

Index: Minutes, Summerfield Town Council  
April 14, 2009

April 14, 2009	Approval of minutes of March 9 & March 10, Financial Report, Day of Prayer and Municipal Clerk Week Proclamations	Page 1
	Approve applying for UAC Theater Program grant not to exceed \$4000 which is included in SPARC 09-10 budget	Page 3
	Approval of Resolution Approving and Endorsing the 2009 Guilford County Solid Waste Management Plan	Page 4
	Approval to request a seat on GSO MPO board	Page 6
	Approval of Public Safety Committee Ordinance	Page 6

**MINUTES OF THE  
SUMMERFIELD TOWN COUNCIL  
SUMMERFIELD COMMUNITY CENTER  
APRIL 14, 2009  
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 Bob Flowers, followed by the Pledge of Allegiance.

**INTRODUCTIONS:**

**Council:**

Mark Brown, Mayor  
Dena Barnes  
Alicia Flowers  
Becky Strickland  
Bob Williams  
John W. Wray Jr.

**Staff:**

Michael Brandt, Town Manager  
Dana Luther, Finance Officer  
Blair Carr for William Hill, Town Attorney  
Valarie Halvorsen, Town Clerk  
George Holub, Parks & Rec Supervisor

**CONSENT AGENDA:**

Brandt recommended the following changes to the order of the agenda items: moving item 9E to 9A, item 9D to 9B, item 9E to 9C, with the other items to follow in their current order.

Barnes made a motion to approve the Consent Agenda as amended, including the meeting agenda, minutes of the March 9 and March 10, 2009 meetings, Financial Report, and Day of Prayer and Municipal Clerks Week Proclamations. The motion was seconded by Wray and carried unanimously.

**ANNOUNCEMENTS**

Brown announced the following events:

**Sock-Hop Fund Raiser** for listing the 70 year old Summerfield Gym on *National Register of Historic Places* Friday **May 15<sup>th</sup>**, Summerfield Gym, 6-9 pm. Free (Donations accepted), Families welcome, Northwest High School Big Band performance, DJ spinning 50's & 60's music, refreshments available.

**Summerfield Founders' Day Festival & Parade**, Saturday **May 16<sup>th</sup>**, Summerfield Elementary School  
9am – 3pm Carnival Rides, Games, Food, Live Music and Entertainment, Car Show and Parade

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

Dwayne Crawford, 1106 NC Hwy 150 West said he has a solution for the town that will save money in regards to the parking problem at 220 and Strawberry Road, noting there has been a state ordinance in effect since May 4, 2008 making parking illegal for a .19 mile stretch of the road. He further noted both county sheriff and city of Greensboro parking enforcement have been contacted regarding this ordinance and stated all we have to do is call when a violation is occurring and they will respond. Crawford feels this will eliminate the need for parking lot.

**COMMITTEE REPORTS:**

- A. **Founders' Day:** Brown stated the next meeting is Thursday the 16<sup>th</sup>, 6:00 pm at Town Hall.
- B. **Finance:** Ronnie Stafford stated the next meeting is April 20, where they will discuss the budget.
- C. **Historical:** Bill Gordon said the new history brochure is in the works and they are working on the Sock Hop event.
- D. **Parks & Rec:** Bob Flowers stated the committee has been working on the following: amphitheater and picnic shelter reservation system, events in the park, the budget, and the First Annual Children's Fishing Event. The event will be held June 13 and has 25 sponsors, 25 adult helpers, spaces for 60 children, 60 rod and reel sets donated by Walmart, event t-shirts, and is a fully privately funded event.
- E. **Public Safety:** Ron Marshburn said they have been working on the budget and the next meeting is tomorrow night, 5:00pm at the Fire Station.
- F. **SYC:** No Report.
- G. **Comprehensive Plan:** Alicia Flowers stated the plan is moving along, noting they were doing good work, there was good input, and a great consultant.
- H. **Athletic Advisory:** Brandt stated bids were released for site preparation and will be opened on May 6. The bid advertisement was put on the website and in the Greensboro News & Record. He encouraged bidding by local companies.

Brandt thanked the committees for their hard work on budgets.

