

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER**

**June 1, 2004
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.

Dena Barnes called the meeting to order at 6:34 PM.

Linda Southard led the invocation.

Town Council led the Pledge of Allegiance.

Council and Staff Present:

Dena Barnes

Bob Williams

Mark Brown

Michael Stewart

Jane Doggett

Carolyn Collins

Bill Trevorrow, Town Attorney

Michael Brandt, Town Administrator

Dianne Laughlin, Town Clerk

CONSENT AGENDA:

A motion was made by Bob Williams and seconded by Jane Doggett to approve the Consent Agenda including the minutes of May 4, 2004, the financial report, a Resolution of Intent of Easement Closing, approval of Contract with Dixon-Hughes, PLLC for annual audit, and a 1% Discount Resolution, which was added to the Agenda at the request of the Town Administrator. These Resolutions are hereby incorporated by reference and made a part of these minutes:

R-2004-0009
CASE #1-04SU

**RESOLUTION OF INTENT
TO CLOSE AN EASEMENT**

WHEREAS, a petition has been filed, pursuant to G.S. 160A-299, requesting the Council to close and remove from dedication the following described easement in Bruce Township:

BEING all of an existing 20-foot utility easement located to the west and north of the lot at 8561 Hudson-James Road and shown on a plat recorded in Book 72, Page 183, Guilford County Register of Deeds.

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of this Council to close said easement to the public use, and that a public hearing on this question will be held on the 6th day of July, 2004, at 6:30 P.M. in the Summerfield Community Center, Summerfield, North Carolina, at which time the Council will hear all interested citizens and make a final determination as to whether the easement shall be closed and removed from dedication.

The foregoing Resolution was adopted by the Summerfield Town Council on June 1, 2004.

**TOWN OF SUMMERFIELD
A RESOLUTION TO MAKE THE DISCOUNT RATE 1% FOR
CERTAIN PROPERTY TAXES PAID PRIOR TO THE DUE DATE
FOR FISCAL YEAR 2004-2005**

WHEREAS, North Carolina General Statute 105-360 (c) authorizes the governing body of any county or municipality levying taxes under Subchapter II of Chapter 105 to establish a schedule of discounts to be applied to taxes paid prior to the due date of September 1; and

WHEREAS, the Town Council of the Town of Summerfield desires to establish a new schedule of discounts, as hereinafter set forth, for the payment of taxes prior to the due date of September 1; and

WHEREAS, the Town Council of the Town of Summerfield by previously adopted Resolution: R-2004-2 on April 6, 2004, established a proposed discount rate of two percent (2%) for taxes paid prior to the due date of September 1, 2004; and

WHEREAS, the application and effect of previously adopted Resolution R-2004-2 was contingent upon like and similar Resolutions for a discount rate of two percent (2%) being adopted by the Councils for the cities of Greensboro and High Point; and

WHEREAS, neither the City of Greensboro, nor the City of High Point adopted a new discount rate of two percent (2%) as authorized by G.S. 105-360 (c) for fiscal year 2004-2005;

NOW, THEREFORE, BE IT RESOLVED by the Town Council the Town of Summerfield that a new discount rate of one percent (1%) is established for taxes paid prior to the due date of September 1.

BE IT FUTHER RESOLVED that this resolution be submitted to the North Carolina Department of Revenue for approval and upon such approval that this schedule be published at least once in some newspaper having general circulation in Guilford County.

BE IT FURTHER RESOLVED that this new schedule shall be effective for the fiscal year 2004-2005 and for subsequent years unless rescinded or modified in accordance with law.

Adopted this 1st day of June, 2004.

ANNOUNCEMENTS:

Michael Brandt announced the on Saturday, June 5th at 8:30 A.M., there would be a "Trail Construction Project" and he asked volunteers to call Town Hall.

SPEAKERS FROM THE FLOOR: (Limited to 5 minutes on non-agenda items)

No speakers from the floor.

