethought given to curbing and guttering when those areas were originally developed. He reiterated that his goal was for future developments to include proper planning for drainage from the outset to avoid similar problems in the future.

Councilmember Shelton **asked** how many linear feet of curbing would be included in the development and what the associated cost would be.

Mr. Mackovic stated no, he would need to look at it.

Councilmember Goard **asked** about the proposed drainage plan and the requirement that it be prepared by a licensed engineer demonstrating that the proposed open-ditch system is adequate to manage stormwater runoff. She questioned what would happen if the engineer determined that the proposed open-ditch system was not adequate and instead recommended the installation of a culvert system or curb and gutter. **She further asked** how those recommendations would be addressed if they differed from the proposed plan.

Mr. Mackovic stated that it is prepared by them, but then it's approved by the North Carolina Department of Environmental Quality (DEQ).

Councilmember Goard asked if it had been approved. She then asked what would happen if it came back and said that it wasn't adequate.

Mr. Mackovic stated that it had not been approved and that it would have to be changed.

Councilmember Goard **asked** whether the project would need to be redesigned if the licensed engineer determined that the proposed open-ditch drainage system was inadequate and instead recommended installing culverts or curb and gutter. She asked whether that would cause the project to be abandoned.

Mr. Mackovic stated absolutely.

Town Clerk Sarah Hopper swore in the individuals who requested to provide testimony during the quasi-judicial public hearing. Those sworn in were Jerri Atkins and Ann Garner.

Jerri Atkins stated that she lives at 701 Roach Street, at the corner of Roach Street and North Seventh Avenue. She stated, "There are some issues going on that concern me, not just the traffic. I don't mind traffic. I live on the corner of two busy streets, so I'm used to seeing, especially in the summer, the kids, the golf carts, the bikes, and everything going up and down the roads.

"What concerns me most, honestly, is the drainage issue. I already have quite a few issues in my yard. My property backs up against, I guess, a creek—or a stream, I'm not sure what it's called. Part of that yard has already fallen into the creek several times. When the water comes up, it comes up into the yard. That culvert, or whatever it is that runs under the road at the end of the hill past the flashing light, the walls have caved in. They're lying in the creek already, so if they expand that, it concerns me.

"We already have an issue. There are drains in my yard that were placed there years ago. They're more like grates with terra-cotta piping—that's how old they are. We have drains on both sides of the yard, and the ones in the front really don't even exist anymore. The neighbors across the street have filled in their drainage ditches, and that's become a problem because now all the water from across the street runs into my yard, into the front of my house, and down the sides. The erosion is complete chaos.

"So, I'm thinking, if we continue to expand this road into my yard, that's another concern. I also have the turn-off valve for my water service that is probably less than three feet from the road. That's another thing that bothers me.

"I just don't know. I guess what I'm trying to find out is where are we going with the drainage issues that we already have? If we're widening the road, are we just going to create more issues? I need some kind of answer. I'm not demanding anything, but I would like to have answers. What is the plan for getting the water where it needs to go? Are we building a new culvert? Are we expanding the existing one?

"The neighbor right behind me, going up the hill, has actually poured concrete on part of his property just to try to keep the erosion under control. Part of his yard has hollowed out. So, I'm thinking it's going to be quite a task to widen that road.

"Other people have already said it. The neighbor across from me—if they go six feet, it's going to be less than a foot from their house. I know it may seem like we're stepping over the line, but when it comes to your property, you would do the same, and I would expect no less.

"My greatest concern really is not all of the traffic. I think an easy solution would be to open Utility Street. I don't know the ins and outs. I'm going to be honest with you, I really don't. I know there's a lot involved. This gentleman already told us there's a creek. I don't know all the ins and outs of piping that creek or protecting the water supply, but I'm sure all that plays into whatever goes into this new development.

"I'm not against new developments. I think that if we stay inside a box, that's where we're going to stay. We need to think outside the box, grow, and have a vision. I think you people have that. I think you have a vision for this community and a heart for it, but there need to be some guidelines in place to protect those who have been here most of their lives.

"I haven't been here all my life, but I've been here for over 25 years, and this is my home. I love it. I love these people. I love this community. I chose to live here.

