

TOWN OF STOKESDALE

Town Council Meeting

8325 Angel Pardue Road

Stokesdale, NC 27357

March 8, 2018

The Stokesdale Regular Town Council Meeting of Thursday, March 8, 2018 at 7:00PM at the Stokesdale Town Hall, 8325 Angel Pardue Road, Stokesdale, NC 27357.

Members Present: Mayor John Flynt, Mayor Pro-Tem Thearon Hooks, Jr. Council Members Bill Jones, Frank Bruno, Tim Jones.

Others Present: Town Administrator/Town Clerk/Finance Officer Kim Hemric, Deputy Clerk Alisa Houk, Budget Officer Phillip Pulliam, Town Attorney John Bain, Oliver Bass Stokesdale Planner from Guilford County Planning Department.

- I. Call meeting to Order:** John Flynt called the meeting to order at 7:00PM
- II. Invocation:** Pastor Jason Riddle from Heritage Baptist Church, Stokesdale, NC.
- III. Pledge of Allegiance:** Mayor John Flynt led the members of Council and all others present in the
- IV. Review and adopt the Agenda:** Mayor John Flynt asked under New Business if we could continue Item # 8. Brunch Bill until the April 12, 2018 Regular Town Council Meeting. Also, to continue #10. Tech Committee Discussion until April 12, 2018, continues # 15. Ordinance 67 and Nuisance Re-write until April 12, 2018. Move # 16 to Old Business to discuss at the end of the meeting. Under Old Business # 2 Continue discussions about the Water Technician position to April 12, 2018. Additions to the Agenda: Mayor Pro Tem Thearon Hooks, Jr. asked to add an item to the Agenda: Make this # 15. To Discuss regarding having T C Meeting minutes prepared within a certain time limit each month. Bill Jones asked to add as #16. Discussion regarding the Mayor negotiating delinquent water account without vote of Council. Tim Jones asks to add # 17. Discussion of adding CPA Dana Luther as a vendor.

Vote: Mayor John Flynt motioned to approve the agenda with the continuations. Mayor Pro-Tem Thearon Hooks, Jr. 2nd the motion. Vote was 5-0 to approve with continuations and additions.

- V. Approval of the Minutes:** January 11, 2018 Regular Town Council Minutes, January 25, 2018 Water Shop Minutes. February 8, 2018 Minutes Approval will be continued until verbiage changes can be made to the discussion of the CDARs to add based on FDIC and Banking Regulations regardless of any policy or procedures Stokesdale Town Council has in place. Then 2 sentences down take out the Mayor and Mayor Pro tem's names and just state Mayor, Mayor Pro Tem, and Finance Officer.

Vote: Mayor John Flynt motioned to approve the minutes for the two January meetings and continue the February 8, 2018 minutes approval until the April 12, 2018 Regular Town Council Meeting. Mayor Pro-Tem Thearon Hooks, Jr. 2nd the motion to approve. Vote was 4-1 to approve the minutes with Tim Jones being the one Nay.

VI. New Business:

- A. Comments from the Floor** – Limit comments to 3 minutes – Non-Agenda Items and/or NW Guilford Feasibility Study. (Please state your name and address before speaking.)

1. **Report from the Public Safety Agencies:** Detective Charlotte Rogers from the Guilford County Sheriff's Department reported the District 1 service calls for February 2018 total 535, of those calls 74 were in the town of Stokesdale. Part 1 Crimes for the district were 14, of those Stokesdale had 0. Crime is down in District 1 by 51% from February 2017. Just a reminder as the weather gets warmer the risk of thefts including that of lawn equipment and tools is likely to increase so just remind everyone to keep their buildings, cars, and items locked up. No one was present from the Fire Department this evening.

2. **Monthly Finance Review:** Mr. Pulliam reported as follows:

General Fund Account: Total Checking/Savings: \$2,790,899.46 Profit and Loss Budget verses Actual Total Income \$ 92,759.05 which is 24.1% with Total Expenses of \$150,633.53 which is at 39.2%.

Water Enterprise: Total Checking/Savings: \$713,655.02. Water & Sewer Fund Total Liabilities & Equity is \$816,503.02. Total Checking for Water Enterprise: \$ 9,889.20. Water Enterprise Sales \$ 324,839.55 which is 67.6% and Water Purchases Total Expense \$ 286,584.31 at 59.7% of budget.

3. **Notice of Public Hearing:** Mayor John Flynt motioned to recess from the Regular Town Council Meeting and reconvene as the Board of Adjustment to hear an appeal of a Notice of Violation of the Stokesdale Development Ordinance. Case # 17-07-KVPS-00191: Northwest Meadows Development Entrance Sign. Mayor Pro tem Thearon Hooks, Jr. 2nd the motion. Vote was 5-0 to reconvene as the Board of Adjustment. Town Administrator/Town Clerk Kim Hemric swore in Scott Wallace of Keystone Homes, Oliver Bass Town Planner, and Mark Lawson a citizen of Stokesdale.