COMMITTEE REPORTS:

- A. Community Relations:** Dianne Laughlin reported on a successful Founders Day and stated that they are already making plans for the next year.
- B. Conservation Council:** Jane Doggett reported that they are awaiting approval of their budget requests.
- C. Finance:** Betsy Ingram asked that Council redefine the role of the committee since the town now has a professional staff.
- D. Historical:** Linda Southard thanked Bill Gordon for the aerial photos that he displayed at Founders Day and reported that they are working on scrapbooks, which they plan to display at the Town Hall.
- E. Parks & Rec.:** Debbie Hoffman reported that they had been awarded the state park grant for \$150,000 along with \$100,000 from Guilford County Parks and with \$250,000 from the Town for a total of \$500,000 to start construction of the

park playground area, Phase I in the early fall. This area will include a child's garden, swings, picnic shelter, increased parking at the Community Center, bathroom, and trail system. She reported that the construction team will meet soon and that many donations had come in from the "Feet of Fun Campaign".

F. Public Safety: Did not have a quorum.

G. Text Committee: Brandt reported that they are on hold and ask Council to also redefine their responsibilities.

H. Thoroughfare: Gordon reported on another round of input on new local roads to be held on June 7 from 6 to 8 P.M. at Summerfield School and that citizens could dial 511 for area traffic information. He announced their next meeting for June 24th at 3 P.M.

I. Water Resource: Gordon reported that they are still conducting talks and will meet next on June 17, 9 A.M.

PUBLIC HEARINGS:

A. PROPOSED TOWN BUDGET FOR FISCAL YEAR 2004-2005

Dena Barnes stated that they would open with thirty minutes of public discussion with each citizen having three minutes each, but would consider further discussion time if necessary.

Gary Graham said he had not seen the budget and asked for an overview. Brandt stated that in January, Council established five priorities: a sheriff's substation, establishing a planning/inspections department, money for parks and recreation conservation and a water system. He reported that if the Town worked with Aqua America, it would save \$14 million, so no funds were in the budget for water this year. He stated that in order to finance the budget a proposed, a tax of 10.5 cents per \$100 of property value would be required.

Dwayne Crawford, 1106 NC Hwy 150 said he felt exact figures should be given to Graham, and Barnes stated that Graham indicated he was satisfied with the answer. Crawford referred to taxes without representation and said that bloodsuckers take from one to pay for things for others. He stated that he demanded that Council cut this budget to the bone because people don't work for them and special interest in this town. He reported on a private survey he conducted and reported that forty-one people felt that there was a conflict of interest on the Mayor's part and the substation. He reported coming to council three times last year asking for support in the repeal of the first one-cent sales tax and said if he didn't get it tonight he'll be back.

There was discussion about road maintenance and Brandt reported that the town doesn't maintain a single road in Summerfeld but that they are responsible for paving any unpaved roads since incorporation. There was also discussion about development and building fees to which Michael Stewart reported that presently developers pay fees to the county and that if the town took over planning and inspection, these fees would come to the town.

Ginny Lockhart asked if the Council would consider putting the ballot and let the residents decide. Bill Trevor, town attorney, stated that the ballot could not be used

for advisory opinions. She referred to a 2002 survey and asked that Council consider leaving the Sheriff's Substation where it is. Mayor Barnes reported on a meeting when Mayor John Wray was in office in which there was discussion about the possibility of a hiring a deputy to patrol Summerfield and Sheriff Barnes recommended that the money be used for a substation, that the amount would be about the same as hiring a deputy and furnishing a car for five years.

Michael Stewart stated that the citizens had voted on the Town Charter which stated that the Council can establish a tax up to 20 cents per \$100 without public vote. Barnes explained that if the county had not taken the sales tax money, council would not be considering a property tax.

Robert Flowers, twenty year resident, stated that at the time of incorporation, the slogan was "No service, no taxes", but now things have changed. When he suggested a conflict of interest if the mayor voted on a substation, the town attorney said that there was none because the mayor would receive no personal or financial gain. Flowers went on to say if they approved this tax, he'd do his best to vote them out of office.

