

**MINUTES OF THE  
SUMMERFIELD TOWN COUNCIL  
SUMMERFIELD COMMUNITY CENTER  
APRIL 5, 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 to order at 6:35 PM by Mayor Dena Barnes.

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 as amended, and included the Minutes of March 1, 2005 meeting, and the monthly Financial Report. The motion was seconded by Bob Williams and passed unanimously. Changes included moving Discussion of Code of Ethics to Item 7A and remove Item D from Business from Town Administrator.

**ANNOUNCEMENTS:** Mayor Barnes announced that early voting for the Special Election will be on Saturday, May 14, from 11 AM until 4 PM. She reported that early voting could be done at the elections offices in Greensboro and Highpoint from 8 AM until 5 PM on April 28-29, May 2-6 and May 9-13. The regular voting will be held at the Summerfield Elementary School Gym on Tuesday, May 17 from 6:30 AM until 7:30 PM. She stated that copies of this information are on the table in the back of the room for anyone interested.

Barnes also announced the annual NC Litter Sweep will be held April 16-30 and information is available at Town Hall.

Bob Williams reported the Summerfield Recreation Association's baseball season will begin on April 9<sup>th</sup> and Council members are invited to attend to throw out the first pitch.

**PROCLAMATION FOR NATIONAL VOLUNTEER WEEK  
April 17-23, 2005**

**WHEREAS**, a basic ingredient in the foundation of this nation is the voluntary acceptance of initiative and responsibility by private citizens and voluntary organizations, a fact largely responsible for the progress and development of our great country; and

**WHEREAS**, many citizens of this community contribute to the well-being of fellow residents and the welfare of all our citizens by giving tirelessly of their time and energy to make a real difference in the lives of children, adults and the elderly without desire for recognition, remuneration or personal gain; and

**WHEREAS**, for many years these individuals and organizations have worked quietly, often unnoticed and unappreciated by the general public;

**NOW, THEREFORE**, I, Dena Barnes, Mayor of the Town of Summerfield, do hereby declare the period of April 17 to April 23, 2005 as **VOLUNTEER WEEK** in our Town, and urge all citizens to be aware of the contributions made by our committees and volunteer workers and to give recognition to these individuals and organizations for their valuable contributions in the quality of life in our community.

**IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Summerfield, North Carolina this 5<sup>th</sup> day of April, 2005.**

Barnes asked that any volunteers present to stand and be recognized and she thanked them for all they had done for the Town of Summerfield.

Etta Reid of the Historic Committee made a presentation of a “throw” which illustrated historic events in the Summerfield’s history. She presented one to Bill Snyder, a direct descendent of Charles Bruce and Mayor Barnes accepted one on behalf of the Town. Snyder accepted and spoke of his ancestry. Reid reported these are on sale at A Shade Different in Summerfield for \$74.95, which includes tax, and stated proceeds from the sales will go to the building of the Park.

Bill Gordon presented a framed copy of a newspaper article with a picture of his father, R.C. Gordon. The article described the installation of the new phone system in the Town of Summerfield and he also presented a souvenir insulator with the Town’s name on it.

**PRESENTATION FROM YMCA OF GREENSBORO, INC. (Greg Jones & Liam Behrens)**  
Mayor Barnes introduced Greg Jones, President/CEO of the Greensboro YWCA. She reported the mayors in the northwest towns have met with Jones to discuss the possibility of a “Y” in the Northwest area and the Towns are being asked to share in the cost of a market survey at an outlay of \$600.00 per town.

Jones reported that the survey would include households within a ten minute driving radius to tell how many would be interested in a “Y” and how many who have memberships at Spears YMCA would be willing to transfer to one in the northwest area. Jones reported approximately 14,000 members are currently at Spears representing 5,000 households, with about 1,000 being northwest addresses.

