

Index: Minutes, Summerfield Town Council  
April 13, 2010

|  |        |
|--|--------|
| Town Council Budget Amendment #8 (unanimous)   | Page 1 |
| Finance Officer Budget Amendment #3 (unanimous)  | Page 1 |
| Approve Rezoning Case #02-10 AG to CU-RS40 (unanimous)   | Page 4 |
| Approval of Change Order of \$109,224 for SAP electrical system (unanimous)  | Page 5 |
| Approval of Revised Ordinance Establishing the General Rules of Procedure for Summerfield Committees (unanimous)   | Page 5 |
| Appoint Conrad Hayter to Parks & Recreation Committee (unanimous)  | Page 5 |
| Accept Donation of Charles Bruce Historical Marker (unanimous)   | Page 6 |
| Approval of Resolution Opposing the Granting of Authority to the State ABC Commission to Mandate Mergers of Local ABC Boards, Opposing Privatizing the Local ABC Liquor System and Opposing Private Agency Stores (passed 4 to 1, Flowers opposed) | Page 6 |

**MINUTES OF THE  
SUMMERFIELD TOWN COUNCIL  
SUMMERFIELD COMMUNITY CENTER  
APRIL 13, 2010  
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.

The invocation was led by Linda Southard, followed by the Pledge of Allegiance.

**INTRODUCTIONS:**

**Council:**

Mark Brown, Mayor  
Dena Barnes  
Alicia Flowers  
Dianne Laughlin  
Bob Williams  
John Wray Jr.

**Staff:**

William Hill, Town Attorney  
Dana Luther, Finance Officer  
Valarie Halvorsen, Town Clerk  
Chris Anderson, Town Planner  
George Holub, Parks & Rec Supervisor

Brown noted Town Manager Michael Brandt was not in attendance as he was out of state at a Planning conference.

**CONSENT AGENDA:**

Brown recommended removing item **15C Approve construction of additional paving at end of Centerfield Road at Summerfield Community Park for additional Handicapped parking**, and item **17 Closed Session**, and adding item **10A Candidate Comment Period**.

Barnes made a motion to approve the Consent Agenda *as amended*, including the meeting agenda, minutes of the following meetings: March 5, 2010 Budget and Special Call meetings, March 9, 2010 regular and closed session, March 18, 2010 Joint Comprehensive Plan meeting, March 22, 2010 and April 12, 2010 Special Call meetings, Financial Report, Town Council Budget Amendment #8, and Finance Officer Budget Amendment #3. The motion was seconded by Williams and carried unanimously.

**Proclamations**

Brown and Barnes read the Proclamations, which are hereby incorporated into these minutes:

**National Day of Prayer**

**WHEREAS**, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

**WHEREAS**, The Declaration of Independence, our first statement as Americans of national purpose and identity, made "the Laws of Nature and Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

**WHEREAS**, The Supreme Court has affirmed the right of state legislature to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

**WHEREAS**, In 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

**WHEREAS**, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

**WHEREAS**, It is fitting and proper to give thanks to God by observing a day of prayer in the Town of Summerfield when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation;

**NOW, THEREFORE**, I, Mark E. Brown, Mayor of the Town of Summerfield, do hereby proclaim the **first Thursday in May 2010**, to be designated as

**"A DAY OF PRAYER IN SUMMERFIELD, NORTH CAROLINA"**

and encourage the citizens of Summerfield to observe the day in ways appropriate to its importance and significance.

**Municipal Clerks Week**

**WHEREAS**, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and, the Office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS**, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and the Municipal Clerk serves as the information center on functions of local government and community, and

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province and international professional organizations, and

**WHEREAS**, It is with much appreciation that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW, THEREFORE**, I, Mark E. Brown, Mayor of the Town of Summerfield, do recognize the week of May 2 through May 8, 2010, as Municipal Clerk Week, and further extend appreciation to our Municipal Clerk,

**Valarie R. Halvorsen**

and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent and encourage the community join me in this recognition.

