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October 9, 2007

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**AGENDA OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
October 9, 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 SEPTEMBER 11, and SEPTEMBER 19, 2007**
 - C. **FINANCIAL REPORT**
7. **ANNOUNCEMENTS**
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: Guilford County Strategic Plan**
11. **PUBLIC HEARINGS:**

Rezoning Case #05-07 AG & RS-40 CU-OSRD, Owned by Hyon Jung Kim. The properties are located at 2613 and 2615-2617 Pleasant Ridge Rd, being Guilford County tax map #01-33, Block 921, Parcel 17; and tax map # 01-33, Block 922, Parcel 5; and 5419-5499 Saddlewood Dr, being Guilford County tax map # 10-650, Block 967, Parcel 12. The properties, located in Bruce Township, make up approximately 56.16 acres.
12. **BUSINESS FROM TOWN COUNCIL:**
 - A. **State Ethics discussion**
 - B. **Zoning Board Applicants**
13. **BUSINESS FROM TOWN ADMINISTRATOR:**
 - A. **Resolution of Intent to reimburse Town with proceeds of funds borrowed to purchase and construct public park facilities**
 - B. **Land purchase – Marshall property**

- C. Continued discussion of Athletic Advisory/Active Recreation Committee guidelines
- D. Usage of the Park by Summerfield Youth Council for Halloween Hayrides in Summerfield Community Park after regular park hours

14. BUSINESS FROM MAYOR:

- A. PTI aircraft takeoffs over Summerfield

15. CLOSED SESSION:

- A. 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);

and;

- 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
October 9, 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 6:32 pm by Mark Brown.

The invocation was led by Dena Barnes, followed by the Pledge of Allegiance.

INTRODUCTIONS:

Council:

Mark Brown, Mayor
Dena Barnes, Pro Tem
Becky Strickland
Bob Williams
John W Wray Jr.

Staff:

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

Strickland made a motion to excuse Collins from the meeting. The motion was seconded by Barnes and carried unanimously.

CANDIDATE INTRODUCTIONS

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

CONSENT AGENDA:

A motion was made by Barnes to approve the Consent Agenda. This includes the Meeting Agenda, approval of minutes from September 11 and September 19, 2007, and the Financial Report. Strickland asked for item 13D Usage of the Park by Summerfield Youth Council for Halloween Hayrides to be removed from the agenda because of its political timing and cost projection. She requests it be removed from this agenda and put on the November agenda. Barnes and Wray disagreed with Strickland. The motion was seconded by Wray and passed 3 to 1, with Strickland opposed.

Brown stated Tim Murphy, who signed up as a speaker from the floor on non-agenda items, will be allowed to speak about an item that is on the agenda.

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

Tim Murphy, 3502 Windswept Dr, former SRA member, asked Council to consider using Guilford County School athletic facilities rather than purchase land to construct ball fields. He stated the school authorities are interested in allowing Summerfield children use their fields and construction and maintenance is being paid for by tax dollars. He further stated that there is no agreement in place that says the SRA will use the proposed Summerfield athletic fields.

George Waldrep, 7230 Strawberry Rd, spoke of the need for residents to come together, rather than being split on issues due to special interest groups with their own agendas. He said there is a need to reduce the

tax, have a line item budget, and minimize town operating costs. He is opposed to the Town Manager form of government and is not a member of the Concerned Citizens or Friends for Summerfield.

Carl Colozzi, 5514 Faye Dr, thanked the Council for their work and discussed Summerfield being at a "pivotal point" in terms of growth. He does not want Summerfield to turn into Greensboro and suggested the town buy back land in order to stifle development and maintain nature.

Beth Kaplan, 7979 Highfill Rd, speaking on behalf of Friends for Summerfield thanked Tom Mizelle and the Civitan Club for their presentation on the Council-Manager form of government, stating they did a great job of educating the public. She encouraged everyone to vote on November 6, no matter what their stance on the issues.

Alicia Flowers, 7401 Whitaker Ct, said she had spoken to many citizens and found that they are concerned with "runaway growth" in Summerfield, and more growth will lead to more demands and strains on water and other resources. She spoke of the Long Range Plan and feels that it is not being adhered to, that much money was spent on the Comprehensive Plan, and during the Citizen's Academy, groups used maps to indicate their view of the town in the future. She stated three of the maps were similar, and one included apartments and other development that she feels the citizens do not want. Mrs. Flowers further stated she feels the vision of Summerfield, as indicated in the three maps, is quickly slipping away.

