

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
DECEMBER 7, 2004
6:30 P.M.**

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 Mayor Dena Barnes.

The Invocation was led by Linda Southard.

The Pledge of Allegiance was led by Town Council.

INTRODUCTIONS:

Dena Barnes	Bill Trevorrow, Town Attorney
Bob Williams	Michael Brandt, Town Administrator/Finance Officer
Carolyn Collins	Bill Bruce, Town Planner
Mark Brown	Susan Smith, Town Planner
Jane Doggett	Dianne Laughlin, Town Clerk
Michael Stewart	

CONSENT AGENDA:

A motion was made by Jane Doggett, after confirming the meeting schedule, to approve the Consent Agenda, which includes the Minutes of November 9, 2004, the Monthly Financial Report, Meeting Dates and Town Holidays for 2005, and a Resolution for Cassidy Way, Jac-a-Roe Drive and Birdsong Court to be added to the NCDOT State Maintenance System. The motion was seconded by Bob Williams and passed unanimously.

ANNOUNCEMENTS:

Lieutenant Tim Parker, District One, Guilford County Sheriff's Department, introduced Sgt. Inman, stating that patrol sergeants would be attending meetings as part of professional development. He reported that the Sheriff's Department response time is approximately nine minutes and he reported a few armed robberies in the area and residential break-ins along Hwy. 150 from Hwy. 220 toward Brown Summit. He stated that they have charged a suspect with the home break-ins but have made no arrests in the armed robberies.

Mayor Barnes asked if there were precautions the citizens could take and Parker responded for them not to keep items visible in cars and to secure items at home. He suggested not having money and purses out and to park near entrances and well-lit areas when shopping. He advised that at home always answer the door, not open it, but answer it, because a burglar is checking to see if anyone is home before he breaks in and a person could be in danger if there is a break-in and find someone there.

Lt. Parker reported that Sergeant Hamilton, who was dispatched to Iraq, is on advance from his brigade for December and that while on the way to Myrtle Beach, a deer hit his car.

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

Becky Strickland, 3220 Pleasant Ridge Road, questioned the monthly Franchise Fee of \$.36 she pays on her cable fee because at the November meeting, she had been told Time Warner must pay the Town. She also stated that Patrick Downs' partner has land in Summerfield and that we should always make sure there is not a conflict of interest and she spoke to why Downs was hired and paid \$5,000 when we had a town attorney. She questioned who is Summerifeld Properties,

LLC and had further questions about Closed Sessions and a typo on the agenda of the NCGS 143-318.11(a)(6).

Dwayne Crawford, 1106 NC Hwy. 150 West, spoke to concerns about the increase in the Municipal Building costs and why Summerfield residents are being taxed to pay for this building. He also had questions about the leasability of the building and the stages of occupancy for the Sheriff's Department.

Eric Johansson, resident & battalion chief with the City of Greensboro Fire Department, reported that the area at Strawberry Road to 220/Hamburg Mill Road/ Hwy. 150 is covered by the City of Greensboro Fire Department and that the response time is lengthened by the traffic congestion. He asked the Council to look to the State to help remedy this situation. He stated that the Fire Department always arrives first, and it's become extremely dangerous for the workers and the citizens.

John Plybon, spoke to the passage of Amendment One and recalled that at the November meeting Council was asked to pass a Resolution stating that they would not impose that use on the people of the community.

Bill Trevorrow, Town Attorney, stated that Amendment One was a Constitutional Amendment and that any Resolution passed by any jurisdiction would not uphold State law.

Clyde Robinson, NC Hwy 150, spoke to concerns about the Fire Department not being able to get to a recent wreck because of the traffic and no road shoulder. He alleged we have enough traffic in Summerfield.

Barnes suggested that residents drive carefully and not speed.

AUDIT REVIEW (Dixon-Odom) Judy Gallman

Judy Gallman, representative of Dixon-Odom, presented the Annual Financial Summary, explaining each item. This report is made a part of these minutes as hereto attached. She made recommendations to help make the GASB system, which is now required by law, work better for the Town. They suggested segregation of duties, setting a threshold for depreciating capital assets, and collateralization of public deposits and stated that the Town's finances are in good shape.

REVIEW RESOLUTION R-1999-007 & R-2003-008 (Carrie Spencer, Town Core Committee Chair) Spencer stated that the Town Core Committee is asking the Town Council to consider changing the Resolution to extend the Town Core District. She reported they would like to see a Resolution that is more palatable and that they would send plans to the Town Planner and to the Town Council to review by the January meeting.

Jane Doggett stated that not all of the present Council was here when this Resolution was made and that they would be open to hearing what the Committee has to offer.

Mayor Barnes reported she felt the resolutions came about because some residents along Summerfield Road wanted to preserve that as a residential area during the time the Long Term Land Use Plan was being developed.

Stewart suggested compiling a Town Core Book and keep all the information together.

