

TOWN OF STOKESDALE
Regular Council Meeting
8325 Angel Pardue Road
Stokesdale, NC 27357

The regular meeting of the Stokesdale Town Council was held on Tuesday, April 16, 2013 at the Town Hall at 8325 Angel Pardue Road.

Council members in attendance: Mayor Randle Jones, Mickie Halbrook, Randy Braswell, Frank Bruno and William N. (Bill) Jones.

Others present included: William B. Trevorrow, Town Attorney; Deputy Scott Casey, Guilford County Sherriff's Department, Deputy Town Clerk Donna McCall and Carolyn Joyner, Finance Officer/Town Clerk.

Mayor Jones opened the meeting at 7:00 pm. Following the Pledge of Allegiance, Council considered the agenda. Mr. Braswell asked to add Senate Bill 394; corporate donation to the Park; and voice recognition software and a closed session for a personnel matter, the 90-day review of the Deputy Clerk. Mr. Stewart Hommel asked to speak about a Park Issue and Susan Lukens asked to be placed on the agenda regarding a budget request for a beautification project. Mr. Braswell made a motion to approve the agenda with changes. Mr. Bruno seconded the motion. All Council members voted aye and the agenda was approved as presented.

Council reviewed the minutes of the December 18, 2012 meeting. Mr. Braswell made a motion to adopt the minutes of the December 18, 2012 meeting. Mr. Bill Jones seconded the motion. All Council members voted aye and the minutes were approved.

COMMENTS FROM THE FLOOR: Nancy McCoy, 8516 Spring Birch Terrace commented about the beautiful flowers that had been placed in front of the Town Hall Building. She complimented Mr. Steve Spalding on the job that he had done.

Mr. Stewart Hommel, 8505Deer Path Court noted that three of the horseshoe pits at the Park were underwater. Mayor Jones noted that funds were appropriated at the last meeting to take care of the matter.

NEW BUSINESS:

Report from Guilford County Sheriff's Department: Deputy Casey reported 9 calls that generated reports in the previous month. There was one Part 1 crime that occurred when the Church on Happy Hill Road was broken into.

CONDITIONAL USE REZONING CASE 13-02-STPL-00472: **CU-LI to CU-HB.** Matt Moorefield is proposing to rezone property located just west of US 220 on the north side of US 158 to a Conditional Use Highway Business zone in order to establish a sporting goods store and firing range. Tax Parcel # 0150636 in Bruce Township and totaling approximately 4.89 acres. Owned by Matt Moorefield, WSJ Holdings, LLC.

Mr. Albert said that this is a request to rezone a property on the north side of US Hwy 158 from Conditional Use – Light Industrial to Conditional Use Highway Business. The applicant is proposing two uses for the property, a sporting goods store with the primary purpose of selling firearms and an indoor contractor services office which exists there now. The property was rezoned in 2005 to the current conditional use - light industrial and there are conditions from this previous rezoning that will carry over if this request is approved. These conditions would include the façade, the parking area location, points of access as determined by NCDOT, placement of outdoor storage, and fencing along major roads in regards to how they are constructed. All of these are scenic corridor requirements. The Planning Board made a recommendation on this request earlier in the month. Mr. Albert advised Council to pay attention to the Land Use Plan analysis and to base any motion on the consistency and compatibility of the proposed uses with the area. There is guidance in both the Land Use Plan and in the report.

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Those speaking in favor of the matter:

12:52 Matt Moorefield, 581 Renn Road, Stokesdale, said that he owns the current business, Atlantic Retail Construction and he will be the landlord for Mr. Yornoff's business. He said that he lives in Stokesdale and owns a business in Stokesdale and that he will represent the Town well. He said that the construction company has been struggling the last few years and there is vacant space in the building for the business. He said that his business has been a good neighbor and there have not been any complaints. He said that he felt they would set precedence for what retail business should be. The location near US Hwy 220 and US Hwy 158, two major highways, lends itself to this use. The previous owner had mini storage units as a use but it will be removed if the request is granted.

Mark Yornoff, 3204 Squirrel Chase Drive, Summerfield, NC said that he was the person who wants to make an investment and start a business in Stokesdale. He said they are trying to address the concerns of the Church located next door to this location. He would appreciate Council's consideration.

