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August 14, 2007

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**AGENDA OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
AUGUST 14, 2007
6:30 PM**

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **INTRODUCTIONS**
5. **CANDIDATE INTRODUCTIONS**
6. **CONSENT AGENDA:**
 - A. **MEETING AGENDA**
 - B. **APPROVE MINUTES OF JULY 10, 2007**
 - C. **FINANCIAL REPORT**
7. **ANNOUNCEMENTS**

A. **A Special Meeting of the Summerfield Town Council has been called for August 23rd at 6:30 pm Summerfield Community Center, to hear reports, discuss, and possibly approve land acquisition of 5200 US 220 North (Allen Marshall Property)**
8. **SPEAKERS FROM THE FLOOR (limited to 5 min. on non-agenda items)**
9. **COMMITTEE REPORTS:**

| | |
|-------------------------------|------------------------------|
| A. Community Relations | E. Public Safety |
| B. Finance | F. SYC |
| C. Historical | G. Comprehensive Plan |
| D. Parks & Rec | |
10. **PRESENTATION: Speaker from PTCOG Haw River/Jordan Lake Watershed Protection Rules**
 - A. **Consider Resolution to Oppose Proposed Rules**
11. **PUBLIC HEARINGS:**
 - A. **Development Ordinance Text Amendment to add "Special Events Facility" standards**
 - B. **Town Manager Referendum**
 1. **Consider Resolution for Notice of Election for Manager/Council form of Government added to ballot of the November 6th 2007 Summerfield Town Election**
12. **BUSINESS FROM MAYOR:**
 - A. **Consider Resolution to name Interstate-73 in honor of Charles Bruce**
 - B. **Approval of Parks & Recreation Committee Application**

13. **BUSINESS FROM TOWN ADMINISTRATOR:**
 - A. **Discuss/approve offer from Piedmont Land Conservancy to pave Vineyard Greenway in Summerfield**
 - B. **Discuss Proposed Fiscal Year 2007-08 Staff work plan**
 - C. **Discuss/Approve contract with Westcott Engineering for final engineering and bid oversight of phase II Summerfield Community Park**
 - D. **Discuss/Approve update of Summerfield Personnel Policy**
 - E. **Discuss/Approve staff-level authority to bid and construct Park storage/office facility at Summerfield Community Park not to exceed budgeted amount**
 - F. **Discuss LUCA 2010 Census update method for the Town of Summerfield**
 - G. **Discuss/Approve of Town of Summerfield Cafeteria Plan Documents**
 - H. **Discuss/approve adding Dependent Life and Supplemental Life to benefits offered**
 - I. **Discuss/approve new procedures for electronic information filing and electronic funds transfer for the Local Government Employees Retirement System**

14. **BUSINESS FROM COUNCIL:**

15. **CLOSED SESSION:**
 - C) **to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.**

16. **OTHER BUSINESS (if any)**

17. **ADJOURN**

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
August 14, 2007
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, Pro Tem
Carolyn Collins
Becky Strickland
Bob Williams
John W. Wray Jr.

Staff:

Michael Brandt, Town Administrator
Dana Luther, Finance Officer
William Hill, Town Attorney
Valarie Halvorsen, Town Clerk

CANDIDATE INTRODUCTIONS:

Mark Brown introduced the candidates for Council: Dena Barnes, Doug Canavello, Carolyn Collins, Alicia Flowers, Roxanne Gilgallon, Clancy Laizure, Richard Lovett, Peggy McPartlan, Don Wendelken, Bob Williams, Adrian Williamson, and the candidates for Mayor: Mark Brown, and George Waldrep.

CONSENT AGENDA:

Brown stated several items listed under Business from Mayor and Business from Administrator could be moved to the Consent Agenda if council wished: 12A – Consider Resolution to name Interstate I-73 in honor of Charles Bruce, 12B – Approval of Parks & Recreation Committee Application, 13B – Discuss Proposed Fiscal Year 2007-2008 Staff work plan, and 13D – Discuss/approve update of Summerfield Personnel Policy. Strickland did not want to include 12B in the Consent Agenda.

