



**Board of Commissioners  
Citizens Forum Minutes  
September 17, 2026, at 6:00 PM  
City Hall**

**1. Call to Order**

Mayor Winecoff called the meeting to order at 6:00 pm.

**Attendance:**

Mayor Jeff Winecoff  
Commissioner Todd Ausborn  
City Manager Matt Kirkland  
Police Chief Kevin Smith  
Finance Director Brandon Stevens  
City Clerk Tanya Shannon

**Absent:**

Commissioner Hall  
Commissioner Lovin  
Commissioner Sherwood

**2. The Pledge of Allegiance was recited.**

**3. Recognition of Service for Mayor Pro Tem Lovin, presented by Mayor Winecoff.**

**4. Public Comments**

1. David Van der Vossen 110 N. Shore a planning board member, thanked the board for their efforts and acknowledged the challenges of public feedback. He clarified he missed the initial tree issue meeting. Mr. Van der Vossen pointed out confusion between the narrative, which discussed separating state and local issues, and a document implying the board would stop considering tree matters. He raised concerns about unclear staff responses to his questions regarding the reasons for the tree policy changes and cited feedback questioning whether the changes were necessary. Mr. Van der Vossen warned that rewriting the tree ordinance could introduce new problems rather than fix current ones, especially regarding mitigation requirements for large or commercial lots. He also questioned the proposed mitigation fund's purpose and oversight, contributing to his concerns about the tree policy direction.

Mayor Winecoff explained that two distinct issues—the woodpecker situation and the tree matter—were mistakenly combined into a single agenda item. He noted that each should have been addressed separately. Mayor Winecoff then asked City Manager Kirkland to elaborate on the woodpecker concerns and to discuss how the city might more effectively separate the tree issue in future deliberations.

Mr. Kirkland explained that the issue began with a change in the U.S. Fish and Wildlife Service's process for tree removal requests affecting the red-cockaded woodpecker. After initial feedback from the Board of Commissioners, staff began updating the ordinance. During the first public hearing, the board received input on the proposed mitigation measures and subsequently referred the ordinance back to the planning board. The most recent public meeting took place last month. Mr. Kirkland stated he does not wish to speculate on the board's upcoming vote. Since no decision has been made, a second public hearing was held. Internally, staff is preparing for all possible outcomes, including implementing a habitat conservation plan or a more comprehensive tree ordinance, based on the board's direction. They have identified resources such as North Carolina Forestry and Wildlife for third-party guidance and are exploring grant opportunities and cost-effective options to minimize financial impact. The ordinance is scheduled for consideration and a vote at the next board commissioner meeting. Depending on the outcome, staff will be ready to implement any necessary revisions.

Commissioner Ausborn stated that the goal is to find a fair and equitable solution for all, while protecting the community and minimizing legal risks, especially with Fish and Wildlife. He noted that Fish and Wildlife has a \$500 million legal fund to address lawsuits concerning regulatory overreach. As discussions continued, Commissioner Ausborn observed that the core issue became less clear. He expressed appreciation for Mr. Kirkland's collaboration with respected organizations such as the Green Growth Toolbox, which is affiliated with North Carolina Forestry. This organization helps communities develop reasonable ordinances that have been upheld in court over time.

Mr. Van der Vossen expressed concerns about the ongoing lack of clarity in decision-making, citing prior issues, including the recently raised chicken issue. He stated that he is neutral on the current issue and uncertain about leadership's intended direction—whether to stop or proceed with certain actions. He noted a disconnect between reported narratives and actual decisions, suggesting better fact-checking is needed to ensure actions align with directives. He emphasized his intent to help the process and observed that such confusion likely affects other boards as well. Mr. Kirkland stated that he would collaborate with staff to ensure greater clarity.

2. Scott Teubner, 1051 South Shore Drive. Mr. Teubner addressed the Mayor and the Board, noting several challenges encountered with the city. He explained that his development plan for the 70-acre property adjacent to City Hall was submitted and ultimately rejected by Nicole Morgan. The following day, a \$60,000 fine was issued without any opportunity to discuss the plan, seek feedback, or consider submitting it in phases. Mr. Teubner described how fines were issued immediately, noting interest from major national retailers for the location, but that the public had not had the opportunity to review the proposed plan. He stated that his attorney has appealed the decision and subpoenaed relevant public records and emails. Based on this documentation, Mr. Teubner expressed concern about potential misconduct by both Nicole Morgan and Kim Sherwood, and referenced possession of 60 pages of related emails which he was willing to share. He noted that both Ms. Morgan and Ms. Sherwood frequently communicated with the DEQ regarding his project, raising concerns about the objectivity of the evaluation process. As a result, Mr. Teubner did not feel his projects had received a fair or impartial review. He suggested that Ms. Sherwood should consider stepping down and that Ms. Morgan should be held accountable for actions that have negatively impacted his development and the city's tax base. He stated that he is currently appealing the fine and that this information will become part of the official record.