Doug Canavello, 7130 Rabbit Hollow Rd, was concerned that the public was not properly notified about the MPO NC 150 realignment meeting, that the only notification was in the newspapers. He also spoke of new development putting a strain on the aquifer and suggested forming a committee to look at water resources of adjacent property owners. The third issue was safety. He stated the trail at Strawberry Rd had become very popular and there is a need for a parking area.

Robert Flowers, 7401 Whitaker Ct, stated he has lived in Summerfield for more than 22 years and it used to be like an extended family, with neighbors helping neighbors even if they have differing views on things. He spoke of his concern with the venomous nature of comments posted to the NorthWest Observer's online forum, stated someone called his home and said "I hate you and hope you die of cancer" because of his support of Dwayne Crawford and Becky Strickland. When he spoke to Patti Stokes, NWO owner, with his concerns, she stated she was not responsible for the content. He shared a story and hopes that resident's can get along better.

COMMITTEE REPORTS:

- A. **Community Relations:** No report.
- B. **Finance:** Luther stated the next meeting will be November 19, 2007 at 7:00 pm.
- C. **Historical:** No report.
- D. **Parks & Rec:** Sue Beeson stated the next meeting is October 11, 2007, that there are two prospective members, they are still selling bricks, and the gates are being installed in the park.
- E. **Public Safety:** No report.
- F. **SYC:** Reece Walker stated meetings resumed in mid-September, and they are planning fall Halloween events in the park on October 20 and 27th. He invited Council and community members to the events.

- G. **Comprehensive Plan:** Brandt stated the next meeting is October 16, 2007, and they plan a new series of citizen's meetings in November at the Center Community Church

Presentation: Guilford County Strategic Plan

Brown introduced Michael Halford and Major Debora Montgomery. Halford stated the Guilford County Commissioners are in the process of developing a comprehensive strategic plan for the county and are seeking input from citizens as a part of this plan. There are three questions they are seeking opinions on:

1. What does Guilford County and Guilford County government do well?
2. In what areas does Guilford County and Guilford County government need to improve?
3. What concerns and issues are important to Summerfield and how can Guilford County government be a player or partner in addressing these concerns?

Brown stated the county Health department, Sheriff and Fire departments, Inspections and Mental Health are all things the county does well. Departments that need to improve are Animal Control and the School system, particularly in building and maintain the schools. He is very concerned with the new 911 system consolidation, particularly with it often being short staffed, and feels that the Sheriff needs to closely monitor the situation.

Hill responded, stating the problem seems to stem from lack of communication, the use of differing terminology, and differing levels of training.

Barnes feels the major concerns are water issues and taxes, and we need to work together and share information as that has been proven successful in the past.

Williams feels the county is doing a good job collecting taxes.

Barnes stated infrastructure issues are important to Summerfield such as water systems and libraries. She feels the focus of the county has been Greensboro and High Point and that the other municipalities are being left out.

Brown stated the solid waste committees were handled very well by the county.

Barnes suggested having regional or quarterly meetings on issues that people are concerned about, and said in the past it seems that Guilford County representatives have not attended meetings on things that municipalities think the county should take a leadership role in.

Strickland feels the citizens should have a chance to provide their input on the three questions. Halford replied the survey is available on the Guilford County website, www.co.guilford.nc.us.

Barnes suggested that citizens who wish to participate that do not have internet access to contact town hall and asked about the deadline for citizen comments. Montgomery replied that the initial deadline has passed but the survey responses are still being taken into consideration, as it is an ongoing process. She further stated that citizens may contact county offices to receive surveys and they may be dropped off at any county office or public library. Halford stated this is a long process and issues may come up over the next 5 to 10 years that will be addressed.

Williams stated many are concerned with the lack of libraries in the county.

Halford and Montgomery thanked the Council for their input and Brown thanked the speakers.

PUBLIC HEARINGS:

Rezoning Case #05-07 AG & RS-40 CU-OSRD, Owned by Hyon Jung Kim. The properties are located at 2613 and 2615-2617 Pleasant Ridge Rd, being Guilford County tax map #01-33, Block 921, Parcel 17; **and** tax map # 01-33, Block 922, Parcel 5; **and** 5419-5499 Saddlewood Dr, being Guilford County tax map # 10-650, Block 967, Parcel 12. The properties, located in Bruce Township, make up approximately 56.16 acres.

