



Town of Micro
Board of Commissioners Meeting MINUTES
Tuesday –January 9, 2024
7:00 p.m.
Micro Town Hall

1. CALL TO ORDER

- Call to Order
- Pledge of Allegiance
- Invocation

2. PUBLIC COMMENT

3. ADJUSTMENT/ADOPTION OF THE AGENDA

- a. Adjustments to the Agenda
- b. Adoption of the Agenda

POTENTIAL ACTION: Adoption of Agenda

4. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Board may request to have an item removed from the consent agenda for further discussion.)

- a. Draft Minutes
 - *December 12, 2023 – Regular /Organizational Meeting*
 - *November 14, 2023 – Closed Session (sent under separate cover)*

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

5. SPECIAL PRESENTATION/INTRODUCTIONS

6. FINANCIAL REPORT

7. PLANNING BOARD REPORT

None – Planning Board did not meet in December 2023.

8. POLICE REPORT

- a. Police Department Monthly Update
Presenter: Macon Jones, Police Chief

POTENTIAL ACTION: None - Informational Only

9. OLD BUSINESS

10. PUBLIC HEARINGS

- a. Annexation #2023-30-ANX – 325 US 301 S. (Newly Assigned Address)
 - *Ordinance*

POTENTIAL ACTION: Adoption of Ordinance #2024-01-01

- b. Special Use Permit #2023-33-SUP - Ramirez Roofing Warehouse – (Quasi-Judicial)
Continued from November 14, 2023 & December 12, 2023
- Approval

POTENTIAL ACTION:

Approval of SUP #2023-33-SUP

A quasi-judicial hearing resembles a court trial where testimony is presented. Citizens may give testimony in a quasi-judicial hearing after they have taken an oath. The Board of Commissioners acts like a court of law and receives only sworn testimony and other credible evidence. In addition, the Board of Commissioners must make findings of fact based upon the evidence presented. The Board of Commissioners refrains from "ex-parte communication" about these cases, as the Board of Commissioners must decide based solely on the evidence presented at the hearing itself.

11. NEW BUSINESS

12. COMMISSIONER REPORTS

- a. Special Events Report
Presenter: Katy Garcia, Commissioner

POTENTIAL ACTION:

None - Informational Only

13. CLOSED SESSION

14. ADJOURNMENT

- a. Adjourn the Meeting

POTENTIAL ACTION:

Motion to Adjourn



Town of Micro
Board of Commissioners Meeting MINUTES
Tuesday -December 12, 2023
7:00 p.m.
Micro Town Hall

BOARD MEMBERS PRESENT:

Marty Parnell, Mayor
Kevin Worley, Mayor ProTem
Coy Stanley, Commissioner

BOARD MEMBERS ABSENT:

Katy Garcia, Commissioner

OTHERS PRESENT:

Macon Jones, Police Chief
Chip Hewett, Town Attorney
Kimberly Moffett, Interim Town Clerk
Lisa Lee, Deputy Town Clerk
Tyler Queen, Lead Fellow UNC SOG

1. CALL TO ORDER

- Call to Order
- Pledge of Allegiance
- Invocation

Mayor Parnell called the meeting to order at 7:00 p.m. He led everyone in the Pledge of Allegiance and Commissioner Stanley offered the invocation.

2. PUBLIC COMMENT

3. ADJUSTMENT/ADOPTION OF THE AGENDA

- a. Adjustments to the Agenda

Ms. Moffett requested that the Closed Session minutes from November 14, 2023 be removed and placed on the January agenda.

- b. Adoption of the Agenda

ACTION: Adoption of Agenda with Amendment as noted.

MOTION: Mayor ProTem Worley

SECOND: Commissioner Stanley

VOTE: Unanimous

4. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Board may request to have an item removed from the consent agenda for further discussion.)