**BUSINESS FROM TOWN MANAGER:**

**A. Discussion regarding Guilford County School Board use of Summerfield Community Center property currently under lease to Town of Summerfield for a new well site for Summerfield Elementary School (*no action required*)**

Brandt stated the school system has indicated that they are intending to invoke the 1955 Deed to property owned by Summerfield Community Center Inc and leased by the Town for the Community Park. The deed allows the school system to place sewage utilities on any portion of property that has not been improved by the Summerfield Community Center. The proposal is to relocate a well on a portion of the property near the existing picnic shelter and main gate. This location was proposed to be used by the VFW as a memorial site. The other proposed site is the location where there is currently a well for the Park Phase II amphitheater. This location would also require the Town to relocate a septic repair area to another location. The school deems this necessary because there is no suitable location on their property due to setback requirements of 200 feet. As the deed specifies sewage facilities and not a well, Carr feels the school board has no right to invoke based on a well, however, that does not preclude the Community Center Inc from negotiating an easement for this well, as they are the owners of the property, but that may cause the Community Center to be in breach of its lease with the town. Following much discussion, including discussion of other sites, cost, and feasibility, it was decided by consensus to coordinate with the Community Center board, and to have Carr discuss the matter with the attorney for the school board, as the board may not be aware that the deed specifies sewage only, not a well.

**B. Memorandum of Agreement between Town of Summerfield, Summerfield Elementary PTA, and Summerfield Youth Council for the sponsorship of Summerfield Founders' Day Festival (*action item*)**

As the document was not available, Brandt stated this item would need to be continued but he did discuss the basics of it, including the following proposed regarding revenue sharing: the first \$3000 would be divided as 2/3 to PTA, 1/3 to SYC. Funds collected after the initial \$3000 would be divided as 45% to the Town, 35% to PTA, and 25% to SYC, with exclusions for items sold specific to an entity, such as spirit wear and programs. This will help to offset costs incurred by the Town. Brandt stated he has asked for feedback from the PTA and SYC, and asked council if they were in general agreement with the concept. By consensus, council is in general agreement with the concept and will discuss it further at an upcoming Special Call meeting.

**C. Review and approve final grant application for Summerfield Theater Program (*action item*)**

Brandt discussed the grant opportunity from the United Arts Council, which aims to bring theater and drama arts to rural areas. He thanked Kate Rankins and Sherrie Joseph for their hard work on it. Proposed programs and events include the following: workshops, traveling theater groups, Main Stage drama/theater event, Earth Day program, and incorporation of current Parks & Rec events such as Founders' Day and the Haunted History Mystery Tour, which is also drama based. Fees generated by the workshops, donations, and fundraising would help offset costs associated with programs. The entire amount of the proposed program is \$33,279, of which \$21,879 is grant money. Brandt noted this was initially discussed as costing the town no funds and while that is technically still true, some of this falls under the Parks & Rec budget. If the grant is funded, the town is responsible for \$4000. Strickland noted it was originally presented as no cost to the Town, stating there is always a cost to the Town, and recommended minimizing the program. Brandt replied if there is no effort by the Town the UAC would be less inclined to approve the grant. Strickland feels this is not a good year to consider such items due to the state of the economy. Flowers stated when this was discussed at last month's meeting the amount was \$26,000 with no cost to the town and noted the amounts for the programs are now more than was previously listed. Brandt replied that this was due to now having hard numbers and the requirement for in-kind income/donations on the application form. There was discussion about where the programs would be put in the budget, as a separate budget, or under the Parks & Rec and Founders' Day budgets. Sherrie Joseph stated the \$4000 is already allocated in the proposed SPARC budget. Flowers feels this should have its own separate budget, if approved. Rankins stated Founders' Day and the Haunted History Mystery Tour would continue without this grant, but with the grant, may be expanded to include more elements of theater. The other proposed programs won't exist without the grant. Luther noted from an accounting standpoint, monies for this program had to be kept separate for reporting purposes.

Following a brief discussion, Williams made a motion to approve applying for the grant as submitted. Wray asked for an amendment to include not to exceed \$4000 which is included in the 2009-2010 SPARC budget. Williams accepted that amendment, which was seconded by Wray. The motion carried 3 to 2, with Flowers and Strickland opposed.

**D. Guilford County Solid Waste Management Plan 3-year Update Resolution of Support  
(action item)**

Brandt noted it is the responsibility of every jurisdiction in the state to have a Solid Waste Management Plan. Summerfield participates with Guilford County and other municipalities in creating a plan specific to Summerfield. As Summerfield contracts for waste services, we have very little direct involvement. Guilford County takes the lead on this issue and the proposed plan update can be viewed at [http://www.co.guilford.nc.us/downloads/SW\\_Draft\\_2009.pdf](http://www.co.guilford.nc.us/downloads/SW_Draft_2009.pdf).