Harmon presented the case, describing the property. He stated there were 41 maximum allowable lots and the applicant requested 39 and of the 56.16 total acres, 28 acres would be left as open space. Conditions include the following: No more than 39 lots, No access to Saddlewood Drive, and The wetlands area in the northwest section of the property can only be disturbed to the extent required to allow a walking trail that would minimize impact to the environment through elevation above the wetlands, final approval subject to Zoning Board and Army Corps of Engineers approval.

Harmon referenced two previous rezoning hearings on this property, both of which were denied due to strong community opposition and environmental concerns. He stated the current proposal limits the environmental impacts, and the Zoning Board recommended approval in a 4 to 0 vote after the addition of the third condition concerning the wetland area.

Strickland asked if the applicant had submitted a ground water study with his application as required by the Long Range Plan. The answer was no and Strickland asked why the Zoning Board does not enforce this requirement; that this is the reason she voted to deny it last time, which was one and a half years ago. She feels since that time the applicant should have had the study done.

Barnes asked Hill if she should vote on this given that her family formerly owned part of this property, although they do not now. Hill stated there was no conflict unless there was a direct identifiable interest which there is not so it was fine for her to vote, and that legally she had to vote.

Brown opened the Public Hearing at 7:39pm.

Proponents

Steven Chong, representative of the applicant said he was not aware of any requirement to submit a ground water study and will look into the issue. He wants to know if there are any other requirements that he is not aware of. He believes the previous rejections stemmed from a lack of communication with the neighboring residents, and feels that Summerfield residents do "not want development, period." New residents need housing and he says it is unfair to block those people from coming due to lack of development. During this current rezoning request, lots of time was spent considering the concerns of the neighbors and therefore this plan will not disturb the wetland area at all, nor will it connect Saddlewood Drive. He again requested to know about any other, previously unknown, requirements such as a ground water study.

Brandt stated the Long Range Plan is a plan only, with no legal enforceability, only the Ordinance establishes the legal requirements. There is no direct requirement for a ground water study because it is not contained in the Ordinance. Strickland stated it should be in the Ordinance because it is in the Long Range Plan and ground water is the only water we have. Brandt stated it is not the responsibility of the applicant to do something that is not required.

Catherine Lawrence, 5414 Saddlewood Dr, discussed road safety and referenced a DOT study. She said she and her neighbors recommended approving the rezoning now that Saddlewood Drive is not to be linked.

Bill Spangler, 2608 Pleasant Ridge Rd, supports the rezoning, stating the Kim family has made an effort to compromise and will live on the property.

Opposed

Vito Altamura, 5604 Faye Dr, is concerned with the environmental impact of the development, as well as the additional traffic it will bring. He is particularly concerned with the effect of gravity pulling water to his back yard.

Donald Pegram, 5525 Lazy Creek Ln, said the request had been denied twice previously, he is very concerned about ground water, and it goes against the reason for incorporation.

Charlene Pegram, 5525 Lazy Creek Ln, is strongly opposed to the rezoning. She stated traffic is already bad and this development will make it much worse; schools are already overcrowded and more children may lead to the addition of trailers to accommodate them; there is a ground water shortage; and there are already lots of available homes for sale in Summerfield.

Ginger Raines, 2607 Pleasant Ridge Rd, spoke of her concern with the lowering of water tables due to increased number of wells, that the drought is the worse one in years, traffic issues are a huge concern, and that property values are forced down due to overdevelopment.

Bill Hill reminded Council that they are to base their decision on the Ordinance and the facts only.

Carl Colozzi, 5514 Faye Dr, asked if the rezoning was passed, what would stop the developers from developing the open space in the future. Brandt replied the conditional use protects against that happening. Colozzi stated he is concerned with water, traffic, and wetlands, and stated there are currently homes available for any newcomers.

Tom Curry, 5516 Faye Dr, stated it has been turned down twice before and asked what had changed.

Michael VanOrmer, 2623 Pleasant Ridge Dr, is concerned with traffic and water and stated it is unsafe to try to funnel additional cars in and out of one main exit.

Strickland asked others were present that were opposed but did not want to speak, and if so would the please stand.

Rebuttal

Steven Chong, answering Mr. VanOrmer, stated what has changed is the developer's mentality. They are now striving to keep the trees, nature, and wetlands as much as possible and not connecting the side streets. He wanted to clarify the difference between this request (39 lots) and Armfield (250 lots). He asked what happened to sharing of resources, stating all residents came to Summerfield because they liked it. He asked that other potential residents be given an opportunity to enjoy it also. He further stated that development is coming one way or another, and this plan will cause very little disruption of nature and others may.

