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September 8, 2009

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**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
SEPTEMBER 8, 2009
6:30 PM**

NOTE: The official minutes are a CD recording of the meeting. The following is a summary of the events of the meeting.

The meeting was called to order at 6:31 pm by Mark Brown.

The invocation was led by Linda Southard, followed by the Pledge of Allegiance.

INTRODUCTIONS:

Council:

Mark Brown, Mayor
Dena Barnes
Alicia Flowers
Becky Strickland
Bob Williams
John W. Wray Jr.

Staff:

Michael Brandt, Town Manager
Dana Luther, Finance Officer
Blair Carr for William Hill, Town Attorney
Valarie Halvorsen, Town Clerk
George Holub, Parks & Rec Supervisor

Brown introduced candidates for office: Richard Lovett, Dianne Laughlin, Jeff Johnson, Becky Strickland, John Wray, Don Wendelken, and himself, Mark Brown.

CONSENT AGENDA:

Brown suggested adding item 11AA School Septic/Well Update. Strickland asked for removal of 10A Discuss unsealing Closed Session Minutes until the October meeting.

Barnes made a motion to approve the Consent Agenda, including the meeting agenda *as amended*, minutes and Closed Session minutes of the August 11, 2009 meeting, and the Financial Report. The motion was seconded by Williams and carried unanimously.

ANNOUNCEMENTS

- The Town of Summerfield will host a Citizens Project Update Meeting conducted by the North Carolina Department of Transportation (NCDOT) on Monday, September 14, 2009, at the Summerfield Community Center, located at 5404 Centerfield Road, Summerfield, 27358. NCDOT representatives will be available in an informal setting between the hours of 4:30 p.m. and 7:30 p.m. to answer questions regarding the project. Interested citizens are encouraged to attend at any time during the above mentioned hours to review design details and renderings for the project.
- The Guilford County Health Department will present flu information at the October council meeting.
- The Tom Brown memorial golf tournament will be held September 25, 7:30 am at Dawn Acres Golf Course in Stokesdale.
- The Hillsdale Brick Store is hosting a farmers market each Saturday from 8:00 am to noon through the end of October.
- Strickland thanked those present for taking time and interest to attend the meeting.

PROCLAMATION – Constitution Week

Brown read the Proclamation, which is hereby incorporated into these minutes:

WHEREAS, September 17, 2009 marks the two hundred twenty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, to the patriotic celebrations which will commemorate the occasion, and the utmost importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all encroachments; and

WHEREAS, it gives us the opportunity to recall the high ideals and devotion to liberty of the men who framed our Constitution and to commemorate the many blessings enjoyed by our nation; and

WHEREAS, the freedoms guaranteed to American citizens, whether by birth or through naturalization, should be recognized during Constitution Week, as designated by the President of the United States, and in accordance with Public Law 915.

NOW, THEREFORE, I, Mark E. Brown, Mayor of the Town of Summerfield, do hereby proclaim the **week of September 13 – September 20, 2009**, to be designated as

“CONSTITUTION WEEK IN SUMMERFIELD, NORTH CAROLINA”

and encourage the citizens of Summerfield to take time during this week to reflect upon and to be appreciative of the many benefits of our Constitution and American citizenship.

Proclaimed this the 8th day of September 2009.

SPEAKERS FROM THE FLOOR (limited to 5 min. on non-agenda items)

Rich Lovett, 7812 Spencer Brook Rd. made council aware of the October 5 Jordan Lake Rules informational meeting and suggested that next year, Volunteer Appreciation be conducted during Founders' Day, with volunteers receiving food vouchers and ride tickets.

Bea Curtis, Greenlawn Dr. stated Greenlawn used to be a driveway and was now a main thoroughfare to the park, that Summerfield used to be a village and she would like to see it return to such.

Bill Gordon, 305 Grassy Meadow Ct. spoke about the 220 widening project, and urged the public to attend the September 14 informational meeting. He feels there is room to negotiate on things like fencing and narrowing of medians.

Dwayne Crawford, 1106 NC Hwy 150 West reported the following corrections to his cover letter sent out with the petition to change the form of government: the \$11 million dollars referred to total assets, not amount of money in the bank, and the \$8 million referred to as being in the bank was inaccurate, it is actually a little more than that. He further spoke of being repeatedly accused of hacking the Northwest Observer's database by the Northwest Observer, saying there was absolutely no "hacking" involved, there is a software glitch which has been well documented. He asked audience members to stand if they had seen the glitch, caused by a double click of the mouse (3 people stood).

