

MINUTES
TOWN OF STOKESDALE
REGULAR TOWN COUNCIL MEETING
8325 ANGEL PARDUE ROAD
STOKESDALE, NC 27357
JULY 8TH 2021 AT 7:00PM

Available Venues to Watch/Attend:

- a) Attend in Person at Stokesdale Town Hall in Council Chambers at 7pm.**
 - b) View Live Stream at Town of Stokesdale's YouTube Channel at 7pm:**
 - c) View & Participate (Citizen Comments) Virtually via Zoom**
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Members present were: Mayor John Flynt, Mayor Pro-Tem Thearon Hooks, Council Members: Jim Landreth, Derek Foy, Jim Rigsbee; Town Attorney Tom Medlin; Interim Town Clerk Dale Martin and Finance and Budget Officer Kim Thacker. Guilford County Planner Oliver Bass was also present.

1. Call to Order, Pledge of Allegiance and Invocation

Mayor John Flynt called the meeting to order. Councilman Jim Rigsbee led the Pledge of Allegiance and delivered the invocation.

2. Resolution declaring the North Carolina State University Wolfpack baseball team as the best team in College Baseball for the 2021 season (please see attached resolution)

Councilman Derek Foy introduced Cameron Connor, a member of the NC State Wolfpack Baseball team, and presented him the following resolution. He noted that Mr. Connor lives in Summerfield and was a member of the 2017 Allstate Team.

**RESOLUTION DECLARING THE 2021 NORTH CAROLINA STATE UNIVERSITY
WOLFPACK BASEBALL TEAM AS THE COUNTRY'S BEST COLLEGE BASEBALL TEAM
FOR THE 2021 SEASON**

WHEREAS, The Town of Stokesdale is home to many alumni and supporters of North Carolina State University.

WHEREAS, North Carolina State University is the largest public land grant university in the State of North Carolina.

WHEREAS, North Carolina State University receives approximately \$520 million in annual allocations from the State of North Carolina using tax revenue collected from North Carolina tax payers.

WHEREAS, the 2021 North Carolina State University baseball team overcame adversity from starting off 1-8 in Atlantic Coast Conference competition before finishing the season 33-9 and earning a berth to the NCAA Baseball Tournament

WHEREAS, during the NCAA Baseball Tournament, the NC State baseball team went undefeated in the Ruston, LA regional before defeating the nation's top ranked team, the Arkansas Razorbacks, in Fayetteville, AR to advance to the College World Series in Omaha, NE

WHEREAS, the NC State Baseball team won their first two games in the College World Series to advance to the National Semi-Finals

WHEREAS, The NC State Baseball Team was victorious against the three best pitchers in the country in three consecutive games as part of their journey to the College World Series.

WHEREAS, due to several student athlete's positive Covid test, the NCAA eliminated the NC State baseball team from the National Semifinals, thus denying the entire team of student athletes their rightfully earned opportunity to compete for a National Championship

WHEREAS, simultaneously the NCAA hosted 22,000 spectators per game at the 2021 College World Series with no masks, no proof of vaccinations, and no temperature checks for any spectator attending the event during the Covid pandemic

WHEREAS, the NCAA showed a lack of consistency in the application of their own Covid protocols

WHEREAS, the NCAA attempted to deflect the decision to deny NC State's earned right to contend for a National Championship on the Douglas County Nebraska Health Department, whom came out a day later with a press release correcting this false accusation.

WHEREAS, current North Carolina Lieutenant Governor Mark Robinson, current North Carolina United States Senator Thom Tillis, and former North Carolina United States Congressman Mark Walker have all condemned the NCAA for eliminating the NC State Baseball team from the College World Series

WHEREAS, Pete Ricketts, the Nebraska governor (the host state of the NCAA sponsored event of the "College World Series") publically stated that the NCAA "made a mistake" in denying the NC State baseball team their right to compete in the National Semifinals.

WHEREAS, The Town of Stokesdale recognizes that College Athletics, especially the four tobacco road Atlantic Coast Conference schools Duke, North Carolina, North Carolina State, and Wake Forest all play a significant cultural and recreational roles in being engrained in the DNA of many Stokesdale Citizens

NOW, THEREFORE, BE IT RESOLVED that despite the NCAA's ruling to eliminate NC State from the College World Series, the Town of Stokesdale formally recognizes the 2021 North Carolina State Wolfpack baseball team as the nation's best college baseball team for the 2021 season. Congratulations to the student athletes, coaches, and to all the Wolfpack Nation on a remarkable season.