Bob Grant, twenty year resident, 1906 Scalesville Road resident, stated that he loves it here and has no problem with reasonable growth. He quoted a tax of \$1575.00 for a home valued at \$150,000 but was corrected and told the amount would be \$157.50. He stated that we are at war and we don't know what Congress is going to require in the future. He said he wanted no library and he asked Council to think twice about building the sub-station.

Gary Graham, Hillsdale Lake resident for 35 years, voiced concerns about current budgeted items not being needed all at once and challenged Council to phase them in when needed. He stated that Guilford County was in a recession and that Summerfield had been against FedEx and he thinks it will be an economic boom to this city.

Donald Roselle said he was sorry for the adjectives that were used such as "bloodsuckers" in describing the Council. He spoke to concerns about some property owners who had inherited their property and have fixed or no income. He stated that the sub-station was a county function and that incorporating Summerfield had advertised "no services". He questioned Guilford County taking our sales tax money and keeping it.

Carrie Spencer, resident, spoke to remarks about kids never needing a library because of the computer and stated that as a mother of young children, her children did in fact use books. She stated that she is in favor of this nominal rate and that growth comes with a price and protection of water and safety don't come free. She mentioned past workshops, which were poorly attended. She stated that we're using services that we don't pay for; Greensboro services.

Councilman Michael Stewart stated that there is nothing in this budget about a library.

Jeanne Plybon, Whitaker Court resident, said they chose to live in Summerfield because they don't want services.

Junior Waldo, McIntosh Place resident, stated that he thought the sheriff is doing a fantastic job, but he didn't know why the town should pay for a substation and said the tax is wrong.

Joan Beeson, resident, asked how many layers of bureaucracy this tax would add and how many additional taxes would be required after this one.

John Plybon stated that the basic reason for incorporation was to shield against Greensboro and said that the Council has betrayed and are destroying why people moved here. He called Council the problem, not the answer stating that they were as bad as Greensboro forcing things on people.

Betsy Ingram, six-year resident, stated that she had lived in six cities and paid property tax in each one. She said she didn't ask if there was a tax before she moved. She stated that the residents should apply a little common sense, that the tax would not kill them. She asked how many residents attended any of the budget or council meetings and that they need to contribute and not have a hysterical response. She said she is on a fixed income and will budget for the tax. She stated that the Sheriff's sub-station is a good idea and it's not fair to criticize our Mayor. She stated that the cost for one deputy would pay for this in five to six years and the residents would receive help sooner if it is needed and that this is good long term planning.

Kathy (last name not audible), 15-year resident, stated that her husband and son were on the police department and they are not at a building when they get their calls, they are in their cars, so response times will not be faster.

Sarah Jessup stated that she opposed the tax and that it was not fair to tax payers of this community to pay for the sheriff's deputies to ride up and down Strawberry Road. She stated that they usually patrol neighborhood in the daytime and businesses at night. She stated that she cannot pay these taxes and they keep building \$300,000 and \$400,000 homes in this area causing the taxes to go up. She said the deputies stay at the building at BurMil Park.

Bonnie Fields, 7707 Sun Valley Lane, stated that she had questions and concerns about people on fixed incomes. She stated that there are people in her neighborhood who are sitting on valuable property and not ready to do anything about it.

Joe Shelton, 7261 Penn's Grove Road, stated that he didn't attend any of the meetings, and he asked if the tax would be charged if Council cut some of the items. He asked council to focus on the water table and stated that one day we will need sewage. He asked if what they say would have any affect on the vote.

There was discussion about minimum fund balance required by law, lot sizes, the amount of time the park and sheriff's sub-station have been in the budget and that the county and stated were paying \$350,000 toward the park.

Jane Doggett suggested maybe they should unincorporated and go back to Guilford County. She stated that she was probably not going to change her mind after hours of countless meetings.

Debora Mauser stated that no one likes taxes, but that the fact is, nothing is free and if the council must tax, please use the money wisely. She express disapproval to the audience for booing because someone they have a different opinion.

After further discussion, a motion was made by Jane Doggett to accept the budget as presented and seconded by Bob Williams. The motion carried unanimously.

