

Town of Stokesdale
Town Council Meeting
Stokesdale, NC 27357
February 8, 2018

The regular meeting of the Stokesdale Town Council was held on Thursday, February 8, 2018 at the Town Hall located at 8325 Angel Pardue Road, Stokesdale, NC.

The following Council members were present: Mayor John Flynt, Mayor Pro Tem Thearon Hooks, Council Member William N. (Bill) Jones, Council Member Frank Bruno, and Council Member Tim Jones.

Others present included: John Bain, Town Attorney, Alisa Houk, Deputy Clerk, Philip Pulliam, Budget Officer, and K. E. Hemric, Town Administrator/Town Clerk/Finance Officer, Town Planner Oliver Bass and 20 or so residents.

The Meeting was Called to Order: By Mayor Flynt at 7:00p.m.

Invocation: Offered by Reverend Alan Mears of Bethel United Methodist Church

Pledge of Allegiance was recited by those in attendance.

Adoption of Agenda: Council has reviewed the Agenda. The Agenda was approved by a vote of 5-0 all ayes.

Approval of the Minutes: Frank Bruno made a motion to approve (without reading) the following sets of minutes: Regular Town Council Minutes from October 12, 2017 and November 9, 2017. Town Council Wednesday Business Meeting Minutes from October 4, 2017, October 18, 2017, October 25, 2017, November 15, 2017, and November 15, 2018 Closed Session, and November 29, 2017, and November 29, 2017 Closed Session. Mayor Flynt 2nd the motion to approve. Vote was 4 Ayes- 1 No, with Tim Jones voting No. Mayor Flynt and Thearon Hooks asked to be recused from the Closed Session minutes votes due to the fact they were not on council at the time of the meetings. Bill Jones made the motion to approve the Closed Session minutes recusing Mayor Flynt and Thearon Hooks by their request. Frank Bruno 2nd the motion. The Vote was 2 to Approve 1 No, with Tim Jones voting no. Council did not vote to release the closed session minutes to the public.

1. Public Safety Report: District I Report. Master Corporal Nicholas Southern said in January the Guilford County Sheriff's Office responded to 552 calls in District 1, 74 of which were in Stokesdale. Overall, crime in the district was down 55 percent from a year ago.

Fire Department Report: Randy Southard, Stokesdale Fire Department's Deputy Chief, reported the department had 36 fire-related calls in January and 49 EMS calls.

The department has received 522 calls so far, this fiscal year. Southard requested residents make their house numbers more visible to help emergency personnel. Signs can be purchased at various places, including through a program sponsored by the Ladies Auxiliary at the Fire Department. For information, call (336) 643-0790.

2. Monthly Financial Review: General Fund Update: Pulliam reported total income through Jan. 30 was approximately \$89,777 and expenses were about \$131,565. Water Enterprise Update; Income for the water enterprise account as of Jan. 30 was approximately \$286,627, with water sales making up \$238,190 of that. Expenses were about \$234,821; of this, about \$109,054 was for water purchase. Yates Construction was paid \$18,878 in January for installing, reading and repairing water meters and 811 location requests.

3. Discussion with Meritech Labs: Elevated TTHM Levels. Bill Merritt, president of Meritech Labs, the town's licensed water operator, discussed the elevated annual average levels of total trihalomethanes (TTHMs) in Stokesdale's water system in 2017. Mr. Merritt talked about the fact that normally the TTHMs are only elevated in the summer months when it is hot and the water sits in the lines. In the past he knew we had been flushing but, in his opinion, now that we have the chlorine station we shouldn't have to flush as much. He suggested that we go to Winston Salem with our attorney and talk to them about the quality of the water they are sending us. Mayor Flynt asked Bill Merritt how often they test our water? Mr. Merritt stated that the testing is done quarterly at our incoming line from Winston Salem, the end of the line at Culp Home Fashions, and a couple of areas within town limits. Those findings are then sent to the state online. Tim Jones stated that there was no public data information on the TTHM levels before the water gets to us. Bill Merritt stated that we sample at the hydrant just before it goes into our system. There was discussion about methods to clean our water other than flushing because that is wasting a lot of water. Tim Jones asked Kim Hemric to find the bids that Council had gotten for an aerator several years ago. John Williams of NCRWA spoke up that he is concerned that as long as the TTHM levels are high when we receive the water from Winston Salem that flushing alone is not going to be the answer to solving the problem. He suggests that we meet with NCRWA, Meritech, and McGill Associates often, test, and discuss scenarios to solve the issue. He suggests getting someone from NCRWA, McGill and Meritech to go with Kim and the Mayor to meet with Winston Salem to discuss the water quality.