Adopted this the 8th day of July, 2021

Mayor John Flynt

Attest:

Dale Martin
Town Clerk

Councilman Foy made a **Motion** to adopt a ceremonial resolution declaring the 2021 North Carolina State University Wolfpack Baseball Team as the Country's Best College Baseball Team for the 2021 Season. Councilman Landreth seconded the motion and the vote was all for and motion carried.

3. Review and Adopt the Agenda

Mayor Flynt asked that a Report by Fire Chief Gauldin be added right after we adopt the agenda.

Mayor Flynt made a **Motion** to adopt the agenda with the addition of Fire Report by Fire Chief Todd Gauldin. Councilman Foy seconded the motion and the vote was all for and motion carried.

Fire Report:

Todd Gauldin, Stokesdale Fire Chief stated that it is good to be back, He stated that the Department is still limiting operations and being careful with our staff. He reported on the number of calls answered for the month. He stated that next month he hoped to have a complete report to present. He offered the following safety tip: when grilling outdoors, he reminded citizens to treat grills as you would prepare for winter, service them, use the right type of fuel, and provide the proper clearance surrounding the grill. He noted the annual meeting will be held on July 27th at the fire station and encouraged everyone to attend.

Mayor Pro Tem Hooks asked about their new equipment. Chief Gauldin stated that we put a new engine in service 2021 which replaced a 1997 model. He stated that the Department got their money out that one. It was still in good shape and we were able to sell it to another fire dept.

Mayor Flynt commended Chief Gauldin on the improvements made at the Station. Chief Gauldin explained the renovations completed thus far and that they hope to wrap things up in a week or so.

4. Review and Approve Minutes: May 6, 2021

Motion made by Councilman Landreth to approve the minutes as presented. Mayor Flynt seconded the motion and the vote was all for and motion carried.

5. Board & Administrative Report:

Administrative Report from Interim Town Clerk:

Interim Clerk Martin gave the following Administrative Report:

Mrs. Martin stated that she has been working with Matthew Wallace, Guilford County on Piedmont Discovery Campaign to market all the parks and trails in Guilford County and noted that on July 26 at 10:30 AM, the Piedmont Discovery (PD) team would like to have a representative from each town join them for virtual introductions and a presentation. She asked that anyone interested in attending to contact her.

She then presented the following:

68	811's completed
10	meters sold
3	backflow permits
26	new water applications processed

She added that the Town Clerk position has been advertised on NC Clerk's Listserv, Indeed and Northwest Observer. To date 60 resumes have been received.

- a) **Planning Board:** None presented.
- b) **Events Committee:** None presented.
- c) **Property Committee:** None presented.

6. Financials: Finance/Budget Officer: Kim Thacker

Mrs. Thacker presented the June financial report for both the General Fund and noted the Total Assets of the Town are \$3,057,390.20. She highlighted Budget vs Actual expenditures and stated that some year-end budget amendments will be needed. She reported on the Water Fund

and noted current assets at \$1,660,203.29. She highlighted Budget vs Actual expenditures for the water fund as well and stated that some year-end budget amendments would be needed.

7. Citizen's Comments from the Floor (3-minute Limit per Speaker)

Mike Crawford, 8203 Messenger Ct, Stokesdale, NC – stated that he is on the Homeowners Association for Angels Glen. He reported that over the years the development has grown and that people are using Barbelo as a cut-through and are speeding. He noted that part of the road is not paved and that NCDOT said the road wasn't good enough for them to pave it. He asked for the Town's help in requesting NCDOT pave this roadway.

Mayor Flynt stated that previously he spoke with DOT and gave the requirements for having it taken over by the State. He stated that he will speak with them again regarding this matter.

Mayor Pro Tem Hooks asked if it was a state-owned street. Mr. Crawford stated that it is state owned. He added that Angel Pardue is a tar and gravel street and that the developer tried that with the State but was told that it was not good enough here.

Councilman Rigsbee agreed that this is a dangerous situation and asked if the speed limit was posted. Mr. Crawford stated that it was not posted. The Council and Mr. Crawford discussed control devices such as speedhumps to help slow and deter traffic from coming through here.

No action was taken at this time, however, Mayor Flynt stated that he would discuss it with NCDOT again.

OLD BUSINESS

8. Continued Discussion of Employee Benefits (Tabled from May 13th, 2021 Meeting)

Councilman Rigsbee noted the Resolutions being considered later in the meeting are part of the process and deferred discussion until then.