A motion was made by Wray to approve the Consent Agenda. This includes the Meeting Agenda, approval of minutes from July 10, 2007, Budget Amendments #1 and #8, and items 12A, 13B, and 13D. The motion was seconded by Collins, and passed 4 to 1, with Strickland opposed. Strickland stated she was opposed to the meeting agenda because she was opposed to Phase II of the park.

ANNOUNCEMENTS:

A Special Meeting of the Summerfield Town Council has been called for August 23rd at 6:30 pm Summerfield Community Center, to hear reports, discuss, and possibly approve land acquisition of 5200 US 220 North (Allen Marshall Property)

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

Alicia Flowers, 7401 Whitaker Ct, spoke of FOIA requests, stating she had previously volunteered to make copies as to free up staff for other work, which was a complaint in the past, as it was a waste of town funds by taking up staff time. She said the council seemed to be very concerned about this “waste of

town funds", but the real waste of money is the empty lot on Summerfield Rd, and the council has allowed personal dislikes to cloud their judgment.

Terry McLean, 6180 Lake Brandt Rd, discussed the Youth Council's recent visit to Camp Carefree where they served 112 campers during Spinal Bifida Week. She brought brochures about the camp if anyone wants to learn more about what they do there. She also thanked the council for the park and for having the foresight to create it for the citizens.

Gail Dunham, 5805 Snow Hill Dr, discussed the proposed park amphitheater and is concerned with commercial ventures using it, as this is not allowed per the deed. She also wants more information about the cost to build and maintain it.

Bob Campbell, 2205 Pleasant Ridge Rd, suggested the council appoint a Sergeant at Arms to enforce rules according to Robert's Rules of Order during meetings.

COMMITTEE REPORTS:

- A. **Community Relations:** No report.
- B. **Finance:** No report.
- C. **Historical:** Linda Southard stated at their last meeting, they discussed moving the Saunders Inn, banners for telephone poles, Boy Scout projects, and the next meeting will be held August 23.
- D. **Parks & Rec:** Sue Beeson stated they are busy with Phase II of the park and ball fields; there are two Scout projects that will take place in the park, and there is a need for committee members to help plan events in the park.
- E. **Public Safety:** No report.
- F. **SYC:** No report.
- G. **Comprehensive Plan:** Michael Brandt discussed the upcoming Citizens Academy, which will be held over four weeks stating there are spaces available.

PRESENTATION: Ginger Booker PTCOG Haw River/Jordan Lake Watershed Protection Rules Ms Booker discussed the rules stating that in their current form they will be "the strictest watershed rules to date in North Carolina." These rules were proposed by the state earlier this spring to enforce nutrient limits and implement a nutrient management strategy that will affect many governments. The rules will be open to discussion until September 15. The key things PTCOG are most concerned about are: the rules will be universally applied throughout the entire watershed rather than being graduated the closer you get to the lake, the state very conservatively estimates the cost of implementing these rules at \$750 million, it is a top down approach with no opportunity for local governments and developers to take an incremental approach, most of the problem with Jordan Lake stems from agricultural runoff but local governments and developers will bear the brunt of the cost, the most prohibitive rule involves retrofitting existing development. While rules will definitely be adopted, Ms Booker suggests opposing these rules as they are quite prohibitive and costly to local governments and developers.

Bob Flowers asked how the rules would affect his property which abuts a 14 acre lake. Booker responded that it was their hope that the retrofitting rules would be dropped, but if the area was subdivided he would be affected. A citizen asked how this will be funded. Brandt said the possibilities included a rain tax or a state grant, but he was unsure, as are many other local governments. Booker stated the cost would be

shared among local governments and developers. Collins asked about the costs and Brandt replied the estimates for retrofits were estimated at about \$450 million dollars over 5 years, but it is unknown. Flowers asked if larger lot size minimums would offset this and Brandt stated it is unknown. Brown agreed that there are many unknowns at this point. Booker stated there has been considerable criticism about the state's lack of good data, the information being scant and based on questionable data.