Mr. Bass spoke first and gave the chronological order of events that have taken place up to tonight March 8, 2018.

-In early April 2017 Staff observed a sign built at the entrance to Northwest Meadows Subdivision that was not shown or approved as part of a unified development plan Plat Book 190 Page 3 of the Office of the Register of Deeds of Guilford County. It was noted that the sign exceeded the 6 ft. maximum height restriction requirement of the Town's Sign ordinance. Mr. Bass was contacted and discovered that the sign was also built without a permit. A letter was sent to Keystone Homes addressing the violations.

-April 6, 2017, Guilford County sent an initial letter of possible violation regarding the building of a building or sign without the proper permits.

-May 15, 2017, Keystone submitted a new sign permit application to Guilford County, the new application showed non-compliance of the maximum height requirement in Section 6-1.5 of the sign regulations.

-May 22, 2017, an email was sent to Keystone to deny the sign permit based on building and sign regulations.

-July 31, 2017, A Certified Letter Notice of Violation of 4-10.5 of the Development Procedures and Violation of 6-1.5 of the sign permit Ordinance was mailed to Keystone Homes. With and outline of remedies and the penalties and explained the right to an appeal to the Board of Adjustment.

-August 4, 2017, Guilford County Planning received a letter contesting the decision of the officer of code enforcement. At that time a formal application of appeal had not been requested.

-August 9, 2017, Guilford County planning staff mailed Keystone Homes a response to the August 4th letter with instructions on how to make a formal appeal of the zoning officer's decision with the Town's Board of Adjustment

-August 15, 2017, Keystone sent a letter requesting the assessment of the zoning officer's findings.

-August 25, 2017, Guilford County sent Keystone Homes a Civil Penalty Notice with instructions for payment of penalties and corrective action to resolve the violation.

-October 26, 2017, Stokesdale's Town Attorney Katy Gregg provided a letter to Guilford County Planning Dept. to Keystone Homes outlining and confirming determination of the violations of the Town of Stokesdale Ordinances as they read.

-February 8, 2018, Keystone Homes filed a formal application of appeal and this Public Hearing tonight was scheduled. Between February 18-23, 2018 all proper notifications were posted.

Mr. Wallace spoke that he is the Co-Founder and President of Keystone Homes. He states that these brick works are not a sign but works of Art. Their plan was to place a sign on the brick works but due to the issues they have run into with the Town of Stokesdale that hasn't happened. Mr. Wallace stated that he has had communication problems with our Town Staff and the Town Clerk and that is the reason this has been drawn out so long. He handed out illustrations of the brick works. Mr. Wallace stated that Keystone is very proud of their work. They describe the brick work as very attraction works of Art. Mayor Pro-Tem Thearon Hooks, Jr. asked Mr. Wallace if the three-tiered brick wall was on the original site plan? Mr. Wallace said he didn't believe there were any signs drawn on the original site plans. Those plans were designed by the previous owner. Keystone bought the contract from the original contractor after the site plan was already submitted to the County and Town. The walls were designed and built after Keystone took possession of the property. Bill Jones asked if the site plan and lots had been drawn out prior to Keystone's purchase. Mr. Wallace wasn't clear. Oliver Bass said the landscape plan was submitted by Keystone in 2015. John Flynt said Council has a letter from Mark Michael of Keystone's Engineering firm regarding monuments (he called them) signs at the entrances. Mr. Wallace agrees they were intended to be signs. Keystone decided to change the verbiage to works of Art to try to be within the Town's Ordinance. John Flynt asked Mr. Bass to confirm that not only are signs restricted to 6ft but brick walls are also restricted to 6ft. Mr. Bass agreed that yes that was the Ordinance. Tim Jones asked about an additional drawing on the plans for another sign that looks like they intend to build that will actually say Northwest Meadows. Mr. Wallace agree that there was a plan to put the Northwest Meadows sign in the middle of the median at the entrance. Mr. Bass said they did receive an application for a sign permit after the signs were already erected. The permit was denied because the signs exceeded the 6ft requirements. Mr. Bass states that even if they were works of Art they are not exempt from the ordinances. Keystone would still have to apply for a permit.