NEW BUSINESS

- 9. APPEAL OF THE DECISION OF THE PLANNING BOARD MEETING, JUNE 24, 2021: MAJOR SUBDIVISION CASE 21-05-STPL-04404 Coldwater Terrace, Phase 1.** Located at the Forsyth County line on Coldwater Road, approximately 1240 feet north of US Highway 158 intersection, Guilford County Tax Parcel 229722. Overall subdivision shows 56 single-family lots, common area, and dedication of a new public street. Includes approximately 9 acres of common area and new street right-of-way within the Town of Stokesdale planning jurisdiction. Zoning: RS-40. Kim Lilly, RLS Surveying and Consulting.

Mayor Flynt introduced this item and the recognized Oliver Bass, Guilford County Planner to give the staff report.

Mr. Bass presented the Staff Report as was presented to the Planning Board. He explained that this major subdivision is located at the Forsyth County line and on Coldwater Road approximately 1240 feet north of US Highway 158 intersection. He noted the conditions

recommended by the Technical Review Committee. He stated that the Staff recommended in favor of the subdivision.

Mayor Flynt stated that about 95% of this development is in Forsyth County and understands that they have approved it. He pointed out that only a small sliver is in Stokesdale. It was brought before the Town Council because they needed a rezoning on the land at entrance off of Coldwater Drive, which was approved. He asked why are we reviewing this again?

Mr. Bass stated that site plan approval was before the Planning Board last month and they denied the site plan based on the ordinance requirement for a second access. Mayor Flynt stated that the 56 lots are all in Forsyth County and it looks like they would have jurisdiction. Mr. Bass stated that the common area and right-of-way are under the Town of Stokesdale's jurisdiction. Mayor Flynt asked if we could vote just on the entrance off Coldwater Drive. Mr. Bass state that that's all you would be voting on. Mayor Flynt stated the 56 lots then are really not an issue and didn't understand why the Planning Board denied this request based on the 56 lots when the lots are in Forsyth County, and they ruled in favor.

Town Attorney Tom Medlin explained that part of the subdivision is located in Forsyth County and part is located in Stokesdale. He added that the General Statutes would allow an agreement between the jurisdictions for one to review the entire subdivision which could have been done early on in the process. But that didn't happen. We have two ordinances now that apply here. The reason it is before you is that it is a major subdivision under Stokesdale's Development Ordinance and that requires the Planning Board review it and has final say on the subdivision final plat. The Planning Board found that there is a Development Ordinance standard that says for a subdivision of more than 50 lots a second entrance is required. Regardless of where the lots are, the entrance is in Stokesdale, and it will serve more than 50 lots. The Developer filed an appeal, and that appeal is to the Town Council and now you will have the final decision.

Mr. Medlin stated that he asked Mr. Bass earlier today if the Technical Review Committee and Staff consider that requirement when reviewing the plat. It is his understanding, that their interpretation was that the lots are in Forsyth County therefore, that requirement did not apply and was not a part of their conditions. Mr. Bass agreed that this was the TRC's interpretation.

Mayor Flynt stated that when you have multiple jurisdictions, their ordinance will control the section in Forsyth County and ours in Stokesdale. He felt we were contradicting their approval. Mr. Medlin stated that you're not contradicting what's done in Forsyth County but ruling on the property in your jurisdiction. He added that you are ruling on a plat in which part of that plat lies in the Town of Stokesdale. You must decide if the fact that the subdivision is serving more than 56 lots, is that standard applicable or do you take the position that you are reviewing only the entrance and common area therefore that standard does not apply.

Councilman Foy stated that this is not really a black and white approach, and we recognize that sometimes things don't go exactly by the book. We have a process to grant a waiver to address those issues. Mr. Medlin stated that there is a process for that and if the Council determines that this standard does apply then the developer could pursue a waiver based on grounds for granting such a waiver. He added that there are other ways to solve the problem such as changing the subdivision ordinance. Here tonight, the Council must decide whether or not that standard applies to this development and then move forward.

Councilman Landreth expressed a concern with only one point of access. If there was some type of obstruction in the road how could emergency vehicles get to the development?

The Council discussed standards in the neighboring jurisdictions such as High Point and Greensboro that allows one entrance into and out of developments. Mr. Bass stated that each jurisdiction sets their own policies and standards. It was noted that there are inconsistencies with surrounding areas. Mr. Bass noted that Guilford County has amended their requirement for a second entrance to 30 lot subdivisions. Mr. Medlin stated that he contacted Forsyth County Planning today and their standard is 30 lots, for fire access purposes, and that a stub street counts as an access point.

Mayor Flynt noted the surrounding property owners, topo and environmental issues in this area. He stated that we can't force a neighbor to give up land for a road in this situation and felt there could be a hardship issue here with providing a second access.