Highlights include the following: since 2006 this has been a regional effort, efforts have been affected by the closure of Greensboro landfills, implementation of targeted recycling programs, and electronic waste recycling programs. The plan requires the following elements: waste reduction, discussion about collection, recycling and reuse, compost and mulching, incineration, transfer of geographical area, education in schools and the community, special waste disposal, purchasing recycled products, disaster response, and abatement of abandoned mobile homes. This plan addresses all those elements and the goal is to have a zero waste reduction goal, which is no increase in the amount of waste being produced from year to year. Brandt also noted there is no significant change in the plan from the past with the exception of statewide landfill bans on plastic bottles, oil filters, wood pallets, TVs and computer equipment, so part of the plan will involve educating the public on this matter. Another change is the requirement of bars and restaurants to recycle liquor bottles.

Brown read the resolution, which is hereby incorporated into these minutes:

**RESOLUTION  
APPROVING AND ENDORSING THE 2009 GUILFORD COUNTY  
SOLID WASTE MANAGEMENT PLAN**

**WHEREAS**, it is a priority of the Town of Summerfield to protect the public health and the environment through the safe and effective management of solid waste; and

**WHEREAS**, better solid waste planning will provide more effective solid waste management, better utilization of natural resources, increased control of the cost of solid waste management; and

**WHEREAS**, North Carolina General Statute 130A-309.09A(B) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a solid waste management plan, and to update that plan at least every three years; and

**WHEREAS**, the 2009 update of the Guilford County Solid Waste Management Plan is required to be submitted to the State of North Carolina by June 30, 2009, and must be approved and adopted by resolution prior to being submitted to the State; and

**WHEREAS**, the Town of Summerfield was represented during the planning process and has been involved with the development of the solid waste management plan;

**NOW, THEREFORE, BE IT RESOLVED** that the **Town Council** of the **Town of Summerfield** approves and endorses the 2009 Guilford County Solid Waste Management Plan Update.

Adopted on this the 14th day of April, 2009.

Wray made a motion to approve the resolution, which was seconded by Barnes and carried unanimously.

Luther was excused at 8:01 pm.

**E. US 220 widening update and effect on Town properties (no action required)**

Brandt stated the Athletic Field property and Winfree Park would be affected by the 220 widening, with the Winfree Park property being most affected. He described an area of approximately 1200 square feet that would need to be taken. The road will only be widened 2

feet. The state would send an appraiser for the affected area. The planting beds would need to be relocated. There is another approximately 1000 square feet that would be taken by DOT as a permanent utility easement. This should not have a significant effect on the plans for Winfree Park. There will also be some easement at the Athletic Field property. Additionally, several residents and property owners have called with concerns about the project, particularly after having contact with DOT appraisers. Property owners may have significant changes to the use and potential uses of their property, especially in regard to the planned fencing on 220. Brandt asked council if they would recommend holding a public meeting for those who have affected property in an effort to share information. Following much discussion about the fencing and property access and involving DOT reps, it was decided by consensus to move forward with setting up a meeting.

*Break from 8:16 to 8:24 pm.*

**F. NCDOT/Summerfield memorandum of agreement for use of “Federal Stimulus Funds” for the purchase of rail-trail parking lot (*action item*)**

Brandt stated there is no MOA as of yet, so this was just an update, not an action item at this time. Federal Stimulus Funds (\$7.4 million) were made available through GUAMPO for transportation related projects. The rail-trail parking lot has regional significance in that it connects the Mountains-To-Sea and Piedmont Regional Trail to the city of Greensboro Greenways. Funding will allow the town to purchase 4310 US 220 and approach other property owners for additional parking spaces. A formal agreement to accept funding will be required before the project can move forward. There was discussion about stimulus money for parks & recreation projects and PARTT grants. Strickland asked if there were any matching funds required. Brandt replied while there is not a matching fund requirement, some funds have been spent for engineering work already done. Williams asked if Brandt had begun approaching other property owners and he replied yes. Speaking from the floor, Gail Dunham asked how much this project would cost the people of Summerfield, noting that originally, the cost was going to be shared with Greensboro and Guilford County. Brandt stated \$3500 has already been spent on engineering services and no additional match has been requested so far. Flowers asked about the total cost and Brandt replied it would not be more than the \$300,000. Dunham and Strickland both commented on ongoing maintenance costs, noting they are part of the cost of the project.