**Certified Public Accountants Week**

**WHEREAS**, the fiscal health and well-being of Summerfield citizens, businesses and institutions is critical to the continued vitality and prosperity of the Town; and

**WHEREAS**, Certified Public Accountants have achieved the education and professional experience requirements to become licensed and passed the rigorous Uniform CPA Examination; and

**WHEREAS**, CPAs must uphold high standards of ethics, professionalism and knowledge by maintaining and enhancing their skills through lifelong continuing professional education, and provide valuable accounting and auditing services, management advisory services, individual and corporate tax and financial planning advice and countless other services; and

**WHEREAS**, CPAs continuously draw upon their unique knowledge and experiences to provide sound, reliable financial counsel in order to protect and promote the growth of business, the soundness of government operations, the excellence of higher education and the confidence of investors in the Town of Summerfield, the state of North Carolina, and throughout the United States of America; and

**WHEREAS**, it is fitting to recognize CPAs' contributions to the financial well-being and success of citizens and commerce in the Town of Summerfield and across the nation; and

**WHEREAS**, 2010 marks the 90<sup>th</sup> anniversary of the North Carolina Association of Certified Public Accountants (NCACPA). CPA professionals in North Carolina, and the more than 13,000 members of the NCACPA join in celebrating this commemorative professional milestone.

**NOW, THEREFORE**, I, Mark E. Brown, Mayor of the Town of Summerfield, do recognize the week of April 11 through April 17, 2010, as Certified Public Accountants Week, and further extend appreciation to our Town Finance Officer,

**Dana M. Luther, CPA**

and to all CPAs for the vital services they perform and their exemplary dedication and encourage the community join me in this recognition.

**ANNOUNCEMENTS**

Brown announced the April 16<sup>th</sup> Spring Clean Up Event hosted by Guilford County, from 9:00am to 3:00pm at the Ag Center.

**SPEAKERS FROM THE FLOOR (limited to 5 min.)**

Dwayne Crawford, 1106 NC Hwy 150 W stated property being considered for purchase by the town was adjacent to commercial property owned by Williams, and Williams stated he no longer owned the property in question.

Kevin and Wendy Golden, owners of Golden Antiques and Treasures, asked Council to consider revising the sign ordinance, noting the current ordinance did not allow what they feel is an appropriate sign for their business. Brown directed Anderson to look into the issue.

### CITIZEN COMMENT PERIOD ON FY 2010-2011 BUDGET

Jeff Johnson, 6106 Bascom Drive, noted while the economy is improving, it is still in bad shape. He urged Council to exercise caution and care when considering what to include in the budget and asked that they put off items that do not need to be done this year.

Dwayne Crawford, 1106 NC Hwy 150 W, feels the economy is not improving and stated when Wray was elected he stated he wanted to offer no services and no taxes, that his intent was to finish the SAP and SCP and spend no further.

### CITIZEN COMMENT PERIOD ON COMPREHENSIVE PLAN

Jeff Johnson, 6106 Bascom Drive, commended the committee on their hard work, noting there were diverse opinions and heated debate, but all interactions were professional and the finished product synthesized many points of view. He urged careful review of the document, and asked Council to approve it as is.

Dwayne Crawford, 1106 NC Hwy 150 W, agreed with Johnson and stated he agreed with about 75% of the content. However, he feels the "Walkable Community" portion will cost too much in installation and upkeep and further stated this section was pushed on the committee by the consultant.

### CANDIDATE COMMENT PERIOD

Michael Garrett, candidate for House District 62, says he is running for office because he loves the community, state, and country and cares about the future of each and asked for support at the polls.

Dwayne Crawford, 1106 NC Hwy 150 W, is running for District 3 County Commissioner, he is interested in people keeping the money they have earned, and therefore wants small government.

### COMMITTEE REPORTS:

- A. **Founders' Day:** Brown said the event would begin May 14 with a movie in the park, this year's theme highlights the 50<sup>th</sup> anniversary of the ball fields at the elementary school, and AJ Rose, former baseball coach at Summerfield High School would be the Parade Grand Marshall. On May 15, the Founders' Day festival will occur and there will be a challenge baseball game between the Summerfield Fire Department and the Sheriff's Department to raise funds for the VFW monument. A karaoke in the park event will occur that evening. Barnes noted May 15 was also Armed Forces Day and suggested incorporating it into the event.
- B. **Finance:** Luther reminded Council of the joint Council and Finance Committee meeting April 27, 6:30pm at the Summerfield Community Center, when committees would present their budgets with a continuation meeting on the 29<sup>th</sup> if needed.
- C. **Historical:** Linda Southard said the next meeting is scheduled for April 29.
- D. **Parks & Rec:** Sue Beeson said the committee is still planning events, including the following: the May 14 movie in the park, June 12 Children's Fishing Tournament, June 13 EMF Event, June 19 Touch-a-Truck, and another movie in the park during June.
- E. **Public Safety:** No report.
- F. **Comprehensive Plan:** Flowers stated the committee held its final meeting March 18 and their mission had been accomplished.
- G. **Athletic Advisory:** No report.