Mayor Flynt Opened the Floor to Public Comments:

Mark Lawson, 8015 Eversfield Rd., Stokesdale, NC is representing his parents Ted and Connie Lawson, who live on Eversfield next to the development, spoke against the brick walls. Their concern is that the permit was not applied for until after the walls were built. Not to mention the wall was not built to meet the Town's Ordinance. If we let one developer get away with building without permits and against ordinances we are opening ourselves up to others thinking they can do the same. The signs also confuse people the way they are built and pointing has people turning into Teeline Rd. The big trucks are tearing up the driveways, yards. Mark says his family is building a small subdivision and they intend to follow the rules. So, he expects Keystone to also follow the rules.

Mayor John Flynt asked if anyone else from the public wanted to speak. No one replied so Mayor Flynt closed the public comments section and opened it for Council Comments:

Mayor Pro-Tem Thearon Hooks, Jr. states that everything points to signage and sign application. He sees Keystone's only option is to take the signs down to the 6ft maximum or remove them altogether.

Frank Bruno commended Oliver Bass on the communication and notifications. Frank is perplexed that Mr. Wallace doesn't understand the problems and violations because everything in the site plans, and written reports refers to the walls as signs.

Tim Jones said he went out twice and measured the signs and they are 16 ft. tall. If he was passing by in the dark he would assume they were signs to the entrance of a subdivision. He states that everything in the paperwork stated the walls are signs. Tim said he doesn't know what else can be done other than reducing the height or removing it.

Mayor Pro-Tem Thearon Hooks, Jr. asked Mr. Wallace if he was aware of the Town Ordinances when he applied for the permits. Mr. Wallace said he didn't apply for the permits.

Frank Bruno said the problem is Keystone Homes did not apply for the permit until the signs were already built. Ignorance of the Town's Ordinances is not an excuse.

There was more discussion and reference to written documents in hand and Tim Jones said he isn't clear on what Council is supposed to be deciding on.

John Bain spoke that Council was supposed to review and determine that Mr. Bass's interpretation that these walls are a sign is incorrect.

VOTE: Mayor John Flynt made a motion that Council finds no reason to change the findings and decision of our Town Planner Mr. Oliver Bass. Mayor Pro-Tem Thearon Hooks, Jr. 2nd the motion. Vote was 5-0 in favor of Mr. Bass interpretation of the walls as signs.

4. Review Quote for the Athletic Fields: Bill Jones stated that Hunter Enterprises has been doing a great job for us on the fields and that prior Council had taken and reviewed many bids prior to Hunter Enterprise. Hunter has had the best prices we could ask for. Tim Jones asked if we could get Mr. Bain to draw up a new 2018 contract.

Bill Jones motioned to approve Hunter Enterprises maintain our Athletic Fields for the 2018 year upon signing of a new contract based on the current Bid. Frank Bruno 2nd the motion. Vote was 5-0 to approve.

Keith Tuggle Mowing: Bill Jones again commended Keith Tuggle on a great job taking care of the remaining Town Hall and park ground and said he has the best price of any other bids we have received.

Bill Jones motioned to approve Keith Tuggle Mowing to maintain the lawn care of the remaining Town Hall and Park ground for the 2018 year upon signing a new contract based on his current bid. Frank Bruno 2nd the motion. Vote 5-0 to approve Keith Tuggle Mowing for 2018.

5. Consider Purchase of Fire-Proof Cabinet for Mayor's Office. Mayor John Flynt explained the reason for this cabinet is to move the Personnel Files into the Mayor's office. After reviewing the bids and deciding on a 4-drawer cabinet.

Mayor Pro-Tem Thearon Hooks, Jr. motioned to purchase a Fire King Fire-Proof Insulated 4 drawer Cabinet for the Mayor's office at a price of \$1,037.51 + Tax and shipping. Lift-gate Curbside delivery. Include giving the Town Clerk permission to open an Amazon Account. Frank Bruno 2nd the motion. Vote 5-0 to order the cabinet and set up an Amazon account.

6. Request for Proposal for Annual Audit Discussion. Mayor Pro-Tem Thearon Hooks, Jr. asked for this to be added to request qualifications and bids from at least 3 different Certified Auditing Companies before our next Audit. Bill Jones said we had an agreement with Rouse, Rouse, Penn and Rouse that we would keep them for at least 1 -3 years. Kim stated that she is pretty sure it is in the service agreement

that we keep them for the 1-3 years. Bill stated that all firms have that type of agreement in their contracts because it can take a couple of years to get familiar with the clients.

Tim Jones motioned to send out request for qualifications from Audit firms on the State Approved List within a 60-mile radius to be submitted within 30 days of request. Mayor Pro-Tem Thearon Hooks, Jr. 2nd the motion. Vote: 4-1 Bill voted Nay based on agreement with Rouse, Rouse, Penn, and Rouse.