**G. Discussion of Senate Bill 758 “Transfer Secondary Roads to the Counties” and SB 1001 “Transportation Corridor Mapping changes”**

Brandt described the bills, which both impact the town by transferring responsibility for secondary road maintenance to local governments by 2011, which could significantly impact Summerfield’s responsibilities and budget. This is necessitated by a state funding crisis due to a decrease in gas tax revenues and other things. This was proposed in the past but did not make it out of committee. This year, however, there is much more traction. The bills do not specifically say that roads not maintained by the state will be transferred back to the municipality, but it will probably come about in some way, perhaps through billing for maintenance from the county. While it may not pass this year, it will probably be back the next year. Brandt stated the other issue is as the state ends road maintenance, the roads will start to deteriorate and local residents will look to municipalities to repair local roads.

#### **H. Discussion of Guilford County Animal Control and Animal Shelter contract**

Brandt discussed the issue, saying Guilford County has informed the Town that we will be responsible for a portion of animal control costs above those services required by State law (rabies and vicious dogs). Current services include Animal Shelter and other animal control services. The county has not provided a detailed cost breakdown removing these services from the fee schedule. While the county used to charge for services, that changed in 2004 due to changes to sales tax revenue distribution. Now they are trying to essentially force a contract for services. The contract calls for charges based on population (per capita), with the exception of rabies and vicious dog calls which the county is required to provide based on state law. In 2007 the Town had 289 calls, which is 1.6% of the total calls, and in 2008, 311 calls (1.87% of total calls). What is not known is what type of calls these were, rabies or other, which would change the figures as to what the town would be responsible for. Early numbers come up to about \$50,000 which would be about \$3 per resident. There was discussion about contracting with Rockingham County, but they do not have an animal shelter. Barnes's concern is that there is no on call Animal Control officer, and the Town will be forced to pay for something they are not doing, answering calls at all times. Flowers mentioned the possibility of defraying the cost by passing it along to the offending animal owner. Brown feels the county has provided excellent service, which has been paid for previously through property taxes. Flowers recommends having a backup plan, such as partnering with other towns. Barnes noted the problem with the original contract was that Greensboro was paying a lesser share. There was discussion of pet licensing and the years ago "dog tax."

#### **I. Discussion of Architect Contract for Concession/Restroom Building at Summerfield Athletic Park**

This item is continued to an upcoming Special Call meeting.

#### **J. Report on meetings and activities (if any)**

Brandt attended a Public Hearing on recertification of the Greensboro MPO (Metropolitan Planning Organization). He noted the town is not represented on the board and asked if council wished to seek a seat on the board. Wray made a motion to request a seat on the MPO board. The motion was seconded by Williams and carried unanimously.

#### **BUSINESS FROM COUNCIL**

##### **A. Public Safety Committee Ordinance (*old business*)**

Brandt stated no changes had been made since this was discussed at last month's meeting. Wray made a motion to approve the Town of Summerfield Public Safety Committee Ordinance as written. The motion was seconded by Barnes and carried unanimously.

##### **B. Consideration of Zoning Board Applicant**

Following a brief discussion, it was decided by consensus to set up an interview with the applicant, 2 Zoning Board members, and 2 members of council (Flowers and Barnes).

#### **BUSINESS FROM THE MAYOR**

##### **A. Discussion of Volunteer Appreciation Event**

Following a brief discussion, it was decided by consensus to send all volunteers a thank you letter now and to have a Volunteer Appreciation Event in the fall.

**B. Report on meetings and activities (if any)**

Brown attended the Solid Waste Open House, and a Mayors meeting during which there were legislative updates and discussion about forming a mayors group. Barnes stated this year's NCLM Town Hall Day in Raleigh would be May 6.

Brown read the reasons 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)

Barnes made a motion to enter into closed session at 9:30 pm. The motion was seconded by Flowers and carried unanimously.

Barnes made a motion to return to open session at 10:12 pm. The motion was seconded by Williams and carried unanimously.

**COMMENTS FROM THE COUNCIL:**

Wray feels that council should thank the Summerfield Fire Department for hosting an Annual Easter Egg Hunt, as well as a general thank you for the great job they do. Williams asked how much the PTA contributed to Founders' Day last year. Reece Walker stated there were just a few parent volunteers. It was agreed by consensus to draft a thank you letter from council to the Fire Department.

With no further business before the Town Council, a motion was made at 10:17 pm by Wray to adjourn. The motion was seconded by Williams and carried unanimously.

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

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