4. CONTINUED PUBLIC HEARING: CASE 17-12-STPL-06345: Special Use Permit. Application was continued to 2.8.18. Request for special use permit to establish a landscape and Horticultural service business on 8201 Cogan Lane, Guilford County, Tax Parcel 0164260, Oak Ridge Township, Applicant Leonard Kern.

Kerns had told the council and neighbors the area would be enclosed by a 5-foot retaining wall covered with vegetation and would not be visible to surrounding

residents. He would be building sheds and buildings built for storing his equipment, storage containers and areas for mulch, compost and fuel, and trailers for pine needles and straw. There would be no retail sales at the location. Kerns also said he would maintain the private access road off Prince Edward Road. The public hearing for Kerns' request was continued from the Jan. 11 meeting, and Kerns has since provided business plans to his neighbors, met with those willing to meet with him who had concerns and walked they his property. Kerns agreed to the neighbor's conditions to have no more than 10 employees; limit the number of storage trailers to three; and restore the property to its original landscape if he vacated it.

Four people who had been sworn in for the quasi-judicial hearing in January spoke again in opposition.

James C. Burkhead and Robert Burkhead expressed concern about the environmental impact.

Woody Burkhead said he was not notified of the original public hearing because his property is adjacent to the front portion of Kerns' property, but the back portion is what is being developed.

Doris DiMaria expressed concern with the traffic, noise and damage from Kerns' trucks on Prince Edward Road. DiMaria, Robert Burkhead and James Burkhead also said they felt the business wasn't a "public necessity".

Council voted 4 to 1 with Mayor Flynt voting No to approve Leonard Kerns' request for a special-use permit to establish a landscape and horticultural business in an AG (agricultural) zoning district on a 4.3-acre section of about 9 acres he recently bought on Cogan Lane.

During the council comment period, Bill Jones said claims that property values would be harmed and that Kerns' business would not be in harmony with the area needed to be supported by an expert, such as a real estate appraiser. He stated "I know there were some who don't understand everything involved in these decisions, but I think we made the decision we had to make."

5. Approval of updated Town Hall Facilities Use Agreement. Frank Bruno talked to other towns and based on his findings made some made some changes to the Town's current form. Discussion began over who non-profit groups, how we are to determine if they are non-profit. Asking non-profits to produce a 51-C3 as proof. Discussion about non-profits still having to pay a deposit which would be returned if there is no damage found after they leave. Also, discussion of refunds if an Act of God prevents the citizen from using the facility on his/her scheduled date and time. Frank Bruno motioned to adopt the revised Facility Use Agreement. Thearon Hooks 2nd the motion. Tim Jones stated that he wants to make sure all citizens understand that there must be a responsible adult heading up the group that is using the facility. Mayor Flynt said the person signing the facility use agreement will be held responsible. Tim Jones

stated he is still torn over the case by case issue regarding fees. Thearon Hooks had 2nd the motion. A vote was taken. Revised Facility Use Agreement was approved 5-0.

6. Consider Parks and Rec Application. Frank Bruno motioned to approve Stokesdale Parks and Recreation to use the soccer fields from March 1 through May 20, at the new resident's rate of \$10.00 per hour. Bill Jones 2nd the motion. Vote was 5-0 to approve.