There was a break at 8:05 pm.

Council reconvened at 8:14 pm.

B. CONSIDER CHANGES TO SUMMERFIELD DEVELOPMENT

ORDINANCE: 4-10 Open Space Residential District (OSRD): 4-10.4 (J) Open Space and 5-13 Subdivision Standards 5-13.1 General and Environmental Regulations: 7.1 Water Supply Watershed Districts 7-1.7 (A) Clustering and (B) Performance Requirements, 7-1.11 Modifications- General: (B) Minor Watershed Modifications.

Michael Brandt presented the changes, stating that it's to clarify language and clear up issues such as special purpose lots, conservation areas, off-site septic, etc.

Mark Brown stated that he had questions about section 7 and would like to discuss it further and Bob Williams spoke to his desire to have active recreation and had other questions about section 5-13.2.

Bill Trevorrow stated that without standards to follow, council could be accused of acting arbitrarily.

After further discussion, a motion was made by Bob Williams to have Michael Brandt draft language for active recreation areas and was seconded by Michael Stewart.

Carolyn Collins asked to add a friendly amendment to continue the discussion until Wednesday, June 16th.

The friendly amendment was accepted and the motion carried unanimously.

A motion was made at 8:30 PM to recess to Board of Adjustment Cases #31 and #32 by Jane Doggett, seconded by Bob Williams. The motion carried unanimously.

Council reconvened at 10 P.M.

There was no business from the Town Planner

At 10:01 pm, a motion was made to recess to Executive Session for Personnel and Property Matters by Jane Doggett and seconded by Carolyn Collins. The motion carried unanimously.

Council reconvened at 10:25 pm.

Mayor Barnes reported that the Council had voted unanimously to add Lauren Cox to the Parks & Rec. Committee.

BUSINESS FROM TOWN ADMINISTRATOR:

1.NCDOT Small Urban Funds Enhancements: Brandt reported that he had met with Mike Mills and Doug Galyon and they discussed the funding we will receive of \$75,000.00 for curbs and guttering, etc. He stated that they would add two feet of paved shoulder on the curve on Highway 150 and review potential realignment of the intersection at NC 150 and Brookbank Road. He stated we would be eligible for more grants with a property tax.

2. Discussion of Conservation Council Donations: Brandt explained that presently money from Conservation Council donations goes into general revue, as does money for Parks & Recreation and they appear as a line item. Brandt stated that no money has been spent from the Parks & Recreation fund, although some has been earmarked, and he asked if a policy or resolution should be made for expenditures from the Conservation Council donations. There was discussion about separate accounts with Council deciding how the monies would be spent.

3. Grant Certification for Greater Greensboro Community Foundation Parks and Recreation Open Space Plan: Brandt stated that Cheryl Angel had contacted this committee and we are eligible for this plan, but we are next ready at this time. The next cycle will be in September or October and we can try for that. He reported meeting with a teacher from Greensboro Day School who teaches a class in GIS and could do mapping for us and that this would be a way to save money.

4.Discussion for Approval of TMA Contract: Brandt reported that Bill Trevorow had reviewed the contract. After some discussion, a motion was made by Jane Doggett to give Michael Brandt, Bill Trevorow, and Michael Stewart authority to negotiate the contract and to clarify the language and authorize the Mayor to sign it afterwards. The motion was seconded by Bob Williams and carried unanimously.

5. Schools for Town Clerk: Brandt reported that the Town Clerk would attend a class for Excel and one for Access during the month of June.

6. Work Program for 2004-2005: Brandt prepared a spreadsheet for Council showing the schedule for town projects.

BUSINESS FROM COUNCIL: Barnes announced a plant recovery date of June 12th for anyone who would like to get plants or shrubs from the property at 7200 Summerfield Road before the house is burned by the Fire Department.

With no further business before the Council, a motion was made to adjourn at 11:48 pm by Jane Doggett and seconded by Carolyn Collins. The motion carried unanimously.

Dena Barnes, Mayor

Dianne Laughlin, Town Clerk