Vito Altamura again expressed his concern with gravity pulling water to his back yard. He also feels that his home should not have been built where it is, due to the location of the wetland.

Carl Colozzi replied to Chong's statement about sharing, stating the resources are limited and will only go so far, so they must be protected. He stated it is not an issue of trying to shut people out, but there are already 270 houses for sale in Summerfield and we have to make a stand to protect resources and our investment. He would hate to see Summerfield lose its identity and become another Greensboro.

Bill Spangler referred to Mr. Pegram, stating he sold the property and now wants the owner to keep it vacant, that he should have kept the property if he wanted it to stay vacant.

Brown closed the Public Hearing at 8:23pm.

Strickland stated she is also concerned about ground water and the lack of information to residents, who largely seem opposed, concerning their right to submit a protest petition, which would result in the requirement of a 4/5 vote of the Council to approve the rezoning. She recommended delaying this until next month in order to give Mr. Chong a chance to have the ground water study done and the residents a chance to file a protest petition.

Barnes asked if we can require things that we currently don't have criteria for, stating we need to vote on rezoning cases based on what is on the books currently, and perhaps a water committee needs to be convened. She said the applicant should have knowledge of the requirements prior to hearing the case. She asked how many houses could be built based on the current zoning. Brandt replied the current zoning, RS-40 there would be substantially fewer lots. Barnes likes the fact that the applicant is preserving open space, and noted the Zoning Board approved the case with the conditions. She understands concerns about traffic, crowdedness, and water issues. She referenced a DOT statistic about traffic, that there are 10 trips per day per home, which would be 390 additional trips with the addition of 39 homes.

Wray stated he has looked into traffic and infrastructure issues and feels this development would require in and out turning lanes and perhaps a traffic light. He is concerned with public safety.

Wray made a motion to *deny* the rezoning based on the following goals of the Long Range Plan: 1. Assure public safety 2. Allow safe and efficient transportation and 3. Preserve natural resources and scenic areas. The motion was seconded by Williams and carried unanimously.

Break from 8:31 to 8:38

Brown called the meeting back to order at 8:39 pm.

BUSINESS FROM TOWN COUNCIL:

State Ethics discussion

Hill stated Strickland requested he look into the new State Ethics Act and how it apply to Summerfield. He found that it is not applicable to local municipal boards, only to state agencies, and he has prepared a written brief on the issue. Brandt pointed out that while it does not apply to local boards, it does apply to interactions with state representatives.

Strickland said though she was not questioning Hill's interpretation she found it odd that it did not apply to municipalities, as it was discussed in the NCLM Southern City publication. They stated their "core municipal principals are: requirements regarding openness, access to records, conflict of interest and ethical conduct, should apply to all levels of government to include state, county, and municipal bodies." She asked what citizens like myself would have to do to get this applicable to us and if she would have to appear before the state legislature and ask for it. Hill replied affirmatively. He stated it was his understanding that the NCLM opposed the act. Strickland feels that the local governments would want to be included and covered as the state is.

Zoning Board Applicants

Brown stated there were four applicants. It was decided by consensus to form an interview committee made up of two Council members and one or two members each from the Zoning Board and Board of

Adjustment, to be decided based on interest. The committee will come up with recommendations and bring it back before Council.

BUSINESS FROM TOWN ADMINISTRATOR:

Resolution of Intent to reimburse Town with proceeds of funds borrowed to purchase and construct public park facilities

Brandt described the procedure again, stating the resolution would need to be signed prior to any issuance of debt, and asked Council to determine an amount to be borrowed. This is being considered because the interest rate on borrowing the money would be less than the interest rate we are gaining on invested funds, resulting in a potential savings of town funds. If the interest rates do not hold, the town does not have to proceed, but the resolution must be passed if the Council wants to keep the option open. Since it is unknown how much the total expenses will be, Brandt recommended that Council come up with a maximum amount of debt to be issued based on the estimate, which is about 1.8 million including land and construction. He said it was strongly recommended by the Local Government Commission to come up with a higher amount on the resolution as you cannot exceed the amount stated in the resolution.

Strickland asked about costs associated with this action such as closing costs and loan fees. Luther stated the Finance Committee discussed the cost of the LGC application process and estimated anywhere from \$5,000 to \$10,000 to complete the application process, but there is a potential savings or gain of \$41,000, so they felt it was worth doing. Strickland asked if the \$10,000 would cover all costs and Luther replied that it is an "extreme ballpark" figure, that it will not be clear until the process is started.

Strickland asked if the pending lawsuit will affect this. Brandt replied that it should not.