7. Downtown Revitalization Grant Discussion: Frank Bruno said we still need to come up with a project to use the grant the State gave us. If we don't use it we lose it. Council agreed to put the word out for suggestions on how to use the money.

8. Consider Bids for Repaving/Striping Parking Lots at Town Hall and the Town Park. John Flynt wants more time to have the Property Committee (Bill Jones) Tim Jones volunteered to help Bill to ask vendors to tighten up the bids we have received he wants the bids to be more apples to apples than what we have. Bill Jones said he is pretty sure Cold Tar paving has been banned in a lot of Towns because it isn't performing well and several bids quoted cold tar. John Flynt asked to continue this item.

9. Staff Management Position Discussion. Mayor Pro Tem Thearon Hooks, Jr. has talked to Frank about the Staff having one point of contact for questions regarding staff questions and request instead of the staff having to come to all five members of council. Mayor Flynt made a motion to put Mayor Pro-Tem Thearon Hooks, Jr. and Frank Bruno as the Staff's points of contact for any issues they may have. John Bain says this should be made into a Policy. Kim reminded Council that historically the Town Clerk has been the manager/supervisor of staff it is in the Town of Stokesdale description of the Town Clerk position. The Town Clerk is the middle person between Staff and Council. Staff or Council can go to the Town Clerk and the Town Clerk can take the issues to Council/Staff. The Town Clerk should be able to have good quality conversation with all five members of Council not just one or two members. Kim told council about the Council Candidate Orientation Manual that she made and presented to the prior Mayor who was responsible for handing out copies to the Council members before the elections in December. It's a review of how the Town works such as what the responsibilities of a Council person to what type of government the Town abides by. John says the problem Council has is that when they have a question about policy or a citizen ask a question they don't know where to look for anything They don't have a lot of information. They have a real problem with rules and regulations, there is no definitive answer in policy. Council doesn't really know what anybody's job is. He wants to be able to say our Ordinances are here. Our water policies are here. They need references to find these things. Mayor Pro-Tem Thearon Hooks asked that before they make a motion that they continue this discussion after they look at the Council Candidate Orientation Manual and gather other information so they can make an informed decision on Staff management. Mayor John Flynt asked for a **5 minute break**.

10. Discuss tampering of Meters: A developer removed one of our meters and replaced it with a cheater pipe. This is a violation of our Ordinance 60. Mayor John Flynt just wants to confirm what our exact policy is. John Flynt wants to know if we enforce the Ordinance on the first offense or do we give them a warning the first time, second time, when do we enforce the policy. Frank brought up the hydrant spigot alternative. Tim Jones said he remembers that Council had discussed allowing the Developers to install a hydrant spigot but doesn't know how far we got with the hydrant spigot alternative. Alisa Houk spoke up to inform Council that the hydrant spigot is an option for the developers. Their contractors are aware of the option. It is included in the June 2017 revised Water Specifications. The hydrant spigot still has to run off of the meter in order to know how much water they are using and to be charged for it. When anyone comes in to purchase a meter they sign on the

application that we hand them a copy of Ordinance 54 & 60 that address tampering with the meter. John Flynt wants to put some language in the specifications or to the application agreement that they are responsible for any damages or water meter tampering.

No vote was taken at this time on the water tampering.

11. Contract Review of Republic Waste. Frank Bruno made a motion to have Mr. Bain draft a letter to Republic Waste that they have violated Section 11 of the Performance Contract and give them 15 days to respond. Mayor Pro Tem Thearon Hooks, Jr. 2nd the motion. Vote is 5-0 to send the letter. Frank Bruno made another motion that we send out a request for bid to Waste Management of Stokesdale. Mayor Pro-Tem Thearon Hooks 2nd motion. John Flynt says in our contract with Republic Waste it states that the Town has a 1 year notice of extension before terminating the contract. John Bain states that our recourse is the violation of Section 11.

Vote: 5-0 to send out for a bid from Waste Management.

12. Mayor Pro-Tem Thearon Hooks, Jr. made a motion to have the Regular monthly Town Council Minutes be prepared (typed Draft) be ready for Council Review by the end of the same month as the meeting is held. Mayor John Flynt 2nd the motion. Vote 5-0 to have the Draft minutes ready by the last day of the month in which the meeting was held.

