

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

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

Dena Barnes called the meeting to order at 6:35 PM.

**Council and Staff Present:**

Dena Barnes	Bill Trevorrow, Town Attorney
Bob Williams	Michael Brandt, Town Administrator
Mark Brown	Dianne Laughlin, Town Clerk
Michael Stewart	
Jane Doggett	
Carolyn Collins	

**DISCUSSION OF PROPERTY AT 7132 RABBIT HOLLOW ROAD:**

Mayor Barnes stated that all interested parties would be heard, but asked that the speakers refrain from repetitive comments. Jane Doggett asked if they should have a preset time of 8:15 pm to adjourn, but the consensus of the audience was that this would not be enough time.

At the request of Council, Michael Brandt, Town Administrator, read a time line of events concerning the purchase of the property from March 30, 2004 through July 19, 2004.

Brandt stated that the potential uses of the property were made public. They are:

- 1) Active recreation
- 2) Off-site septic, or
- 3) Water tower

At the request of the audience, Brandt indicated areas involved on the aerial map.

Nicole Crawford, Attorney with Brooks, Pierce, McLendon, Humphrey & Leonard, represented the property owners. She stated that her clients had sent a letter to the Town advising that they do not plan to sell. She reported that when they were approached and wanted to know the buyer and intended purposed of the land they were told something different. She stated they withdrew the offer to sell any land that would allow access to this property because they had been deceived. She referred to and read the open meeting law aloud. She repeated that the process was kept a secret and that this illegal, deceptive and fraudulent.

Bill Trevorrow, Town Attorney, stated that he felt her language was strong and that it was only her opinion that all discussion was held in secret session.

Deryle Peasley-Wood, agent for Allen Tate Realtors, and a property owner, stated that the property went on sale in August of 2003 and that there was a misprint in the Northwest Observer as to the asking price. She stated that the Town's real estate agent, Charlie Lowdermilk had stated the buyer wanted to be undisclosed and that the use would be negotiated. She reported that he stated the third time he approached her that it was a different buyer this time. She then stated the offer to sell was withdrawn because of the lack of communication.

Michael Brandt stated that Mr. Lowdermilk was in his rights as an agent to not disclose the buyer when they had asked to be undisclosed. Peasley-Wood stated she was not accusing Charlie of anything.

Many property owners on Rabbit Hollow Road, including Ruth Bowden, Cynthia Mabe, Mike Wood, Doug Canavello, Teresa Pegram, Becky Strickland, Kathy Rooney, Barry Knight, Ronnie Stafford, Eleanor Bowden Atkins, Francis Winfree, Ken Key, Laurie Walker, Ms. Harrington and Betty Stantliff stated various reasons for opposing the Town's purchase of the property.

The reasons included: the Town had been too secretive in its offer to purchase the property; that the property owners were left out of the plans; questions about land that had previously been donated to the town; expenditure of town funds; noise and traffic from a proposed ball field; safety issues; property values; parking; and consideration for alternative solutions.

Mayor Barnes spoke to the comments; explaining Councils intent. She stated that they had looked at available properties in Town and that they do not want to condemn anyone's property. She reported that governments have used undisclosed buyer options for years and they took that route and that they looked at properties and accesses and met to see what was available; looking for property to be used as daytime ball fields.

Bob Williams stated that there had been no discussion about lights and part of the reason for the purchase was to relieve parking on Green Lawn and give the kids better playing times. He reported that some of the games are not over until 11 PM. He stated that the Armfield property that was offered to the Town is no longer available.

Brandt reported that the property that is being leased from Guilford County for the park has no conceivable areas for ball fields.

There was commotion and comments from the audience and Mayor Barnes called the meeting to order, reminding citizens that the Council had listened to them and now they should listen to Councils comments.

Michael Stewart stated that the purpose of this meeting is to see how the residents feel. He reported that this property has been for sale privately for many years and that Council moved forward only after they were legally informed to do so.

A motion was made by Michael Stewart, based on the neighbors not being in favor, to withdraw the offer to purchase; to get deposit refund and to appoint Mr. Canavello to

locate property for the ball fields. The motion was seconded by Bob Williams and carried unanimously.

Carolyn Collins stated that the Council did not mean to rile anyone and did not set out to intentionally deceive anyone. She reported that ballgames have always been big; an institution in Summerfield and that she had been against lights. She stated that they have to learn from their mistakes.

Jane Doggett stated that she agreed with Carolyn and that the fields would have to go in someone's neighborhood.

Mark Brown stated that we have a responsibility to the kids and that things should be handled differently in the future.

Some of the audience apologized for their behavior, explaining they were upset by the circumstances.

With no further business before the Council, a motion was made by Jane Doggett at 8:15 pm to adjourn and seconded by Bob Williams. The motion carried unanimously.

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Dena Barnes, Mayor

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Dianne Laughlin, Town Clerk