There was discussion about meeting with neighbors and property owners to address their fears and Doggett suggested letting Town Core owners speak to their concerns and she emphasized we don't want a fast food restaurant in the Town Core.

COMMITTEE REPORTS:

A. Community Relations: No report

B. Conservation: No report

C. Historical: Linda Southard reported that the “Stitch in Time” display is still at the Town Hall. She thanked the committee for all their hard work and also acknowledged Clyde and Pauline Robinson for donated books on the Genealogy of Guilford County to the Town Hall. Bonnie Fields stated that she had attended as a chaperon for one of the classes who visited the display and she was very impressed and expressed appreciation to the committee.

D. Parks & Rec: No Report

E. Public Safety: No Report

F. Thoroughfare: No Report

G. Town Core: No Report

H. Water Resource: No Report

PUBLIC HEARINGS:

B. REZONING CASE #11-04: AG and RS-40 to OSRD. Located on the south side of NC 150 West approximately 3,000 feet west of Strawberry Road (SR 3221) in Bruce Township. Being Guilford County Tax Map 6-337, Block 839, Parcel 19, approximately 43.919 acres. Owned by Daniel David Wistehuff and Martinel Estates LLP. Greensboro Watershed, WCA, Tier 4.

Susan Smith presented the case. She stated Staff revisited the soils map and the area. She read the old report into the record, along with recommended changes.

Bill Trevorow asked if there would be new evidence presented that the Zoning Board did not hear and Smith reported she couldn't answer that with a yes or no because Staff has a different recommendation tonight. Trevorow asked if there were evidence that Staff now has that could have allowed the Zoning Board to make a recommendation.

Paul Milam, developer, stated that the plan would not work as submitted.

It was decided by consensus to hear the case tonight.

Carrie Spencer, Zoning Board, clarified that the Zoning Board could not verify traffic counts, soils, etc. to allow them to make a recommendation.

In Favor:

Paul Milam stated that he would hold his comments until later.

There was discussion about the RS-40 and AG portions of the property being left as is.

Opposed:

Smith reported that Staff changed their mind after hearing all the information and revisiting the site and that the majority of property owners opposed because of traffic and soils.

Gary Johansson asked that rezoning be denied due to unsuitable soils, traffic concerns, and an active horse farm that adjoins the property.

Clyde Robinson stated that he had tried to buy the property when he first moved to the area and was told it would not perk.

This portion of the public hearing closed at 8:22 PM.

After some discussion, Michael Stewart motioned to deny Rezoning Case #11-04. The motion was seconded by Mark Brown and passed unanimously.

Paul Milam thanked Council and Michael Brandt for their leadership in the Town this year. He also thanked Susan Smith for her work, wishing her well in her future endeavors. He asked that residents see the glass as half full instead of half empty when it comes to development in the Town.

C. SUBDIVISION CASE #2004-318: Autumn Lakes Preliminary Plat. Located on the south side of NC 150 West approximately 3,000 feet west of Strawberry Road (SR 3221) in Bruce Township. Being Guilford County Tax Map 6-337, Block 839, Parcel 19, approximately 43.919 acres. Owned by Daniel David Wistehuff and Martinel Estates LLP. Greensboro Watershed, WCA, Tier 4.

This case was not heard because the Re-Zoning was denied.

A. ADOPTION OF A CABLE REGULATORY ORDINANCE FOR THE TOWN OF SUMMERFIELD:

Michael Brandt, Town Administrator, reported that there had been an error in advertising and that the Town must have an Ordinance before this agreement could be presented. He suggested a Special Meeting on December 20 for the first reading and then it could be adopted at the January meeting, or they could have the second reading in February.

Trevorrow spoke to the complexity of the contract and reported that the ad focused on Time Warner and the Franchise Ordinance and not the agreement.

It was decided by consensus to meet on December 20, 6:30 PM at the Town Hall.

BUSINESS FROM TOWN PLANNER:

Susan Smith stated this would be her last meeting because she is moving to a new position in Weddington, NC and her last date with Guilford County is January 6, 2005. She reported she would be back to visit because she has family in the area and she thanked everyone for the opportunity given her in Summerfield. She said she was hired because of her experience with open space.

Bill Bruce reported that they are on schedule with the Ordinance and plan to have a draft over the holidays for the town attorney to review. He thanked the Town Core Committee for their help and thanked Susan Smith for making the transition easier.

BUSINESS FROM TOWN ADMINISTRATOR

A. Water Meeting Status:

Brandt reported that after a year, there is hopefully good news. The Staff, Town of Oak Ridge and Aqua NC met Friday and the general agreement is they will become the water source, saving the Town millions of dollars. They plan to hook all systems together that are already in Town. He reported that they will invest their money to make connections; and fire services. He reported the town would receive 4% of gross receipt to hold and use for extending when Aqua NC thought it not feasible and that hook up will not be mandatory for existing homes, but will be required for new developments to have community water. He stated the Aqua NC would put fire hydrants in neighborhoods and allow those with poor quality water to hook on to the system. He reported we will hold a public hearing in January for this 30 or 40 year agreement.