When asked about the “Y”s budget, Jones replied that \$3.5 million came from public and private funds and all branches of the YMCA are supported through these funds, even the ones that do not have money. Several attendees stated they were not opposed to the “Y”, but were opposed to government money paying for it.

Jones responded to questions about the cost by stating it is premature to try to answer that question. He gave examples of towns which have contributed to the buildings, some because they don't have a Recreation Association. He stated they plan to work with existing Recreation Associations when considering building in an area. He reported that in addition to have recreation for youth, over \$80,000 in scholarships have been presented.

Jones gave some ideas as to how much land would be needed; stating it would take about 15 acres if water and sewer were available, but it would depend on the land and how many ball fields were needed.

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

Nicole Crawford, Attorney, 230 N. Elm Street, stating she represented Dwayne Crawford. Ms. Crawford stated the some of the Town Council has strong dislikes for some of the Town's citizens and that all citizens should be treated the same. She declared the Council was in violation of the Open Meetings Law; that two land purchases had been done in closed session and if proven, citizens could sue for a tax refund; and she implied the Council has failed to unseal minutes of Closed Sessions. She accused Council of resisting disclosure of finances and stated that four members of Council possibly have a personal interest for Public Water in Summerfield. She suggested Council they should discuss such matters in public and to listen to the citizens.

Gail Dunham, 5805 Snow Hill Drive, asked that the report from Council's March meeting with PTCOG be released and Brandt stated he has not received this report. Dunham asked if any action had been taken on items which were discussed at that retreat to which Brandt replied no and she requested copies of the 2002 survey which was drawn-up by the New Vision Committee. She reported that their committee (Concerned Citizens) is opposed to spending \$20,000 on a survey. She asked about the agenda item which was removed concerning an attorney to provide legal advice and what he would be negotiating. Trevorrow stated this process involves the State Utilities Commission and someone with expertise in that area would be needed. Dunham questioned if Aqua NC was a reputable company, citing their failure to respond to a broken pipe and water on her property and she stated they make profits by raising rates and not maintaining the land and they provide no services. She stated she thought a public meeting should be held for discussion on a water system. Brandt reported a public meeting on the matter would be held in April or May.

Sergeant Raymond Wallace, Sheriff's Department, 400 W. Washington Street, reported an armed robbery on March 26<sup>th</sup> at the Dollar General Store in Summerfield. He reminded citizens to keep their car doors, out buildings, and garage doors locked as springtime is when a lot of outdoor equipment gets stolen. When asked about divers at one of the lakes recently, he reported it was probably a training session.

Becky Strickland, 3220 Pleasant Ridge Road, stated she is requesting a 20% refund on the property tax which was levied, since that amount was based on the substation, which she considers an illegal purpose. The amount she requested is \$9.01. She stated the town has 90 days to respond and then she has up to three years to bring suit. She had concerns that the town waster over \$200,000 on this property. Strickland volunteered to work at the Town Hall ten hours per week with various duties.

Dwayne Crawford, 1106 NC Hwy 150, stated that there are some interesting relationship among Parks and Rec members and Town Council members.

Jeanne Plybon, 7403 Whitaker Court, stated the town doesn't need a Town Core, or a big Town Hall, water, or other things to turn us into Greensboro. She stated Guilford County was doing fine with the planning and liked living in the country.

Alicia Flowers, 7401 Whitaker Court, stated the April 1<sup>st</sup> Northwest Observer spoke to copies requested and she volunteered to make copies at no charge to the town.

### **COMMITTEE REPORTS:**

**A. Community Relations:** Tammy Welborn stated it was only 5 weeks to Founders Day and the theme this year is All American. She reported that CCB/SunTrust will sponsor the parade this year. She reported that Dave Rierson, who is ill, asked her to give a personal invitation to the Council to ride in the parade this year. She reported Cynthia Brown will tell stories this year, that there is room for 25 entries for the apple pie baking contest. Next meeting, April 7, 2005, 6 pm, at Town Hall. Welborn reported on a fund raiser Spaghetti dinner held by the Summerfield Youth Council which netted \$2800.00 for Dotty Jones, librarian at Northwest middle school, who is being treated for cancer.

