

**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, February 19, 2013 at the Town Hall at 8325 Angel Pardue Road.

The following Council Members were present: 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 Sheriff's Department and Carolyn Joyner, Finance Officer/Town Clerk.

Mayor Jones opened the meeting at 7:00 pm. Following the Pledge of Allegiance, Mayor Jones welcomed the newest town employee, Donna McCall, as Deputy Clerk.

Council considered the agenda. The Clerk indicated that the minutes for September were not available. Mr. Braswell made a motion to adopt the agenda. Mr. Bruno seconded the motion. All Council members voted aye and the agenda was approved as presented.

Council reviewed the minutes of the August 16, 2012 meeting. Mr. Braswell made a motion to adopt the minutes of the August 16, 2012 meeting. Mrs. Halbrook seconded the motion. All Council members voted aye and the minutes were approved.

**COMMENTS FROM THE FLOOR:** No one came forward to make comments.

**NEW BUSINESS:**

**Report from Guilford County Sheriff's Department:** Deputy Casey reported 19 calls that generated reports with five Part One crimes. One arrest was made and there are suspects in two others cases.

**Municipal Election for 2013 Setting Filing Fees:** According to Mayor Jones, fees have been traditionally set at five dollars. Mrs. Halbrook felt that was a fair amount and made a motion to keep the filing fees at five dollars. Mr. Braswell made an inquiry as to who sets the dates for this type of election. Ms. Joyner stated that these dates are set by the Board of Elections. Mr. Braswell seconded the original motion made by Mrs. Halbrook. Council unanimously voted to set the filing fees at \$5.00.

**NCLM Joint Action Program Energy/Duke Power Rate Case: Ratify Participation:** Mr. Bruno made a motion to ratify participation in the program. Mr. Braswell seconded the motion with the understanding \$100 donation would cover both Progress Energy and Duke Power. All Council members voted aye and the motion carried.

**UNFINISHED BUSINESS:**

**Water System Updates:** Ms. Joyner reported that the water tank washout has been completed and everything had gone smoothly. A report is being prepared by Mr. McGougan for Council. Mr. McGougan is not recommending any further maintenance being done for the next three to five years before the interior will need to be painted. One item of concern is the sump pump located at the altitude valve that pumps out any excess water in the event of an overflow. The altitude valve helps controls the water level in the tank. Duke Power was called out to verify that there was electricity available at the site. It was determined that the electrical outlet on the exterior was not working and the sump pump was locked up. Yates Construction assisted in removing water that had collected inside the valve and had



provided an estimate of \$801 to replace the outlet and the sump pump. Mr. Bruno made a motion to repair the items based on the Yates Construction estimate. Mrs. Halbrook seconded the motion. Mr. Bill Jones asked if anyone had checked on the cost of replacing the sump pump. No one had checked on this. Mr. Braswell asked if the estimate included the services provided by Yates Construction during the tank washout. Ms. Joyner indicated that the estimate did not contain that information. She also said that Mr. McGougan had indicated that some of the valves may need some additional attention soon. Mr. Bill Jones made a substitute motion to continue it until next month so that he can do some checking and by that time we will have the bill for the rest of the work. Mr. Braswell seconded the motion. He said that he and Mr. Bill Jones should go to look at it and to go the meter station. He would also talk to Gene Robertson with Yates Construction. Mr. Bruno said that he would accept the friendly amendment. Mrs. Halbrook asked if Mr. Braswell and Mr. Jones were qualified to make a determination on the issues. Mr. Bill Jones, Mr. Bruno, Mr. Braswell, and Ms. Halbrook voted aye. Mayor Jones voted nay. The motion passed with a four to one vote.

**Adopt North Carolina State Treasure "separation of duty" document memorandum # 568 and Part 3- Internal Control over operations as part of Stokesdale Town operation policy: (Continued from January 15, 2013):** Mr. Braswell made a motion to adopt separation of duty document memorandum #568. Mayor Jones asked if the document was to be adopted in full and Mr. Braswell responded yes it was the full document.

Mr. Braswell said that a workshop on the document was held and the accounting firm recommended the use of this document as a guideline to use for what would be applicable and practical for a town the size of Stokesdale and with the employees we have. Mayor Jones pointed out that if this guide is adopted as a policy, Council would need to set a target date to start putting it in practice. Ms. Joyner stated it was her understanding that this was used as a basis to write our own policy since some of it does not apply to Stokesdale. Mayor Jones agreed that he had some concerns as well which way to separate the duties whether it is one position or two positions or more. Mayor Jones feels that it would serve the town better if council and staff would decide what things work for us and have a written policy. The last thing we would want is be accused of not following our own procedures. Mr. Bruno said that it is designed to improve efficiency. Mayor Jones suggested using this document as a guideline to establish our own policy and have to look at it and offer some suggestions on how to best implement it with the logistics that we have. Mayor Jones made a motion to review these as guidelines and to ask the Finance Office /Town Clerk, employees, along with Council to look over this to for a trial period of time what would be workable and the best way to look at this as for the future adoption of a Town Policy based on these standards. Mr. Bruno suggested a review of at least ninety days. Mr. Braswell seconded the motion. All Council members voted aye and the motion carried.

**Jordon Lake Nutrient Management Strategy:** Mr. Braswell said that he and Mr. Bruno and representatives from other municipalities that are affected by the Jordan Lake Rules had attended a meeting in January about the Rules. The purpose of the meeting was to have the municipalities to adopt a resolution to send to the League of Municipalities who would then lobby on their behalf. Copies of a draft of a resolution and a Resolution from the Town of Summerfield were included in Council's packet. It is not the intentions of the surrounding municipalities' to ask for repeal all of the Lake Jordon Rules because the Federal Government may impose rules that are stricter than the State's rules.