Consider Resolution to Oppose Proposed Rules

Strickland said we should do our part to protect groundwater and Brown agreed. Brown read the resolution, which is hereby incorporated and made a part of these minutes.

**RESOLUTION OPPOSING THE
JORDAN LAKE RULES AS PROPOSED**

WHEREAS, the North Carolina Department of Environment and Natural Resources on June 15, 2007 published rules which, if adopted, will be the strictest watershed rules to date in the state and will enforce nutrient limits and implement a nutrient management strategy for the Jordan Lake watershed; and

WHEREAS, the Town Council of the Town of Summerfield recognizes the importance of watershed rules and a strategy to limit nutrients; and

WHEREAS, the Town Council of the Town of Summerfield wants to help improve and protect the health of the Haw River; and

WHEREAS, the costs associated with strict watershed rules and clean water supplies should be distributed in a fair and equitable manner; and

WHEREAS, a clear explanation of the costs and how they will be determined have not been made; and

WHEREAS, the proposed rules, if adopted without modification by the Environmental Management Commission, would be precedent-setting for North Carolina, inequitable in their application and exorbitant in their cost;

NOW THEREFORE BE IT RESOLVED that the Town of Summerfield by adoption of this Resolution goes on record in opposition to the Jordan Lake rules as proposed; and

BE IT FURTHER RESOLVED, that unless a justified explanation of the costs associated with the proposed rules is made and an equitable distribution of the costs is presented, the Town of Summerfield will, during the public comment process, identify opportunities to modify the rules based on the potential inequitable costs associated with the proposed rules.

BE IT FURTHER RESOLVED that the Town of Summerfield will advocate for these initiatives with the hope of success with the Environmental Management Commission and, if the rules are not reasonably modified at that level, to pursue the initiatives with the N.C. Rules Review Commission and, if necessary, in a subsequent session of the General Assembly.

A motion was made by Barnes to adopt the resolution, seconded by Wray, and carried unanimously.

PUBLIC HEARINGS:

Development Ordinance Text Amendment to add "Special Events Facility" standards

Brandt discussed the issue stating there is currently no land use category for this in the Permitted Use Schedule, and with the Zoning Board's prior approval, staff has drafted a new use category and development standards, addressing the Zoning Board's concerns about noise, parking, alcohol use, size of the facility and number of people using it, and hours and frequency of operation.

The text change would define a Special Events Facility as "a parcel of land where activities of a limited duration or use are held. The site may or may not include a permanent structure to house the event. Such activities may include banquets, weddings, parties, company gatherings, one-day conferences, etc. It is intended that the site be used on an ongoing basis for these activities and are not single events."

Additionally, the Permitted Use Schedule (Article 4) will have "Special Events Facility" added as a specific permitted use within designated zoning districts (AG, NB, LB, GB, HB, SC), and Article 6 will be updated with development standards. He stated Board of Adjustment approval would be required and the Zoning Board passed the standards unanimously.

Strickland asked how it compared to similar ordinances in other towns and Brandt replied that he had difficulty finding an example in other towns, but that Greensboro had a sample they had just implemented, but theirs was much more permissive than this one. Collins asked about the process. Brandt replied the applicant would have to go before the Board of Adjustment for a Special Use Permit heard by the Board as a Public Hearing and submit a site plan, and if approved, reapply each year or in the event of a change of ownership. This would not apply to a single event, such as a person hosting a small family reunion at their home.

Brown opened the Public Hearing at 7:24 pm.