The Council discussed with Mr. Paul Holst, the Developer, the possibility of purchasing any surrounding property, specifically the Scales property located to the north of this site, that could serve as a second access. Mr. Paul Holst, Coldwater Developer, explained his conversation with two landowners by email which are included in his packet. He stated that he was told that any development on the Scales property would be required to connect to our stub street, probably at Plunkett Road.

Mr. Bass stated that this is a policy decision for the Council, therefore Staff makes no recommendation to either approve or deny the request. He added that if Council approves the site plan it is recommended a conditional approval be granted with the conditions as outlined in the TRC report dated June 2, 2021. If the Council denies the request, the applicant could submit a request for a waiver with supporting documentation.

In Favor:

Mr. Paul Holst, Coldwater Terrace Developer, 5411 Tory Hill Dr., Greensboro, NC – presented his vision of developing a first-class community with lake view property with many amenities. He stated that this area does have some peculiar challenges such as crossing a major stream. He noted that he has gotten here today with 15 different permits and approvals. He closed on the property in March and began developing it in April. He noted parts of the project already completed and those still being constructed. He stated that it has changed a lot since the rezoning took place in December. During that process, the Planning Board had a lengthy discussion about the access issue and approved it 4 to 1. He noted that there was no opposition at any of those hearings as well as those in Forsyth County. We are well down the road with development on this site. He added that he has 15 firm contracts with individuals wanting to live here and are scheduled to close on those properties when the paving is complete hopefully in August. The timing to have this discussion was when we requested the land use change. He noted that there are no lots in Stokesdale and that the current plat only shows 28 lots, there will be 56 lots when it is built out. He stated that trimming 6 lots at this point would be harmful to us. He offered for consideration; the entry way will be doubled in size due to the stone bridge. He then made himself available for questions.

Councilman Landreth noted this plat shows 28 lots. Mr. Holst stated that yes there are only 28 lots on this first phase. Councilman Landreth asked if that is all we are approving. Mr. Bass explained that this is for this Phase, over all there will be 56 lots.

In Opposition:

Mark Nadel, 8211 Windy Gayle Dr., Stokesdale, NC— stated that he is on the Planning Board. He stated that this was presented to us as 56 lots. There was no discussion of Phase 1 and Phase 11. Mr. Nadel presented a situation of a crash in which there was only one access to the neighborhood. Emergency personnel could not access the site and carried equip for miles. He stated that he is not worried about a plane crash here but what if another emergency happens, and we end up with a real problem. Safety is a concern and what is best for those homeowners. He stated that he would like to Council to support this if we can plan for another access and grant a waiver.

Councilman Landreth repeated that we are not looking at all 56 homes here since they are not in our jurisdiction. Mr. Nadel stated that the Town should look at what is in the best interest of residents not builders. I have seen these things happen. He stated that he didn't know what the magic number should be to require a second access.

Mayor Flynt asked Mr. Nadel if he was on the Planning Board when Back Nine and those other subdivisions in that area were approved. He added that there is no way any Town could consider every option. Things are going to happen. He noted other subdivisions in Town with limited access points.

Mr. Nadel stated that this is our history and we should learn from our mistakes. Stokesdale is growing and we don't want to create a problem.

Councilman Landreth asked how this was presented to the Planning Board and was it stated there was 28 lots or 56 lots. Mr. Bass stated that Phase 1 was presented but included that overall, the subdivision contains 56 lots. This process is to review Phase 1, common area and right-of-way however, decisions are based on 56 lots overall for the subdivision.

Mayor Pro Tem Hooks asked what is Stokesdale's responsibility. He noted that only one house appears to be in Stokesdale. He added that we can't make decisions for areas within Forsyth County. Mr. Medlin stated that the Council should apply your ordinance. He noted that the one house is not really the key here, it is the road and does the Stokesdale Development ordinance apply here.

Mayor John Flynt made a **Motion** to approve the site plan for Phase 1 as presented. Mayor Pro Tem Hooks seconded the motion.

Councilman Foy stated that at the end of the day, the Planning Board did their job and are to be commended for that. They went by the book. He stated that he would feel more comfortable if they were able to vote in favor of a waiver being requested due to topo of the land and not voting against our ordinance. Mr. Medlin stated that the applicant would need to come in with a new request and would be required to revise their plat.

Mayor Flynt stated that this has been 56 lots from the beginning and is concerned why this is just now coming up. The Planning Board or TRC would have picked it up if it were a major issue. Councilman Foy stated that in December we were simply rezoning 10-12 acres and wasn't considering the site plan. He again stated that he would like to see a waiver instead of voting against our ordinance.

