

Town of Mills River
Minutes of the Planning Board
Tuesday, May 1, 2018

The Town of Mills River Planning Board met on Tuesday, May 1, 2018, at 7:00 PM in the Mills River Town Hall. Board members present were: Randy Austin, Carolyn Moore, Matt Holloway, Brian Kimball, and new member Dennis Wilson. Also in attendance were Town Manager Jeff Wells, Town Clerk/Finance Officer Sue Powell, and Town Planner Brian Burgess. There is one open seat on the Board. A quorum was present.

Chairman Brian Kimball called the meeting to order and those present stood for a moment of silence and gave the Pledge of Allegiance.

Adjustments/Additions to Agenda: None.

Carolyn Moore made a motion to approve the minutes from April 9, 2018; the motion was seconded by Matt Holloway and the motion passed by unanimous verbal assent.

Public Comment: No public comment.

Old Business:

A. Nuisance Ordinance Development – Town Manager Jeff Wells

Town Manager Jeff Wells introduced Toby Linville, Henderson County Director of Code Enforcement Services who reviewed the Henderson County Nuisance Ordinance and the enforcement measures they use. He also recommended Mills River approve a draft ordinance, then begin a public education program immediately, then give residents a voluntary compliance period before beginning formal enforcement.

Things Mr. Linville said to consider are: 1. Define a building; 2. Adopt Recreational Vehicle setup standards; 3. Define junked motor vehicle; 3. Define abandoned manufactured home; 4. Define outdoor storage; 5. Include a Bona Fide Farm exemption; and, 6. Include a provision for issuing vehicle restoration permits.

Based on questions received, Mr. Linville added the following information: 1. The number one complaint is garbage piled up; 2. The average time for clearing a case is 60 days; 3. The case takes four (4) site visits at approximately \$200 in Staff time; 4. Local Government can clean the site if necessary and bill the homeowner, and 5. Violation of a local ordinance is a Class 3 Misdemeanor. Mr. Wells noted that Mills River Zoning Staff or an outside consultant would handle enforcement. After discussion, it was agreed that Mr. Wells would prepare a clean draft of the ordinance template including the high grass and excessive light component and send it to Council for consideration. An outline of the items to be included in the ordinance are on the Nuisance Ordinance-Henderson County Template below:

NUISANCE DISCUSSION - Henderson County Template

Jurisdiction Town wide

Exception - bona fide farms Land containing at least 3 acres and **actively** used for dairying, raising of agricultural products, forest products, livestock, poultry, including facilities for the sale of such products from premises produced

Types	Description	Mills River Y/N?
Improper sewage disposal	Discharge onto surface, backing up into structure, or discharging into body of water	Yes
Unsecured opening	Abandoned cisterns, well pits, sewage treatment, unused swimming pool, mine shaft, or tunnel	Yes
Garbage	Failure to keep in proper enclosures: building or containers	Yes
Carcasses	Accumulation of animals, birds, or fish failing to bury	
Outdoor storage - solid waste	Rotting lumber, scrap metal, pallets, tires, wheels, white goods, furniture, construction materials, etc	Yes
Junk accumulations	Amounts dangerous or injurious to health and safety of individual and/or public	Yes
Junked vehicles	Without a restoration permit - no current license plate or registration	Yes
Abandoned manufactured homes	No power and/or septic for 6 months	Yes
Insect, vermin, or parasite infestations	Flies, fleas, cockroaches, lice, rats, etc.	Yes
Mosquitoes	Breeding grounds that support	Yes
RVs as a residence		Yes <i>already in town code</i>
RVs for storage	Store solid waste	Yes

Business outdoor storage	Not exceed 1/3 of rear yard area, no closer than 10 feet to side yard lot line, at least 15 feet from street. No outside storage of materials no associated with business	Yes
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Other

High Grass	Usually exceed 1 foot or 18 inches - not in county ordinance.	Yes - 1 foot. Only in platted major/minor subdivisions.
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Light	Excessive light from buildings or parking areas - hindrance to passing motorists or adjoining property	Yes. Currently in town code - specific to sign section
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Vehicle Restoration Permit	Allows a person to actively restore and unlicensed and unregistered vehicle. Pertains to vehicles stored outside.	Yes
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New Business:

Jeff Wells introduced the new Town Planner Brian Burgess. Brian has been with the Town for two (2) weeks and comes to us from Henderson County.

Additional Items

Jeff Wells went over his Council Actions memo, the text of which appears below:

COUNCIL ACTIONS – APRIL 2018

Council held its second budget workshop, and will be setting the public hearing date at its next meeting for June 12 at 7:00 PM.

Donations were received donations for the basketball court from MRRFI and Henderson County Community Foundation totally \$48,975. The cost of court is approximately \$82,000.

The first reading of basketball court rules was at Council’s April 26 meeting, and the second reading and subsequent adoption will on May 15.

The Henderson County Sheriff Office gave a quarterly report and update on crime statistics recently; and, the NC 191 widening project discussion resulted in the adoption of a resolution for 3 lane cross section including a center turn lane.

OTHER NOTABLE ITEMS

- Basketball court construction is ongoing.
- Council meeting moved to May 15th – to accommodate NCDOT to come discuss NC 191 widening project.
- Mills River Crossing master/development plan (50 lots) – Scheduled for June or possibly July Planning Board meeting. Also, the Technical Review Committee for Nesbitt Farms development may be in June.
- Driftwood Subdivision off McDowell Road may also be bringing a major subdivision to the Planning Board for the June or July meeting.
- Park Director Pat Christie is leaving to be the Administrator for the Village of Flat Rock. She is a hard worker, very dedicated to the park, the town and will be missed.
- Volunteer Appreciation Week was in April. The Town thanks the Planning Board members and has left a small gift of gratitude at each seat.

Chairman Brian Kimball also welcomed new member, Dennis Wilson.

As there was no further business to discuss, Matt Holloway made the motion to adjourn the meeting, it was seconded by Randy Austin and passed by unanimous verbal assent.

Respectfully submitted,

Susan L. Powell, MMC, NCCMC
Town Clerk/Finance Officer