"I commute to Greensboro every day because I love Mayodan. I don't want to feel like I'm being taken advantage of because a new community is coming in. I want everything to be done properly, and I want the rights of the homeowners in this community, their property, their feelings, and the money they've invested through years of hard work—to be taken seriously, especially when it comes to erosion and the streets.

"It may not affect me as much because I have a corner lot and have a little more room, but the people across the street from me are going to have that road right up against their house. That bothers me a great deal. There is an elderly couple who may not have the opportunity to move again, and I just hope y'all are taking that seriously.

"Mayodan is special because of its small-town community and the people who care about each other. I hope we don't let the growth of the community block out what's really important, and that's people. I'm hoping everybody's listening. If we don't take care of the erosion problem, the houses that exist now are not going to be here much longer. I've had to spend a lot of money on pipes and other improvements to divert the water off my property, and I'm concerned that when they widen the road, it's just going to increase the amount of water coming down the road and into my yard."

Ann Garner stated, "I'm going to be the odd man out because I do agree that this development has gotten more attention than the people who live in this town.

"If these roads have been in such disrepair for all the years that you guys have lived here—and I know you've only been on the Board for so many years, but all the people prior to you—why has nobody addressed our streets, the ribbon roads?

"Okay, people are doing their own drainage. Why? Because nobody complained. I mean, you know, I think some of that money needs to go into this Town instead of trying to bring people in here that, who knows, in five or ten years, that's going to be a problem too.

"I think you've got to take care of the people who have lived here their whole lives. I live on a street that's 17 feet wide in front of my house. So, obviously, if there's some kind of ordinance that says my street needs to be 22 feet wide, why has that not already been addressed?

"You've got to watch this big company come in to bring a housing development before the issue gets addressed. So, my question is, what about the people who have been here the whole time? The ribbon roads are in such terrible condition. Is it because the State pays for the main roads and we're responsible for the rest?

"If you put curb and gutter in that housing development, do we have to pay for that when it comes down Seventh Avenue in front of our houses? It's my understanding that when you put curb and gutter in front of houses, the citizens have to pay, and we didn't agree to that.

"So, I'm just saying I think y'all need to take a step back and look at the people who live here. Maybe address fixing the roads they live on and the drainage they need fixed instead of putting so much emphasis on this.

Ann Garner stated, "I agree with this gentleman. It's not his fault that that street is like it is. It's the Town's fault, and it should have already been fixed. A lot of the streets should have been fixed because, you know, it's a golf cart community. I'm just saying—that's all.

“Mayor Lake closed the public hearing at 7:50 pm

Councilmember Miller **stated** that, as a point of emphasis, several speakers had discussed infrastructure. He noted that, during the Council's strategic planning session the previous fall, infrastructure was identified as one of the Council's top priorities and was reflected in the budget presentation. He stated that addressing infrastructure issues would take time and agreed that the Town should resolve its existing issues without allowing additional problems to develop. Councilmember Miller stated that infrastructure remains a top priority of the Council. He further stated that he agreed with many of the comments regarding existing stormwater runoff issues and that, regardless of the outcome of the vote, infrastructure improvements, particularly along North Seventh Avenue, would continue to be a priority.

Councilmember Cardwell **stated** that everyone wants to see infrastructure improvements, but few want to see property taxes increase. He commented that funding infrastructure improvements generally comes either through new developments that expand the tax base or through increased tax revenues. He noted that the Town has limited financial resources.

Councilmember Cardwell further stated that whenever the Town receives a federal grant, it is designated for a specific purpose. He explained that grant funds cannot simply be spent on whatever the Town chooses. He stated that Town Manager Melody Shuler spends a significant amount of time pursuing federal, state, county, and other grant opportunities. He commented that she has done a wonderful job obtaining those funds. However, he noted that grant funding is limited, and when it is available, it is generally restricted to specific projects, such as sidewalks, water line repairs, or ADA-accessible improvements.

Councilmember Cardwell also stated that, during his lifetime, streets in Mayodan that were improved with curb and gutter were funded through a partnership between the Town and the affected property owners. He explained that the process required a petition signed by at least 51 percent of the property owners, after which the cost of the improvements was shared equally between the property owners and the Town. He noted that the Town's streets were not originally constructed with curb and gutter by either the Town or the State but were added later through this cooperative improvement process.

