



**MINUTES
TOWN OF STOKESDALE
REGULAR TOWN COUNCIL MEETING via ZOOM
8325 ANGEL PARDUE ROAD
STOKESDALE, NC 27357
January 14, 2021 AT 7:00PM**

Members in attendance: Mayor John Flynt, Mayor Pro Tem Thearon Hooks, Councilmen Foy, Rigsbee and Landreth. Town Attorney Tom Medlin, Budget and Finance Officer Kim Thacker, Town Clerk Alisa Houk, Deputy Clerk Priscilla Hunsucker and Auditor Rex Rouse.

I. Call to Order:

Mayor John Flynt called the meeting to order. The meeting was held via Zoom

II. Review and Adopt the Agenda:

Mayor Flynt asked that Item #7 be moved to the beginning of the meeting.

Motion made by Mayor Flynt to amend the agenda moving Item #7 to the beginning of the meeting. Councilman Derek Foy seconded the motion and the vote was all for and motion carried.

VII. Presentation of the 2019 -2020 Town of Stokesdale Audit by Rex Rouse of Rouse, Rouse, Rouse, & Gardner LLP Accounting firm

Mr. Rex Rouse presented what he emphasized was an unsigned, preliminary draft of the town's annual audit. The accountant said his firm could not send the audit to the Local Government Commission until he has received and reviewed minutes from the town's September through November council meetings.

Mr. Rouse said the town has enough in its unassigned general fund balance to cover 5.71 years of operating expenses at its current rate of expenditures; the balance is significantly more than the statewide municipality average of about six months' coverage.

Mr. Rouse noted the Revenue for the 2019-20 fiscal year was about \$7,300 less than budgeted, Rouse noted, while operating expenses were about \$72,305 less than budgeted. General government salaries of \$52,362 for the fiscal year ending June 30, 2020, were about \$5,000 less than the previous fiscal year. Accounting fees increased from \$10,880 in FY 2018-19 to \$39,172 for FY 2019-20; legal fees also increased in the same time period, from \$18,943 to \$47,199. Council stipends increased from \$11,647 to \$32,256 in FY 2019-20.

Mr. Rouse reported that the Capital outlays (for the town park) for last fiscal year were \$24,037, compared to \$70,398 in FY 2018-19. Property and grounds maintenance increased from \$37,338 in FY 2018-19 to \$95,071 last fiscal year.

Mr. Rouse noted that the total expenditures for the fiscal year ending June 30, 2020, were up 19%.

Mr. Rouse stated that in the Water & Sewer fund, the total debt increased from \$43,657 to \$54,328 as of June 30, 2020; revenues decreased by about \$17,000 between FY 2018-19 and FY 2019-20; Rouse said the town's four largest water consumers, which include Culp, used significantly less water last year because of COVID-19, which accounted for all of the decrease.

Mr. Rouse stated the town has no long-term debt and levies no property tax, so you are in an exemplary financial condition, although it has weakened some during the last two years," Rouse said.

Mr. Rouse noted the town has done much work to segregate financial duties, which had been a previous recommendation. He stated he can't release this report by Jan. 31 unless he gets meeting minutes from November and December (2020)

III. Approval of Minutes: May 21, 2020; June 3, 2020; June 11, 2020; June 15, 2020; June 26, 2020; June 30, 2020.

Mayor Flynt made a **Motion** to approve the each set of minutes noted above. Mayor Pro Tem Hooks seconded each motion. A vote was taken on each set and the vote was 5 to 0 to approve meeting minutes for May 21, 2021, June 3, 2021, June 11, 2021, June 15, 2021, June 26, 2021 and June 30. 2021.

**IV. Board & Administrative Report:
Administrative Report from Town Clerk:**

BOARD/ADMIN REPORT

Alisa Houk reported 601 water customers had been billed for December and customers used 4,243,778 gallons of water; builders have paid for and placed 20 water meters on hold.

Total Computer Solutions is working on some technical kinks with connecting a new computer to the server, and the electrical line is ready for Sentry Watch to hook up the license plate camera in the park.

Encroachment documents. The town has received encroachment documents from NCDOT for the road that is coming through the new development on Coldwater Road.

Water lines. The developer of Treeline Trails is in the process of asking the town to take over water lines for Phase 1 of the development.

Meeting minutes. As of the day of this meeting, minutes from 2020 council meetings through Aug. 13 have been completed, Alisa stated minutes from meetings on Sept. 8, 9, 10 and 15, Oct. 3, 8, 20 and 26, Nov. 12 and 19 must be completed and submitted to Rex Rouse by Jan. 29 for him to meet the Jan. 31 deadline for submitting the audit to the Local Government Commission.

Finance Report. Finance Officer Kim Thacker gave the monthly report and noted the town has received \$53,000 from Guilford County through the CARES Act; the money is being appropriated for COVID-related expenses the town has incurred, including the purchase of computers and audio and visual equipment.

Planning Board Report: No report given.

Events Committee Report: No report given.

Property Committee: No report given.

VIII. Old Business:

1. Update on 2020 meeting minutes Recovery Plan and Past Approved Closed Session Minutes.

Closed session minutes. Councilman Jimmy Landreth asked Town Attorney Tom Medlin about redactions the attorney had made to minutes from a closed session on March 12. Medlin said he redacted any comments he had made in which he was giving advice - "anything that a third party could use to their advantage ... At this point, it's not appropriate to release that advice that was given," he said.