Brown felt that it would be prudent to adopt the resolution so we have the option whether it is used or not, and suggested a maximum of \$2.3 million. Barnes suggested \$2.5 million. Luther stated this resolution does not mean the application process will proceed. That would require a public hearing.

Strickland asked if the declaration was specific to the ball field purchase and Brandt replied affirmatively.

Wray made a motion to approve the declaration, with a maximum principle amount of debt to be issued of \$2.5 million. The motion was seconded by Williams. Strickland thinks the amount is too high, because if it is put in it will be spent. The motion passed 3 to 1, with Strickland opposed.

Luther stated this was money that was budgeted and any money spent will be based on Council approval. This does not give approval to spend the money, but gives extra funds in case construction costs increase.

Barnes asked about time limitations. Luther responded the recommendation has been up to 20 years to repay the debt incurred.

Land purchase – Marshall property

Brandt stated Council should make a decision on purchasing the property and there were about 25 days left in the current extension. Brown recommended approving the purchase, stating there is a need for ball fields. As to Mr. Murphy's comments, he feels that due to school overcrowding the fields would definitely be used. Strickland stated she wished Mr. Murphy had come forward much earlier and that the SRA had "done their due diligence."

Mr. Murphy reiterated that SRA does do its due diligence and commended the volunteers. He said SRA told Council they needed ball fields three years ago, and he takes great offense to anything negative being said about SRA members, that they work very hard and deserve respect. He stated SRA has no agreement

to use the fields if they are constructed, and there is no guarantee that they will use them. He recommended taking one month to do an analysis of the need and proposed use.

Williams asked about the possibility of trailers being added to school grounds taking up space on school fields. Mr. Murphy stated he did not see the relevance. Murphy recommended putting together a committee to study this issue before spending \$1million dollars today.

Wray thanked Murphy for standing up for volunteers who are the town's most valuable resource. He understands Murphy's point, but feels that waiting may result in the land being unavailable. He spoke to Murphy's comment about schools not wanting groups to play soccer on their baseball fields and stated many citizens are interested in soccer fields. Murphy says soccer fields are available at the new schools.

Michael Garrett, speaking from the floor, says he finds it hard to believe that the schools system, having spent hundreds of thousands on their fields, would allow recreation associations to use the fields at will, as they have not done so in the past. He also stated the schools referenced are not in Summerfield and by allowing Summerfield to use the fields they would have to open them up to everyone.

Michael Stewart, speaking from the floor, says the debate is not on whether or not to purchase property which has already been decided and public hearings held, but whether or not to purchase this property. He said that down the road the land may not be available or may be \$10 million rather than \$1 million.

Chuck Winfree, attorney for Mr. Marshall, stated it was assumed that the town wanted ball fields that were under its control, rather than having to depend on the school board for field access and types of allowable use. He further stated there was another extension available if the town wanted to exercise it.

Delaine Williams spoke of school overcrowding and the fact that the school fields are already occupied by students most nights. She said the only reason for the availability of Summerfield Elementary is because no sports are played there by the students, and the addition of mobile units on school grounds are taking up ball field space, causing students to play and practice at other schools.

Williams suggested moving forward with the purchase. Williams made a motion to authorize staff to go to closing on the Marshall property within 30 days. The motion was seconded by Wray. Strickland reiterated her wish that Mr. Murphy had come forward earlier. Barnes thanked everyone for their input and feels the purchase is a good move for the future. Brown called for a vote. The motion was carried unanimously.

Continued discussion of Athletic Advisory/Active Recreation Committee guidelines

Brown said the idea is that this committee would be separate from Parks & Rec, and would advise on issues relating active recreation. Strickland feels that the terms are too long and feels staggered terms are needed, and that all members should be Summerfield residents. She noted the guidelines say "minutes should be taken in accordance with town policy" and she has never seen such a policy. Brandt replied that there are guidelines but currently no formal, written policy. Barnes suggested setting up such a policy. Barnes stated she had no problem with changing the term limits.

Strickland also discussed the subcommittees and was unclear on how they would be selected. She feels there should be more ethical controls, and is concerned about the failure of SRA to provide documentation about their grant. She feels this issue should be delayed until they comply with the town's request for documentation.

Brown stated this committee is totally different than the SRA. Brandt said there is no intent to have SRA members on this committee, as they may be a negotiating arm with the SRA. Strickland reiterated her concerns with terms, residency, and ethics.