Dwayne Holt, 884 Mineral Springs Road, Madison, said that he travels through Stokesdale and is a firearms enthusiast and sporting goods. Since he works outside of Madison, it is difficult to spend his money because of business hours. A store with a good variety of items in stock would be a plus for this community.

David Pickett, 7804 Robinson Road, Summerfield, said that he has known Mark for over ten years. He travels through Stokesdale frequently. His son attends Oak Level Academy and he would trust Mark with the care of his sons for camping trips or motorcycle trips. He said Mark is a responsible person and citizen in the community. He is in favor of request.

Those speaking in opposition to the request:

Stewart Hommel, 8505 Deer Path Court, said that the Land Use Plan calls for this to be an industrial area. It is the only area in Stokesdale zoned Light Industrial. He read the definition of the School Zone from the Gun Free School Zone Act of 1990 (18 US Code 921) which he said was federal law. He said that a school zone was referring to grounds on or near a public, parochial, or private school. He said that he had been told that this did not apply to Vacation Bible School at the Church next door. He said that there were many children and adults there. He said that the walls of the building would not stop bullets and that accidents can happen. It is not appropriate to have a gun store next to a Church. The building is within 1,000 feet of the Church property.

Rebuttal:

Mr. Moorefield said that his family works in the building and that he will take all precautions to protect them. The existing gun business downtown has not had any incidents such as an accidental misfire. There is no entry on the side of the building next to the Church so they would not see customers.

Mr. Yornoff said that he was not proposing a shooting range. There will not be any shots fired there and there will not be any target practice. There are children walking around all over Wal-Mart where there is guns and ammo and it is perfectly safe.

Mayor Jones said that the matter was now with Council.

Mr. Braswell asked if he traveled 500 miles to buy a gun, could he shoot it before he bought it. Mr. Yornoff said that he could not shoot it on the premises. He said that ammunition is behind the counter and he can be selective to who he sells guns to.

Mr. Braswell made a motion that Council accept the recommendations of the Stokesdale Planning Board to rezone from CU-LI to HB-CU however it is inconsistent with the Land Use Plan as far as the professional manufacturing corridor. It is compatible with other businesses in the area. He does not believe that the conditional use would conflict with the neighboring properties and the site is consistent with the scenic corridor. Mayor Jones seconded the motion. He said that the conditions of the rezoning would be strictly limited to those listed on the application.

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Mr. Braswell noted that the information indicated that the entire property was specifically being leased for hunting. He felt that it would be a much needed business for Stokesdale. Mayor Jones seconded the motion. Mr. Bill Jones noted looking in the booklet, that #8 and #9 is existing or proposed elevations. Mr. Moorefield said that the exterior will not change except for the awning and storefront glass will be added.

Mayor Jones called the question. Council voted unanimously to approve the rezoning request.

Consider Facility Use Agreements for the Use of the Town Park: Mr. Braswell asked if these were the same dates for the Stokesdale Youth Football application were the same as last year. Monday, Tuesday, and Thursday August 1 to Nov 14? The Clerk said that she had not compared them but they are very similar. There were no conflicts on the calendar for the Park. Mr. Braswell made a motion to accept the application for the dates requested and waive the fees. Ms. Halbrook seconded the motion. Mr. Braswell said that it was grass seed planting time and he questioned whether it would interfere with it. The Clerk noted that Bermuda was planted in July and August and it was really for play by the fall. Mayor Jones said that it was a good thing if it was used by enough participants and it could be replanted again. Council voted unanimously to approve the request.

Golden Antiques & Treasures: (Mr. Golden was not present.) Mr. Bruno said that he had questions about the request such as how traffic control would be handled since the application says 2,000 people per day. Mayor Jones said that his discussion with Mr. Golden was that vendors would come in and set up and then remove their vehicles and park outside of the Town property probably at the School. The customers would park here. The irrigation lines would need to be marked so that tent stakes would not be driven into the lines. Mr. Braswell said that he had talked with Mr. Golden had indicated that he would have off-duty sheriff to help with traffic, permission from the school for parking, irrigation system to be flagged and Council would assist, he would have golf carts to shuttle people and he will provide a dumpster for trash and he was going to talk to Chief Gauldin about parking and not blocking fire hydrants. Mr. Bill Jones said that we should try to help him if he is bringing something to the Town. Mr. Braswell made a motion to give conditional approval and to get from him in writing his guarantee for traffic control, irrigation, clean-up afterwards, shuttle service and permission from the school, permission from the Fire Marshal for traffic control and to not block fire hydrants. Mr. Bruno added that he would need Health Department certificates for all of the food vendors and that he has liability insurance. The Clerk said that he may need electricity. Mr. Bruno asked how the fee would be considered. Mayor Jones said that it could be conditional approval based on the conditions already listed and having him to provide a list of his requirements by 5:00 pm on Friday. The rental fee would be based on his requests. Ms. Halbrook seconded the motion. All Council members voted aye and the motion carried.