7. Discussion of CDARS – Certificate of Deposit. Mayor Flynt and Thearon Hooks asked Council to consider transferring the town's CDs as they mature in to CDARS through the Bank of Oak Ridge. Based on FDIC and Banking Regulations regardless of any policy or procedures Stokesdale Town Council has in place, Mayor Flynt and Thearon Hooks were concerned that the current CDs and the facilities that hold them only required one signature to withdraw the money out of the town's accounts. (the Town of Stokesdale's internal policy does require at least 2 signatures for any withdrawal bank transaction, this policy has been in place December 2015, and was also approved by the town's current auditing firm Rouse, Rouse, Penn & Rouse, LLP at our last audit in 2017.) There was lengthy discussion regarding signers, bonding, and limits on amounts of money the town can invest in one CDAR. Mayor Flynt motioned to make the Mayor and the Mayor Pro Tem signers of checks and all financial transactions. Tim Jones 2nd the motion as is. Kim Hemric suggested that they have a discussion with Rouse, Rouse, Penn and Rouse before making a decision because the current system of requiring at least two signatures was already in place and had been discussed with the audit firm and they were very pleased with the current policy. Bill Jones stated that since Kim Hemric was the Finance Officer that she should be also be a signer. The motion was amended to requiring 3 signatures, that of the Mayor, Mayor Pro Tem, and the finance officer. Vote was 5-0 to approve 3 signatures.

8. General Update of the NW Guilford Feasibility Study. Mayor Flynt stated that Stokesdale has another meeting with the Timmons Group on February 14. Timmons had given each town of map and asked us to mark areas where we felt there could be potential for growth over the next 0-5 years and 6-10 years. The February 14, 2018 meeting will be to go over those maps with us, Timmons to make notes to take back to add to the study. Mayor Flynt also added that he doesn't want Timmons to hold us to any decisions until we know which path the Hwy 158 bypass is going to take. Council asked Kim to contact Timmons and asked if we could make the February 14, 2018 meeting a work shop. Mayor Flynt motioned to approve changing the Timmons Group meeting to a special meeting or work shop, if Timmons agrees. Thearon Hooks 2nd the motion on the condition that Timmons agreed to the work shop/special meeting. Vote was 5-0 to approve.

9. Review of Town Hall Office Hours. Tim Jones stated that he thinks Town Hall should be closed on Fridays to the public to give staff time to play catch up on minutes and unfinished business. Also, maybe change opening hour to 10:00AM to give staff an hour to prep for each day. Frank Bruno said he has thought about closing Town Hall at noon on Fridays or opening from 9am until noon three days a week. He stated it would be a great idea to come up with a schedule that is not going to hurt the town but lower the cost. Kim Hemric replied that staff hours have already been reduced by 150 hours a

month since Diana Marcus the 2nd Deputy Clerk resigned in October. Mayor Flynt wants to continue this topic until the March 8, Town Council Meeting.

10. Discuss unauthorized Town park modification. Tim Jones stated that someone built a structure to cross a ditch at the disc golf course at hole No. 3, and at the first tee box two planks were built around the tee like a retaining wall. Neither structure was authorized to be built by Town Council. Tim Jones motioned to have the property committee obtain a quote to have the structures removed. Thearon Hooks 2nd the motion. Vote was 5-0 to get a quote to have the structures removed.

11. Discuss Protocols for Attending Water Study/Proposed Water Authority closed group meetings including voting, record keeping, document retention reporting to town council.

Tim Jones wants those people from Stokesdale who attend the meeting to make a spread sheet. On that spread sheet he wants the dates of each meeting, location of each meeting, a list of those in attendance at the meeting, subject of the meeting, any documents given out at the meeting, duration of the meeting, and any votes taken during the meeting. Bill Jones stated that he and Kim could maybe get a copy of the sign in list of attendees from Timmons Group and copies of the agendas. There were never any handouts, minutes taken or votes. These were informational meetings only as council has been told before. Frank Bruno 2nd Tim Jones motion. Vote was 5-0 to make the spread sheet.