Mr. Teubner explained that the correspondence demonstrates a prolonged effort, lasting over a year and a half, to halt his project. Despite having a promising development ready, his plan was rejected due to concerns about stormwater ponds and incomplete engineering on a portion of the property. He clarified that this area is subject to change, as the initial phase includes development of 17 acres, with Phase 1 scheduled to include two outparcel buildings, a 37,000-square-foot grocery anchor store, and 9,000 square feet of retail space. Mr. Teubner argued that it would be unreasonable to invest significant funds, potentially half a million dollars, on engineering a stormwater pond for a section of property that will not be developed for another three to five years and will likely change. Mr. Teubner emphasized that it is not financially prudent to pay for engineering work twice, especially for areas that may be significantly revised in the coming years. He reported investing \$3 million in acquiring 150 acres of land with the intention of fully developing it. However, instead of support or constructive guidance, he has encountered persistent obstacles and resistance from city officials.

Mayor Winecoff asked Mr. Kirkland to arrange a meeting with Mr. Teubner to find out what is going on in this situation.

3. Ruth Bek, of 635 N. Shore, stated that she wished to address several topics, beginning with a request for clarification regarding the tree ordinance. She noted that the issue was scheduled to return to the board in two weeks and asked whether the Green Growth Toolbox would assist in developing an ordinance for the board to consider and vote on at that time.

Mr. Kirkland stated that the Planning Board had made recommendations on two occasions and that the board would have those recommendations available for a vote at the next meeting.

Ms. Bek responded that her concern was the potential loss of valuable expertise in the process. Mayor Winecoff explained that the board would likely address the woodpecker issue separately, as it should have been managed from the outset. He emphasized that changes regarding trees would require careful research and expert input, noting that it was not a simple or quick process and that recommendations would be brought back after thorough examination.

Ms. Bek observed that the rewritten ordinance could have been improved by simply modifying the existing requirements for tree types, sizes, and mitigation, rather than removing the letter requirement. Ms. Bek noted that Fish and Wildlife had reportedly issued ten permits for new houses that month, indicating increased efficiency. She stated that the confusion stemmed from a change in the assistance provided, drawing a comparison to the process for septic permits. She clarified that the permits in question had always been called 'tree removal permits,' not 'clearing permits.' Ms. Bek further pointed out that, as currently written, the ordinance allows property owners to remove any tree less than eight inches in diameter without a permit, regardless of species. Ms. Bek added that it was unclear what she should do if she wished to remove trees without undertaking any construction, noting uncertainty about the appropriate procedures.

Commissioner Ausborn noted that this concern aligned with his earlier comments. He expressed a desire to involve individuals with greater expertise and knowledge to provide better guidance on how to proceed.

Ms. Bek inquired about the status of the existing ordinance, noting that since it had not been amended, it remained in effect. She stated that a letter and authorization from Fish and Wildlife

were required before a zoning permit could be issued. Ms. Bek recalled previously suggesting that tree removal be addressed as part of the building permit process, since state regulations do not require zoning permits to address tree issues. Ms. Bek asserted that state statute does not allow the refusal of a zoning permit solely on the basis of tree clearing. She clarified that, in her view, this contributed to the difficulty of refusing zoning permits on the grounds of tree removal. Ms. Bek acknowledged that building permits have different requirements and suggested that the board consider this distinction. She recognized that zoning regulations address buffers and related issues, but reiterated that tree removal is a separate matter. Ms. Bek concluded her remarks on the tree ordinance by expressing hope for clear direction at the upcoming meeting, before transitioning to the topic of chickens.

Ms. Bek stated that, in her experience, keeping a small number of chickens is not cost-effective compared to buying eggs from a store or larger-scale producers. Ms. Bek suggested that only a cooperative arrangement with multiple participants would be economical. She compared arguments about cost-effectiveness to claims that the lake had reduced property values, noting that property sales records do not support such assertions.

Ms. Bek was concerned about the difficulties Mr. Teubner faced in trying to open a grocery store, which the community has wanted for about 40 years. She said the resistance he faced was discouraging. Ms. Bek shared that when she arrived in 2016, developers had a hard time in the city. She mentioned several projects finished that year and stressed that working with developers could help the city grow, increase tax revenue, and keep people shopping locally. Mayor Winecoff agreed, stating that the board's role was to support builders and contractors by making their work easier, not more difficult.

Ms. Bek explained that her policy had always been to ask applicants what they were trying to accomplish, even if their initial requests could not be met. She encouraged staff to seek solutions rather than immediately denying requests, and observed that an overly negative approach had become common.