Mr. Medlin stated that the rezoning was RS-40. He stated that we are ending up with a disagreement between the Planning Board and Staff. Staff felt that the requirement did not apply, and the Planning Board did. That just happened, not up front. Councilman Foy stated that the ordinance could be interpreted in two ways in this unique situation. He read the part of the ordinance referencing the entrance and stated that in theory we could have a subdivision with no lots in Guilford County. Mayor Flynt stated that that is his point, we are just voting on the entrance that is in the Town of Stokesdale.

Councilman Rigsbee stated that he agrees with the Mayor and that we are trying to control something in a jurisdiction that is not ours. Forsyth County would provide primary emergency response and that jurisdiction is ok with this.

Vote in favor: Councilman Rigsbee, Councilman Foy, Councilman Landreth, Mayor Pro Tem Hooks and Mayor Flynt.

Vote in opposition: None

10. Consideration and Adoption of a Resolution setting the Candidate filing fee for the November 2, 2021 Municipal Election.

Mayor Flynt explained that the Council must set the filing fee for candidates in the upcoming November municipal election. He stated that the fee has been \$5 for as long as he can remember.

Mayor Flynt made a **Motion** to adopt the following resolution setting the fee at \$5. Mayor Pro Tem Hooks seconded the motion and the vote was all for and motion carried.

RESOLUITON NO. R-2021-06
TOWN OF Stokesdale, North Carolina
Resolution Establishing Filing Fees for the 2021 Municipal Election

WHEREAS, the North Carolina General Statutes sets a minimum filing fee of \$5.00 for candidates seeking public office.

WHEREAS, a Municipal Election is scheduled to be conducted for the Municipality of Stokesdale, NC, in Guilford County, on Tuesday, November 2, 2021. The purpose of this election is to elect 1 (one) Mayoral seat and 1 (one) Council Member to serve on the Stokesdale Town Council for a 4-year term; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of

Stokesdale, North Carolina hereby establishes filing fees of \$5.00 for the 2021 Municipal Election; and

BE IT FURTHER RESOLVED that a copy of this resolution will be filed with the Guilford County Board of Elections within ten (10) days of this date.

Adopted this 8th day of July 2021:

_____(SEAL)
John Flynt, Mayor

Attest:

Town Clerk

11. Consideration of a Resolution and Application to Enroll in the North Carolina Local Government Employees' Retirement System.

Mayor Flynt introduced this item.

Councilman Rigsbee noted that the Town has been working with the NC Local Government Employees' Retirement System to enroll the Town Employees. He explained that once enrolled in the system, the Town is there permanently. He added that if we hire an experienced candidate, we expect them to be here for a while and a part of the retirement system. This is a necessary step in attracting and retaining experienced employees.

Mayor Flynt read the following resolution.

**R-2021-07
TOWN OF STOKESDALE
RESOLUTION TO ENROLL IN THE
NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES'
RETIREMENT SYSTEM**

WHEREAS, the 1945 General Assembly and subsequent legislative actions amended the North Carolina Local Governmental Employees' Retirement System so as to make the benefit of said System available to all counties, Cities, towns, and any separate, juristic political subdivision, and

WHEREAS, the governing body of this Unit realizes the necessity of providing its employees with the security and protection provided by a sound retirement plan, and

WHEREAS, Article 3 of Chapter 128 of the General Statutes of North Carolina provides that any governmental unit desiring to enroll its employees in said System shall make application to the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System, and shall by resolution elect to participate in said System pursuant to a favorable vote of a majority of its eligible employees.

NOW, THEREFORE, be it resolved by the **Town of Stokesdale Town Council** in
(Name of Governing Board)
regular session,

1. That the **Town of Stokesdale** hereby elects participation of its employees in the
(Name of Unit)
North Carolina Local Governmental Employees' Retirement System.
2. That the **Town of Stokesdale** hereby agrees to comply with all provisions of the
(Name of Unit)
North Carolina Local Governmental Employees' Retirement System as defined in Article 3, Chapter 128 of the General Statutes of North Carolina as amended by the 1945 General Assembly.
3. That the **Town of Stokesdale** is hereby ordered and directed to make application to
(Name of Unit)
the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System for enrollment of this Unit and its employees in said System.

Upon motion of **Mayor John Flynt** and seconded by **Councilman Jim Rigsbee**, the above resolution was introduced for passage. The following number voted in the affirmative:

Five. The following number voted in the negative: **Zero.**

**APPLICATION FOR PARTICIPATION OF EMPLOYERS IN THE
NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES'
RETIREMENT SYSTEM**

Date _____

North Carolina Local Governmental Employees' Retirement System
3200 Atlantic Avenue
Raleigh, North Carolina 27604

Town of Stokesdale

(Name of Unit)

The above named unit hereby makes application to the Board of Trustees of North Carolina Local Governmental Employees' Retirement System for the enrollment of its employees who may desire to participate in the North Carolina Local Governmental Employees' Retirement System.

