





**MINUTES OF THE  
SUMMERFIELD TOWN COUNCIL  
SUMMERFIELD COMMUNITY CENTER  
OCTOBER 28, 2008  
(Continued from October 14, 2008)  
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 6:30 pm by Mark Brown, 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  
Craig Harmon, Town Planner  
Valarie Halvorsen, Town Clerk

**CONSENT AGENDA:**

Brown suggested removing item 7A – Council Discussion of SRA from tonight’s agenda as the court case has yet to be adjudicated.

Wray made a motion to approve the Consent Agenda which consists of the meeting agenda as amended. The motion was seconded by Barnes and carried unanimously.

**BUSINESS FROM TOWN MANAGER**

**A. Review/Approve Finance Committee Ordinance**

Luther described the changes to the document, specifically the portion about limiting membership to 8 people. Flowers asked if all 8 would be voting members, which was answered affirmatively.

Strickland made a motion to approve the Finance Committee Ordinance as presented. The motion was seconded by Barnes and carried unanimously.

**B. Review/Approve Community-Based Organizations Checklist and requests**

Brandt noted that Kids Voting was used as a test case to test the proposed town procedures. Luther discussed the process and the recommended changes, including requesting articles of incorporation, written copies of procedures and rules, and quorum information. Strickland is uncomfortable with the fact that the organization can have a membership of anywhere from 3 to 50 and a quorum is defined as one third. Additionally, she stated they did not provide a current tax return or an extension with their financials, which were requested. Luther stated council needed to decide who should review the request packages, the chain of command, and what changes they would like to see going forward.

Strickland would like to see a limit set the percentage of funds that each group can spend for administrative expenses. This concern stems from her understanding that Kids Voting uses over 50% of its funds for salaries and she feels that taxpayer money should mostly be going towards other things like projects and missions. There was discussion about the difficulty of setting thresholds as there is a difference in what is being provided by nonprofit groups. Those that are service oriented, such as Kids Voting, will likely have a higher percentage of administrative expenses, and volunteer labor, which is often intensive and counted as in-kind donations, are typically not counted. Other types of organizations may be more product related rather than service related and would therefore have a lower percentage of administrative expenses.

There was additional discussion about the fact that Kids Voting no longer provides an audit. Luther noted they no longer expend the money for an audit because they are no longer funded by Guilford County, which required an audit. Additionally, there was discussion of wording changes and additional requirements, and the offer by the Finance Committee to do the initial review of the packages prior to bringing them before council.

Flowers made a motion to approve the CBO policy with the discussed changes for applications that come in for the next fiscal year, to be reviewed by the Finance Committee, with all documentation presented to council, and requiring an audit of all requestors. The motion was seconded by Strickland and carried unanimously.

Wray made a motion to approve the \$500 Kids Voting funding request, providing all town requirements have been met. The motion was seconded by Williams. Strickland asked that the record show her previously stated objections. The motion passed 3 to 2, with Strickland and Flowers opposed.

### **C. Discuss Minimum Housing Ordinance**

Brandt stated that neither the town nor Guilford County has such an ordinance. He explained that the current Nuisance Ordinance was not sufficient to address issues of structural safety and therefore, he, Blair Carr, and Harmon had developed a draft Minimum Housing Ordinance, which may require a contracted person to help with inspection and/or enforcement. During the beginning of this process, there was a possibility of contracting with Guilford County for this service, but that is not available at this time.

Strickland expressed concern with the timing and the expense of additional staff or contractors, due process issues, and feels that it is "back door eminent domain" that may be used to target homes that some may feel are unattractive, or to eliminate the very little affordable housing that is currently available in town. Carr replied that this was a long way from being completed and from any talk about funding, and she feels it is appropriate to have a council discussion at this time so there would be time to hold public hearings as well. Brandt said the point of tonight's discussion was to find out council's feelings on it and if it was unwanted or unneeded there would be no further work on it.

There was much discussion of what the ordinance would entail, how it would be used and enforced and against whom, and how it compares and contrasts to the Nuisance Ordinance and

state building code requirements, and residential vs. non-residential structures. Strickland feels it is too intrusive, gives police powers, and will result in growing government.

Wray made a motion directing staff to move forward with the Minimum Housing Ordinance to prepare for a Public Hearing in February 2009. The motion died for lack of a second.

#### **D. Discuss Ethics Policy**

Brandt stated the auditor informed staff of the need to review ethics policies to make sure they are appropriate based on new auditing standards. He noted the town currently has separate policies for council, Zoning Board, BOA, committees, and Personnel Policies. While the current policies are sufficient, Brandt asked council if they wished to merge them together into one policy, covering all in one document. Strickland stated she has long advocated for one ethics ordinance covering all departments and committees and feels the sample policy from the auditor is much clearer and more enforceable than what Summerfield currently has. Barnes thinks it is a good idea if it will simplify things and make things better.

By consensus, Brandt was directed to work on developing one central ethics document, which would have specifications for different committees and boards where appropriate.

#### **E. Discuss Internal Control Policy**

Luther noted the auditor just recently recommended a different sample policy as a basis for creating Summerfield's policy, rather than the example originally recommended for use to create the current draft policy. She stated such a policy needs to be in place prior to the release of the audit report, and it could be modified and/or replaced in the future. Flowers would like to see the new recommendation prior to making a decision. Brandt said the while the matter could wait, it would result in the audit letter noting there is no policy currently in place. Luther stated while the originally recommended policy was modified considerably to comply with current town standards and regulations, it is not a finalized document and will be modified and added to as things come up. Strickland asked that "The Finance Officer will produce a monthly check detail for the Town Council to review" be added under Specific Controls on page 8.

Following a brief discussion, Strickland made a motion to approve the Internal Control Policy with the discussed addition about check details. The motion was seconded by Williams and carried unanimously.

#### **F. NC Community Conservation Assistance Program Grant - \$5,000 for Park**

Brandt stated the town has been approved for a \$5,000 supplemental funding grant to help develop a "Rain Garden" bio-retention device at the park, which is already part of the overall park plan and has been funded by the PARTF grant, so acceptance of this grant would actually reduce the current costs by \$5,000.

There was discussion of project details and why it is being planned, which is specifically to handle water runoff from surrounding properties and to be used educationally in the park.

Wray made a motion to give authority to the Town Manager to sign for acceptance of the funds. The motion was seconded by Barnes and carried unanimously.

**BUSINESS FROM COUNCIL**

**Council Discussion of Summerfield Recreation Association (*removed from agenda*)**

**COMMENTS FROM THE COUNCIL**

Wray announced the defibrillators had arrived and recommended scheduling CPR and defibrillator training for staff, council, and perhaps committee members or chairs. There is a cost difference per person based on how many attend the training and Wray asked Brandt to find out how many people would be interested in the training. Brandt asked if the town would be paying for the training and there was discussion of each person paying for themselves. By consensus, the funding question will be addressed after the interest numbers are gathered.

With no further business before the Town Council, a motion was made at 8:16 pm by Williams to adjourn. The motion was seconded by Barnes and carried unanimously.



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Mark E. Brown, Mayor



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Valarie Halvorsen, Town Clerk