

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
MARCH 1, 2005
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 the meeting to order at 6:32 PM by Mayor Dena Barnes.

The invocation was led by Linda Southard and Council led the Pledge of Allegiance.

INTRODUCTIONS:

Dena Barnes, Mayor
Bob Williams
Carolyn Collins
Mark Brown
Jane Doggett
Michael Stewart

Michael Brandt, Town Administrator
Dianne Laughlin, Town Clerk
Bill Bruce, Town Planner
Bill Trevorrow, Town Attorney

CONSENT AGENDA:

A motion was made by Jane Doggett to approve the consent agenda; which includes the Minutes of February 1 & 9, 2005 and the monthly financial report with the following changes: Move item 10B- CONSIDER THE AWARD OF THE BID FOR THE MUNICIPAL BUILDING to item 8. The motion was seconded by Bob Williams and passed unanimously.

ANNOUNCEMENTS:

Mayor Barnes welcomed former mayor Bill Peterson, who has been ill and unable to attend meetings. Barnes announced the deadline for Voter Registration for the upcoming election as April 22, 5 PM. She also reported that the minutes of the Town Council meetings are online through January, 2005 and that the minutes and financial reports are available on Thursday at Town Hall before the regular Council meeting on Tuesday at ten cents per copy.

PRESENTATION: GUILFORD COUNTY WORTHLESS CHECK PROGRAM (DISTRICT ATTORNEY, STUART ALBRIGHT)

Mayor Barnes introduced Stuart Albright, Guilford County District Attorney. Mr. Albright spoke to the Worthless Check Program, stating it would benefit both to the victim and the merchant. He reported that Guilford is the 18th county to have this program in place. Albright stated that you must meet pre-requisites before prosecution on a worthless check and he reported that someone from his office would be indifferent locations of the county during the month to make it more convenient to access this information. He distributed brochures with these locations listed and he recommended residents call Gloria at his office with any questions.

CONSIDER THE AWARD OF THE BID FOR THE MINICIPAL BUILDING.

Barnes opened by stating that the issues started when the sales tax distribution was

changed. She reported the Governor took sales tax from the Counties and they in turn took it from the Town. She reported that recent mailing from Concerned Citizens contains information that is incorrect.

She reported that because of inadequate well problems, the bids must be declined.

Michael Brandt reported further because of technical problems with the well, it has been determined the site is not adequate for the numbers of people who could be present at any one time; therefore all bids must be rejected. He reported the numbers would require a community well and that the site could be used for up to twenty employees if it is decided a municipal building is needed. He also presented ways that the monies already spent could be recouped if the land were to be sold.

Robert Flowers, Whitaker Court, questioned Town buying land that isn't adequate; spending "our" money. He asked Council to put this matter on a referendum and if they win, he'd support the building.

Councilman Stewart stated the Guilford County did not give the information at the site plan stage and Council only recently learned from the Health Department about the well. He clarified that the property was originally purchased for a sub-station and the increased size of the building is what has made the difference.

An unidentified resident asked about site contamination and Stewart replied this property is not on Guilford County's map of contaminated sites.

The questioned was raised if Council would look for land in the future for a sub-station. Another resident requested the whole plan be rejected and another asked if due-diligence was taken in the study of the land.

James Crowder stated that he is not against the building, but asked Council to spend money wisely; referencing a possible property tax in Stokesdale and the recent tax levied in Oak Ridge. He asked Council to look at needs and not wants.

Dwayne Crawford stated there is a public relations problem and that Council needs to listen to the citizens.

After some discussion, a motion was made by Michael Stewart to reject all bids, do away with the Sheriff's substation and consider the municipal building in the future, after more study is done in that area. The motion was seconded by Bob Williams and passed unanimously

There was more discussion about the number of years this project has been in the budget and how a public meeting was held to present the building and very few people attended.

Stewart also mentioned the budget meeting that was recently held and no residents attended.

A resident asked that important issues be discussed at regular meetings and not at special meeting as the one held on February 9th.