Facility Use Agreement: Insurance Coverage Requirement: The Facility Use Agreement states that Insurance is required and a certificate of insurance should be sent to the Town of Stokesdale. Regarding insurance requirement for the use of the Park, Mr. Braswell made a motion to adopt "Insurance coverage is required for all groups, businesses, and all other non-private entities." Mr. Bill Jones seconded the motion. All Council members voted aye and the motion carried. Use of the Town Hall will continue to require insurance coverage for all uses.

Park Issue: Mr. Hommel asked if it has been considered to place swings in the Park in the Playground area. Mr. Bruno said that it will be looked at for the preparation of the Budget.

Budget Request: Susan Lukens, 8305 Stokesdale Street, said that she had presented a Budget request of \$1,000 and is asking for improving and beautifying the downtown core, from stoplight to stoplight, for two benches and four planters to be used in the linear park specifically. She said that the request included information on what has been done in the downtown area and what is being planned for the future. There are estimates for materials and drawings showing what the items would look like when complete. She invited everyone to the Linear Park on May 4 for Adopt a Pot and the addition of trees.

UNFINISHED BUSINESS

Water System Tank Inspection Report: (See Announcements) Mr. Braswell said that Council was going to discuss the report before Mr. McGougan comes to go over it, but this has not been done. It is not necessary since Council has the report to review. Mr. Braswell said that he has invited Gene Robertson, Yates Construction, to

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come to the workshop when it is held since he worked with Mr. McGougan on the washout and is very familiar with the system.

Library: Update: Mr. Bruno said that the Library Opening was held on April 6. And probably about 1,500 books were sold and \$164 was collected. Some people have stopped by Town Hall and purchased books also. Another book sale will be held on Saturday, May 4. There are some high school students that need a community service project and they may help out at the sale. Citizens continue to call and ask about donating more books. They are being asked to wait until the books in the back room can be sorted to see what other books are needed. Library cards will be printed this week for those who have requested one. A library Committee meeting will be held next week for all who want to help. It will be held on Tuesday May 23 at 6:00 pm. He hopes to be able to set up a schedule of volunteers to work at the Library. After May 4, the books will be cleaned out of the halls.

NC Small Town Main Street: Mr. Bruno reported that on April 2 he and four others represented Stokesdale at the Small Town Mainstreet meeting at Benson. Applications will be sent out soon. A group of students from Chapel Hill is taking final exams this week and then will be putting together the final plan that they did for the Town. He said that everything should be completed and he will have it for Council at the May meeting. He noted that he has been in contact with Ann Swallow, NC State Historic Preservation Office and she will be in Stokesdale on Monday, April 22 at 2:00 pm at the ROADS building. Everyone is welcome to attend. We are trying to be placed on the National Historical Registry and he will have more information for Council after the meeting. Ms. Halbrook said that she was trying to get a picture of the downtown for the County Magazine.

Consider Revisions to State of Emergency Ordinance #38; Continued from March 19, 2013 Meeting: Mayor Jones said that Mr. Trevorrow had reviewed the documents and that our Ordinance is substantially different from what others had adopted. Mr. Trevorrow suggested that we keep some uniformity and adopt what the County and other municipalities have adopted with proposed changes that keep with the legislature changes that apply. Oak Ridge has changed theirs but Summerfield has not at this time. Pleasant Garden is changing theirs. Mayor Jones made a motion to continue the matter until the May 21st meeting for a public hearing and comments and a vote. Mr. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

COMMITTEE AND BOARD REPORTS

Committee/Board Reports: Mr. Bruno said that the Budget Committee will meet in early May to consider all budget requests.