1. The **Town of Stokesdale** hereby agrees to make the contributions required by said Retirement System of participating employers and to make the required deductions from salaries of employees who became members of the System.
(Name of Unit)

2. The **Town of Stokesdale** further agrees to promptly transmit such contributions and deductions to the Board of Trustees, or their authorized agents, as required by Article 3 of Chapter 128 of the General Statutes.
(Name of Unit)

3. The **Town of Stokesdale** further agrees to make the employer's contributions for the participation in the Retirement System of all employees entering or re-entering the service of this unit after the date of participation of this unit.
(Name of Unit)

Attached hereto is a certified copy of resolution authorizing participation in the North Carolina Local Governmental Employees' Retirement System.

The **Town of Stokesdale** agrees to perform the duties required of it under The provisions of Chapter 128, Article 3 of the General Statutes, and lawful regulations of the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System.
(Name of Unit)

(Chairman of Governing Board)

(Attest)

The Board of Trustees of the North Carolina Local Governmental Employees' Retirement System in regular meeting hereby accepts the application of **Town of Stokesdale**, for participation of its employees in the North Carolina Local governmental Employees' Retirement System.

This the _____ day of _____, 20__.

Participation shall begin on the _____ day of _____, 20__.

Director

CERTIFICATION

North Carolina Local Governmental Employees' Retirement System
3200 Atlantic Avenue
Raleigh, North Carolina 27604

This is to certify:

1. That at a meeting of the Town of Stokesdale Town Council held in Stokesdale Town Hall, 8325 Angel Pardue Road, Stokesdale, North Carolina on the 8th day of July,
(Place of meeting)
2021, the attached resolution was duly introduced and legally passed in accordance with the applicable provisions of law relating to the Town of Stokesdale County of Guilford and the
(Name of Unit)
General Statutes of North Carolina.
 2. That the meeting at which said resolution was passed was duly constituted, a quorum was present,

and that a resolution was publicized in accordance with the applicable provisions of law and the General Statutes of North Carolina.
 3. That the attached resolution is a true and accurate copy of the resolution passed by the Stokesdale Town Council as the same appears on Page (To Be Determined) of the Minute
(Name of Governing Board)
Books.
 4. That on the 8th day of July, 2021, the Town of Stokesdale obtained a favorable
(Name of Unit)
majority vote of its eligible employees, pursuant to G.S. 128-23, to become a participating employer in the North Carolina Local Governmental Employees' Retirement System.
 5. That Town of Stokedale has a total of One eligible employees and that of those
(Name of Unit)
eligible employees One voted favorably.
- Mayor Flynt made a Motion to approve the above Resolution as read. Councilman Rigsbee seconded the motion and the vote was all for and motion carried.
12. **Consideration of a Resolution to Pick up the Employee Contributions Payable as Members of the North Carolina Local Government Employees' Retirement System.**

Mayor Flynt read the following Resolution and Certification.

R-2021-08
TOWN OF STOKESDALE
RESOLUTION TO PICK UP THE EMPLOYEE CONTRIBUTIONS PAYABLE AS
MEMBERS OF THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES'
RETIREMENT SYSTEM

North Carolina Local Governmental Employees' Retirement System
3200 Atlantic Avenue
Raleigh, North Carolina 27604

WHEREAS, the 1981 Session (1982 Regular Session) of the North Carolina General Assembly, by a duly ratified bill effective July 1, 1982, enacted North Carolina General Statute 128-30(b1), a copy of which is attached hereto, which under the conditions specified therein permits an employer participating in the North Carolina Local Governmental Employees' Retirement System to pick up the contributions payable to this System by its employees who are members of this System; and,

WHEREAS, this employer is an employer participating in the North Carolina Local Governmental Employees' Retirement System with respect to its eligible employees; and

WHEREAS, this employer deems it desirable to pick up the contributions payable by its employees as members of the North Carolina Local Governmental Employees' Retirement System.

NOW, THEREFORE, BE IT RESOLVED BY THE Town of Stokesdale in regular session, that as of July 8th, 2021 the Town of Stokesdale elects pursuant to the provision of North Carolina General Statute 12/-30(b1) to pick up and pay to the North Carolina Local Governmental Employees' Retirement System the contributions which would be otherwise payable to this System by its employees who are members of this System and to treat in all respects such contributions in the manner specified in said North Carolina General Statute 128-30(b1).