Linda Southard thanked the Council and committees involved, acknowledging the hundreds of hours given.

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

Gary Graham, Hillsdale Lake, stated it had been reported to him that residents on Strader Road had signed a petition opposed to paving their road and that the State had given money to the town for that project. He also had questions whether the Planning Department would be a profit or loss.

It was explained that residents of Strader Road had signed approving the paving and that the State has not given any money for pavings; that once we incorporated, the town is responsible for the cost of paving any roads.

Michael Brandt, Town Administrator, reported that instead of all the monies for planning going to Guilford County, they would now come to Summerfield. He discussed how the rates were set.

Graham stated he thought some turning lanes were needed at certain intersections and Brandt stated that State had been approached but weren't willing to spend the money because of the proposed widening of Hwy. 220.

Brandt spoke to the traffic signal that is being installed at Hwy. 150 and Summerfield Road and also to proposed turning lanes at Lake Brandt Road and Hwy 150.

Dwayne Crawford spoke to the ethics ordinance that has been requested, saying it would give citizens peace of mind regarding conflicts of interest.

Ginny Lockhardt questioned the ad in the Attaché Magazine; the cost and why we would be advertising when growth was already a problem in Summerfield. Brandt explained that this was a Piedmont/Triad effort, costing approximately \$16,000, with all being paid by local businesses except \$2500.

Jeanne Plybon asked if property taxes would be rescinded and Barnes stated the taxes were to pay for the operation of the town. Plybon spoke to the budget message, with priorities being parks and recreation, water resources, a conservation plan, a planning and inspections department and a substation. Councilman Stewart reported one-fourth of the money raised would pay for the paving of Strader Road. Ms. Plybon asked if taxes could be lowered and was told they could be.

Mayor Barnes stated the Council was looking several years into the future when the tax was implemented, figuring a amount so that it would not have to be increased for a while.

Brandt reported that Council had instructed him to prepare a budget for the upcoming year with no tax increase and a possible tax decrease.

There was discussion about the need of an assistant town planner and Brandt explained that the position would not only handle town planning, code enforcement but would work with the Board of Adjustment.

COMMITTEE REPORTS:

A. Community Relations: Dianne Laughlin reported that the committee is on moving forward with Founders Day Plans, which is Saturday May 14. Mayor Barnes informed citizens that there would be early voting on that day at Summerifeld Elementary school gymnasium from 11 AM until 4:30 PM and that absentee ballots must be obtained through the Board of Elections.

B. Conservation: No Meeting

C. Finance: Elizabeth Ingram reported the committee will meet on March 7, 7 PM at the Town Hall.

D. Historical: Linda Southard reported they met with Carrie Spencer, who spoke concerning Town Core recommendations. Southard reported that the historical district nomination has passed through the State and has moved to the National registry for approval. Tim Friddle asked if rental houses could benefit from the historical district tax benefits and Southard replied she believed the only stipulation was that the structure is located in the district and is at least 50 years old. Brandt stated that structures would be on the Historic register which allows for tax benefits for improvement done to the structures and not on a local register which dictates what can be done to a structure.

E. Parks & Rec: The next meeting would be March 10, 7 PM, at the Town Hall.

F. Public Safety: No Meeting

G. Thoroughfare: Bill Bruce reported copies of the environmental impact on the widening of Highway 220 are available for viewing at Town Hall and NCDOT would like responses by March 24. He stated they are recommending four lanes through Summerfield and people in Summerfield might prefer it go around instead of through the town, or five lanes with a turn lane. The document is over 600 pages, so residents were asked to come by and look at them rather than requesting copies, with one copy being available for check-out. It was reported that MPO is hosting a public workshop to receive public comment on collector roads for the Northwest area on March 8 at Bur-Mil Park from 5:30 PM to 7:30 PM.