COMMITTEE REPORTS:

A. Founders' Day: No report.

B. Finance: Ronnie Stafford said the September 21 meeting was cancelled and the next meeting would be October 19. Luther stated things discussed at the meeting would be discussed later in the meeting as an agenda item.

C. Historical: No report.

D. Parks & Rec: Sue Beeson thanked all the helpers and volunteers who assisted with the Park Phase II Grand opening.

E. Public Safety: No report.

F. SYC: Reese Walker said they enjoyed the Phase II opening event, and were looking forward to the 5k run and the Haunted History Mystery Tour Halloween event on October 17. He asked council to consider allowing the Northwest Observer to cosponsor the Halloween event.

G. Comprehensive Plan: Flowers stated the last meeting was August 31, noting the online posting of questions and answers prior to the meeting was successful and saved time. There is no September meeting. The next meeting is October 5.

H. Athletic Advisory: Brandt stated they met last week and the next meeting has not been scheduled yet.

BUSINESS FROM COUNCIL

A. Discuss unsealing Closed Session Minutes
(Moved to October 13th meeting)

B. Discuss ABC Board vacancy

Brandt noted that as a Finance Committee member, Jane Wilson would be an excellent choice to fill the ABC Board seat.

Flowers made a motion to appoint Jane Wilson to the ABC Board. The motion was seconded by Strickland and carried unanimously.

C. Discussion / approval of Volunteer Appreciation Event

Following much discussion, it was decided by consensus to form a subcommittee of Barnes, Flowers, Strickland, and Halvorsen to decide on the date and nature of the event.

(During a break later in the meeting, the subcommittee decided the event would consist of serving cake and the distributing certificates at 6:00 pm, just prior to the October Town Council meeting.)

D. Discussion of Property Tax Discount Rate for the 2010-11 Fiscal Year (Flowers)

Flowers said when this was discussed previously it was too late to consider it for the 2009-2010 Fiscal Year. There was discussion about the possibility of having a sliding discount scale based on payment date, which the statute seems to indicate is possible. After a brief discussion, Council directed Brandt to get further information and report back during the October 13th meeting.

BUSINESS FROM TOWN MANAGER

AA. School Septic/Well Update

George Holub described the process and work done to date, and showed on a map the proposed well site and septic repair fields. There was discussion about the following: possible loss of trees (minimal, to be replaced at expense of Guilford County Schools), access to the site (some access already granted by adjoining property owners), well house construction (GCS will construct to match current park structures), expense to Summerfield (none), effect on other park features and VFW monument (none anticipated), and lease/easement/deed information.

Brandt stated the request was for approval of the concept, that if GCS spends \$15,000 and gets water, they would like some assurance their use of the well site would be approved by Council. Strickland asked Hill his feelings, and he replied he was ok with them accessing the site to see if there was water, but uncomfortable with some other associated issues. Julius Monk with GCS said the primary purpose thus far was to get approval to access the site to begin testing.

Strickland made a motion to allow Guilford County Schools access to the site to test for water. The motion was seconded by Flowers and carried unanimously.

A. Discussion of Summerfield Athletic Park construction

Brandt gave an update: the well is producing 110 gallons per minute, the house on the property was auctioned for \$275 and the winning bidder must remove it entirely by October 5, which saves the Town

\$9000 in removal and clean up costs. Summerfield was not one of the PARTF grant recipients. There was much discussion about the following issues: deferring and/or eliminating Phase II, costs of deferment versus constructing now, costs and economy, lighting, potential usage, number and type of fields needed, maintenance issues, the need for playground, maintenance building, picnic shelters, and amenities, entry features, and ways to reduce costs. Strickland feels this decision should not be made tonight, that more time is needed to review the information.

Wray made a motion to approve construction of all elements of Phase I and Phase II of the SAP. The motion was seconded by Williams. Barnes asked if Wray intended to include cost cutting measures in his motion. Wray replied affirmatively, amending his motion to include reduction of entry features, landscaping, and doing only the prep work for the picnic shelter, but leaving in the maintenance building and playground.