Departmental and Administrative Reports: Finance Report: March, 2013: Ms. Joyner reported that General Fund assets had increased slightly over the previous month's balance. General Fund checking accounts transactions included payments to the following: Clontz Backflow Service \$170.00 for Backflow tests for Town Hall and the Park; Hostway Billing Center for domain names renewal, \$38.85; Guilford County Finance Department, \$12,500 for planning services and \$18,306.54 for 4th Quarter law enforcement services; and Council Members were paid stipends for the first quarter. Accounts Payable included an invoice from Guilford County Finance Department for 1st Quarter animal control for \$3,183.25. General Fund Certificates of Deposit earned \$229.51 which was deposited into the Money Market Savings Account. The savings account earned \$12.45 in interest for the month. The General Fund Savings Account shows the deposit of \$51,640.74 from Utility Franchise Tax Distribution.

The Water Enterprise Fund report shows that Water Sewer Fund CD #11 matured and it earned \$116.63 and was renewed. The Water Enterprise Checking account includes payments to the following: Clontz Backflow, \$300.00 for testing the backflow at the master meter; and Southern Corrosion, Inc. \$3,905 for cleaning the water tank. Accounts Payable includes invoices from Yates Construction for reading meters, flushing lines and locating lines; Marziano & McGougan, PA \$2,500 for their services during the tank washout; Yates Construction \$220 for their services during the tank washout project.

Ms. Joyner noted that all budget requests must be submitted to the Budget Officer by April 30.

Property Liability Insurance Renewal: The Finance Officer indicated that it is time for the Town to renew the

insurance coverage currently provided by NC Risk Management for the Town. Mr. Bill Jones asked if Risk Management had provided any updated information of the replacement costs of the water tank. Ms. Joyner said that she had not received any information from them but would follow up with them.

Mayor Jones made a motion to renew the liability insurance for the properties of the Town of Stokesdale. Mr. Braswell seconded the motion. All Council members voted aye and the motion carried.

Administrative Report – Town Clerk: Vacation Request: Mayor Jones made a motion to approve the Town Clerk's request for vacation days as set forth in the memorandum that she has presented. Ms. Halbbrook seconded the motion. All Council members voted aye and the request was approved.

The Clerk noted that there is another fire hydrant that was damaged by a vehicle. Yates Construction has not provided the cost to repair the hydrant. An insurance claim has been filed.

Mr. Bruno presented a list of items and their costs for items for the library including a bar code scanner, a stamp to identify books as Town property, labels, and ink for the printer. Mr. Braswell made a motion to reimburse Mr. Bruno \$127.32 from the Library Fund. Mr. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

Contract for the Auditor for 2012-13: Mr. Braswell recalled that Cannon & Company was not going to increase their rates this year. Mayor Jones made a motion to approve a contract renewal with Cannon & Company for 2012-13. Mr. Bruno seconded the motion. All Council members voted aye and the motion carried.

OTHER BUSINESS:

Senate Bill #394: Mr. Braswell said that he had read an article in the Northwest Observer and had been receiving emails about this bill and he was looking for direction from Town Council of their interpretation of the Bill. Mayor Jones said that the Bill would take away the Utility Franchise Fees from the Towns and make that money available to the State. There have been some alternatives suggested but nothing has been decided. The state may balance their budget but they would be using funds that normally have come to the Towns making it necessary for Towns to tax more. Mayor Jones said that the Town does have funds in savings that can be used until the State makes a course of action.

Mr. Braswell said that the Town's income from investments has declined as a percentage to the overall income of the Town. He said that he had called his senator about the Hold Harmless Agreement. Mr. Bill Jones said that he had talked to Paul Myers at the NCLM and the new utility franchise fees will be distributed in the same manner as the sales tax which the Town lost several years ago. If the Town were to impose a tax, it would be another year before any of the sales tax would be received by the Town.

Mayor Jones suggested that the Town should not panic but should wait and see what the State does. Council may want to levy a tax now or wait or use savings and manage it for the year and see what happens. The budget committee can look at this.

Corporate Donation to Park: Mr. Braswell said that Gauldin Trucking has volunteered to make repairs to the horseshoe pit area. Mark Gauldin has volunteered to donate dirt, the hauling, grading and seeding, to remove the four pits near the volleyball court. He is willing to sign the volunteer form. The lumber from the upper pits will be used to remake the remaining four pits. Mr. Braswell suggested that the Town should recognize Mr. Gauldin as a sponsor of the Park or having adopted an area for the Park by having a nice wooden sign erected in the area with his company name and phone number on it. Council would approve the sign. He sees volunteers and would like to promote more corporate sponsorships for the Park and the Library. Mr. Braswell made a motion to graciously accept Mark Gauldin's donation to repair the area at the horseshoe pits as described.