**B. Conservation:** No Meeting

**C. Finance:** Minutes from the meeting stated the committee discussed maturing CDs and voted to reinvest two of them; take \$300,000 from the Money Market fund and \$100,000 from savings and invest that amount in a CD. The committee asked Council to appoint a Finance Officer and discussed internal audit procedures. Next meeting April 11, 2005 at Town Hall, 7 pm.

**D. Historical :** Linda Southard reported they are working on the History Tent for Founders Day. She spoke to the contests they were considering and asked others to join in presenting the history of Summerfield.

**E. Parks & Rec:** Mark Brown reported the next meeting is April 14, 7 pm at Town Hall. They will be judging the Founders Day Parade again this year.

**F. Public Safety:** No Meeting

**G. Thoroughfare:** Robert Gordon spoke concerning a meeting held by NCDOT on the 220 widening. He stated about 10 or 12 people attended. Next DOT meeting will be held in June or July for a public hearing at BurMil Park with new maps. He will try to get copies for Town Hall.

**H. Town Core:** It was reported the Committee is still meeting and that the Zoning Board had postpone voting on the Town Core Ordinance at the committees request until further studies can be done. Usual meeting date is the second Tuesday, but the next will be on Monday the 11<sup>th</sup>.

**I. Water Resource:** Robert Gordon spoke to the possible hiring of an attorney and the committee has a good list of questions for him. A probable date for a public water

meeting will be in May. He reported we have some options including; do nothing, Aqua NC or negotiations with Town of Madison. Next meeting is April 21, 9 am at Town Hall. Citizens were invited to send questions to the Town Hall.

**Discussion of Code of Ethics:** Bill Trevorrow stated the Concerned Citizens has gone on record asking for a code of ethics for two sessions. He reported this usually is done as policy since Ordinances are harder to change. He stated he would look at several options and have something ready for the next meeting in May.

Councilman Doggett stated she very much objects to economic disclosure; that this does not make the Council ethical and she stated she is opposed to disclosures for volunteers also.

Crawford stated it was not unusual or unreasonable for citizens to ask for disclosures and it would help quash rumors such as four council members not being able to vote on a water franchise and that this council should not make any decisions on spending, but wait until a new council is elected.

Doggett stated people should not speculate, but should ask council members. She stated she is offended. Councilman Brown stated that a lot of innuendos were being used and that he would like names, that all records are public for those interested, and that he had no business relationships. Michael Stewart stated that citizens are free to ask about economic interests and that his interest is in the town. He stated he has nothing to hide and told those interested to come to his house and see what he has.

Trevorrow stated he thought this conversation was premature until he had a sample document for Council to consider and he plans to have something ready for next meeting.

There was a break from 7:57 pm until 8:10 pm.

### **PUBLIC HEARINGS:**

**A. REZONING CASE #2-05. AG to RS-40. Located at 1151 NC Highway 150 West in Bruce Township. Being Guilford County Tax Map 6-337, Block 839, Parcel 18, approximately 22.73 acres. Owned by Henson Realty, LLC.**

Bill Bruce presented the case, reading from the staff report. He reported this subdivision contains 2 parcels, with the western half already zoned RS-40 and the developer is asking for the other portion to be zones RS-40. He stated a request of a different re-zoning within one year is allowed. Bruce reported there will be a 20" dedication by OT and some of this site is not suitable fore development. He reported that public opinion was very high in opposition to having an entrance into Windspray Loop so there will be one entrance onto Hwy 150. Staff recommends approval as did the Zoning Board by a 3-2 vote.

Doggett asked about open space and Bruce replied it exceeds 10%. Carolyn Collins asked about the entrance area and Bruce explained NCDOT would require a turning lane and would do a study of the topography, etc.