Upon motion Mayor John Flynt and seconded by Councilman Jim Rigsbee the above resolution was introduced and adopted. The number voting in the affirmative was Five and the number voting in the negative was Zero.

Adopted the 8th day of July, 2021.

ATTEST:

Mayor

Town Clerk

NORTH CAROLINA GENERAL STATUTE 128-30(b1)

‘(b1) Pick Up of Employee Contributions. --- Anything within this section to the contrary notwithstanding, effective July 1, 1982, an employer, pursuant to the provisions of Section 414(h)(2) of the Internal Revenue Code of 1954 as amended, may elect to pick up and pay the contributions which would be payable by the employees as members under subsection (b) of this section with respect to the service of employees after June 30, 1982.

The members’ contributions picked up by an employer shall be designated for all purposes of the Retirement System as member contributions, except for the determination of tax upon a distribution from the System. These contributions shall be credited to the annuity savings fund and accumulated within the fund in a member’s account which shall be separately established for the purpose of accounting for picked-up contributions.

Members contributions picked up by an employer shall be payable from the same source funds used for the payment of compensation to a member. A deduction shall be made from a member’s compensation equal to the amount of his contributions picked up by his employer. This deduction, however, shall not reduce his compensation as defined in subdivision (7a) of G.S. 128-21. Picked-up contributions shall be transmitted to the System monthly for the preceding month by means of a warrant drawn by the employer and payable to the Local Governmental Employees’ Retirement System and shall be accompanied by a schedule of the pick-up contributions on such forms as may be prescribed. In the case of a failure to fulfill these conditions the provisions of subsection (f)(3) of this section shall apply.”

CERTIFICATION

North Carolina Local Governmental Employees’ Retirement System
3200 Atlantic Avenue
Raleigh, North Carolina 27604

This is to certify:

1. That at a meeting of the **Town of Stokesdale Town Council** held in **Stokesdale**
(Place of meeting)
Town Hall, 8325 Angel Pardue Road, Stokesdale, North Carolina on the **8th** day
of **July, 2021**, the attached resolution was duly introduced and legally passed in

accordance with the applicable provisions of law relating to the Town of Stokesdale
County of Guilford and the General Statutes of North Carolina.

2. That the meeting at which said resolution was passed was duly constituted, a quorum was present, and that a resolution was publicized in accordance with the applicable provisions of law and the General Statutes of North Carolina.

3. That the attached resolution is a true and accurate copy of the resolution passed by the

Stokesdale Town Council as the same appears on Page (To be determined) of the

(Name of Governing Board)

Minute Books. This the _____ day of _____, 20_____.

(Clerk of the Board)

Corporate Seal (*if any*)

Mr. Mike Crawford asked if the Town is paying the Employee's portion or only collecting the funds. Councilman Rigsbee explained that the Town will only pay the Town's portion but will collect the Employee's portion of the retirement contribution and send that to the State.

Mayor Flynt made a **Motion** to approve the Resolution as read above. Councilman Rigsbee seconded the motion and the vote was all for and motion carried.

Mayor Flynt called a brief recess at 8:46 PM. Mayor Flynt reconvened the meeting at 8:55 PM.

13. Discussion on Requesting the Stokesdale Planning Board to set a Public Hearing to amend the Town's Permitted Use Schedule 4-3-1 to only allow for Warehouse (4220 & 4225 SIC) in LI or HI Districts and eliminate the Design Standard option for the GB & HB Districts.

Mayor Flynt expressed his concerns with the rezoning cases that approved mini storage units on Hwy. 68. He stated that he believed this use should go in LI or HI districts. He was afraid that the Town would be bombarded with these requests in future. He asked that this matter be referred to the Planning Board to hold a Public Hearing and submit a recommendation to the Council.

Mayor Flynt made a **Motion** that a text amendment be referred to the Planning Board for a public hearing and recommendation limiting Warehouse, self-storage facilities to the LI and HI district. Public hearing to be held at the first available meeting in which advertising requirements can be met. Mayor Pro Tem Hooks seconded the motion.

Town Attorney Tom Medlin stated that this would be a change to the Development Ordinance and would need to be heard by the Planning Board.

Councilman Landreth stated that we are asking that the Planning Board look at this and would come back to the Council. Mayor Flynt stated that the Planning Board would hold a public hearing and make a recommendation back to the Council.