Mayor Jones asked if the pits should be repaired or if another volleyball court should be added. He said that another court would be used more than the horseshoes have been used.

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Mr. Bill Jones seconded the motion. Mr. Trevorrow asked about the arrangement and asked if Mr. Gauldin is volunteering only if he can put up a sign. Mr. Braswell said that it was his idea to identify the area and for Council to recognize corporate donations and volunteers. Mr. Braswell said that the sign would apply to this one situation only.

Mayor Jones called the question. Council voted three to two to approve the motion with Mayor Jones and Ms. Halbrook voting no.

Mr. Braswell said that he has volunteers who are lined up to mow in the Park. Mayor Jones asked how this was going to work such as what are they going to mow and how often, what would they mow with, who will pay for the gas and when they would come who will have liability for it. Mr. Braswell said that the liability can be discussed with the insurance provider for the Town. He said that they would mow the grass and there may be different people for different areas. They will furnish their own gasoline and will mow as needed. Ms. Nancy McCoy said that with the size of the property, it is not a volunteer job and that it is the first impression when you come to Town Hall. Mr. Braswell said that Stokesdale Parks and Recreation wants to adopt the soccer fields. Joe Dixon, Stokesdale Parks and Recreation, says that the grass on the soccer fields is not his first choice of grass. Mr. Braswell said that they plan to plant fescue this fall. They may not do away with the Bermuda.

Mayor Jones asked how many volunteers were there, how often they will mow, and who was going to set up the schedule.

Ms. Jan Brown said that she does not regularly attend meetings but happened to come tonight. Mayor Jones has asked legitimate questions of Mr. Braswell and it was her perception that he (Mr. B) has an overall idea but what steps are you going to take – Mayor Jones has asked exactly how many people, who is going to do what section when and those kinds of things. That is the essence of a plan that will get you to where you want to be and the success that you want to have. She said that she did not understand his defensiveness about the matter but he should work together.

Mr. Braswell said that he would like to have volunteers here on September 1 with the heavy equipment to be plugging and seeding.

Ms. Brown said that she has managed volunteers and you have to be there and know what is happening and to supervise and to see that it is carried out. Volunteers have to know precisely what they are to do. If you don't use volunteers right, you will lose them. If they do not have a plan with guidance and direction, and clarity as to what is to happen, then there will be confusion and it will flop. It happens if there is not a careful plan so that everyone knows what is supposed to happen. Mr. Bill Jones said that he has been to the budget committee meetings and they are working on some of this but it is in the planning stages and has not been voted on yet.

Voice Recognition Software: Mr. Braswell said that the deputy clerk had suggested using this software to assist with the minutes. He asked Mr. Trevorrow to check on the use of electronic minutes. He made a motion to investigate electronic software for the purpose of assisting with the taking of minutes of the meetings from other meetings similar to this and there are other companies or municipalities that use voice recognition software. He said that he would like for the deputy clerk to investigate the different kinds that are offered. Mayor Jones said that in the courtroom setting, you have to have microphones for each person. The audio tape can then be transcribed.

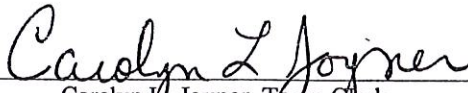
Mr. Braswell made a motion to retire to Executive Session for a personnel matter. Mr. Bruno seconded the motion. All Council members voted aye. Council retired to Executive Session at 10:00 PM.

Council returned to regular session at 10:25 pm.

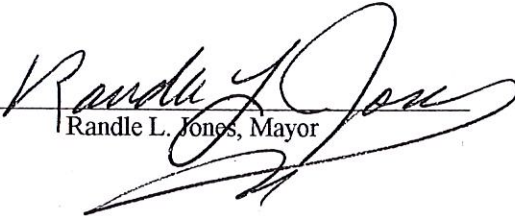
ANNOUNCEMENTS: Mayor Jones noted that the announcements were listed on the agenda.

COMMENTS FROM COUNCIL: There were no comments from Council.

ADJOURMENT: Mayor Jones made a motion to adjourn. All Council members voted aye in favor of adjourning the meeting. The meeting was adjourned at 10:28 pm.


Carolyn L. Joyner, Town Clerk

Approved:


Randle L. Jones, Mayor

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