Derek Foy made a **Motion** to release minutes the March 12, 2020 as redacted. Thearon Hooks seconded the motion. Council voted 5 to 0 to approve Councilman Derek Foy's request to release minutes from a March 12, 2020 closed session, subject to the attorney's redactions, and post them on the town's website.

2. Notees Lane, Zoning/Waiver Case Discussion of Rights to Appeal NCGS 160D-406(a) & Stokesdale Development Ordinance pertaining to Articles IV & V regarding Duplexes and Private Drives.

Citing Case 20-11-STPL-07659, town attorney Medlin explained that an appeal to the Planning Board's Nov. 19, 2020, approval of a waiver request had been filed by John Flynt on Dec. 3. The waiver to the town's development standards allows a private lane to serve three lots in a minor subdivision (3.38 acres) on Haw River Road in addition to the four lots it currently serves.

Responding to Flynt's appeal in a letter dated Jan. 9, Bill Greco of Land Solutions requested it be dismissed on the grounds that Flynt doesn't have proper standing and the appeal wasn't properly filed nor was the \$200 fee paid when it was filed.

In determining whether Flynt's appeal should be dismissed, Medlin advised the council to consider:

- 1) Whether Flynt had a right to appeal the Planning Board's decision on behalf of the council.
- 2) If the council determines Flynt appealed as a council member, it must vote on whether the fee should be waived.

Derek Foy asked whether the letter to the town planner indicated the appeal was being made by John Flynt as a citizen or by John Flynt the mayor, on behalf of the town council. Tom Medlin said the clerk sent an email to Oliver Bass and council members and said 'the mayor is submitting the attached appeal form.

Flynt said his duty as a council member is to uphold the federal and state laws that apply to the town of Stokesdale and the town's Planning Board made three egregious mistakes when granting a waiver for a driveway requirement on Notees Lane, off Haw River Road. When Flynt began to explain his reasons for appealing the board's decision, the attorney reminded him that this wasn't the time to go into the details, but Flynt could state he thought there were mistakes made and gave notice of appeal.

Mr. Greco of Land Solutions said he understood the governing body has the right to appeal a decision, but procedural steps had been bypassed because the appeal form wasn't properly dated and the fee wasn't paid.

Flynt insisted his appeal form was submitted within the required timeframe but did not pay the \$200 as required by a the appeal process.

Flynt said he asked Bass, the town planner, if he needed to pay the fee and "he assumed I was filing as a member of the council and said basically I would be taking money from the town of Stokesdale and paying it back to the town of Stokesdale."

When Flynt again tried to explain his reason for filing an appeal, Foy said his concern centered on due process, which had not been followed.

Flynt stated the town's development code says you can have up to four lots on a private driveway and developers have asked for seven; the waiver kicks it into a major subdivision.

Derek Foy motioned to deny the appeal. Jimmy Landreth seconded the motion. Council voted 3 to 2 to deny the appeal. Vote in favor: Derek Foy, Jimmy Landreth and Jim Rigsbee. Vote opposed: John Flynt and Thearon Hooks.

IX. New Business:

1. Confirming Scope of Work to Include in Bidding Out New Landscaping Service Contract for Town Property (current contract expires 3/31/21)

Councilman Jim Rigsbee said the contract with Beaver Outdoor Solutions will expire in March and council discussed details to include on the list of duties when letting the work out to bid, and how it should be advertised.

The Town Clerk was instructed to incorporate what Foy has written into a formal notification that the town will be accepting bids for a landscaping and property maintenance contract.

Jim Rigsbee made a motion and Derek Foy seconded the motion to instruct the town clerk to compile a list of items a contracted landscaping company will be responsible for and send the list to the council for final review before putting the work out for bid. Vote was 5-0 and motion carried.

2. Discussion regarding change out from a 2" to 6" water main that connects from the Town's water main line on Oak Level Church Road to South Point Drive in Boone Meadows for better pressure and water quality.

Council discussed whether to replace a 2-inch water line connecting five houses between the intersection of Oak Level Church Road and South Point Drive to the intersection of Deer Path Court with a 6-inch line.

John Flynt made a motion to approve a proposal from Yates Construction to complete all work related to the project, at a cost of \$48,675.

Town Attorney Tom Medlin pointed out that since the project exceeds \$30,000, the town must go through the informal bid process and by law, must make the effort to solicit minority participation.

John Flynt amended his Motion and Thearon Hooks seconded the motion to bid out the water line on Oak Level Church Road. Vote in favor: John Flynt, Thearon Hooks, Jimmy Landreth and Jim Rigsbee. Vote opposed: Derek Foy.

Citizen's Comments from the Floor. Please be brief so everyone has a chance to make their comments.

XI. Closing Comments from Council: None presented.

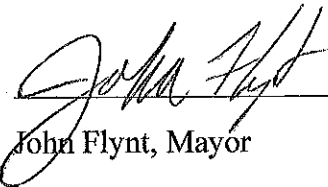
XII. Announcements: 1) Next Planning Board virtual meeting January 28, 2020 at 7pm

XIII. Adjournment:

Mayor Flynt made a motion to adjourn the meeting. Councilman Landreth seconded the motion and the vote was all for and motion carried.

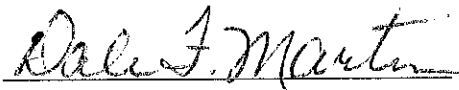
Meeting adjourned at 9:30pm.

Approved: December 9, 2021



John Flynt, Mayor

ATTEST:



Dale J. Martin

Town Clerk