**In Favor:** Paul Milam, Khaki Place, stated that he and his partner Dan Sullivan previously saw that the soils were not appropriate and that they didn't want two entrances

off Hwy. 150. He reported he could put 18 home sites as it stands but they planned for 9 sites of 2.5 to 5 acres in size. Milam stated he listened to adjoining property owners and felt this plan was in keeping with their desires. He stated circular motion of road would provide entrances to all home sites and would only require one entrance with this zoning. He reported he would dress up the entrance with the Henson Forest signature entrance. He stated there would be five on site septic systems with four on the road with an additional buffer.

Billy Gardner, 7305 Winchester Trail Loop, stated that if it had to be developed, this was as good as any.

**Opposed:** Clyde Robinson, 1158 NC Hwy. 150, stated that he tried to buy the property many years ago and the owner said it wouldn't perk and he wondered why it would perk now. He spoke to traffic, school bus and well concerns.

Milam stated the homes would have individual wells or in the worst cases, they could tie into a nearby Aqua NC system.

Doggett asked about the Zoning Boards vote and Nancy Hess, Zoning Board chair, stated they had concerns about the wildlife corridor and the fragmented open space.

There was discussion about holding the developer to nine lots and Bruce stated soils are a major factor in this area and Milam asked the Council to consider his record in keeping his word and being environmentally sensitive.

The public hearing portion closed at 8:45 pm.

Carolyn Collins stated she is familiar with the property and it is very wild life sensitive and Jane Doggett stated she liked having only one road.

After some discussion, a motion was made by Jane Doggett to approve Re-Zoning Case #2-05; AG to RS-40 and Bob Williams seconded the motion. The motion carried 4 to 2. Dena Barnes and Carolyn Collins opposed.

**BUSINESS FROM TOWN PLANNER:** None

**BUSINESS FROM TOWN ADMINISTRATOR:**

At 8:47, by consensus, Council excused Councilman Mark Brown because he received a phone call from a neighbor saying his father was very sick.

**A. Proposed Budget Amendments:**

Brandt stated he had eight budget items and would like Council to vote on each one separately. He explained the requests and follows:

- 1) Revenue projection: With the construction of the municipals building tabled the March 1, 2005 Town Council meeting, there is no need for the large transfer from fund balance indicated in the budget.

Item 1010701: Transfer from Fund Balance: decrease budget line item to \$168, 073.

Bob Williams asked what if they wanted to build a municipal building and Brandt stated they would move it back.

A motion was made to approve the transfer of Budget Item 1010701 by Bob Williams and seconded by Carolyn Collins. The motion carried unanimously.

**2) Governing Body Expenses:** Minor adjustments are necessary to following items, by reducing the Volunteer Appreciation line item; the overall effect will be a slight increase in the overall budget.

Item 2010104: Piedmont Council of Governments: Increase budget line item to \$1508.00 (\$8.00 increase) Funds from undesignated fund balance.

Item 2010202: Legal Advertising: Increase budget line item to \$4,500.00 (\$1500 increase) Funds from 2010303 (\$600) and undesignated fund balance (\$900)

Item 2010302: Per Diem and Travel: Increase budget line item to \$600(\$100 increase). Funds from 2010303.

Item 2101302: Volunteer Appreciation: Decrease budget line item to \$500 (\$700 decrease).

Total increase for Governing Body Expenses \$980.00

A motion was made by Jane Doggett to approve Governing Body Expenses budget and seconded by Bob Williams. The motion carried unanimously.

**3) Administration:** All payroll expenditures are being consolidated into administration budget due to constraints in the accounting software to process payroll from more than one line item.

Item 3010101: Salaries and Wages: Increase budget line item to \$140,000(\$60,000 increase). Transferred from 4013101: Planning Salaries and Wages. NO NET INCREASE IN BUDGET.

Item 3010204: Postage: Increase budget line item to \$1,200 (\$600 increase). Funds from undesignated fund balance.