- a. Draft Minutes
- November 14, 2023 - Regular Meeting
 - ~~November 14, 2023 - Closed Session~~

- b. Certification of 2023 Municipal Election
c. Certification of Annexation #2023-30-ANX
d. Resolution to Set Public Hearing for Annexation

ACTION: Adoption of Consent Agenda as Presented

ACTION: Adoption of Consent Agenda

MOTION: Mayor ProTem Worley

SECOND: Commissioner Stanley

VOTE: Unanimous

5. SPECIAL PRESENTATION/INTRODUCTIONS

6. FINANCIAL REPORT

7. PLANNING BOARD REPORT

- a. Planning Board/Board of Adjustment Report
Presenter: Planning Board Representative

Ms. Moffett reported the Planning Board/Board of Adjustment met on November 28, 2023 at which time they approved the previous month's minutes. Additionally, the Planning Board reviewed the application for #2023-33-SUP that was sent back to them from the Board of Commissioners to confirm a rezoning would not be required. There was also discussion regarding single wide mobile homes and text language related to same in the current ordinance. One of the board members believed there was language approved back in 2011-2012 with reference to granting grandfathered singlewides a 90-day time frame to replace them. It was stated that staff would continue to investigate this issue.

8. POLICE REPORT

- a. Police Department Monthly Update
Presenter: Macon Jones, Police Chief

Chief Jones provided a monthly report and stated the Christmas Parade was a great success and he heard many compliments. He stated this was the largest turnout to date.

9. OLD BUSINESS

10. ORGANIZATIONAL MEETING

- a. Recognition of Outgoing Commissioner
- Coy Stanley – Served as Commissioner 2022-2023

Mayor Parnell offered thanks and appreciation to Commissioner Stanley for his dedication to the town. He presented him with a plaque of appreciation. Commissioner Stanley stated he had enjoyed his time on the board and was very appreciative of the recognition.

- b. Swearing-In of New Elected Mayor & Commissioners
- Mayor Marty Parnell
 - Commissioner Kevin Worley
 - Commissioner Katy Garcia
 - Commissioner Tim Earp

The Oath of Office was issued to Mayor Parnell, Commissioner Worley and Commissioner Earp by Kimberly Moffett, Interim Town Clerk. Commissioner Garcia was unable to attend the meeting this evening and will be issued the Oath of Office at another time.

11. RECESS & RECEPTION

a. Recess the Meeting
ACTION: Motion to Recess Meeting at 7:15 p.m.

MOTION: Commissioner Stanley
SECOND: Mayor ProTem Worley
VOTE: Unanimous

b. Return to Regular Session

ACTION: Motion to Return to Open Session

MOTION: Commissioner Earp
SECOND: Mayor ProTem Worley
VOTE: Unanimous

The meeting was called back to order at 7:35 p.m. and Commissioner Earp took his seat at the dais.

12. MAYOR PROTEM SELECTION AND COMMISSIONER APPOINTMENTS

a. Nomination & Selection of Mayor ProTem
Presenter: Marty Parnell, Mayor

ACTION: Nomination of Kevin Worley to serve as Mayor ProTem

MOTION: Commissioner Earp
SECOND: Mayor ProTem Worley
VOTE: Unanimous

b. Department Liaison Assignments
Presenter: Marty Parnell, Mayor

Mayor Parnell made the following assignments:

- Police Department – Mayor ProTem Worley
- Parks & Recreation – Commissioner Katy Garcia
- Public Works – Commissioner Tim Earp
- Administration – Mayor Parnell
- Central Pines Regional COG – Commissioner Garcia, Delegate & Mayor Parnell, Alternate

13. PUBLIC HEARINGS

a. Annexation #2023-32-ANX - Wellons Park Subdivision

The Public Hearing was called to order at 7:45 p.m. The applicant, Mr. Brian Leonard was present.

There were no questions from the board, and no one wished to speak.

With there being nothing further, the hearing was closed, and the item was turned over to the board for their deliberation.

ACTION: Adoption of Ordinance #2023-12-01
MOTION: Mayor ProTem Worley
SECOND: Commissioner Earp
VOTE: Unanimous

- b. Special Use Permit #2023-33-SUP - Ramirez Roofing Warehouse – (Quasi-Judicial)
Continued from November 14, 2023

This hearing was continued from November 14, 2023. Attorney Hewett provided details regarding a quasi-judicial proceeding. He issued the Oath to those wishing to offer testimony.

Ms. Moffett provided an update from the Planning Board and stated the board reviewed the application at their November meeting and found everything to be in order.

Mr. Thurston, applicant, was present. He stated they would ensure there was both an entrance and exit large enough for a tractor trailer to safely enter and exit the premises. He stated both would be paved. He further stated they would be willing to install a 5' chain link fence across the front. Commissioner Earp had some concern regarding possible blind spots as both the entrance and exit would be at the corners of the property.