H. Town Core: Carrie Spencer reported there will be a Public Hearing on March 15 as part of the Zoning Board Agenda and on April 5, the recommended changes will be given to Town Council for consideration. Bruce reported that attendance was very good at the January meeting. There was discussion about lot sizes and affects on the water supply and Guilford County Health Department keeping the water safe. Spencer stated that water and sewer will dictate density and a lot of variables.

I. Water Resource: Robert Gordon reported the committee is still talking with Aqua NC and voted to request Council to look into hiring outside legal advice; a person who deals with and is familiar with the utilities commission. Brandt stated they were given a list of attorneys from the NC Utilities Commission and they had spoken with one to make sure there were no conflicts of interest. Becky Strickland asked what part of the agreement did Aqua NC not want to honor and if the Town had received an answer from the attorney general about the town franchising with a private company. Brandt replied Aqua NC wrote this agreement and staff wants to be sure its says what is best for the town. He stated we have not heard from the attorney general, and he thinks an attorney who is familiar with utility and franchise laws

could better get an answer. Brandt explained that Aqua NC would own the water system; people would pay their bill to Aqua NC in lieu of the town having a municipal water system, which could cost over 14 million dollars to build. He reported we are looking at cost sharing with Oak Ridge and Stokesdale. Someone asked what if they (Aqua NC) closed shop and Brandt replied they are bonded by the Utilities Commission and someone would step in or someone would be hired to run the system. Bob Williams asked if we were still talking with Madison and Brandt confirmed we are and that if we contract with them, Aqua NC would be shifting to surface water from Madison. There was discussion about monopolies and costs. It was stated that a separate meeting would be held when the town has more information to present to citizens. Brandt asked Council to advise him whether or not to continue looking for an attorney or consultant who specializes in the area of water systems.

There was further discussion about contaminated wells, dry wells, letting people with contaminated wells handle their own problem, well monitoring, state draw down standards, sewage/no sewage and potable water.

PUBLIC HEARINGS: (OLD BUSINESS):

A. PROPOSED AMENDMENTS TO THE SUMMERFIELD UNIFIED DEVELOPMENT ORDINANCE: Article 3, Permits and Procedures, Article 5-3 Submission of Plans, Article 5-5, Pre-Application Procedures and Article 5-6 Preliminary Plat.

Bill Bruce presented and explained the recommended Ordinance changes and spoke regarding the two public meeting that were held on the changes. He reported about twenty people came to the first meeting and approximately 6 or 8 came to the second.

Some changes recommended were: (1) Grading Permits cannot be issued before site plan or preliminary plat approval; (2) Environmental inventory will be required for residential rezoning request and non-residential requests larger than five acres; (3) Changes in the submittal and review time for rezoning, site plans; (4) Site plans smaller than ten acres and having two or less non-residential building or eight residential units in two or less building can be approved by the planning director; (5) An open house information session will be required for rezoning requests before the Zoning Board hearing is held; (6) Rezoning and subdivision plans for the same property cannot be heard at the same meeting; and (7) Major subdivision plans can be approved by the zoning board.

There was discussion about environmental inventories and the list of 10 or 12 features the Town feels like it need to preserve along with the State and Government environmental regulations, including, floodplains, steep slopes, stands of hardwood trees, historic or archeological features, although this inventory does not prevent a property owner from making changes. Bruce reported that in cases where five or more acres are involved, a surveyor or engineer would be hired. He reported that Staff always visits the sites and sometimes Zoning Board members also walk the site.

Bruce explained that he had been given the charge to update the Ordinance using the Long Range Plan and Commercial Needs Assessment to overcome problems that were happening. He stated that the proposed revised documents were reviewed by two attorneys and the Zoning Board before coming to the Town Council.

Bonnie Fields stated that people felt left out of the loop and asked if the Town could use the Website as well as notices in the papers to let citizens know about meetings.

There was discussion about Zoning Board member terms and it was stated the members serve a term of three years at the pleasure of the Town Council and the Bill Trevor, Town Attorney, stated there would have to be substance to remove them before their term expired.