Total Increase for Administration Expenses: \$600

A motion was made to approve requests to Administration budget by Jane Doggett. The motion was seconded by Michael Stewart and past unanimously.

**4) Planning Services:** As mentioned above, salaries are removed from this category. A capital expenditure line item for computer equipment and peripherals is created and reductions to other items are used to proved funds for computer equipment.

Item 4013201: Office Supplies: Decrease budget line item to \$2500 (decrease of \$1500)

Item 4013301: Education: Decrease budget item to \$1,000 (decrease of \$1000)

Item 4013302: Per Diem and Travel: Decrease budget item to \$1000 (decrease of \$1000)

Add New Line Item:

Item 4013400: Planning Capital Outlay

Item 4013401: Computer Equipment and Peripherals: Increase budget item to \$2800(increase of \$2800) Transfer funds from 4013201, 4013301, and 4013302.

NO NEW FUNDS REQUESTED.

A motion was made by Jane Doggett to approve Planning Services budget items. The motion was seconded by Carolyn Collins and passed unanimously.

**5) Public Property/Buildings-Capital Outlay:** The removal of the municipal building requires significant changes to this budget category.

Item 5010401: Architectural Services Municipal Bldg: Increase budget item to \$108,200 (increase of \$8,200). Provides last payment to TMA for architectural services performed to-date.

Item 5010402: Construction Services Municipal Building: Decrease budget item to \$15,000 (reduction of \$1,385,000). Project removed from this year's budget at request of Town Council.

Total decrease for Public/Property Buildings \$1,376,800.

Michael Stewart stated that TMA need to discuss their site plan because there are unanswered questions. Collins stated she felt they misled in the process.

A motion was made by Jane Doggett to approve Public Property/Buildings Capital Outlay budget item. A friendly amendment was offered to include a conversation between TMA, Michael Stewart and Town Attorney. The amendment was accepted. The motion was seconded by Bob Williams and passed unanimously.

**6) Community Resources; Parks and Recreation Services: NCDOT Pedestrian Grant: Grant was not funded by NCDOT; therefore need to remove funds from budget.**

Item 6011307: NCDOT Pedestrian Grant: Decrease budget item to \$0.00 (reduction of \$20,000).

A motion was made by Jane Doggett to approve the Community Resources; Parks and Recreation Services budget item. The motion was seconded by Michael Stewart and passed unanimously.

**7) Community Resources; Historical Committee: National Register Historic District Nomination contract (continuing).**

Add New Line Item

Item 6013401: National Register Historic District nomination. Increase budget item to \$2500 (increase \$2500). Ongoing contact not adopted 2004-05 budget. Funds from undesignated fund balance.

Total decrease for Community Resources \$17,500.

A motion was made to approve the Community Resources; Historical Committee budget by Jane Doggett and seconded by Mike Stewart. The motion carried unanimously.

**8) Community Planning: Thoroughfare Committee Capital Outlay: Budget amendment to include all cost associated with new traffic light at Summerfield Rd. and NC 150.**

Item 8013303 Kimley-Horne Engineering Consultants: increase budget item to \$4,950 (additional \$350). Former request did not include required soil testing fees to S & S Electric.

Total Increase for Community Planning \$350.

A motion was made by Jane Doggett to approve the Community Planning; Thoroughfare Committee Capital Outlay budget. The motion was seconded by Bob Williams and passed unanimously.

**B. Frog's Leap Dam Rehab Agreement:**

Councilman Michael Stewart recused himself from this hearing because of recent financial dealings with Frog's Leap owners.

Brandt spoke to Frog Leaps dam history and stated it has been declared a high hazard dam by the state. He reported no CO (Certificate of Occupancy) can be given until all conditions are met. Brandt reported the Town of Summerfield is holding a letter of credit and could handle repairs if necessary, based on the agreement with a trigger date being April 15<sup>th</sup>. He reported the owners are asking for an extension of three months since the state has been so slow in granting the permits. Brandt stated he did not feel the delay was the fault of the developer and recommended extending the deadline until July 15<sup>th</sup> with all other specifics remaining in place.