13. Discussion of Improper Use of Employ Records: Bill Jones states that it has come to his attention that Employee Personnel Files have been removed from the legal possession of the Town Clerk and the Town Clerk office by current council acting on their own behalf without a vote of council required by NCG.S. 160A-160A-Subsection B2. Former council has always considered the Town Clerk as custodian of all records including personnel records. It would therefore require a vote of Town Council to change this arrangement. Bill says he would like to know any day and time of any meeting held where there was a vote to change this arrangement, as he was not invited. Current leadership of Town Council seems to be in violation of numerous rules regarding the safe keeping of Personnel files and public, such as removing them from the building without a vote of Council, which violates your own G. S. 132-7. It has also been stated to employees that it is the intention to keep their personnel records on a private computer at a private residence. Bill believes this will also violate G.S. 132-7. To respond to this Bill would like an inventory taken of all personnel records taken from the office of the Town Clerk by any elected official of the Town. An inventory of any personnel records and public records removed from the premises of Town Hall. A Certification by any person who copied such records with the date and time those records were copied as well as a list of all documents copied. An Inventory of all records returned to Town Hall as well as a statement giving the current location of these records. Bill would also like to know what safe guards are being taken to protect these records that are no longer in the proper custody of the Town Clerk. Bill Jones then stated that at the February Town Council voted to rescind the agreement that all contact with the Town's attorney would be made through the Town Clerk. We were assured that all contacts made by Council and Staff to the Town Attorney would be copied and emailed to the rest of staff and council. Since that meeting Bill says he has not seen any notifications yet he has been told that the Town Attorney has allegedly approved some of the above actions. In light of that Bill is asking for a summary of all contacts written and verbal made by members of council to Mr. Bain concerning any and all matters. And a summary of all written and verbal contact made by staff to Mr. Bain concerning any and all matters. It must be noted that Mr. Bain represents the entire Town Council, not just the Mayor and Mayor Pro-Tem this is well noted in Cannon's School of Government UNC Education Ethics, the roll of the local government attorney in reference to revised NC Rules of Professional Conduct Rule 1-13. NC G.S. 160A-171 states: There shall be a city clerk who shall give notice

of meetings of the council, keep a journal of the proceedings of the council, is the custodian of all city records, and shall perform any other duties that may be required by law or the council. NC G.S. 132-7 states custodians of public records shall keep them in fireproof safes, vaults, or rooms fitted with noncombustible materials and in such arrangement as to be easily accessible for convenient use. All public records should be kept in the buildings in which they are ordinarily used. NC G.S. 160A-162 in part reads in cities with the mayor-council form of government, the council shall appoint a personnel officer (or confer the duties of personnel officer on some city administrative officer); the personnel officer shall then be responsible for administering the pay plan and any position classification plan in accordance with general policies and directives adopted by the council. And Lastly Bill quoted NC G.S. 160A-158. Mayor and councilmen are ineligible to serve or act as heads of departments. Neither the mayor nor any member of the council shall be eligible for appointment as head of any city department or as acting or interim head of a department; provided, that in cities having a population of less than 5,000 according to the most recent official federal census, the mayor and any member of the council shall be eligible for appointment by the council as department head or other employee, and may receive reasonable compensation for such employment, notwithstanding any other provision of law. Bill then stated that council had just voted to purchase a file cabinet for council to move the personnel records into the Mayor's office which Bill states is inappropriate. He said there has been not vote of council giving anyone the authority to supersede the Town Clerk in the maintenance of the personnel records and it is against the law for any member of council to do so. Mayor Flynt stated that no one has ever made reference to putting these records on a private computer and no one has taken any records out of the building. He said that was a complete fabrication by someone. The records are completely safe and locked in the Mayor's office. This was cleared with Mr. Bain. Mayor Flynt stated that the Staff works for the Town Council and he thinks that it is inappropriate for a Staff member to keep their own personnel files. Mayor Flynt hates to discuss some of this in public session but for example the Town Clerk did her own performance review and Mayor Flynt thinks that is absolutely absurd. Mayor Flynt thinks that all of Council should have access to the employee records. Town Council understands the importance of personal information, but if you look at State Statues a lot of the information is open to public information. Mayor Flynt said at the last Town Council meeting it was stated that staff had worked 36 hours of over- time. Then the Town Clerk corrected herself and stated it was comp time. He had understood that no staff member was allowed to work more than 40 hours without the permission of council. So, he wanted to see a copy of our contracts to see what was stated in the contract regarding overtime/comp time. Mayor Flynt talked to Mr. Bain to make sure they were in their rights to see the personnel files. They wanted to make sure they were doing everything in a legal manner. Mr. Bain told the Mayor and Mayor Pro Tem that they could hold the staff personnel records as long as they were stored properly and kept safe. Bill Jones interjected here that he agrees that they have a legal right to view them but he doesn't believe they have a legal right to take custody of them. Thearon Hooks asked Mr. Bain if he could help Council out with an answer to this matter. Mr. Bain stated that with absence of a written policy Council has a right to view the records Mr. Bain said he's not sure what the problem is as long as the Town Clerk has access to those records. Bill spoke up and said it sounds like to him the Town Clerk does not have access to the records. Thearon Hooks says sure she does she can ask for them. Bill Jones said that is not what the General Statue says. Thearon ask to intervene here he said he and the Mayor took the records to look at them to see what was in the folders. The Town Clerk brought up that she had to have access to the records. Thearon said that he told her they would make copies of the records and they could have dual offices, not an issue and that was fine, you (Bill) were standing there when they had the discussion with the Town Clerk. We had no idea what was in the folders and we still don't have complete folders on everyone. It was a day or two later when the Town Clerk brought the Mayor and Mayor Pro Tem some evaluations that were not in the files when they pulled them. Thearon told Bill that his information was right that the Mayor and Mayor Pro Tem took the personnel files and