Councilmember Miller **stated** that he appreciated the applicant's interest in investing in the Town of Mayodan and welcomed the proposed development. However, he expressed concern that the applicant entered into a contract to purchase the property knowing the Town's existing ordinances and was now requesting that the Town reduce its development standards. He stated that, in his opinion, developers should understand and comply with the Town's ordinances before purchasing property rather than asking the Town to modify its standards afterward. Councilmember Miller further noted that the Council must base its decision on the required findings of fact and the evidence presented during the quasi-judicial hearing.

Councilmember Miller **stated** that, at the previous meeting, the Council approved a text amendment allowing alternatives to traditional curb and gutter, provided those alternatives are determined to be "just as good or better." He stated that he was not yet convinced that a grass-lined open-ditch system would provide the same level of stormwater management as curb and gutter. He noted that many of the Town's older ribbon roads, while not originally constructed with curb and gutter, have since required drainage improvements, whether completed by the Town or by individual property owners.

Councilmember Miller stated that he was open to considering alternatives to curb and gutter but wanted to ensure that any approved design would adequately manage stormwater and avoid creating future drainage problems for residents along North Seventh Avenue. He also clarified that the proposed residential development is permitted by right under the property's current zoning. He explained that the Town cannot prohibit the development itself or require secondary access to Utility Street. However, because the applicant is requesting relief from the curb-and-gutter standards, the Council has the authority to consider and act on that specific request.

Councilmember Shelton **stated** that staff had previously obtained an estimate for installing curb and gutter along North Seventh Avenue from Jackson Street to the end of the road, approximately 3,600 linear feet, at an estimated cost of \$150,000. Based on that estimate, he calculated that installing curb and gutter within the proposed development would cost approximately \$120,000. He commented that, in his opinion, the additional cost per home would be relatively small and would provide permanent curb-and-gutter infrastructure rather than requiring future drainage improvements after development. Councilmember Shelton also asked about the capacity of the Town's existing water and sewer system, questioning whether continued residential growth would require additional infrastructure improvements in the future.

Councilmember Goard **asked** whether the Town planned to address improvements to North Seventh Avenue regardless of the proposed development. **Town Manager Shuler responded** that the roadway improvements would be addressed and that the remaining infrastructure needs would continue to be evaluated and prioritized through the Town's Capital Improvement Program (CIP). **Councilmember Goard stated** that, with that understanding, she was in favor of the proposal.

Motion by Councilmember Cardwell, seconded by Councilmember Barnes, to approve Motion to approve Special Use Permit SUP-002-2026 with the recommended conditions, based on an affirmative determination of the required findings of fact.

Ayes: Councilmembers Barnes, Cardwell, and Goard

Nays: Councilmembers Miller and Shelton
Motion carried 3-2

Councilmember Miller **asked** whether the Town could explore options for helping fund a secondary entrance from Utility Street. He noted that the Town owns the right-of-way in that area and suggested evaluating whether it could be expanded to accommodate additional access. He requested that staff work with the developer to prepare a cost analysis identifying what it would cost the Town to construct the necessary infrastructure rather than requiring the developer to bear the full expense. He further asked that the option of modifying the development plan to include a secondary means of access be explored.

Councilmember Miller **asked** the applicant, Ken Mackovic, Jr., whether the development team would be willing to consider modifying the subdivision plan to include secondary access from Utility Street if the Town explored funding the necessary infrastructure improvements. He clarified that he was not asking the developer to pay for the additional access but rather whether the developer would be willing to modify the plans if the Town determined the project was feasible. Councilmember Miller stated that he would like the Town to explore the option and evaluate its potential cost before making any future decisions.

Ken Mackovic, Jr. **responded**, "Absolutely."

Mayor Lake thanked Mr. Mackovic, the citizens who attended, and everyone who participated in the public hearing. He stated that the Council had taken the matter very seriously and had carefully considered all the comments and concerns presented. Mayor Lake noted that the discussion identified issues the Town would continue to address in the coming months and years. He expressed his appreciation to everyone for their patience and participation.