12. Review of Water Technician position including: tasking, management, reporting and hours. Council voted 5-0 to continue the discussion of the water tech position until the March Town Council meeting. Afterward Tim Jones said the proposed job duties for the recently hired technician seemed to duplicate the task that Yates already does for the town and he was concerned about the wording "Broad Scope" in the task list. He stated that it seemed like the Town was taking its first step toward starting a public works department. John Flynt and Thearon Hooks were stated concerns that we were taking work away from Yates construction. Kim Hemric said that the water technician position had been discussed with Gene Roberson of Yates Construction, and he understands that we have no intention of taking work away from them. This position will be supplemental to Yates. Bill Jones said the town has been running a \$5 million-dollar water system without a staff member coordinating things. He said another 400 homes will be built in the next 4 to 5 years which will double the size of the water system. Bill said he didn't know what point Tim Jones was trying to make regarding his statement about a public works department. Bill said we just got two violations from state. You don't think we need someone hands-on for the Town of Stokesdale? There was discussion regarding hours, scope of work, tool requirements, automobile use liability. Mayor Flynt suggested that since it is so late at night to continue this discussion at a later meeting. Tim Jones motioned to continue. Mayor Flynt 2nd the motion. 5-0 voted to continue.

13. Discussing of Planning Board meeting schedule and coordination with subsequent Town Council Meeting. Tim Jones stated that he is concerned that the Planning Board meetings are too close the Town Council meetings in timeframe. He

doesn't feel like staff has time to review documents or for a citizen to appeal a decision before it comes before Town Council. Tim Jones is okay with continuing this topic until the March 8 meeting. Mayor Flynt suggested continuing. Tim Jones asked Stephen Louie if he had a comment. Stephen stated that Planning Board had always met on the first Thursday of the month at least the last ten years. Town Council is the one that moved their date to the second Thursday. Frank said Town Council changed the date 7 years ago. Mayor Flynt ask to continue this discussion at another meeting.

14. Emergency Water Use Policy. Bill Jones proposed the town consider agreeing to provide water to Stokesdale Fire Department for firefighting and training, with the department agreeing to take customary steps to protect the water system from cross-contamination and maintain hydrants in the same manner it does now. He stated he is not suggesting the town bill the fire department for water used. Bill Jones suggested some type of written agreement be put together with any fire department Stokesdale furnishes water to for emergency use and said he welcomed the fire department's input. Deputy Chief Randy Southard said he believes Stokesdale Fire District's board of directors and the fire department would be willing to discuss an agreement and Bill Jones said he would talk to Chief Todd Gauldin. This will be brought back before council after talks with the fire department.

15. Consider Fortiline Quote -2nd hand held Device. After discussion on why we should order a second Pit Stop, and Alisa brought the hand held into show council. Frank Bruno made a motion to purchase the 2nd device. Mayor Flynt 2nd motion. Council voted 5-0 to authorize Kim Hemric to make the purchase.

16. Protocols for Council Members to add agenda items. Frank put this on the agenda due to recent issues. He motioned to continue at the next council meeting. He will have more in writing at that time. Mayor said okay and council moved on to next item.

17. Nametags for Council members. Frank put this on the agenda because since we got business cards he said it would look more professional to have name tags when council attends other events. Frank Bruno motioned to purchase. Mayor Flynt 2nd with a condition to limit spending to \$75.00. Council Voted 4-1 to purchase the name tags. Tim Jones voted no, he said he didn't need one but understood why the others might want one.