looked over them. Bill asked if they still had possession of the files. The Mayor and Mayor Pro Tem both answered yes, until they can get everything copied. Bill asked then what vote of Council gave them permission to take possession of those files. Mayor Flynt spoke up that there is a big difference in having the files and making personnel decisions. Mayor Flynt said he is not making personnel decisions on staff, salaries, positions or anything like that. He took the files because he wanted to know if anything was in them regarding overtime and compensation time. Bill said he believed the proper thing to have done would have been to wait until this meeting and talk to council about what he planned to do. Because any action like this should have taken a vote of council. Bill stated he was under the understanding that any contact between Staff or Council and Mr. Bain was to be shared with all of council and he was not notified of the intentions of reviewing the personnel files. When Tim Jones brought it up in February that we not funnel every question for the Attorney through one place so I get any knowledge of it. This is the first time Bill has heard anything about the personnel files being removed from the Town Clerks possession. Mr. Bain says he sent summaries of two groups of two council members meeting and speaking with him to Bill through Bill's Stokesdale.org address. Bill advised him the address Mr. Bain used is not a working email. Mr. Bain said he will send Bill the emails again on March 9, 2018 to his correct Stokesdale.org address.

Bill Jones made a motion that the Mayor and Mayor Pro-Tem make the inventory of all the records in their possession as stated earlier in this topic of conversation. Frank Bruno seconded the motion. Vote was 5-0 all Ayes for the Mayor and Mayor ProTem to prove the inventory of records in their possession.

14. Review of Mayor Flynt's decision regarding the installation of a water meter.

Bill stated that Mayor Flynt entered into a negotiation with a water system customer and agreed to accept a reduced settlement on their outstanding water bill and then approve that a new water meter be set. Bill considers this a breach of the Town's policy as no one has ever been allowed to negotiate a settlement except for our duly hired attorneys. The fact that the customer is a former council member and fellow realtor takes this issue to a higher level of concern. I will refer to the Town Attorney for guidance in this matter. It has always been a vote of council as to whether they accept a settlement on a water account. We have never authorized any Mayor that Bill knows of to arbitrarily go out and negotiate a settlement with any water customer that is delinquent. Any settlement takes an act of Town Council. Bill ask that any settlement action taken in this case be rescinded if possible. Mayor Flynt said we had received a call from Sheldon Steele. The Steele's had conversation with Mayor Flynt, with Kim Hemric, Town Clerk, and Alisa Houk, Deputy Clerk. The Steel's well had gone dry. The Steele's had Town water before and due to some issues, they had discontinued the Town water and went back to their well. When they terminated their town water account 8 or 10 years ago their bill was fairly significant. It's the Mayor's understanding and was confirmed by Kim that state law only allows us to go back three years to collect a delinquent account. If you multiply \$30.50 X 36 months that is \$1,098.00. Mayor Flynt had a conversation with both Kim Hemric and Alisa Houk on what we do and he was told that we charge the customer for a new meter and installation which comes to \$395.00. All we could collect by state law was the \$1,493.00. The man had a dry well. Mayor Flynt said this is the kind of thing that if there isn't already a policy we are going to have to make one to give latitude to these types of situations. Somebody is going to have to be able to make a decision in these situations. The Mayor doesn't want to have to call a special meeting every time someone calls with an emergency situation. Mayor Flynt says we got what we wanted and all we could collect. The Steele's got water. Mayor Flynt says he knows we have past attorneys that have been hired to collect on the delinquent accounts. The Mayor asked Kim and Alisa if the Steele's were on the collection list. He didn't want to get in the middle of a legal issue or agreement. Kim and Alisa said No the Steele's were not in collection with the attorney. Mayor Flynt said