NEW BUSINESS:

A. Rockingham County Comprehensive Transportation Plan

Emily Stupka of the North Carolina Department of Transportation (NCDOT) introduced the members of the project team present for the meeting. She introduced Toya Smith, Division 7 Corridor Development Engineer; Devin Jones, who assisted with development of the Comprehensive Transportation Plan; Amy Bailey, Project Manager and Manager of the Western Piedmont Planning Group for NCDOT; and Dawn Bailier, Coordinator for the Piedmont Triad Rural Planning Organization (PTRPO).

Ms. Stupka explained that the purpose of the presentation was to provide an overview of the Rockingham County Comprehensive Transportation Plan. She stated that the presentation would include an explanation of the Comprehensive Transportation Plan process, the project's timeline, transportation recommendations specific to the Town of Mayodan, and a request for Council to consider adopting the plan. She then turned the presentation over to Devin Jones to begin the overview.

Following the presentation and discussion, Council approved the Resolution Adopting the Rockingham County Comprehensive Transportation Plan for the Town of Mayodan, supporting its submission to the North Carolina Department of Transportation for final adoption.

Motion by Councilmember Miller, seconded by Councilmember Shelton, to approve the Resolution Adopting the Rockingham County Comprehensive Transportation Plan for the Town of Mayodan, supporting its submission to the North Carolina Department of Transportation for final adoption.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton

Nays: None

Motion carried unanimously

Discussion of Traffic Safety Measures on North Seventh Avenue

Following the discussion of the North Seventh Avenue development, Mayor Lake noted that, although the matter was not listed on the agenda, he believed it was appropriate to address traffic safety concerns in the area. He stated that with the community pool open and increased seasonal traffic expected, additional traffic control measures should be considered immediately. Mayor Lake recommended installing a three-way stop at the intersection of North Seventh Avenue and Wilkins Street, and four-way stop signs at the intersections of North Seventh Avenue and Roach Street, Jackson Street and 10th Avenue, and Virginia and 11th Avenue. He stated that these improvements would help slow traffic in the area and asked the Council to consider moving forward with the installation, noting that stop signs would be a relatively inexpensive traffic safety improvement.

Motion by Councilmember Shelton, seconded by Councilmember Miller, approved N 7th/Wilkins, 3-way stop, Roach/N 7th Ave 4-way stop, Virginia/N 11th Ave 4-way stop sign, Jackson/N 10th Ave 4-way stop sign.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton

Nays: None

Motion carried unanimously

Staff were directed to coordinate the installation of the appropriate signage and any required notifications.

Motion by Councilmember Miller, seconded by Councilmember Shelton, approved reducing the speed limit to 25 miles per hour on all Town-maintained roads from 1st Avenue through 13th Avenue.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton

Nays: None

Motion carried unanimously

Council directed Town Manager Shuler and Public Works Director Joey Hudy to research bolt-down speed bumps, obtain a cost estimate for installing one speed bump, and evaluate additional locations and associated costs for future installations.

Mayor Lake asked Town Manager Melody Shuler to discuss Connie Fox's drainage concerns with the Town's engineer, Bill Lester, during their upcoming meeting. He stated that Ms. Fox's property appears to have significant drainage issues and expressed concern that her situation has not been adequately addressed. Mayor Lake noted that, unlike other nearby areas where drainage improvements have been made, water at Ms. Fox's property does not properly drain to the street. He asked the engineer to determine whether there are improvements that could be made to alleviate the drainage problems before the North Seventh Avenue widening project is undertaken, recognizing that the roadway improvements may still be some time away.

Mayor Lake asked Public Works Director Joey Hudy to inspect the Town-maintained culverts in the area, noting that at least one appeared to be obstructed with debris. He requested that Public Works evaluate the culverts and clean them as needed to improve drainage and help alleviate existing stormwater issues.

Motion by Councilmember Shelton, seconded by Councilmember Cardwell, to adjourn meeting.

Ayes: Councilmembers Barnes, Cardwell, Goard, Miller, and Shelton

Nays: None

Motion carried unanimously

Meeting adjourned at 8:40 p.m.

ATTEST:

Sarah Hopper, Town Clerk

E. Dwight Lake, Mayor