Barnes asked Hill if he had reviewed the proposed guidelines and he replied affirmatively. Brandt stated the ethics section was taken from the procedures and policies of the Zoning Board. He has no problem beefing them up if that is what Council wishes. Strickland feels that the ethics are not strong enough here, or as stated for other boards, including Council.

Strickland asked about subcommittee formation. Barnes asked if the subcommittees would include only those on the committee or outside experts. Brandt replied the subcommittees would be formed from within the committee, and they may garner information from others.

After much discussion, it was decided by consensus to bring this issue back to Council during the November meeting.

Usage of the Park by Summerfield Youth Council for Halloween Hayrides in Summerfield Community Park after regular park hours

Williams discussed the issue and said the SYC planned this event and wants to hold it as a yearly event and incorporating Revolutionary War history. Williams recommended allocating \$1000 of available funds in the Parks & Recreation event budget to support this event. Williams further stated the SYC does a lot for the town and they were granted funds by Council upon formation but have since been self-sustaining.

Brandt said there needs to be clarity, for insurance purposes if this is a Parks & Rec event, or an SYC event. Strickland said they SYC had previously stated they were going to pay for the event themselves. She further stated while she has no problem with the event itself, she does have a problem with the last minute timing and the fact that no one knows what it will cost. Wray thinks it is a good event, and his understanding was that the SYC was sponsoring the event and would ask for reimbursement at a later time, but if there are available funds in the Parks & Rec budget then that committee should endorse the event.

Sue Beeson, Parks & Rec chair says she spoke with committee members and they are all supportive of the event, providing no politics come into play. She stated there was \$2500 in their event budget and they have yet to spend any of it this year, that the committee is delighted that the SYC is putting on this event.

Strickland says the timing is an issue because Williams (as well as the other incumbents) is up for election in a couple of weeks and she feels he has a political motive in regards to this event. She suggested delaying the event for a month and having a Thanksgiving or Christmas hayride instead, stating it should not be considered 2 weeks before an election and because it involves taxpayer money.

Barnes cited past town Halloween events such as Trunk-o-ween, and disagrees with Strickland's accusation of using the event for political means. She agrees that it would have been better if there was more time to plan it, but there seems to be a lot of excitement and interest in the event.

Brown stated the issues to be focused on are whether to allow usage of the park, if it is an SYC or Parks & Rec event, and the expenditure of funds. Hill stated his concern was with the insurance and stated if the SYC sponsors the event he would need to look over their policy. Brandt noted that the town's insurance will not cover the hay ride, and the operator will be liable.

Brown asked Council for their thoughts on the event sponsor, SYC or Parks & Rec. Strickland stated the SYC speaker said the event would be sponsored by and paid for by the SYC.

Barnes stated if the funds are available in the Parks & Rec events budget then they should be used with a not to exceed amount and therefore it would be a Parks & Rec event rather than an SYC event. Luther stated there is \$3550 in that Parks & Rec programs budget.

Wray made a motion to make it a Parks & Rec event, to fund the event from the Parks & Rec event budget in an amount not to exceed \$1000, to waive the park hours, and that the event has no political intent. The motion was seconded by Barnes. Strickland stated for the record that the political campaign implications are clear, that this is a public event planned at the last minute by Williams, politically inclined, and promoted by the incumbents. Brown called for a vote. The motion passed 3 to 1, with Strickland opposed.

BUSINESS FROM MAYOR:

PTI aircraft takeoffs over Summerfield

Brown stated there seemed to be more aircraft traffic over Summerfield from PTI. Barnes agreed that there did seem to be more aircraft noise now. Brown referenced a noise study that showed there was no increase in plane take offs in the direction of Summerfield. Brown stated he spoke with someone about the issue who verified that there was indeed no increase in air traffic. Brandt stated citizens were able to make complaints about noise and it helps the authorities to identify what planes were flying at that time to identify it. Luther mentioned wind shifts as a possible contributor to the increased noise.

Brown read the reason for going into closed session as follows:

CLOSED SESSION:

- A. 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);**

and;

- 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.**

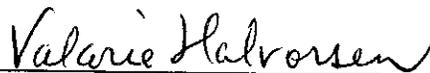
Wray made a motion to enter into closed session based on the above reasons. The motion was seconded by Williams and carried unanimously.

Barnes made a motion to return to open session. The motion was seconded by Williams and carried unanimously.

With no further business before the Town Council, a motion was made at 10:34 pm by Wray to adjourn. The motion was seconded by Barnes and carried unanimously.



Mark E. Brown, Mayor



Valarie Halvorsen, Town Clerk