## UPDATE FROM COMMUNITY GROUPS

**Summerfield Youth Council:** No report.

**Introduction of Regional Superintendent for Northern Region Guilford County Schools John Modest:** Mo Green, Superintendent of Guilford County Schools discussed the school Strategic Plan which has 3 major components: academic excellence, character development, and continuous improvement. There are 8 areas that include 24 goals. He also gave demographic information and noted tremendous budget shortfalls will translate into cuts, but the goals will not change. Green introduced Northern Regional Superintendent John Modest, who noted Summerfield Elementary School had been a "School of Excellence" for 10 years and the regions other schools were well performing as well; there are no low performing schools in this region. He lauded parental involvement and stated the schools had been given stretch goals to increase their current standing.

**PUBLIC HEARING - Rezoning Case #02-10 AG to CU-RS40.** The parcel is located at 2801-2815 Pleasant Ridge Rd. being (part of) Guilford County tax map #01-033, block 921, parcel 02, being at the North West corner of the intersection of Pleasant Ridge Rd and Stanley Huff Rd. The parcel is owned by Mamie W. Huff and includes approximately 9.916 acres.

Anderson presented the case, giving information from the Staff Report, noting a condition was offered to limit the number of homes to 7 (3 are already allowed), and that the Zoning Board voted 3 to 2 to deny, based on the following goals of the Long Range Plan: 3. Preserve natural resources and scenic areas, and 6. Promote the preservation of farmlands. Barnes noted she lived and owned property nearby and Hill stated unless she had a fiduciary interest in *this* property, she would be required to vote. Barnes stated she intended to vote but wanted to make the disclosure.

Brown opened the Public Hearing at 8:17 pm.

### Proponents

Bill Yearns, 17 Gravel Oaks Ct Greensboro, described the property and also, in an attempt to alleviate concerns of the Zoning Board, had made changes to his plans. Hill noted that was really not to be considered, except for the trees, which could be offered as a condition, to which Yearns agreed, stating he would not put in a "wall of trees", but rather maples interspersed with shrubs.

Tom Huff, 8706 NC Hwy 65 E Stokesdale, son of the property owner and holder of the power of attorney, gave background information about his mother, saying this 10 acre portion of her property must be sold to pay for her care. Hill stated Council could not consider pecuniary impact, just the zoning.

Joseph Huff, 5822 Stanley Huff Rd, grandson of the property owner and neighbor to the property, asked for Council approval, noting there was a need for more neighbors in the area.

Jan Jones, 5828 Stanley Huff Rd noted the pasture area has no grass and is full of weeds, so it is not really farmland, and more neighbors were needed.

With no other speakers, Brown closed the Public Hearing at 8:38 pm.

Following a brief discussion, Barnes made a motion to approve Rezoning Case #02-10, AG to CU-RS40 based on the following goals of the Long Range Plan: 3. Preserve natural resources and scenic areas, and 5. Preserve the individual property owner's rights, with the 2 conditions of limiting the number of houses to 7 and creating a natural landscape buffer as proposed by the developer. The motion was seconded by Flowers and carried unanimously.

**BUSINESS FROM TOWN MANAGER**

**A. Approve Change Order in the amount of \$109,224 for site electrical system for Summerfield Athletic Park (within approved budget for project)**

The site electrical system was not part of the original bid for the construction of the SAP as electrical plans were not yet available. At the time of initial construction approval, the estimated cost of the electrical system and parking lot lights was \$105,000. Approximately \$11,500 has already been spent for electrical system layout and to install conduit under the parking lots to facilitate construction, leaving \$93,500 in the budget. The Change Order developed by RP Murray is for \$109,224. Luther stated the overage will be adjusted by reducing the \$150,000 in contingency funds already available in the project budget.

Barnes made a motion to approve the Change Order in the amount of \$109,224 for site electrical system for Summerfield Athletic Park. The motion was seconded by Wray and carried unanimously.

**B. Update on status of property search for Town Hall property**

Brown gave background information. It was stated that contracts have been approved with the following: 1) McNairy and Assoc. for appraising 20 acres of the Friddle Property and for appraising Town property at 7300 Summerfield Road. Combined cost is \$1,620. 2) Hugh Creed Associates for preliminary review of soils, well sites, watershed/erosion control issues, and concept site plan for \$2,000. Funds are being transferred from other capital projects to fund this work. Luther noted that a budget amendment will be necessary.