After some discussion, a motion was made by Jane Doggett to adopt the proposed amendments to the Ordinance as presented. The motion was seconded by Carolyn Collins and passed unanimously.

BUSINESS FROM TOWN ADMINISTRATOR:

A. Strategic Plan Discussion: Brandt recommended Council address services, staffing needs and how to get the money for them. He reported these were not short term issues and suggested involving citizens by way of survey, phone calls, workshops and a comprehensive review; with an ultimate goal of compiling a document consisting of a 5 to 10 year plan, showing what the town is trying to achieve. Brandt reported Piedmont Triad Council of Government has offered their services to lead discussion with Council as a third party. He reported the first session would be free, but any subsequent participation could cost upwards to \$20,000.00 because experts could be brought in from the outside.

B. 2005-06 Budget Process Discussion: Brandt reported he has been a little delayed in starting the budget process and will ask the Finance Committee to be more active, using the same forms as last year. He spoke to holding public hearings to allow the citizens to comment on the Budget, with a report late in May and June Town Council meeting will be the first hearing, at which time to set a date for a final hearing. Brandt asked Committee Chairs to attend the March 21st meeting for budget priorities.

C. Lawn Care Contract: Brandt stated that Brockman's Lawn Care reported a 5% increase in his quote this year due to fuel prices.

After some discussion, a motion was made to approve the contract with Brockman's Lawn Care by Bob Williams. The motion was seconded by Jane Doggett and passed unanimously.

Brandt addressed the care of the property at Rhondan Road and stated it would need to be seeded and then silt fences could be taken down. There was some discussion about Guilford County helping and Brandt stated the town would have to purchase seed, straw, etc.

EXECUTIVE SESSION:

CONSIDER THE QUALIFICATIONS, COMPETENCE, PERFORMANCE, CHARACTER, FITNESS, CONDITIONS OF APPOINTMENT OR CONDITIONS OF INITIAL EMPLOYMENT OF AN INDIVIDUAL PUBLIC OFFICER OR EMPLOYEE OR PROSPECTIVE PUBLIC OFFICER OR EMPLOYEE AS PROVIDED UNDER NCGS 143-318.11(A)(6). (Assistant Town Planner)

A motion was made to recess to closed session as provided under NCDG 143-318.11(A)(6) by Dena Barnes at 10:08 PM. The motion was seconded by Carolyn Collins and carried unanimously.

The meeting reconvened at 10:35 pm.

Mayor Barnes reported Council had engaged in a discussion to hire an assistant town planner. After some discussion, a motion was made by Bob Williams to hire Robin Smith as the assistant Town Planner at \$31,000.00 annually. The motion was seconded by Carolyn Collins and carried unanimously.

When asked how this salary was decided, Brandt reported he used municipal books which show salary ranges of nearby municipalities.

BUSINESS FROM COUNCIL: Jane Doggett reported she had done research for a personnel policy. She stated she spoke with the League of Municipalities and they agreed they could help for around \$3000.00. She stated they recommended a policy written especially for our town which would be legal, current and computer friendly.

Bill Trevorrow suggested getting proposals and a resident suggested consulting SCORE.org for some free advice.

It was reported that Doug Cannevello had made application to become a member of the Parks and Rec Committee.

After some discussion, a motion was made by Mark Brown to approve Doug Cannevello to the Parks and Recreation Committee. The motion was seconded by Bob Williams and passed unanimously.

Brandt reported that on February 9th, he had used membership figures, instead of insurance premiums, for insurance rates, and had since corrected those figures, stating the town currently pays \$6200.00 per year for insurance.

BUSINESS FROM MAYOR: Mayor Barnes informed the Council of a request from the Piedmont Triad Partnership and asked them to review and decide.

With no further business before the Council, a motion was made by Jane Doggett at 10:50 pm to adjourn. The motion was seconded by Bob Williams and passed unanimously.

Dena Barnes, Mayor

Dianne Laughlin, Town Clerk