Bob Flowers, 7401 Whitaker Ct, asked about this being appropriate for residential neighborhoods. Brandt replied that each applicant has to meet requirements, neighbors would be able to speak for or against during the public hearing, and if not appropriate for the location it would probably not be approved.

Proponents

Pat Jenks, 4404 Liguria Ct., asked the council to approve the change, saying that a lot of thought had gone into it.

Todd Bennett, 3022 Pleasant Ridge Rd, is also in favor of the change, stating Summerfield needed a facility of this nature that folks had to go to Browns Summit or Greensboro to use facilities such as this.

Opponents

Mike Stewart, 1328 Hwy 150, is not necessarily opposed, but asked where that would leave the Summerfield Community Center. It would have to close down if a Special Use Permit with yearly renewal was required, the cost would be too great for this non-profit organization. He feels the Center should be grandfathered in.

Brandt said he thinks it could be grandfathered. Stewart asked council to think about this issue before passing the ordinance change.

Hill says he has concerns with grandfathering in facilities of this type. Hill recommended continuing the Public Hearing after gathering more information.

Linda Southard, 4109 Oak Ridge Rd, says she has concerns about noise and shut down times as one such location is beside her property, as well as herself possibly being restricted from plowing or mowing during a time a wedding may be taking place.

Brown closed the Public Hearing at 7:39 pm.

Wray agrees that the town could use such a facility, but is concerned about the Community Center being adversely affected, and asked that the issue be continued after more information is gathered. Strickland agreed.

After discussion, Wray made a motion to continue the matter and the Public Hearing until the September 11, 2007 meeting. The motion was seconded by Williams, and carried unanimously.

Town Manager Referendum

Consider Resolution for Notice of Election for Manager/Council form of Government added to ballot of the November 6th 2007 Summerfield Town Election

Bill Hill discussed the issue, stating a Public Hearing is required within 45 days of adopting the Resolution of Intent. Following the Public Hearing, but not earlier than the next regular meeting of the council, the council may adopt an ordinance amending the charter, as set forth in the Resolution of Intent. Based on this, Hill requested the council vote on their *intent* to pass the ordinance tonight, but cannot pass the ordinance until the regularly scheduled September meeting. We also must have a presubmission clearance from the Department of Justice, which the Board of Elections stated they had started the process previously. They have now said it is the responsibility of the Town to obtain the clearance, which was started this morning. Brown opened the public hearing at 7:46 pm.

Proponents

Beth Kaplan, 7979 Highfill Rd, wants to see the issue on the November ballot for the following reasons: to free up the Council to work on the issues facing Summerfield; to allow the town to keep running efficiently in the event there are a large number of new or inexperienced Council members after the election; it would give staff one person to answer to and perhaps lessen the staff turnover rate, which can be expensive; and so the administration would have more power. She further stated it is a democratic right that all citizens should be given the opportunity to vote on this issue.

Jane Doggett, 7986 Highfill Rd, requested that this be put on the November ballot and stated she brought some pamphlets on the issue for anyone who wanted more information.

Bill Hill noted that the wording on the agenda for this item should be Council/Manager, rather than Manager/Council.

Michael Stewart, 1328 Hwy 150, also requests that the issue be put on the ballot and stated the citizens in Summerfield should be able to vote on the issue either way.

Opponents

Gail Dunham, 5805 Snow Hill Dr, asked how it would appear or be worded on the ballot and Brandt read the wording, which is included in the Resolution of Intent that was passed during the July meeting. She then stated she had heard lots of talk about staff receiving instruction and demands from too many people. This is not from the public, and that problem should be dealt with before changing the town charter.

Bob Flowers, 7401 Whitaker Ct, says he is not in opposition but just wanted to clarify the chain of command. Brown stated the council works collectively with the Mayor as the representative.

Don Wendelken, 3406 Windswept Dr, thinks this issue is being rushed through and deserves more time and thought. He also requests that when council votes that each member explain why they voted the way they did. Brown reiterated that the vote would be to put the issue on the ballot, not what each council member's opinion was.

Gail Dunham spoke again in agreement with Mr. Wendelken, stating she does not think there was a groundswell of support for this issue anyway.

Doug Canavello, 7130 Rabbit Hollow Rd, says it is great to put this to a vote of the public, but he is concerned with the lack of information on how this change would be implemented, and wants more information. He asked how the public could make a decision if the council is unable to provide information (based on advice of counsel).

Alicia Flowers, 7401 Whitaker Ct, stated she was again asking, as she had done during the May meeting, as to why we need this change. She stated her biggest problem is turning things over to someone she could not vote for (manager), she believes in grassroots politics, and wants to retain her option to vote out someone whose actions she disagrees with. With a town manager, "the voters of Summerfield will not have that privilege." She further stated nothing she had read or heard convinces her that a manager is needed for the town at this time, perhaps that will change 5 to 10 years from now, that while the council has been advised to stay neutral, she questions the neutrality in "allowing a special interest group to display brochures promoting a town manager at this meeting without providing information on a Mayor/Council form of government."

Dolores Smith, 7765 Deboe Rd, stated "if it's not broke, don't fix it", that the council is doing a great job.

Rebuttals

Beth Kaplan, 7979 Highfill Rd, said that since May there have been speakers and information on this issue and said the reason we need to make this change is based on what happened when the PARTF grant was approved on a 3 to 2 vote, that Mrs. Strickland sent a letter opposing the grant "behind the council's back". We are not voting for the Town Administrator, he has been hired by the town as a staff member, as will a Town Manager, the only difference will be less interference from the council, and the staff will be more protected, allowing them to perform their jobs to the best of their abilities, and again referenced high staff turnover. She then said "we need to change, it is broke."

Michael Stewart, 1328 Hwy 150, says he thinks folks are losing sight of what they are voting for, that the purpose is to decide if this issue will appear on the November ballot so the citizens have the opportunity to vote on it.

Jay Copeland, 7412 Dickinben Dr, stated the pamphlets on the table are not skewed towards one form or another, that it just contains information on the pros and cons of both forms of government.

Don Wendelken, 3406 Windswept Dr, said the process has been started so the citizens can vote on the issue, he does not see the need to change the form of government.

Brown closed the Public Hearing at 8:06 pm.

Brown stated this was a vote of intent to pass an ordinance during the September 11 meeting. Hill cautioned that getting this on the ballot is subject to the preclearance process through the Department of Justice.

Wray made a motion to approve the vote of intent, and was seconded by Williams.

Strickland replied to Beth Kaplan, stating there was a lot she did not know, she is opposed to the Council/Manager form of government because the voters cannot vote for the Town Manager, he is subject to the whim of a supermajority of council and has protection, she further stated she feels she is left voiceless.

Collins stated the people of Summerfield are intelligent enough to make this decision.

Brown called for a vote, which passed 4 to 1, with Strickland opposed.

BUSINESS FROM MAYOR:

Approval of Parks & Recreation Committee Application

Williams made a motion to approve Bob Flowers as a Parks & Recreation Committee member. The motion was seconded by Collins and carried unanimously

BUSINESS FROM TOWN ADMINISTRATOR

A. Discuss/approve offer from Piedmont Land Conservancy to pave Vineyard Greenway in Summerfield

Brandt stated PLC, a non-profit land trust, has offered to pave a portion of existing Lake Brandt Greenway from Bur-Mil Park to Strawberry Road in Greensboro and pave from Strawberry Road north to the end of the Greenway. PLC will provide 100% funding for construction, and the City of Greensboro Parks & Recreation is offering continued maintenance of the Greenway at this time. Carolina Asphalt Paving will be doing the work, and at some point Summerfield will be responsible for maintenance, which would include resurfacing sometime within 25 years. The Summerfield portion is about 2600 feet, and the current price for resurfacing is \$6 per linear foot for a 1" resurface.