Flowers asked about the need for a maintenance building if it will be contracted out. Brandt replied all maintenance was currently contracted, but he would do a cost benefit analysis to see if the town would be better off hiring someone to do it.

Strickland made a substitute motion to defer the decision to the October meeting. The motion was seconded by Flowers. Brandt said that was too long to wait and suggested no longer than a couple of weeks.

Strickland revised her motion to defer the decision to a Special Call meeting on Tuesday September 22, 2:30pm at the Community Center. The motion was seconded by Flowers. Brown called for a vote. The motion failed 2 to 3, with Barnes, Williams, and Wray opposed.

Brown called for a vote on Wray's motion. The motion passed 3 to 2, with Flowers and Strickland opposed.

B. Discussion / approval of Musco Lighting contract

Hill discussed contract changes including Source of Funds, Default, and Remedies Upon Default. Council talked about the merits of financing through Musco or securing a bank loan.

Strickland made a motion to approve contracting with Musco Lighting for Phase I in the amount of \$192,000. The motion was seconded by Barnes and carried unanimously.

C. Discussion/approval to purchase traffic counter

Brandt noted this was not in the budget so there would need to be a \$5,000 budget amendment. Strickland made a motion to approve \$5,000 to purchase a traffic counter. The motion was seconded by Flowers and carried 4 to 1, with Williams opposed.

D. Comprehensive Plan Update

Brandt gave an update, stating the committee was a little behind the original timeline, but they have not forgotten about the public input and comments. He said the committee should finish in November or December and they were planning to have an open house in January, and about 60 days later, bring the plan to Council for approval. He stated there would be a need for a budget amendment for costs associated with additional meetings.

E. Discussion of procurement of Architectural, Engineering, and Surveying Services

Brandt explained the Mini-Brooks Act, stating that state law requires that all architectural, engineering, and surveying services be provided by the best qualified applicant regardless of cost. This prevents the

Town from considering the cost of the service as criteria for determining the appropriate provider. State law allows for an exemption of this requirement for projects under \$30,000. The request is that the Manager be responsible for the determination of the exemption. All other standards of local and state bid rules and approval authority remain in effect and are not changed by this request.

It was decided by consensus to bring this issue back to the October meeting for further discussion and/or decision.

F. Finance Committee response to Council on assigned reviews of policies

Luther stated the committee had no changes to Event Policy, Donation Policy, or Risk Assessment Policy. They did request adding an insurance waiver requirement for individuals in the Park Rental Agreement, and the following changes to the CBO policy: professional organizations from which the Town gets services (NCLM, PTCOG) or from which the citizens benefit indirectly (Piedmont Triad Partnership) will not be considered CBOs; CBOs should only need to provide an annual effectiveness report at budget time with or without their request for continued funding, eliminate the need for a semi-annual report; delete "copies of Official Minutes of all Board of Directors Meeting within 12 months prior to the date of the funding applications" and "copy of Purchasing Policy and Procedures and any Financial Policies and Procedures" from the list of required documents during the application process; eliminate the need for an independent audit for funding requests of \$1,000 or less.

Strickland disagrees with the CBO changes and asked Luther to put her on the next Finance Committee agenda to discuss it with them.

BUSINESS FROM THE MAYOR

A. Report on meetings and activities (if any)

Brandt attended two Council of Government meetings, and had an additional meeting with one of their representatives about Jordan Lake rules and the possibility of grant money to help implement the rules. He further noted that he, Brown, and Carrie Spencer would be attending the Jordan Lake information meeting in October. Brandt took the Rock Gym historic nomination to the state last week.

Brown attended a mayors meeting in Gibsonville August 14th, where there was discussion about forming a local mayoral organization. Brown and Brandt attended the PARTF grant decision meeting in Raleigh. There was discussion about the funding choices.

OTHER BUSINESS (if any)

Brandt stated the certified estimation of population as of July 1, 2008 was 7,906.

Flowers asked about the Rail/Trail parking lot and Brandt replied the purchase agreement was complete and Luther noted no lease payment has been made since July.

Wray and Barnes thanked all the volunteers and the Parks & Recreation Committee for their hard work on the Park Phase II grand opening event.

With no further business before the Town Council, a motion was made at 9:49 pm by Wray to adjourn. The motion was seconded by Williams and carried unanimously.



Mark E. Brown, Mayor



Valarie Halvorsen, Town Clerk