Mr. Ken Wall, who is a Town of Selma employee and working for the Town of Micro under contract, stated he would verify the availability of water and sewer. He stated he believed there currently was no sewer at this location and the closest hook up was about 200' away.

Mayor Parnell stated he would like to meet the applicant at the site so they could look at the possibility of a wider entrance, possibly 50-60' wide. He stated they could also figure the sewer issue out at that time.

Attorney Hewett stated testimony was provided by applicant, town clerk and water sewer employee.

ACTION: Motion to Close the Public Hearing at 7:45 p.m.
MOTION: Commissioner Earp
SECOND: Mayor ProTem Worley
VOTE: Unanimous

Attorney Hewett reiterated details and concerns that were heard regarding sewer, entrance and exit sizes. He stated the conditions could be nailed down prior to the next meeting.

ACTION: Table to January 9, 2024 meeting at request of applicant
MOTION: Commissioner Earp
SECOND: Mayor ProTem Worley
VOTE: Unanimous

- c. Code of Ordinance Text Amendment - Section 4-102-1 – Fences & Walls

Ms. Moffett provided details about the proposed Text Amendment. She stated the Planning Board had been reviewing this item which pertains to current required setbacks for fences. Research was completed with reference to several local municipalities as well as the county with reference to their required setbacks for fences. It is the recommendation of the Planning Board that we amend our Code to change the current required setback for fences to indicate there would be no required setback. We would recommend that the setback be 1-2' from property line but would not require same.

ACTION: Adoption of Ordinance #2023-12-02

MOTION: Commissioner Earp

SECOND: Mayor ProTem Worley

VOTE: Unanimous

14. NEW BUSINESS

15. COMMISSIONER REPORTS

- a. Special Events Report
Presenter: Marty Parnell, Mayor

Mayor reported that the Christmas parade was excellent, and we had a great turn out. He stated there were many folks who helped and offered his thanks. He stated he looks forward to next year's event which will include tree lighting. He stated the goal was to keep increasing attendance at events and making them better each year. He stated there would be a New Years Eve Day event held in the afternoon in Jerome Park.

16. CLOSED SESSION

17. ADJOURNMENT

- a. Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 7:55 p.m.

ACTION: Motion to Adjourn

MOTION: Mayor ProTem Worley

SECOND: Commissioner Earp

VOTE: Unanimous

Duly adopted this the 9th day of January, 2024 while in regular session.

Marty Parnell
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk

Return to:

Town of Micro– Town Clerk
PO Box 9
Micro, NC 27555

Annexation Petition #2023-30-ANX
325 US 301 S. (Newly Assigned Address)
Owner: Hunter Blackwell
Contiguous; 1.25 acres

**TOWN OF MICRO
ORDINANCE TO EXTEND THE CORPORATE LIMITS**

WHEREAS, the Micro Board of Commissioners has been petitioned under NC GS 160A-31 to annex the area described below; and

WHEREAS, the Micro Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town of Micro Public Works Building, 450 US 301 Highway North, on Tuesday – January 9, 2024 after due notice by publication in the Johnstonian on June 28, 2023 and

WHEREAS, the Micro Board of Commissioners finds that the petition meets the requirements of NC GS 160A-31;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners, Micro, North Carolina that:

SECTION 1 By virtue of the authority granted by NC GS 160A-31, the following described territory is hereby annexed and made part of the Town of Micro as of January 9, 2024:

Beginning at the northwest corner of tract 1 as recorded in PB 99 PG 173, said point being in the southern right of way of US 301 and being a common corner between Tract 1 and Donald Martin tract as recorded in DB 3532 PG 832 said point being the POINT OF BEGINNING, thence along a curve the southern right of way of US 301 concave to the north, having a radius of 2669.79', a central angle of 02 Deg 30 Min 52 Sec, and a chord of 117.16' bearing N 73 Deg 58 Min 50 Sec E to an iron set in the southern right of way of US 301 being the Northwest corner of Lot 2 as recorded in PB 99 PG 173; thence along the Lot 2 the following calls S 24 Deg 33 Min 04 Sec E, a distance of 123.47' to an iron stake set; thence S 14 Deg 22 Min 59 Sec E, a distance of 58.24' to a computed point in the southern line of former lot recorded in DB 1032 PG 832 (second tract); thence continuing along the line of Lot 2 S 14 Deg 22 Min 59 Sec E, a distance of 81.27' to an iron stake set; thence N 76 Deg 06 Min 57 Sec E, a distance of 25.23' to an iron stake set; thence S 24 Deg 40 Min 03 Sec E, a distance of 43.82' to an existing iron pipe; thence S 52 Deg 39 Min 46 Sec E, a distance of 106.66' to an iron pipe in the ditch; thence along the ditch S 16 Deg 01 Min 45 Sec E, a distance of 3.48' to an existing iron pipe in the Northern right of way of CSX Railroad; thence along the Northern right of way of CSX S 64 Deg 58 Min 22 Sec W, a distance of 191.96' to an existing iron stake; thence along the east line of Leland E. Batten as recorded in DB 1744 PG 347 N 20 Deg 59 Min 14 Sec W, a distance of 241.69' to an existing iron pipe; thence along the line of Donald E. Martin N 21 Deg 07 Min 07 Sec W, a distance of 184.88' to the POINT OF BEGINNING; said described tract containing 1.25 Acres. Being Tract 1 as recorded in PB 99 PG 173.

SECTION 2 Upon and after January 9, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Micro and shall be entitled to the same privileges and benefits as other parts of the Town of Micro. Said territory shall be subject to municipal taxes in according to NC GS 160A-58.10.

SECTION 3 The Mayor of the Town of Micro shall cause to be recorded in the office of the Register of Deeds of Johnston County and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in **SECTION 1** above, together with a duly certified copy of the ordinance. Such a map shall also be delivered to the County Board of Elections, as required by NC GS 163-288.1.

Duly adopted this the 9th day of January 2024.

Marty Parnell
Mayor

ATTEST:

APPROVED AS TO FORM:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk

Chip Hewett
Town Attorney

**NORTH CAROLINA
JOHNSTON COUNTY**

This the _____ day of _____, 2024 personally appeared before me, Kimberly A. Moffett, Interim Town Clerk of the Town of Micro, who, being duly sworn by me, says that know the common seal for the Town of Micro and is acquainted with Marty Parnell, who is the Mayor and presiding member of said municipal corporation; and that she saw the Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument and that she, the said Kimberly A. Moffett, signed her name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year as first written above.

Notary Public - Signature
(NOTARY SEAL)

Notary Public - Printed Name

Commission Expires: _____

County of Commission: _____

**TOWN OF MICRO
SPECIAL USE PERMIT
RAMIREZ ROOFING WAREHOUSE
GRANTED**

On the date listed below, the Board of Commissioners for the Town of Micro met and held an evidentiary hearing to consider the following application:

Applicant: Duke Thurston

Property Owner: Ramirez Roofing

Property Location: 5396 US Highway 301

Brief Property Description: Vacant Lot / 2.2 (+/-) acres

Tax Parcel Number: 10J99199B/263620-91-6934

Proposed Use: Warehouse

Hearing Date: November 14, 2023 / December 12, 2023 & January 9, 2024

Having heard all the evidence and argument presented at the hearing, the Board of Commissioners makes the following findings:

- a) The proposed use and development comply with the applicable regulations of this Ordinance.
- b) The proposed use and improvements are compatible with the character of the surrounding area and the capacity of neighboring lands to develop as permitted in the applicable zoning district.
- c) The proposed use will have minimal adverse impact on surrounding land with regard to service delivery, traffic circulation, aesthetics, odor, noise, glare, and vibration.
- d) The use will not deteriorate or otherwise adversely impact water, air, scenic, and other natural resources.
- e) The use will maintain safe ingress and egress to the site **with addition of Condition.**
- f) The use will be served by adequate road and infrastructure to support development of the site.
- g) The use will protect property values and preserve public safety and welfare of the surrounding area and community at-large.
- h) The use complies with other applicable town, state, and federal laws regulating development of land within the Town's jurisdiction.

CONDITIONS:

1. Ingress and Egress will have a minimum width of 60’.

TOWN OF MICRO

BY: _____
Marty Parnell
Mayor

DATE: _____

[Note: Notice of Decision must be sent within 10
business days following effective date of decision per
Code Section 2-104-2(D)]

ATTEST:

_____(SEAL)
Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk