

MINUTES

TOWN OF STOKESDALE
REGULAR TOWN COUNCIL MEETING
8325 ANGEL PARDUE ROAD
STOKESDALE, NC 27357
MAY 13TH 2021 AT 7:00PM

Members present were: Mayor John Flynt, Mayor Pro-Tem Thearon Hooks, Council Members: Jimmy Landreth, Derek Foy, Jim Rigsbee, Town Attorney Tom Medlin, Interim Town Clerk Dale Martin and Finance and Budget Officer Kim Thacker.

1. Call to Order

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

Mr. Sabastian King of the NC Legislature was recognized and spoke in opposition to HB 401. He encouraged the Council to oppose this legislation which he believes is monumental to State and Local governments. This bill will take away local governments ability to control land use/development issues within their town. He urged the Council to oppose this bill and contact members of the Legislature to oppose it as well. He thanked the Council for the opportunity to come speak tonight on this issue.

2. Review and Adopt the Agenda

Mayor Flynt added an item to #23 to discuss Lakeside Development zoning issues.

Councilman Derek Foy asked that item # 21: Consideration of Budget Amendments to FY 2020-2021 be removed from the agenda.

Mayor Flynt made a **Motion** to approve the agenda as amended. Councilman Landreth seconded the motion and the vote was all for and motion carried.

3. Review and Approve Minutes: April 20, 2021, Closed Session March 22, 2021

Councilman Foy made a **Motion** to approve the minutes for April 20, 2021 as submitted. Mayor Flynt seconded the motion, and the vote was all for and motion carried.

Councilman Foy made a **Motion** to approve the minutes for Closed Session for March 22, 2021 as submitted. Mayor Pro Tem Hooks seconded the motion, and the vote was all for and motion carried.

4. Board & Administrative Report:

Administrative Report from Interim Town Clerk:

Interim Town Clerk Dale Martin stated that she did not have a report at this time but thanked the Council for the opportunity to serve the community and looked forward to the challenges ahead.

a) Planning Board:

Mark Nadel, Planning Board member was present but had no report at this time.

b) Events Committee:

Councilman Foy reported that they are starting early planning the Christmas Parade and if interested, reach out to the Town or on the website for more information.

c) Property Committee:

Councilman Rigsbee stated that later on the agenda we will be discussing cleaning of the front of Town Hall and repairing lights.

5. Financials: Finance/Budget Officer: Kim Thacker

Ms. Thacker presented the current financial and budget information. She presented a current balance sheet for the General Fund accounts, Total Assets \$2,993,153.62 and the Water Fund accounts, Total Assets \$1,652,746.48. She noted budget expenditures vs actual expenditures. She pointed out that some budget amendments may be needed at yearend.

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

None presented.

Councilman Foy announced that current budget sheets are available for public review. Budget Amendments will be presented at a later meeting.

PUBLIC HEARINGS:

Mayor Flynt introduced the proposed text amendment.

- 7. Proposed Text Amendment No 1. to Section 2.1.7 (General CH) of Town Development Ordinance. Subdivision, major. A subdivision involving more than four lots or requiring new public street(s) for access to interior property, or requiring extension of public sewer or water line, or requiring a waiver or variance from any requirement of this Ordinance.**

Proposed Change: to remove the above verbiage "*or requiring a waiver or variance from any requirement of this Ordinance.*"

Mr. Oliver Bass, Guilford County Planner, presented the staff report for this text amendment to the definition of a Subdivision, major. He noted that this request was initiated by a town citizen,

however it is still a policy decision by the Town Council to grant a request for a waiver from a Town ordinance. He noted that removing this requirement would change a minor subdivision to a major subdivision.

The Council and Staff discussed the different reasons for a waiver which must be granted by the Council. The Planning Board cannot grant variances.

Mayor Flynt declared the public hearing open.

Speakers In Favor:

Mr. Bill Graco, Applicant, Land Solutions, PO Box 347, Oak Ridge, NC 27310, stated that the current language requires rezoning by anyone wanting a simple waiver or variance to a subdivision. He stated that the Town has never enforced this in this manner however, it could be problematic and unfair to citizens to do this. He added that a waiver or variance has to go before some Board or Council, that nobody gets a free pass. He noted that historically Stokesdale has never interpreted this ordinance in this way but here we are. He noted that Guilford County changed their ordinance in November 2020, and it simply says a major subdivision is five (5) lots or more period and removed all the other stipulations. He noted that the Planning Board voted favorably on this text amendment. He made himself available for questions and asked the Council to support this amendment.

Mayor Pro Tem Hooks asked how this would affect the Town's water system. Mr. Graco stated that it would have no effect on the water system. Mr. Graco noted if someone wants to request a variance, it must go before somebody for approval, the Planning Board and/or Town Council. He stated that there is no reason someone wanting to extend their driveway should be thrown into a rezoning situation and declare it a major subdivision.

Mayor Flynt stated that a waiver can include all kinds of things and some with significant implications and noted some examples. He stated that he sees all kinds of things coming up with this and the only way he could vote to approve this is if you remove Section 5- 12 Waivers and eliminate all types of waivers. He stated that if we can't hold people accountable to a higher standard then we should do away with waivers. When the Town grants a variance, then we are basically changing the ordinance and that is what bothers him about this request. Mr. Graco stated that asking for a variance should have no bearing on whether it is a minor subdivision or a major subdivision, but that it how this is being interpreted.

Mayor Flynt stated that citizens want a consistent set of rules so they know what they have to do. A waiver or variance is giving special treatment to someone and should be few and far between.

Councilman Foy explained that his understanding is that certain criteria must be met in order for the Council to grant a waiver for any reason. It's not just asking for a favor. In some cases, it must go before the Planning Board too. Mayor Flynt stated that the Planning Board has no accountability to the citizen. He added that he was not in favor of this as it gives special consideration and special treatment.

Councilman Landreth added that the ability to request a waiver has always been allowed in Stokesdale and noted a previous case. Mayor Flynt stated that one purpose of this is so that a

developer can make more money. He didn't care if the developer made a penny in Stokesdale and again stated that he could not vote for this amendment.

Speakers Opposed:

None presented.

Mr. Graco agreed with the Mayor, that there should be a consistent application of rules and that this literal definition of this section has never ever been applied here in Stokesdale. We are focusing on waivers but the focus should be on whether or not you have to automatically apply for rezoning if you ask for a variance or waiver and be deemed a major subdivision.

Mayor Flynt described a subdivision review that was treated as a minor subdivision, however the plat showed five lots. He expressed concern with the information coming from our Planner and therefore if Council doesn't get accurate information, we can't make informed decisions. He questioned how an item gets appealed from the decision of the Planning Board.

Mr. Graco and Mr. Medlin explained that any member of Council has the right to ask for an appeal as a citizen, but it takes a vote of Council to appeal the decision. He added that they must file and pay the appropriate fees for such appeal. Mayor Flynt stated that Council would have to have a special called meeting to appeal the Planning Board decision in order to meet the 10-day requirement and that would be a cumbersome process. Mr. Medlin stated that the timing of it could require a special meeting.

Mayor Pro Tem Hooks stated that he is not real clear on how we mirror the County ordinances. Mr. Graco read: A subdivision involving more than four lots or requiring new public street(s) for access to interior property or requiring extension of public sewer or water lines. Mayor Pro Tem Hooks stated that what's confusing to him is what are we going to be adjusting here that would not apply to every other subdivision. He noted that the developer has a picture of what it will look like, so what happens when we get halfway through, and they start coming back for changes.

Mayor Pro Tem Hooks asked how this benefits the developer. Mr. Greco stated that the developer should be separated from the landowner. The benefit is to the landowner who is seeking a minor subdivision of 3 lots, they want a waiver of some standard in chapter 5, they are forced to rezone the property as it currently reads.

Councilman Rigsbee stated that he believes the Mayor is concerned with a lack of oversight for something to slip through the process. He asked if something could be added which allows Council some protection but keep the ordinance the way it is. Mr. Graco stated that the out would be the appeal process through Town Council.

Mayor Flynt stated that anyway you phrase it, you are giving someone special treatment. Where does that stop? He speculated that the Town would have a rush of requests for waivers because if they can get away with a waiver, then why not do it.

Councilman Landreth stated this keeps someone from having to go through rezoning. It doesn't affect a major subdivision. If you have a major subdivision you still have to go through the process for that. Mayor Flynt stated that it should be a conscious decision of the landowner or

developer to decide whether or not the waiver is worth coming in for rezoning. Councilman Landreth stated that this ordinance hurts the little guy. Big developers have the money to pay for whatever they want to do. Mayor Flynt stated that it doesn't protect the little guy's neighbor.

Councilman Foy asked why this verbiage specifies applying for a waiver requires rezoning or a major subdivision. He stated that he understood that this language was from the Guilford County ordinance and put in the here years ago so that one staff person could not grant a waiver or variance on their own accord and that it had to be reviewed by DRC. He didn't think the intent was to make it a major subdivision.

Mayor Flynt asked Mr. Bass if staff could approve a minor subdivision. Mr. Bass stated that staff can approve a straight minor subdivision and it does not have to go to DRC. Councilman Foy ask why this language was put in here for a minor subdivision for a waiver or variance. He understood that Guilford County did not want a Planner to be able to grant this request and that it be heard by a Board. Mr. Medlin explained that a waiver or variance must go before a Board. He stated that a minor subdivision is not reviewed by DRC but a major subdivision is reviewed by DRC. He added that Guilford County wanted to put something in here that if a waiver or variance was requested by a minor subdivision, it became major so that it could be reviewed by the DRC and a Board. He further stated that it didn't have anything to do with who grants a variance or waiver, that is totally covered by Boards.

Mr. Bass explained that Staff reviews the plan and if it meets all the requirements of a subdivision except for one provision, before we can approve that subdivision then it must go through the approval process. Mr. Medlin stated that Stokesdale doesn't have a DRC but we do have a Planning Board.

Mayor Pro Tem Hooks asked Mr. Bass if there is any difference in what we do in our corporate limits vs what is done in unincorporated areas? Mr. Bass stated that staff can approve a minor subdivision however a major subdivision would go before the DRC. DRC works similar to the Planning Board. Mayor Pro Tem Hooks asked if someone applies for a major subdivision does it mirror what we do in Stokesdale? Mr. Bass stated that it does for the most part and either reviewed by Staff or DRC.

Mayor Pro Tem Hooks then said why not save the \$25,000 per year do away with our process and let Guilford County handle it all. Councilman Foy stated that all our ordinances do not mirror Guilford County. Mayor Flynt also spoke of a situation outside the corporate limits where roads would not have been dedicated. He was not in favor of changing the ordinance.

Mayor Flynt voiced his opposition to changing the Town's ordinance that has been in place for 30 years and felt we would see a lot more requests for variances and waivers. Mr. Medlin stated that based on his experience, developers apply for a variance or waiver only when they need to do so.

Mark Nadel, 8211 Windy Hill Drive, Stokesdale, NC – stated that he agrees somewhat with the Mayor. He stated that he is not sure why this is a major issue. He asked what benefit does changing this ordinance have on the Town of Stokesdale. He favored balancing the benefit over the negativity and any pain it may have caused and questioned an underlying issue. Why after all these years is this an issue now? His gut feeling is this is not right.

Being no additional speakers, Mayor closed the public hearing.

Mayor John Flynt made a **Motion** deny this text amendment. Councilman Rigsbee seconded the motion for purposes of discussion.

Vote Aye: Mayor Flynt, Mayor Pro Tem Hooks.

**Vote No: Councilmen Rigsbee, Foy and Landreth.
Motion failed.**

Councilman Foy made a **Motion** to adopt the text amendment as presented. Councilman Rigsbee seconded the motion.

Mayor Flynt asked if they would consider an amendment to eliminate 5-12, Waivers?
Councilman Foy said no.

**Vote Aye: Councilmen Rigsbee, Foy and Landreth.
Vote No: Mayor Flynt, Mayor Pro Tem Hooks.
Motion passed 3-2.**

Mayor Flynt called a Recess at 8:00 pm.

Mayor Flynt reconvened the meeting at 8:12 pm.

8. Proposed Amendment No. 2 to Section 4-2.1 (B) 2)

Current Ordinance Text:

The RS-30, Residential Single-Family District is primarily intended to accommodate moderate density single-family detached dwelling lots with access to public water services. The overall gross density in RS-30 areas will typically be 1.3 units per acre or less. Any development in this district will be required to connect to the Stokesdale water service system.

Proposed Change: to remove the last sentence and replace with "*Any proposed major subdivisions, as defined in Section 2-1, that require a zoning map amendment to utilize the RS-30 Residential Single-Family District shall be required to connect to the Town of Stokesdale public water system.*"

Mayor Flynt introduced this proposed text amendment.

Mayor Flynt asked the Town Attorney to clarify that this basically grandfathers anyone that already has RS-30 zoning. Mr. Medlin stated that largely yes and noted that a property owner that needed to add a driveway to property in RS-30 would not be required to hook onto the Town water system. However, this change requires that if you are proposing a major subdivision (more than 4 lots) that requires a zoning change to the RS-30 district, then they must connect to the Town water system. He questioned why we were talking about just major subdivision and it was so that if parents wanted to give a lot to a child then they wouldn't have to connect to the water system.

Mayor Flynt asked if our Development Ordinance excludes minor subdivisions. Mr. Medlin stated that if they are asking for RS-30 going forward, they would have to connect. If you are already RS-30 and were not required to hook on to the water system, are we going to grandfather them and now they want to start their development, then this language would take care of that.

Mayor Flynt asked that Mr. Medlin comment on Vested Rights in section 3-16.1 and read the section. Just because you have RS-30 zoning doesn't guaranteed vested rights. Mr. Medlin stated that vested rights are granted when they have an approved site plan.

Mr. Medlin stated that if they already have RS-30 zoning and propose a major subdivision, then they must connect to the water system. If they propose a minor subdivision, they are not required to connect to the water system.

Mayor Pro Tem Hooks asked what triggers a major subdivision? Mayor Flynt stated that a fifth lot would trigger it.

Mr. Bass stated that basically a rezoning of property to RS-30 that is proposed to be a major subdivision must connect to public water system.

Councilman Rigsbee felt this change is intended to clean up the requirements. He added that this shouldn't hurt a small family but makes sure that all major subdivisions are connected to the Town water system.

The Council and staff continued to discuss scenarios and what would trigger a connection to the Town water system.

Mayor Flynt declared the public hearing open.

Speakers In Favor:

Mr. Bill Graco, Applicant, Land Solutions, PO Box 347, Oak Ridge, NC 27310— stated that this language is problematic. He presented the definition of development. He believed that anything that occurs within that definition would require a property owner to connect to the water system. He believed that if a house burned down and was rebuilt, they will have to connect to the water system if you have RS-30 zoning. He stated that the purpose of this amendment is to tweak it a little bit and clean it up and create an effective date. Any developer coming in with a major subdivision and rezoning to RS-30, they need to connect to the water system. If they are simply making a change, then they don't have to connect if they are already zoned RS-30.

Mayor Pro Tem Hooks asked if the definition includes paving a road. Mr. Graco stated yes in his opinion of the definition of development, there are no outs and would require them to connect to water.

Mayor Flynt asked if any language could be added to apply this to major subdivisions and exempt current houses and developments that are already in place. Take the word development out. Mr. Medlin asked if the Council is comfortable with this being applied only to major subdivisions and those asking to be rezoned or do you want it to be applied to something else? Mayor Flynt stated that he wanted to protect existing homes and developments. He stated that if a house burns they should not be required to connect.

Councilman Landreth asked for the drawbacks to this change. Mayor Flynt described a previous subdivision rezoning on Oak Level Church Road and now coming back for a change to conditional use zoning. Will they have to connect to the water system? Mr. Medlin stated that a change to the use of a conditional use zoning is considered a rezoning and they would have to follow the new ordinance. He noted that if someone comes in and files a petition and then the statute is changed before the case is heard, they could choose which one to follow.

Speakers Opposed:

None presented.

Being no further speakers to come before the Council, the public hearing was closed.

Councilman Foy stated that he likes the verbiage subdivision instead of development and also likes major subdivision so that this does not apply to a minor subdivision. He stated that he did not agree with grandfathering large plots of land zoned RS-30 that could be developed in the future without connecting to the water system if they proposed a major subdivision. He stated that there are some RS-30 subdivisions already in the process and we may have to grandfather those. Councilman Foy added that he is referring to ones that are already in the process and have already been rezoned and have an approved site plan with vested rights established.

Councilman Foy recommended the language: Any proposed major subdivisions, as defined in Section 2-1, that require a zoning map amendment after 5-13-2021 to utilize the RS-30 Residential Single-Family District shall be required to connect to the Town of Stokesdale public water system. Then add a statement to account for the site plans that are already approved. Major subdivisions in a RS-30 zone with an already approved site plan prior to 5-13-21 are exempt from this requirement. He stated that he believes this addresses Council's concerns without making a blanket grandfather clause.

Mr. Medlin stated that if you use the current language and add today's date, that will only address those asking for rezoning going forward. It does not address those that are already zoned RS-30, that language takes them out of the requirement. If you are not doing a major subdivision and it is already zoned RS-30, then they would not have to connect to the water system. If someone already zoned RS-30 and are sitting on a large track of land, they would not have to connect. Councilman Foy added that if a developer has an approved site plan and construction is underway, then they have vested right and should not have to connect to the water system.

Mr. Medlin recommended language: Any proposed major subdivisions, as defined in Section 2-1, that require a site plan approval effective ...date... shall be required to connect to the Town of Stokesdale public water system. If they have to submit a site plan, they have to connect. Mr. Bass stated that vested rights are obtained with preliminary plat approval. Councilman Foy stated that he believes that addresses his concern but protects those with vested rights.

Mr. Bass stated that the ordinance says vested rights are established with an approved preliminary site plan and noted the specific details required on such site plans. Mr. Medlin stated that this ordinance will apply to parcels already zoned RS-30 if they have not already got vested rights with site plan approval. Mr. Bass stated that his understanding is that with preliminary site plan approval, they would not be subject to changes in the ordinance if they build the subdivision

based on the approved site plan. He added that if they could not get a site plan approved by May 13th then they would be required to connect to the water system.

Mr. Medlin stated if you have someone sitting on a track of land zoned RS-30 and haven't started anything and they come in with a major subdivision, this Board would like for them to be connected to the town's water system. Mr. Bass stated that changing it to a major subdivision would require them to connect.

Mr. Medlin stated that if you want the ordinance to become affective on the date you adopt it then you don't need to specify a date, but if you want it to become affective on a date in the future, then you would need to specify a date in your motion.

Mr. Medlin then recommended language: Any proposed major subdivisions, as defined in Section 2-1, in RS-30 residential, single-family district shall be required to connect to the Town's public water system. He asked Mr. Bass if "only" that language, would that cover any proposed major subdivisions going forward. Mr. Bass stated this would cover those in RS-30. Councilman Foy stated that would cover it but recommended an effective date, maybe June 1st.

Mayor Flynt made a **Motion** to approve the text amendment as amended to read: Any proposed major subdivisions, as defined in Section 2-1, in RS-30 residential, single-family district shall be required to connect to the Town's public water system. Councilman Landreth seconded the motion. The Vote was all for and motion carried.

9. Proposed Text Amendment No 3

Current Text: 5-13.6 (A) 1) b) Major Subdivisions: Connection of each lot to a public water system shall be required if the proposed major subdivision meets the criteria in the schedule below (Table 5-13.6-1). Distance shall be measured from the property boundary nearest the water system line.

Proposed change: to add the following verbiage to above: *Any proposed major subdivisions, as defined in Section 2-1, that require a zoning map amendment to utilize the RS-30 Residential Single-Family District shall be required to connect to the Town of Stokesdale public water system, regardless of the criteria in the schedule below (Table 5-13.6-1).*

Mayor Flynt introduced the proposed text amendment.

Mayor Flynt declared the public hearing open.

Speakers In Favor:

Mr. Bill Graco, Applicant, Land Solutions, PO Box 347, Oak Ridge, NC 27310 – stated that he thinks this language is what Council intended, if you are a major subdivision in RS-30 you must connect to the water system regardless of any inconsistencies within Table 5-13.6-1.

Mayor Flynt stated that in RS-30 we just guaranteed you must connect to the Town's water system. He asked if you are in RS-40, major subdivision, you would be subject to the distance criteria. He asked if this would not take care of the problem if you put major subdivisions in RS-

40. Mr. Graco stated no that RS-40 you have X number of lots and X distance criteria. He recommended RS-30 be connected regardless of the number of lots and the distance. Mayor Flynt stated that we really don't need that since we approved the text amendment #2 here tonight. He asked Mr. Medlin. Mr. Medlin stated that you are making this consistent and recommended the following language: Any proposed major subdivisions, as defined in Section 2-1, in RS-30 Residential, single-family district shall be required to connect to the Town of Stokesdale public water system, regardless of the criteria in the schedule below (Table 5-13.6-1).

Speakers in Opposition:

Mayor Flynt closed public hearing.

Mayor Flynt made a **Motion** to approve the text amendment as amended: Any proposed major subdivisions, as defined in Section 2-1, in RS-30 Residential, single-family district shall be required to connect to the Town of Stokesdale public water system, regardless of the criteria in the schedule below (Table 5-13.6-1). Councilman Foy seconded the motion and the vote was all for and motion carried.

Old Business

10. Continued Discussion of Employee Benefits

Councilman Rigsbee stated that he was not able to get the information and asked that this item be tabled until the June meeting.

Councilman Rigsbee made a **Motion** to table this item to June 10. Councilman Foy seconded the motion and the vote was all for and motion carried.

New Business:

11. Consideration of a Resolution Consenting to the Addition of Streets within Old Moores Mill Subdivision.

Mayor Flynt introduced a resolution to add certain streets within the Old Moores Mill Subdivision to the State's maintenance system.

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

R-2021-02

RESOLUTION CONSENTING TO THE ADDITION OF STREETS
WITHIN OLD MOORES MILL SUBDIVISION TO THE
SECONDARY ROAD MAINTENANCE SYSTEM OF THE
STATE OF NORTH CAROLINA

WHEREAS, the North Carolina Department of Transportation has declared through its Secondary Road Addition Investigation Reports (File G-26-17) dated March 2, 2021 that said

streets, Lambert Lake Road (.50 miles), Lambert Lake Court (.10 miles) and Laffin Court (.06 miles) meets the minimum requirements for addition into the Secondary Road System of the State of North Carolina; and

WHEREAS, the cognizant District Engineer of the North Carolina Department of Transportation does recommend the addition of Lambert Lake Road (.50 miles), Lambert Lake Court (.10 miles) and Laffin Court (.06 miles) to the Secondary Road System of the State of North Carolina.

NOW, THEREFOR BE IT HEREBY RESOLVED THAT: The Town Council on behalf of the Town of Stokesdale, North Carolina does herewith, after due consideration and deliberation and without any objections being heard, concur and consent to the addition of Lambert Lake Road (.50 miles), Lambert Lake Court (.10 miles) and Laffin Court (.06 miles) to the Secondary Road System of the State of North Carolina to the same degree and measure to which property owners have petitioned said Department of Transportation of the State of North Carolina, and to the same degree and measure to which the said Department of Transportation does now recommend acceptance into the said Secondary Road System of the State of North Carolina.

This the 13th day of May, 2021.

John Flynt, Mayor

Attest:

Dale Martin, Interim Town Clerk

12. Consideration of a Resolution Consenting to the Addition of Streets within the North Ridge Subdivision.

Mayor Flynt introduced a resolution to add certain streets within the North Ridge Subdivision to the State's maintenance system.

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

R-2021-03

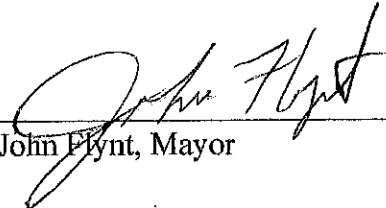
RESOLUTION CONSENTING TO THE ADDITION OF STREETS
WITHIN NORTH RIDGE SUBDIVISION TO THE
SECONDARY ROAD MAINTENANCE SYSTEM OF THE
STATE OF NORTH CAROLINA

WHEREAS, the North Carolina Department of Transportation has declared through its Secondary Road Addition Investigation Reports (File G15-10 dated March 31, 2021 that said streets, Honkers Hollow Drive (.26 miles), Honkers Hollow Court (.08 miles) and Poplar Bluff Drive (.010 miles) meets the minimum requirements for addition into the Secondary Road System of the State of North Carolina; and

WHEREAS, the cognizant District Engineer of the North Carolina Department of Transportation does recommend the addition of Honkers Hollow Drive (.26 miles), Honkers Hollow Court (.08 miles) and Poplar Bluff Drive (.010 miles) to the Secondary Road System of the State of North Carolina.

NOW, THEREFOR BE IT HEREBY RESOLVED THAT: The Town Council on behalf of the Town of Stokesdale, North Carolina does herewith, after due consideration and deliberation and without any objections being heard, concur and consent to the addition of Honkers Hollow Drive (.26 miles), Honkers Hollow Court (.08 miles) and Poplar Bluff Drive (.010 miles) to the Secondary Road System of the State of North Carolina to the same degree and measure to which property owners have petitioned said Department of Transportation of the State of North Carolina, and to the same degree and measure to which the said Department of Transportation does now recommend acceptance into the said Secondary Road System of the State of North Carolina.

This the 13th day of May, 2021.



John Flynt, Mayor

Attest:

Dale Martin, Interim Town Clerk

13. Consideration of an Ordinance Establishing the Speed Limit on Streets within the Arbor Run Subdivision.

Mayor Flynt introduced an ordinance setting the speed limits within the Arbor Run Subdivision.

Mayor Flynt made a **Motion** to approve the following Ordinance as presented. Councilman Rigsbee seconded the motion and the vote was all for and motion carried.

TOWN OF STOKESDALE

ORDINANCE NO. 0-2021-01

**AN ORDINANCE ESTABLISHING THE SPEED LIMIT ON CERTAIN STREETS
WITHIN THE TOWN OF STOKESDALE CORPORATE LIMITS**

WHEREAS, it is in the interest of the public health, safety and welfare to regulate the flow of traffic within the Town of Stokesdale; and

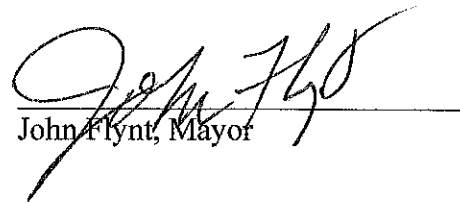
WHEREAS, the Town Council of the Town of Stokesdale concurs with the North Carolina Department of Transportation that the appropriate speed limit for said streets in Arbor Run Subdivision shall be set at twenty-five (25) miles per hour for the certain streets petitioned within the corporate limits to enhance the public health, safety, and welfare of the citizens of the Town of Stokesdale.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Stokesdale that the speed limit be set at twenty-five (25) miles per hour as described below:

Apple Grove (SR 4611)	between Haw River Road (SR 2028) and Barbera Drive (SR 4612)
Charles Place (SR 4628)	between Haw River Road (SR 2028) and south to the end of state maintenance.
Ribier Dr (SR 4646)	between Perlette Ct (SR 4639 and end of state maintenance
Carignan Ct (SR 4661)	between Apple Grove Rd (SR 4611) and end of state maintenance
Malbec Ct (SR 4662)	between Apple Grove Rd (SR 4611) and end of state maintenance
Nebbiolo Ct (SR 4663)	between Apple Grove Rd (SR 4611) and end of state maintenance
Trebbiano Ct (SR 4615)	between Trebbiano Dr (SR 4614) and end of state maintenance

This ordinance becomes effective upon the adoption by the North Carolina Department of Transportation of a concurring ordinance and upon the erection of signs giving notice of the established and authorized speed limit.

Adopted this the 13th day of May, 2021.



John Flynt, Mayor

Attest:

Dale Martin, Interim Town Clerk

14. Consideration of Filling Vacant Seat on the Planning Board.

Mayor Flynt made a **Motion** to appoint Stewart Hommel to the vacant seat on the Planning Board. Councilman Foy seconded the motion. The Vote was all for and motion carried.

15. Consideration of Revised Tap and Connection Fee Proposal from Yates Construction Company, Inc.

Councilman Foy read the rates proposed by Yates Construction Company, Inc. for services provided to the Town and highlighted the changes.

Mayor Flynt made a **Motion** to enter into a contract with Yates Construction Company, Inc. as proposed. Councilman Foy seconded the motion. The Vote was all for and motion carried.

16. Proposed Water Tap Fee Schedule Increase.

Mayor Flynt presented the following Water Tap Fee Schedule.

Current Tap Fee Schedule							
	Size	Tap Fee	Meter Fee	Install Fee	Capacity Use Fee	Water Deposit	Total
1	3/4" Inch Meter Residential/Commercial	\$ 2,757	\$ 270	\$ 75	\$ 750	\$ 50	\$ 3,902

	Tap Fee						
2	3/4" Inch Residential (Infrastructure by Developer)		\$ 270	\$ 75	\$ 750	\$ 50	\$ 1,145
3	1" Inch Meter	\$ 3,572	\$ 496	\$ 75	\$ 1,000	\$ 50	\$ 5,193
4	2" Meter	\$ 6,735	\$ 1,650	\$ 150	\$ 1,500	\$ 50	\$ 10,085

Proposed Tap Fee Increase Schedule								
	Size	Tap Fee	Meter Fee	Install Fee	Capacit y Use Fee	Water Depos it	Total	Percen t Increas e
1	3/4" Inch Meter Residential/Commercial Tap Fee	\$ 3,500	\$ 300	\$ 100	\$ 750	\$ 50	\$ 4,700	17.0%
2	3/4" Inch Residential (Infrastructure by Developer)		\$ 300	\$ 100	\$ 750	\$ 50	\$ 1,200	4.6%
3	1" Inch Meter	\$ 4,500	\$ 550	\$ 100	\$ 1,000	\$ 50	\$ 6,200	16.2%
4	2" Meter	\$ 8,700	\$ 1,650	\$ 200	\$ 1,500	\$ 50	\$ 12,100	16.7%

**Side by Side Comparison of Cost
Increase to Town**

Item	Curre nt Costs	Propose d Costs	Percen t Increas e
3/4" Service Connection except for Meter	\$ 2,087	\$ 2,504	16.65 %
1" Service Connection except for Meter	\$ 2,582	\$ 3,098	16.66 %
2" Service Connection except for Meter	\$ 4,968	\$ 5,962	16.67 %
Set 3/4" Meter	\$ 50	\$ 50	0.00%
Set 1" Meter	\$ 50	\$ 50	0.00%
Set 1 1/2" Meter	\$	\$	0.00%

	100	100	
Set 2" Meter	\$ 100	\$ 100	0.00%
Any service crossing under roadway: Add	\$ 840	\$ 1,000	16.00%
> 1" Boore Under roadway		\$ 1,500	
Trucks	\$ 20	\$ 24	16.67%
Labord as Needed	\$ 25	\$ 30	16.67%
Supervisor	\$ 55	\$ 66	16.67%
Backhoe as Required	\$ 87	\$ 104	16.67%
LowBoy Tractor & Trailer	\$ 87	\$ 104	16.67%
Misc. Tools as Required	\$ 173	\$ 208	16.67%
Materials as Needed	Cost + 15%	Cost + 20%	33.00%

Council Foy explained that the price increase directly correlates to increases by Yates Construction Company, Inc.

Councilman Foy made a **Motion** to approve the Proposed Tap Fee Schedule as presented. Mayor Flynt seconded the motion. The Vote was all for and motion carried.

17. Consideration of a Resolution in Opposition of SB349/HB401 Restricting Local Government control in Land Use and Planning/Zoning Decisions.

Mayor Flynt read the resolution that Mr. King spoke about at the beginning of the meeting.

Mayor Flynt made a **Motion** to approve the following resolution as presented. Councilman Foy seconded the motion and the vote was all for and motion carried.

RESOLUTION NO. R-2021-04

**RESOLUTION OF INTENT
IN OPPOSITION TO SB 349/HB 401
RESTRICTING LOCAL GOVERNMENT CONTROL IN
LAND USE AND PLANNING/ZONING DECISIONS**

WHEREAS, The North Carolina General Assembly will be considering SB 349/HB 401, which would require local governments to include residential duplexes, triplexes, quadplexes,

and townhouses in areas zoned for residential use, including those areas specifically zoned for detached single-family dwellings; and

WHEREAS, The Town of Stokesdale has developed a Future Land Use Plan with significant local public input, recognizing the unique needs and desires of Stokesdale citizens; and

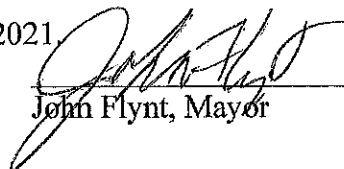
WHEREAS, The Town of Stokesdale Zoning Ordinance and Future Land Use Plan both allow for a diversity of lot sizes while keeping a focus on preserving the rural and historic characteristics of Stokesdale that give the Town its unique identity; and

WHEREAS, The Stokesdale Council believes that local officials are best positioned to determine how local zoning ordinances should be created and applied, as they are responding to local voters and property owners and understand the differing needs of their constituents; and

WHEREAS, The Stokesdale Town Council believes a “one size fits all” approach by the General Assembly undermines local authority over issues of land use.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Stokesdale is opposed to SB 349/HB 401 as it is currently written and urges our legislators to vote against these bills.

Adopted this the 13th day of May, 2021


John Flynt, Mayor

Attest:

Dale Martin, Interim Town Clerk

18. Discussion and Authorize the Cleaning of the front of Town Hall.

Councilman Landreth spoke of the excellent reputation B&B Services has around town. He added that they are qualified to do other things that just cleaning services as well. He recommended the Town contract with B&B Services.

Councilman Landreth made a **Motion** to enter into a contract with B&B Services as presented. Councilman Rigsbee seconded the motion. The Vote was all for and motion carried.

19. Discussion and Authorize the Replacement of lights in front of Town Hall.

Councilman Rigsbee explained that some of the lights in front of Town Hall need to be replaced or repaired and the work will need to be done by an electrician. Mayor Pro Tem Hooks stated that they were checked out before and had water in them.

Mayor Flynt stated that Blainey Electric has been doing work for the Town for a long time.

Councilman Rigsbee made a **Motion** to contact Blaney Electric to repair or replace the lights in front of Town Hall. Mayor Flynt seconded the motion and the vote was all for and motion carried.

20. Discussion and Authorize the method of advertising for a Full Time Town Clerk.

Councilman Rigsbee stated that the Town Clerk has provided us with a few samples of advertisements for Town Clerks in other communities. A brief discussion was held on requirements and cross training within the office. The Council agreed that it would be best to hire a certified Clerk however, someone that is proficient and trainable would be an acceptable candidate. Councilman Foy stated that Mrs. Martin has agreed to stay on for a while and mentor the new clerk. Councilman Landreth suggested Councilman Foy, Rigsbee and Mrs. Martin work together establish the advertisement and bring back qualified candidates for the Council to consider.

Councilman Rigsbee made a **Motion** to appoint a Committee, Rigsbee, Foy and Martin to work on advertising and find qualified candidates for the Clerk position. Councilman Foy seconded the motion and the vote was all for and motion carried.

21. Consideration of Budget Amendments to FY 2020-2021.

This Item was pulled from the agenda during the approval of the agenda at the beginning of the meeting.

22. Consideration and Approval for Invoice submitted by Treeline Landscaping & Nursery, Inc. for water line extension at Northwest Meadows.

Mayor Flynt explained that this invoice is for work performed by Treeline Landscaping & Nursery for work done along the water line extension at Northwest Meadows.

Mayor Flynt made a **Motion** to approve the expenditure in the amount of \$2,800. Councilman Rigsbee seconded the motion and the vote was all for and motion carried.

Item Added to Agenda: Discussion on Lakeside Development.

Mayor Flynt addressed an issue regarding Lakeside Development and the question of whether or not rezoning would be required. Rezoning is not required. There was also a question about a request for them to connect to the Town's water system. Mr. Medlin stated that they didn't not have to rezone the property. They obtained an easement across the property that can be used for utilities, it meets NCDOT requirements and gives them a way to get water to the development. Councilman Landreth stated that this is what they wanted. He expressed a concern with exceeding the Town's water capacity.

The Council then discussed the Town's water capacity and the possibility of increasing that in the future to support future development. They also discussed various water line extensions that are needed around town.

23. Citizen's Comments from the Floor. (3-minute limit per Speaker)

Mr. Bert Schmitz, addressed the Council briefly regarding COVID and the increased possibility of the Town's water system being contaminated.

24. Announcements:

- a) **Planning Board Meeting Thursday, May 27th at 7pm at Town Hall**
- b) **Town Council Meeting Thursday, June 10 at 7 pm at Town Hall**

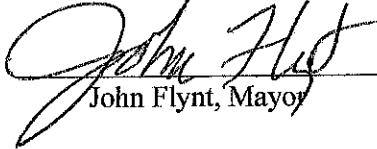
Mayor Flynt announced a meeting with Hazen & Sawyer to be held on May 17th at 5:30 PM to discuss the Town's water system plans. Mr. Medlin asked if he needed to attend or have someone attend this meeting. It was determined that he did not need to attend.

25. Adjournment.

Mayor Flynt made a **Motion** to adjourn the meeting. Councilman Landreth 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 10:16 PM.

Approved: September 9, 2021.



John Flynt, Mayor

Attest:



Dale F. Martin, Interim Town Clerk