Strickland asked when the property was acquired. Brandt replied the property was deeded to the town in 2005 as part of a subdivision approval. Strickland asked if the public was made aware that they were accepting property that would have to be maintained by the taxpayers, and if a resolution of easement was read during an open public meeting. Brandt replied no, that it was not required. Collins stated the Zoning Board approved the subdivision and Strickland stated the Zoning Board does not have the right to obligate public funds.

Collins stated the trail is quite popular, that volunteers built a bridge over a creek to connect a portion of the trail, and the initial work and materials will be free. Strickland replied that nothing is free and she is opposed to this project based on how it was handled and the process.

Williams made a motion to accept the offer, and Collins seconded. Strickland stated for the record that this will cost the town at some point and that cost is unknown and undisclosed at this point.

The motion passed 4 to 1, with Strickland opposed.

B. Discuss Proposed Fiscal Year 2007-08 Staff work plan (moved to Consent Agenda)

C. Discuss/Approve contract with Westcott Engineering for final engineering and bid oversight of phase II Summerfield Community Park

Brandt stated Westcott Engineering provided quality professional services during development of the park and during the final engineering bidding of Phase I. He recommends contracting with them for Phase II for an amount of \$28,100 for final engineering and bidding services. He further stated the town was pleased with their previous services and has a good working relationship with them. Hill stated the contract has been slightly revised on issues of insurance, disputes, and liability and the contract is also very specific in designating Westcott as an independent contractor. Brandt stated this is a reimbursable expenditure under the PARTF grant.

Barnes made a motion to approve the contract with Westcott Engineering contingent on attorney approval. The motion was seconded by Collins.

Strickland said for the record she is opposed to this because she is opposed to Phase II of the part.

The motion passed 4 to 1, with Strickland opposed.

D. Discuss/Approve update of Summerfield Personnel Policy (moved to Consent Agenda)

E. Discuss/Approve staff-level authority to bid and construct Park storage/office facility at Summerfield Community Park not to exceed budgeted amount

Brandt stated a storage building is recommended to hold town owned equipment, generator, tools, and public safety signs and barrels that are currently being stored in various locations. At this time he only seeks authority to bid (not construct) and would then bring back to council, as the prices for the types of buildings he is looking at are unknown at this time.

Strickland asked about the style, if it is to be climate controlled, have electricity, and about windows. Brandt described the desired look of the building, that it is not intended to be heated or cooled and will probably have at least one window, electricity, and plumbing for sinks, but no bathroom. Strickland is concerned about it exceeding the \$25,000 budgeted. Brandt said we could get the building at that cost, but does not think we would be happy with it. The council approved the authority to bid by consensus.

F. Discuss LUCA 2010 Census update method for the Town of Summerfield

Brandt discussed the 3 available options for updating addresses and recommends Option 3 – Non-Title 13 Local Address List Submission, stating the town does not have the resources or ability to provide our own addresses based on town provider address list from utilities. Option 3 does not allow any appeals or challenges to the address counts on the list. After some discussion it was decided by consensus to gather more information and continue the issue until next week's Special Call meeting, August 23, 2007.

G. Discuss/Approve of Town of Summerfield Cafeteria Plan Documents

Luther explained the Section 125 plan, which allows for pre-tax insurance deductions, and there is no cost to the town. She also discussed a proposal for medical and dependent care spending options, in which there is a cost to the town. After some discussion, Brown read the Resolution Adopting Summerfield Cafeteria Plan, which is hereby incorporated and made a part of these minutes.