18. Discussion of Posting No Trespassing Signs in the Park. Thearon Hooks added this to the agenda. We have a state statue that limits the size, lettering and size of lettering that needs to be met. Due to situations like we had back in the winter during the snow where someone ran all over the park with an ATV, damage to the doggie pot container, etc... Thearon feels like we need to post signs on either side of the road into the park. His thinking is we can't ask officers to stop trespassers or cite them if we don't have signs posted to limit traffic, traffic type, and the public use of the park after hours. Thearon Hooks motioned to post signs Two no trespassing and two no motorized vehicles except on paved areas. Mayor Flynt 2nd the motion. Tim Jones asked Council to be careful he is concerned we are on a slippery slope. He is concerned about our citizens

who use the walking track and other areas of the park after work hours at night. There was discussion of putting specific times on the signs. Thearon said we will work out the time. Frank Bruno is concerned with the cost and who is installing. Thearon Hooks motioned again to order four signs. Two No Trespassing signs and Two No Motorized Vehicles Except on paved surfaces at a cost of no more than \$100.00 per sign, including post to install them. Mayor Flynt 2nd the motioned. Vote was 4-1 to purchase the signs. Tim Jones voted No.

VII. Old Business

1. Park Shelter: Continued

2. Insurance/Bonding of Financial Staff. Thearon Hooks stated that he has spoken with the League and he said the League suggest and says the Town is responsible for any employee that handles the money or financials and that employee should have an annual criminal background check. Frank Bruno asked if we do Criminal background and credit checks. Kim said Credit Checks are not run at pre-employment. Tim Jones stated that criminal background and credit checks were voted to be approved to be done at pre-employment years ago. Thearon Hooks made the motion. Tim Jones 2nd the motion. Vote 5-0 to do annual background checks on all bonded employees.

VIII. Committee and Board Reports.

1. Committee/ Board Report: Bill Jones replaced the photo cell on the bathroom lights at the park. Most of the canopy lights were out too and replaced. He also bought spares to keep on hand. Also replaced the batteries in the sink facets with Lithium batteries so they will last longer.

2. Departmental/Administrative Report. Town Administrator. Hemric said the average daily cost of the Town's most recent water bill, which covered a 40-day cycle instead of 31, was \$557.09, slightly below the daily average of \$558.56 this time last year. She suggested the council consider scheduling a budget workshop in March. Kim complemented Alisa Houk on assisting with prioritizing the minutes the council approved, Hemric said, and the two had a combined 37 hours besides their regular 40-hour work weeks to get them done. Hemric said she had sent out notices to water customers about the elevated TTHM level less than a week after the town had been notified by the state and interpreted the low number of phone calls in response to the letter as a show of "trust the citizens have in council leadership and staff." A public hearing about a change to Stokesdale's development ordinance that would eliminate the requirement that minor subdivisions hook up to the water system will be on the Planning Board's April 5 meeting agenda.

PUBLIC COMMENTS. Stephen Louie, chair of Stokesdale's Planning Board, recommended the council appoint new members to the board from the list of current alternates and that those appointed should have the highest number of meetings attended. Louie said previous volunteers had served diligently as alternates but were passed over in board appointments and several resigned as a result. There are currently five, rather than seven, members on the board, with four alternates. Training is scheduled March 1.

COUNCIL COMMENTS

Tim Jones urged residents to contact Guilford County commissioners about returning the sales and use tax distribution money to Stokesdale, saying if there is a vote on the issue it will be in March.

Bruno thanked the four citizens who stayed to the end of the four-hour meeting, noting what the council had discussed was important.

Bill Jones said a lot of people didn't understand the council's vote earlier in the meeting to approve the special use permit.

"Unless you have a pretty good reason not to allow it, you're almost obligated by law to allow it," he said.

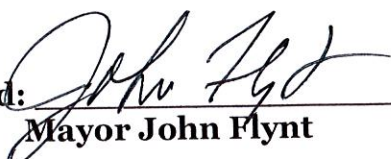
Hooks said he thought the council had accomplished a great deal during the meeting.

Flynt thanked the council members for showing respect to each other.

"I think that's healthy, and I'm sure the people in Stokesdale appreciate that," he said.

A motion was made by Tim Jones to adjourned, Thearon Hooks 2nd. The motion 5-0 to adjourn at 11:07 p.m.

Approved: _____


Mayor John Flynt


Alisa Houk, Interim Town Clerk