4. Tony Witt, 1700 Salisbury Rd., a long-time resident and builder in the community, addressed concerns about proposed tree ordinances and construction regulations. He highlighted that requiring the replanting of 8-inch trees is impractical, and new rules are increasing construction costs, threatening housing affordability. Mr. Witt shared a personal example of financial loss due to regulatory decisions and emphasized that local builders are committed to preserving the environment, as evidenced by their careful approach to land clearing. He raised issues with city permit delays, which, when coupled with rising fuel costs, are stalling progress and straining finances. He also questions potential conflicts of interest on the planning board and expresses frustration over perceived personal vendettas impacting town operations. He suggests that the town consider acquiring easements without homeowners' permission if necessary to address stormwater drainage issues, and recommends contracting with larger companies to tackle this work efficiently. He stressed that temporary measures, such as pumps, are not sufficient for managing stormwater. Instead, he advocates for permanent infrastructure solutions, such as installing ground locks and trench boxes, and calls for open communication to ensure successful long-term outcomes for the community.
5. Shannon Van Derren raised concerns about the clarity of committee directives, expressing worries that committees might be expected to follow predetermined directions rather than act

independently. She requested clarification on whether committees are meant to conduct unbiased investigations or simply validate the board's intentions. Mayor Winecoff clarified that confusion sometimes arises when committee assignments differ from initial expectations and emphasized the importance of thorough staff research before matters are presented to the planning board.

Mr. Van der Vossen explained that while some issues are initiated by committee members, most topics are assigned to them, often with unclear motivations. He described the committee as typically composed of five members and two alternates, each bringing their own perspectives, and highlighted that conflicting opinions are common. He also noted that staff prepares materials for review, and the committee sometimes recommends changes or advances issues to a vote.

Ms. Van Deren also addressed community concerns unrelated to committee work, particularly about water mitigation, clear-cutting, and development. She advocated for conducting water mitigation studies before further land clearing and encouraged the board to include business owners on advisory committees, suggesting the formation of a financial or developmental advisory board to leverage local expertise.

Commissioner Ausborn said that last month he, Commissioner Sherwood, and Mr. Kirkland attended the Strategic Planning Workshop for small towns, and that the Board is expected to create an economic development team in the future.

Ms. Van Deren noted the formation of a stormwater committee but pointed out that the website lacks information on meeting times and members. She observed that local builders likely know more about stormwater issues than most residents and encouraged including building-development expertise on the committee. While she works in manufacturing and isn't an expert on the problem's causes, she emphasized that the community has valuable experience and knowledge that should be utilized.

Mayor Winecoff stated that we tried to form a Capital Improvements Committee, but we couldn't get many volunteers, and only a few signed up. This committee would address many of these issues, including financial issues.

Ms. Van Deren said she was glad to hear that the vision is starting to embrace more interaction with the residents. She said it is clear that the residents care, and they can be a very useful too because there is a lot of talent here.

6. Greg Helms, 2021 Gastonia Rd., raised concerns about the lack of a formally established sewer committee, despite ongoing discussions about sewer improvements. He noted that while committees have been mentioned in the past, he had not heard of any official formation or actions taken regarding a sewer committee. Mr. Helms emphasized that addressing sewer issues would benefit the community by resolving problems related to septic areas and the availability of buildable lots, which are becoming scarce.

Mayor Winecoff responded by noting that an initial meeting with the county had already taken place, focusing on the need to gather resident input on bringing sewer and water services to areas that currently lack them. He stressed the importance of public opinion in deciding whether to

move forward with the county on these projects, highlighting that the process would be lengthy and require significant planning, funding, and community involvement.

Mr. Helms acknowledged community concerns about costs but pointed out that delaying action would only increase expenses in the future. Both Mr. Helms and Mayor Winecoff agreed that moving forward with sewer and water infrastructure was necessary for the town's continued growth and viability. The Mayor announced plans to hold public meetings to solicit residents' views before proceeding further with the county and applying for grants.

Mr. Helms volunteered to serve on the capital projects committee, expressing the need for members who understand the challenges ahead. Mayor Winecoff welcomed his participation and encouraged others with relevant expertise, such as grant writing, to join. Mr. Witt also offered to participate and noted the importance of improving communication within the city to ensure residents clearly understand ongoing initiatives and decisions.

7. Ms. Bek questioned the identification and management of flood-prone areas that are not traditionally mapped as floodplains. Ms. Bek inquires whether such areas, formerly known as A zones, have been specifically identified, noting that a new ordinance is intended for these regions. Mr. Kirkland clarifies that the ordinance applies to areas shown on recently published state flood advisory maps. Ms. Bek further explains that the state has now taken responsibility for identifying these zones, which were previously designated by local boards. Mr. Van der Vossen adds that individuals can use the new map to determine if their address falls within the affected area and outlines the specific requirements if it does. Commissioner Ausborn notes that an initial plan to apply regulations broadly was reconsidered due to impracticality. Mr. Witt emphasizes the need for clear guidance on these distinctions, sharing his experience during past floods, and underscores the importance of preparation and proactive measures to mitigate future issues.
8. A citizen inquired about the reopening date for E. Boiling Spring Rd. Mr. Kirkland responded that the road will open once the Pine Lake Dam project is complete. Commissioner Ausborn added that completion is projected for the first quarter of 2027. Mr. Kirkland noted that the construction contract for the dam runs through May 25th. If the project is not completed by that date, the city may seek liquidated damages from the contractor.

Being that there were no further questions or comments. Mayor Winecoff adjourned the meeting.

Adjournment- 6:48 p.m.

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Jeff Winecoff, Mayor

Attest:

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Tanya Shannon, City Clerk