again he doesn't understand how we go after one delinquent account and not all of them. We need policy. Mayor Flynt stated he doesn't understand what the problem is because we collected all we could legally collect. Bill said the problem is that this was not a decision that the Mayor can arbitral make without discussion with council. Bill said Town Council might vote to give the Mayor the authority to make this kind of decision in an emergency but that vote hasn't taken place yet. Right now, it takes a vote of all council. Bill said that is why they used to have the weekly Wednesday meetings to handle little things like this that come up. Mayor John Flynt wanted to add some comments before the vote is taken. Mayor Flynt bought a piece of property, the old Barber Shop from Bill Pegg. Mr. Pegg had signed an agreement for water, Mayor Flynt had asked him for a copy of the agreement and it took about six months for town council to give him a copy and all the agreement said was that Mr. Pegg wanted to tie onto Town Water. Mayor Flynt is not sure legally with that document that Mr. Pegg or Mayor Flynt is obligated to continue to pay the \$30.50 customer service/dry tap fee. Mayor Flynt would like for the Town Attorney to review the policy relating to the dry tap fee. Mayor Flynt said it may be that the Council will have to forego all of the dry tap fees. Mayor Flynt is not sure with this kind of documentation that they are legal. He is going to forward a copy of the documents to Mr. Bain for his review.

Tim Jones made a motion to have Mayor John Flynt put into writing the events as they happened and to include all of the monetary amounts in question. And for Council to come together and make a policy for emergency situations and set it in place. Bill Jones seconded the motion. Vote was 5-0 all in favor.

15. Add Dana Luther, financial consultant as a Vendor. Tim Jones made a motion to add Dana Luther as a financial consultant vendor. Mayor Flynt seconded the motion.
Vote was 5-0 to add Dana Luther as a vendor.

VII. Old Business:

1. Review Park Signs Recommendation by Property Committee: Order a sign that says No Off-Road Vehicles/No Off Roading. And another sign that says No Trespassing Between the hours of 11:00PM and 5:30AM.

Bill made a motion to order the signs with poles. John Flynt seconded the motion. Vote: 5-0 to order the signs.

2. Update on the Feasibility Study/Timmons Documents. Frank said he and Bill noticed that Timmons map didn't include Dawn Acres, Charles Place or anything south they were probably using an old map before these developments were built. We need to notify them. Kim Hemric told Council we had notified Timmons this afternoon (March 8, 2018).

March 8, 2018 at 10:10PM John Flynt motioned to close the open meeting and go into Closed Session under NC G.S. 143-318.11 to consult with the Town Attorney to preserve the attorney-client privilege to discuss certain employee matters of the town. Thearon Hooks seconded the motion. Vote was 5-0 to go into closed session.

March 8, 2018 Open Session resumed at 11:49PM Mayor John Flynt motioned to reopen public session. Thearon Hooks seconded the motion. Vote 5-0 to reconvene.

VIII. Committee and Board Reports.

1. **Committee and Board Report.** Frank Bruno presented his graphs and pie chart report of the Town's Finances. He made these charts to help the citizens understand the finance report a little better. He asked if Council would like to have a copy of these charts along with the regular report each month as kind of a visual aide. He can also provide copies of these graphs for citizens to pick up at the beginning of each meeting.

2. **Departmental and Administrative Report.** Reported by the Town Clerk Kim Hemric. Kim just wanted to start out by saying whatever her job duties are she will continue to do them day in and day out with the same diligence and responsibility as when she started. She has been caught a little off guard regarding the Town Administrator position being so controversial among council. Outside of that and even though it is late Kim felt like there were some items that the citizens need to know and need to be documented for the record. When members of council ask a direct question of a staff member we have an ethical obligation to give them an answer. And she wants Council to know that we are giving them honest answers to all of their questions. Kim fosters a team approach when working with staff and council. She doesn't want any staff member to feel they are caught in an awkward position between staff and council. She hopes the following summary will be received with the good will in which it is intended.