Bill Trevorrow stated the agreement must receive Utility Commission approval to protect the consumer.

There was discussion about opponents being able to use the same lines and it was stated that anyone would have to overbuild on the existing lines, just as the Town would have to do.

B. Bid process report for Municipal Building:

Brandt reported that a final meeting with the Municipal Building Committee and the Architect was held and that the Bid advertising should be in the week-end paper.

C. Curb & Gutter project approval:

Brandt explained to Council he wanted them to be sure of the cost for the curb and gutter project. He reported that \$13,000 will be paid, but if it's over that amount, they will come back and require the Town to pay the difference with no say about it. He stated it might come back lower, but this is not a surety.

Carolyn Collins suggested they cap the amount at \$15,000 and look at it again if needed. Doggett agreed with her assessment.

Bill Gordon stated that the original plan required so much linage and he asked if specks had been provided for this project; and if the property owner could have a say in how long the curb would be. The response was that no one knows at this time.

After some discussion, a motion was made by Bob Williams to cap the spending at \$13,000 with a \$2000.00 contingency, with DOT required to present a detailed list if more money is required. The motion was seconded by Michael Stewart and passed unanimously.

D. Trail Maintenance Contract:

1. City of Greensboro
2. Brockman Lawn Care

Brandt reported that the City of Greensboro had originally quoted \$1500.00 for this project but that has now changed. He stated he would like to move this to the January 2005 meeting so that he can further investigate.

Brandt reported to Council that he would like to surplus some property; the old Christmas tree, an old Xerox copier and a computer with a virus that must be disposed of properly.

A motion was made to surplus property as recommended by Jane Doggett and seconded by Carolyn Collins. The motion carried unanimously.

Brandt stated that his computer also has a virus.

Brandt stated that the cost of copies for citizens through the Town Hall has always been an issue with municipalities. He stated he thinks the \$.25 per copy currently in place is excessive and he asked it be reduced to \$.10 per copy.

After some discussion, a motion was made to reduce the cost to \$.10 per copy by Michael Stewart. The motion was seconded by Carolyn Collins and passed unanimously.

BUSINESS FROM COUNCIL:

Carolyn Collins asked when we were going to do what the Auditors recommend, and Brandt replied that he has a draft copy of a cash management program for the Finance Committee to review at their next meeting, and that it should be in place in the next couple of months, hopefully before the next fiscal year. He reflected on the big change to GASB.

Mark Brown asked if this were an accounting system for permits, etc. and Brandt replied that we are looking at systems to that effect and he spoke to a GIS system which has been purchased and should be in place by the end of the week.

Brandt reported he would bring forth recommendation about in-house financing.

BUSINESS FROM MAYOR:

Mayor Barnes stated she had recommendation for the Staff for bonuses.

After some discussion a motion was made by Jane Doggett to approve the following bonus recommendations by the Mayor: Town Clerk: \$300.00, Town Planner: \$300.00, Former Town Planner: \$100.00, Town Administrator: \$300.00, and a gift certificate for Betsy Ingram for all her work in the area of finances. The motion was seconded by Bob Williams.

Betsy Ingram state she appreciated the thought, but didn't think it necessary to give her anything.

Brandt stated he didn't need a bonus this year.

After some discussion, Doggett revised her motion to Town Clerk and Town Administrator; \$300.00 each and \$100.00 each to the two Town Planners. The motion was seconded by Carolyn Collins and passed unanimously.

Mayor Barnes opened the discussion for the Council on changing the way the mayor is selected. She spoke to the petition which has been circulated to have the Mayor elected by the registered voters in Town and had concerns that the Mayor, under this plan, would serve only two years, with Council members serving four years. Bob Williams stated he didn't think the mayor could be brought up to speed in just two years, which was one of the reasons for changing the Council terms to four years and Barnes stated the mayor only has the authority granted by council. There was discussion about the possibility the mayor may have to become a salaried position. After further discussion, it was decided to take no action and allow the petition to go to the Board of Elections to be verified and counted.

There was discussion about educating the citizens about the way the Charter is set up and Brandt stated no government money can be spent except to explain how the process works now and how it would work if changed, but that Council could do what they want to do individually.

Sandra Smith asked if, at present, the mayor could be removed by Council and was told yes, but under the system where the mayor is elected, it would be very difficult to remove an elected official.

Mark Brown stated he hoped this can be scheduled on the same referendum as the ABC referendum.

With no further business before the Town Council, a motion was made at 9:35 pm by Carolyn Collins to adjourn. The motion was seconded by Jane Doggett and passed unanimously.

Dena Barnes, Mayor

Dianne Laughlin, Town Clerk