Mayor Pro Tem Hooks asked if the intent is to limit warehouses, storage facilities to industrial areas and noted the industrial corridor along Hwy. 158. He added that we have made exceptions to highway business areas along Hwy. 68. Mayor Flynt stated that the Combs case was a conditional use rezoning and that mini-storage was a permitted use with certain conditions. The second case was in the highway business area. He felt they should be limited to industrial areas.

Councilman Landreth stated that this is scary but was interested in what the Planning Board had to say about this.

Vote In Favor: Councilman Rigsbee, Councilman Foy, Councilman Landreth, Mayor Pro Tem Hooks and Mayor Flynt. **Vote In Opposition:** None.

14. Establish Spending Priorities for the \$1.1 Million Dollar Water Grant.

Mayor Flynt stated that we have been discussing and working on this for a while. We have to spend the money or have contracts in place by June 2022. He recommended the Council hold a special meeting to set priorities.

Councilman Landreth asked if we should include the Fire Department. After a brief discussion, Council agreed that it would be best to discuss this among the Council first and then include others if needed. It was recommended that Gene Robertson with Yates Construction attend to advise the Council regarding the Town's water system. The meeting would be open for others to attend if interested.

Councilman Derek Foy made a **Motion** to set a Special Called Meeting on August 5, 2021, at 7 PM at Town Hall. Mayor Flynt seconded the motion and the vote was all for and motion carried.

15. Discussion on Hazen & Sawyer Proposal to do Engineering Design for a water line extension on Ellisboro Road. (Attn: Council Member and Attorney: Please bring your Hazen & Sawyer Slide packet to the meeting)

Mayor Flynt stated that he asked that Meg Roberts with Hazen & Sawyer be contacted to get an estimate for this waterline extension. He stated that Ms. Roberts has not yet responded to our request. Councilman Foy stated that Hazen & Sawyer is a well-known national company and suggested that we contact some smaller firms to get a quicker turn around time. He stated that this small project may be a better fit for a smaller firm.

The Council and Fire Chief Gauldin discussed issues with water pressure along Ellisboro Road and surround neighborhoods. They discussed other areas in town with low pressure that was fixed when lines were tied-in together.

Councilman Foy stated that he could reach out to some smaller firms for an estimate.

16. Discussion on Updating Future Land Use Plan

Councilman Foy stated that he requested this item be placed on the agenda. He recalled a comment by Mr. Bass at our last meeting that due to the adoption of 160D, the land use plan needs to be update. He wanted to discuss how we can move forward with this. He recalled a committee was formed before to work on this. Mayor Flynt stated that a committee was appointed and pointed out the duties assigned to the committee. He stated that we can appoint a committee to look at this.

Mr. Medlin stated that you can appoint a committee to review this and they would report to the Planning Board since this is where the process begins. They would then hold a public hearing and make recommendations to the Council.

Councilman Foy stated that he would like to see a good cross representation of the town serve on this committee. Mr. Medlin recommended Councilmembers give this some thought and come back next month with some names for consideration.

Councilman Foy made a **Motion** to bring names to the Council's August meeting to serve on a committee to review and make recommendations to update the Town's Land Use Plan. Mayor Pro Tem Hooks seconded the motion.

Councilman Rigsbee stated that he would like to see the committee include some developers too.

Vote was all for and motion carried.

Mayor Flynt asked if anyone else has any comments. None were presented.

Mayor Flynt then read the announcements.

17. Announcements:

- a) Planning Board Meeting Thursday, July 22nd at 7pm at Town Hall**
- b) Town Council Meeting Thursday, August 12th at 7 pm at Town Hall**

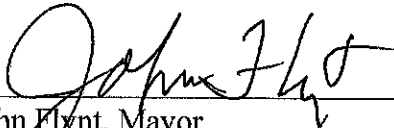
Councilman Foy stated that he did want to speak briefly on what Mr. Crawford said earlier in the meeting. He asked if anyone knew how Haw River Road got paved. He stated that he believes it was gravel until the mid 90's. Councilman Landreth stated that he drove down that road many times when it was gravel and recalled they used to put oil on it. Mayor Flynt stated that he believes it was put on the Department of Transportation list for improvements and some special funding was used to pave it. He recalled there were a lot of gravel roads in Guilford County at that time.

Councilman Foy stated that he lives in the same neighborhood, and he sees what Mr. Crawford is talking about. Mr. Medlin stated that if speeding is a concern, there are options to control the speed.

18. Adjournment.

Motion to adjourn the meeting made by Councilman Jim Rigsbee. Councilman Foy seconded the motion and the vote was all for and motion carried.

Being no further business to come before the Council, the meeting was adjourned at 9:48 PM.



John Flynt, Mayor

ATTEST:



Dale F. Martin, Interim Town Clerk