**RESOLUTION ADOPTING
SUMMERFIELD CAFETERIA PLAN**

WHEREAS, the Town of Summerfield maintains the Town of Summerfield Health Benefit Plan (the "Group Health Plan"); and

WHEREAS, the Town of Summerfield wishes to adopt the attached Cafeteria Plan (the "Plan") to ensure compliance with Section 125 of the Internal Revenue Code, and to enable its employees to choose between qualified benefits under the Plan on a tax-excludable basis and/or taxable cash compensation; and

WHEREAS, the operation of the Group Health Plan will continue and all employee contributions there under will be made pursuant to elections under the Plan document; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Administrator of the Town of Summerfield is authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

BE IT FURTHER RESOLVED, that the Town Council hereby adopts the Cafeteria Plan (consisting of the Cafeteria Plan Document, and component Benefit Plans and Policies) effective as of August 1, 2007.

Wray made a motion to adopt the cafeteria plan (only the Section 125 plan, with the flex spending to be considered during the next budget year). The motion was seconded by Collins and carried unanimously.

H. Discuss/approve adding Dependent Life and Supplemental Life to benefits offered

Luther stated there is no cost to the town to add these benefits, they can be offered to employees with premiums paid 100% by the employee. Of the 4 choices, it was recommended that the town chose "Plan D" for dependent life, which provides \$10,000 of coverage.

Barnes made a motion to add these benefits and to select Plan D. The motion was seconded by Wray, and carried unanimously.

I. Discuss/approve new procedures for electronic information filing and electronic funds transfer for the Local Government Employees Retirement System

Luther explained that as of October 1, 2007, the State Retirement System is requiring that all future transactions for reporting and payments be done electronically. Currently no payments are made this way, but this must be, and perhaps some others could be paid electronically as well. Collins asked if any software was need and Luther responded only internet access is needed.

Collins made a motion to approve the electronic filing and funds transfer required by LGERS. The motion was seconded by Barnes, and carried unanimously.

Luther asked council for direction on developing a policy about electron funds transfer. Brown and Strickland stated they do not want to consider it at this time.

BUSINESS FROM COUNCIL:

Hill asked if the Council/Manager issue could be added to next week's Special Call Meeting agenda (August 23, 2007) just in case some new information or changes came up. Brown agreed.

Strickland asked Hill if FOIA requests were public record, who maintains the records, and if responded to, who maintains the responses. Hill replied that the requests are public record but the responses do not have to be maintained. He stated he has all requests that have been made of him. Brandt stated there is no guarantee that every record request is on file as a separate request, but some of the larger ones were copied with the attached request and filed.

Strickland asked Hill if the new state government ethics act and financial disclosures that evolved from the corruption surround Jim Black was applicable to our boards and committee appointees. Hill replied that he did not know, but would find out about it.

Strickland discussed the new fire chief and a new Public Safety Committee member, who she never saw an application from, she is concerned not with the person but with the process. Brandt said he would talk to the committee chair about it and get an application from the new member.

Collins discussed the illegal parking in fire zones and handicapped spots, specifically at the Food Lion, and asked what was being done about it. Williams and Brown stated the Public Safety Committee was looking into the issue.

CLOSED SESSION:

C) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Collins made a motion at 9:20 pm to enter into closed session based on the above reasons. The motion was seconded by Williams and carried unanimously.

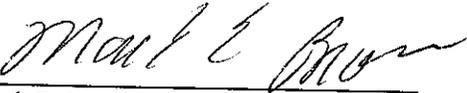
Williams made a motion at 9:48 pm to return to open session. The motion was seconded by Barnes and carried unanimously.

OTHER BUSINESS (if any):

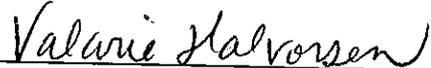
Brandt stated there would be a NCLM conference this year in Fayetteville this year in mid October.

Strickland asked if the town is contributing money to the DARE program, Brown replied no, that we contribute to Safe Counties.

With no further business before the Town Council, a motion was made at 9:50 pm by Barnes to adjourn. The motion was seconded by Williams and carried unanimously.



Mark E. Brown, Mayor



Valarie Halvorsen, Town Clerk