**BUSINESS FROM COUNCIL**

**A. Approve Revised Ordinance Establishing the General Rules of Procedure for Summerfield Committees**

Halvorsen described the changes which included the following text changes as discussed during the March 22, 2010 Special Call meeting: C. v. "If no citizen has been approved by Council to fill an available seat, an existing member may continue to serve until the next fiscal year. If a citizen applies and is approved by Council during this period, then both the new appointee and the existing member may continue to serve until the end of the fiscal year", and vii. "Committee members who are spouses of current sitting Town Council members may only serve in an *ex-officio* capacity; other relatives are not affected".

Flowers made a motion to approve the Revised Ordinance. The motion was seconded by Williams and carried unanimously.

**B. Appoint Conrad Hayter to Parks & Recreation Committee**

Barnes made a motion to appoint Conrad Hayter to the Parks & Recreation Committee. The motion was seconded by Williams and carried unanimously.

**C. Approve construction of additional paving at end of Centerfield Road at Summerfield Community Park for additional Handicapped parking.**

**\*\*Removed from this Agenda\*\***

**D. Discussion of Volunteer Appreciation Event**

Halvorsen discussed the options, stating after reviewing the options, the most cost efficient way to treat volunteers to a ball game would be to take advantage of two promotions: Babe's Bucks, and the \$1 specials during Monday games. Monday night home game dates the ball field can accommodate us and

that do not conflict with scheduled board/committee meetings, are August 9 and August 30. By consensus, Council agreed on August 9, 2010 as the event date.

**BUSINESS FROM THE MAYOR**

**A. Discussion/Approval of Accepting Donation of Charles Bruce Historical Marker from Mr. and Mrs. T Bruce Smith, II**

Upon learning of the damage to the sign, Mr. & Mrs. Smith, who originally commissioned and erected the sign, paid to have it repaired and also wish to donate it to the town to ensure that it is taken care into the future. The Smiths have paid Huffman Welding \$800 for the work necessary to fix the sign and the installation, however, an additional \$175 was incurred by Huffman to repair the base column and paint it. Mr. Huffman is requesting payment from the Town for this added expense. Summerfield is under no obligation to incur this expense. In order to make payment the Council must approve a budget amendment.

Following brief discussion, Wray made a motion to accept the donation of the Charles Bruce Historical Marker from Mr. and Mrs. T Bruce Smith, II. The motion was seconded by Williams and carried unanimously.

It was decided by consensus to pay the additional \$175 incurred during repair work and to ask Luther if there were funds available in the Historical Committee budget to pay for it.

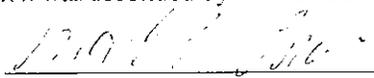
**B. Resolution Opposing the Granting of Authority to the State ABC Commission to Mandate Mergers of Local ABC Boards, Opposing Privatizing the Local ABC Liquor System and Opposing Private Agency Stores**

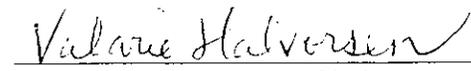
Brown stated the NCLM is in agreement that the proposed changes (mandated mergers and privatization) would not be in the best interest of the Town. Flowers disagrees, and stated research she found says the following: "a public think tank says the state could actually gain more in revenue if a revenue neutral plan was enacted to ensure the state would maintain the same amount of revenue generated by alcohol sales, taxes and new revenue from either selling or auctioning licenses for retailers. The state would also receive a possible onetime windfall of up to \$700 million dollars by selling state assets such as properties, distribution warehouses, state issued vehicles and other items used in the alcohol industry. Statistics based on per capita populations do not reflect a correlation between increased alcohol related problems and privatization. Some states have hybrid models, both private and state agency stores. West Virginia privatized in 1991, yet the state maintains control over distribution through state run warehouses. Recent revelations of high salaries paid to administrators and lavish dinners paid for by liquor sales reps accepted by ABC employees across the state have prompted Governor Perdue to take steps to modify the system." Based on that, Flowers does not agree with everything in resolution and she is disinclined to vote for approval.

As to the lavish dinners and high salaries, both Brown and Barnes feel that is up to those individual boards to address.

Wray made a motion to approve the Resolution Opposing the Granting of Authority to the State ABC Commission to Mandate Mergers of Local ABC Boards, Opposing Privatizing the Local ABC Liquor System and Opposing Private Agency Stores. The motion was seconded by Barnes who feels this proposed merger and privatization is taking away local control. She further stated that selling licenses has been problematic for other states that have done so. The motion passed 4 to 1 with Flowers opposed.

With no further business before the Town Council, a motion was made at 9:43 pm by Wray to adjourn. The motion was seconded by Williams and carried unanimously.

  
\_\_\_\_\_  
Mark E. Brown, Mayor

  
\_\_\_\_\_  
Valarie Halvorsen, Town Clerk