Ken Johnson, Trimco Builders President, stated the State hasn't come through on her promises and fees and communication are out-of-hand. Barnes asked if local state representatives Phil Berger or John Blust have been contacted. There was discussion about a revised letter of credit to date extension, with an injunction being put on property if they fail to comply with the agreement.

Johnson stated the job would be complete in approximately one month after all permits are received.

Flowers stated there is no stop sign at Lanier Road and Johnson reported DOT is holding up the signs. Brandt stated he would check on the stop signs as the County usually does this. Four signs were requested.

After further discussion, a motion was made by Jane Doggett to extend the agreement with Frogs Leap for three months to July 15, 2005. The motion was seconded by Carolyn Collins and passed unanimously.

**C. Public Workshop for Budget Process:**

Brandt stated he would like to hold a Public Workshop on April 26<sup>th</sup> from 7 pm to 8:30 pm to allow citizens to see how the budget process works. He stated it would not be a

public hearing, and Council would not need to be present. He asked Committee chairs to have their request in by April 15<sup>th</sup>. Brandt stated this would not replace the public hearing on the budget, but would be a time the public will have an opportunity to speak and ask questions. He stated he will not guarantee changes will be made and that he is “winging it” as he has never heard of this type of meeting being held on the budget. Brandt stated he would advertise the meeting in the Northwest Observer and on the Website.

Council agreed to the meeting if the Community Center is available.

**D. Discussion of Finance Officer Position:**

Brand stated he has asked that the duties of Finance Officer be removed from that of Town Administrator. There was discussion about an ad, contract and hours needed for this position. Brandt stated he would remain as Finance Officer until someone is found to assume the position. Brandt stated that in 2002-2003 the town paid approximately \$12,000 for the position.

After some discussion, a motion was made to give Dena Barnes approval to proceed with the ad for a Finance Officer as a contact position. The motion was made by Jane Doggett and seconded by Carolyn Collins. The motion carried unanimously.

**CLOSED 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).**

A motion was made by Jane Doggett at 9:50 pm to recess to closed session to 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 employees as provided under NCGS 143-318.11(A)(6). The motion was seconded by Bob Williams and passed unanimously.

It was stated the town attorney, Bill Trevorrow, was being evaluated.

Council reconvened at 10:27 pm.

**BUSINESS FROM COUNCIL:**

**Consider appointment to the Zoning Board:**

There was discussion about a vacancy on the Zoning Board due to Betsy Ingram’s resignation due to health reasons. There was discussion about the interview process and scheduling. Collins suggested April 18<sup>th</sup> or 20<sup>th</sup>, with interviews beginning at 6:30. It was requested all interviews be held on the same night. The Town Clerk was instructed to check with the applicants as to their schedules.

Jane Doggett stated she had discussed preparation of a Personnel Manual with PTCOG (Piedmont Triad Council of Governments) and they say it would cost about \$3,000. She stated they proposed to meet with the Town Administrator and possibly have two meetings with management or a representative committee. She reported they could probably finish by the end of May. Jane agreed to be the contact person.

After further discussion, a motion was made by Jane Doggett to contract with PTCOG for \$3000.00 to develop a personnel policy for the Town. The motion was seconded by Carolyn Collins and passed unanimously.

**OTHER BUSINESS (if any)**

There was discussion about participating in the survey for the locating of a “Y” in NW Guilford County to have active ball fields and something for the youth.

After some discussion, a motion was made to approve the Mayor to send \$600.00 to help with study. The motion was seconded by Bob Williams and carried unanimously.

With no further business before the Town Council, a motion was made by Jane Doggett at 10:58 to adjourn. The motion was seconded by Bob Williams and passed unanimously.

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Dena Barnes, Mayor

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Dianne Laughlin, Town Clerk