Kim's accomplishments are as follows she brought the water billing process up to par. It was extremely antiquated and outdated. We greatly increased the water software capabilities. For last couple of years Kim has been greatly responsible for the Internal processing and mailing out of over 12,840 water bills to customers. She has worked tireless due to the demands of the job and as Mayor Flynt pointed out earlier she has earned a tremendous amount of compensation hours. With that said a lot of that time is related to preparing for meeting such as this one. The prep for this meeting alone has earned Kim about 8 hours of compensation time and Alisa about 6 hours. It should be noted that the prior Town Clerk Carolyn Joyner was considered full time at 32 hours a week to offset some to the meetings. She also didn't have the weekly Wednesday meetings. Kim says she did try to decrease her hours to the original hours she had ask for when she was originally hired about a year into her employment. Unfortunately, Ms. Murrell turned in her resignation at that same time. Staff was down to two for several months until Alisa Houk was hired to replace Ms. Murrell. Alisa has been with the Town now a year. Kim again intended to revisit cutting her hours back to the original hours she was hired for which was 25 to 30 hours a week. But then Diana had resigned and moved and we were back to two again. Kim doesn't want council or the citizens to think that she purposefully or with mal-intent incurred extra hours. Kim has stated in meetings that she doesn't want extra hours she would like to go home. Kim did approach Mayor Flynt and Thearon Hooks on February 27, 2018 and gave them a written request to reduce my hours. And followed it up with an email on March 2, 2018 to all of council and Mr. Bain. She would like to begin the reduced hours April 1, 2018. Kim has responded to over 14,000 – 15,000 emails since becoming an employee for the Town. She has answered over 5,520 phone calls and returned at least 3,712 phone calls. She initiated and attained to her Confined Space and Trenching Certification. Attended the NCRWA courses to obtain her C-Well Distribution License. Kim did this to position the town for long term planning. Kim initiated and paid for lots of other classes through the NC School of Government with her own personal funds. She never charged the town for hotel or meal expenses. She played a key role in communicating with Municode regarding the Development Ordinances getting online for the citizens. It was about a nine-month project. Kim attended over 80 meetings of Town Council; she has completed countless follow up task secondary to those meetings. Then there are planning board meetings and other workshops such as the budget workshops, water workshops. She has

to say he doesn't think we are giving near enough time and energy to pursuing the return of our sales tax money from Guilford County. Tim thinks that the actions they took years ago were very unfair to the small towns. His great hope is that we can modify our website to be able to get our tax history for the citizens to be able to look at it. Basically, in reverse chronological order for everybody in town to look at that and folks that move here will understand. I know it's been a long meeting. Tim doesn't favor a property tax, he does favor small government. For the people serving on this council He doesn't care if they have to stay until 3:00 in the morning to conduct the Town's business that is what we will do. He knows we have received some criticism for having long meetings; we've received criticism for having too much money in the bank that we don't spend which is ridiculous especially given how much debt the Federal, State, and the County governments have. He is proud of what they run the town on. He won't apologize for the confusion fights; debate is part of the process. We are covering a great many details in these meetings, we have a lot of business to conduct he knows it is boring for the people sitting out there in the seats. Once again, he wants to thank everyone that have stayed it is very important to him and the rest of council and the support is appreciated.

Mayor Flynt commented that he has had a number of people expressing some concerns as we had a young man in the community die of a possible drug overdose recently. A lot of people are concern about that, members of clergy; Mayor Flynt has talked to Patty Stokes of the NOW. Patty said she and the paper would be interest in doing some kind of community day. Mayor Flynt said he would love to see Stokesdale coordinate an effort with maybe the Sheriff's Dept. and do some kind of Drug Education program, rehabilitation program. Talk to teachers and school administrators and see if we can get some kind of educational programs for drugs. The Clergy is interested in having some kind of Prayer Day or something. Let's work anyway we can to help prevent any other child from being exposed to drugs or to die by drugs. So, Council is going to be talking with a number of people to try to get something organized. Mark Richardson one of Rockingham County Commissioners is interested. He has had a number of people interested. It's something that is overdue. We have talked to the Sheriff's Dept. they know where the drug dealers are. But it's difficult for them to make arrest because they have to have probable cause to investigate. If we don't do anything else let's get the Sheriff's the information and have them circle by every 15 minutes or 30 minutes in these areas every day. Mayor Flynt welcomes any input from citizens, churches, organizations. Mark Walker of Oak Level Baptist Church is very interested and Mayor Flynt may try to coordinate something with him and the Church. Mayor Flynt apologizes if he was rude tonight. Some comments tonight just didn't sit well with him tonight. He probably didn't act very professionally and he apologizes if he offended members of Council or anyone in the audience but he is frustrated because he doesn't have any rules to go by and as the Mayor he probably receives more phone calls than anyone else on council and he can't wait a month to give them an answer. His obligation is to the people of Stokesdale and if he makes a mistake or oversteps his authority he will take that. He is doing the best he can. If anybody else thinks they can do a better job they are welcome to the job. He will step down tonight. And with that

IX. Announcements:


1. The next Ordinance Review Committee meeting is March 13, 2018 from 4:00PM to 6:00PM at Town Hall.
2. The next Planning Board meeting is scheduled for April 5th, 2018 at 7:00PM at Town Hall.

Mayor John Flynt made the motion to adjourn the meeting. Tim Jones seconded the motion. Vote 5-0 to adjourn at 12:12 AM

March 9, 2018.

A handwritten signature in cursive script, reading "Alisa Houk", written over a horizontal line.

Alisa Houk, Interim Town Clerk

Approved: 
Mayor John Flynt