



**LUCAMA BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, JANUARY 6, 2025
LUCAMA TOWN HALL
BOARD ROOM**

MINUTES

1. Call to Order

Mayor, Matthew Creech, (hereinafter “Mayor Creech”) called to order the regular meeting of the Town of Lucama Board of Commissioners (hereinafter “Board”) at 6 pm on January 6, 2025.

2. Roll Call

Mayor Creech conducted roll call – by use of sign-in. The following were present:

Commissioner, Dennis Ford (hereinafter “Comm. Ford”)
Commissioner, Jeff Johnson (hereinafter “Comm. J. Johnson”)
Commissioner, David Johnson (hereinafter “Comm. D. Johnson”)
Commissioner, Kim Joyner (hereinafter “Comm. Joyner”)
Commissioner, Jody Teague (hereinafter “Comm. Teague”)
Interim Town Administrator, Ralph Clark (hereinafter “Admin. Clark”)
Town Clerk, Dena Owens (hereinafter “Clerk Owens”)
Town Attorney, Gabe DuSablón (hereinafter “Attorney DuSablón”)

3. Moment of Silence

Those in attendance observed a moment of silence.

4. Approval of Agenda

Mayor Creech made an amendment to the agenda regarding New Business, Planning Board Decision designated for Clerk Owens should be changed and presented by Admin. Clark.

Mayor Creech asked for a motion to approve the agenda with the amendment.

MOTION: Comm. Ford made motion to amend and approve the agenda; seconded by Comm. Joyner. Motion passed by unanimous vote.

5. Approval of Minutes of Last Meeting

Clerk Owens mentioned to the Board that there were some items on the Budget to Actual that she wanted to complete before presenting it to the Board. It will be presented to the Board the following day. The written check information was included in the Board packet.

Mayor Creech gave the Board an opportunity to review the proposed minutes from the December 2, 2024, regular meeting and the check portion of the financial report.

MOTION: Comm. Ford made motion to approve the December 2, 2024, minutes and the financial report; seconded by Comm. Teague. Motion passed by unanimous vote.

6. Welcome of Guests

There were no guests in attendance.

7. Public Comments

Richie Ballance of 6235 Little Rock Church Road was at the meeting to address a possible group home coming to the Swift Creek neighborhood. He stated that Ms. Wortham, with the Fulfill Within Home, has been out in the neighborhood passing out information regarding the home's "Good Neighbor Policy" and explaining what is supposed to go on at the home. There is supposed to be a quiet time from 10 pm through 7 am. The policy continues to say that the occupants must always be courteous and respectful to the neighbors, not loitering in front of the neighbor's houses or playing loud music. The information also included all of Ms. Wortham's contact information. Mr. Ballance is concerned that she is going to continue to move forward with her plans. Mr. Ballance asked if the Town had a plan in place should she continue to move forward. Attorney DuSablou stated that the plan is as it has been. They are to present what the proposed use is, the Town will have to evaluate whether it is allowed within the zoning. If it does, a certificate of zoning compliance will be issued. If not, they will be told why it does not comply and where they can site the type of business. Attorney DuSablou stated that it had been a while since he had looked at the zoning information. If it qualifies as a certain type of business, it could be sited where they desire to site it with certain stipulations, such as the number of occupants. He said if it goes ahead as it was proposed at the very beginning, it will not be compliant. Mr. Ballance, for clarification, asked if Ms. Wortham meets all the requirements and criteria and whether she puts in less or equal to the amount that is allowed by the zoning, she can move forward? Attorney DuSablou answered "yes". Mr. Ballance stated in question, "there is nothing that can be done to stop it?" Attorney DuSablou stated,

“that it is a complex question. At this point, the application has not been presented for this proposed use. The Town could theoretically look at revising its ordinance to be more restrictive. However, if it qualifies as a use that would be entitled to protection under the ADA, which some of the group homes are, then the Town would not be able to prohibit it. If they are not ADA, then there would be limitations.” Mr. Ballance asked if the Town has considered revising the ordinances in the ETJ. Mr. DuSablón said it had been discussed quite a bit, but not sure if discussed as specific to this type of use. Clerk Owens mentioned that the Code of Ordinances is currently being reviewed for revision.

Comm. Ford asked what the Board could do if one morning Mr. Ballance woke up and there are 17 or 11 occupants in the home. Is there anything that can be done? Attorney DuSablón stated, “Absolutely. Generally speaking, the Board would be able to go and seek an injunction from the Superior Court to prohibit the use that is not compliant to the Town use.”

8. Old Business

Clerk Owens reminded the Board of their request for her to investigate the sufficiency of Application for Annexation of the property located on Huckleberry Road and Blalock Road. The application is sufficient, and the owners of the property are confirmed.

9. New Items of Business

Admin. Clark stated that there are three requests for rezoning:

- One consisting of 101 acres at 6421 Blalock Road requesting to be rezoned from RA-20 to R-10.
- One consisting of 197.26 acres located on Huckleberry and Blalock Road requesting to be rezoned from RA-20 to R-10.
- One consisting of 15.7 acres located on 6601 Blalock Road requesting to be rezoned from LI (Light Industrial) to R-10.

Admin. Clark mentioned that all these properties are in the Town’s ETJ. All the respective property owners have requested to be annexed into the Town of Lucama. The Planning and Zoning Board have heard the requests for rezoning and are recommending denial of all three requests. He stated that tonight’s action is to schedule a public hearing on the requests. He is recommending that the hearing be planned as a special meeting, hearing the three requests. Having the meeting later in February allows Clerk Owens the opportunity to advertise and contact adjacent property owners of the public hearing.

MOTION: Comm. Teague made motion to schedule the public hearing for rezoning of all three properties:

- *One consisting of 101 acres at 6421 Blalock Road requesting to be rezoned from RA-20 to R-10.*
- *One consisting of 197.26 acres located on Huckleberry and Blalock Road requesting to be rezoned from RA-20 to R-10.*
- *One consisting of 15.7 acres located on 6601 Blalock Road requesting to be rezoned from LI (Light Industrial) to R-10.*

On Monday, February 24th at 6 pm; seconded by Comm. Ford. Motion passed by unanimous vote.

10. Town Administrator's Report

Admin. Clark had nothing further to report at the time.

11. Closed Session

Mayor Creech asked for motion from the Board to go into closed session pursuant to NCGS §143-318.11 regarding personnel matters.

MOTION: Comm. Ford made a motion to move into closed session; seconded by Comm. Joyner. Motion passed by unanimous vote.

12. Re-opening of Open Session

MOTION: Comm. J. Johnson made motion to adjourn the closed session and move back to open session; seconded by Comm. Joyner. Motion passed by unanimous vote.

MOTION: Comm. Teague made a motion to hire Gabe Merando as the Assistant Town Administrator; seconded by Comm. Ford. Motion passed by unanimous vote.

13. Adjournment

Mayor Creech adjourned the meeting at approximately 6:25 pm, January 6, 2025, upon motion of Board.

MOTION: Motion was made to adjourn by Comm. Teague; seconded by Comm. Joyner. Motion passed by unanimous vote.

Respectfully Submitted: Dena Owens, Town Clerk