Mr. Bruno said that the items in the resolution were the parts of the rules that had some problem from the original Jordan Lake Rules that need to be addressed.

Book 11, Page 2248



Mayor Jones said that the original rules were an unfunded mandate. Mr. Trevorrow asked if there was any mention of penalties for not doing anything. Mr. Bruno said that it had not been decided. They will be going to the General Assembly to see if they are going to make any changes and to ask for certain changes. Mr. Braswell said that Oak Ridge had adopted the last Ordinance changes but many others including Summerfield and Stokesdale have not passed them.

Mayor Jones said that there have always been issues with the rules have been the retrofitting that it required and the unfunded mandates that were required from the municipalities with no idea of where the money would come from or whether municipalities could afford to do the retrofitting.

Mr. Bill Jones said that he thought the resolution was stating that the Town does not agree with the current rules and the way that they are written and asks for some clarification.

Mayor Jones made a motion to adopt a resolution to support the amendments to the Jordan Lake Nutrient Management Strategy consistent with the model resolution omitting the 401-404 references. The Mayor is authorized to sign the resolution. Mr. Braswell seconded the motion. All Council members vote aye and the motion carried. A copy of the resolution is hereby incorporated into and made a part of the minutes of the meeting. The Clerk is to contact the League of Municipalities and find out who the resolution should be sent to.

**Inbound Phone Message Log:** Mr. Braswell thanked the staff for the log and said that he would be reviewing the information. Mayor Jones said that the thirty day period of recording the calls has ended and Mr. Braswell will review the information. If there is any further action it will be addressed at another meeting.

**Invoice Submitted for Park Security Camera Diagnosis of Repairs Needed:** Mr. Bruno said that Call 24 came out and did some work and should be paid for their services. Mayor Jones said that they had said they were coming out to give an estimate at no charge. Mr. Bruno explained that they would come out and give a diagnosis and they did some work also. They took the power supply back to their shop and they tested the cameras. Mrs. Holbrook mentioned in her notes on September 20<sup>th</sup> meeting that Mr. Bruno said the company would come and look at no charge. Mr. Bruno agreed and added they did not charge for that and they only charged for the diagnostics. Mayor Jones said that Council had not authorized any repairs and there was no difference between an estimate and diagnostics being done. Mr. Braswell made a motion to pay Call 24 Security for the work that they did here at Town Hall for \$132.50. Mr. Bill Jones seconded the motion. There was discussion about the authorization of repairs and whether Council had authorized the company that actually made the repairs. Mr. Braswell said that he did not remember that Council voting to authorize the repairs to be made by the person that fixed the cameras. Mr. Bill Jones said that he did not remember it either. (See the minutes of the November 20, 2012 Town Council meeting for clarification of the motion made and vote taken on this issue.) Council voted three to two in favor of paying the invoice for Call 24 Security with Mayor Jones and Ms. Halbrook voting no. The motion carried.

#### **COMMITTEE AND BOARD REPORTS:**

**Library Committee:** Mr. Bruno reported that the Library Committee met on Friday and there was a good turnout. Books were unpacked and shelved books and it should be ready to open in two to three weeks. Mr. Bruno had developed a donation form similar to the one used for Goodwill. Part of the language used comes directly from the IRS code

Mayor Jones suggested that the form should state "Items become property of the Town of Stokesdale".

Book 11, Page 2249



Mr. Trevorrow said that it would be appropriate. Mr. Bruno said that he would add the line "All items donated become the property of the Town of Stokesdale." Shelves were donated by a Winston Salem Company and some were built by Ronald and Danny Southard. Mr. Bruno said that encyclopedias and magazines are not being accepted for the library and the committee will be looking at setting criteria for the materials that will be accepted for the library at their next meeting and present it to Council.

Mr. Bruno made the motion to adopt the form and add the line that ("All items donated become the property of the Town of Stokesdale." Mr. Braswell seconded the motion. Mayor Jones called the question all council members voted aye and the motion carried.

#### **Water System Collections:**

Mr. Trevorrow had provided Council with a proposed Memorandum of Agreement between Attorney S. Brian Walker and the Town. Mr. Trevorrow said that both he and Mr. Walker had drafted the proposal. He noted that under Paragraph 1 which says that he "shall serve as Stokesdale's exclusive agent attorney" refers to matters of a legal nature only. This does not interfere with the Town's contract with an outside agency. It is for legal services and not collection services even though part of the legal services if the collection of delinquent accounts. Mr. Trevorrow said that in Paragraph 3, the 10% would refer to actions before there is any legal action would be taken and would refer to the amount of compensation of any funds received as settlement or adjustments to an account received before a lawsuit. When funds are received after a lawsuit is filed, Mr. Walker would get 25% of the funds collected. The actual costs that Mr. Walker would incur in bringing any legal action - anything that the Court would award in the judgment pursuant to the complaint - would be paid to Mr. Walker to reimburse him or to the Town if the Town had reimbursed him.

Ms. Joyner will present a list to Council of any accounts that she would suggest sending to the collection agency.

Mr. Braswell asked if the Memorandum should have a cancellation notice. Mr. Trevorrow suggested a 90 to 120 day notice by either party. Council indicated that 120 days would be acceptable.

Mr. Braswell said that the Town's application for water service states that all attorneys' fees incurred for collection are the responsibility of the Customer. Mr. Trevorrow said that the person against whom the judgment is going against is responsible for paying those attorney fees. The 10 percent and 25 percent sets the amount that the Court can award.

Mayor Jones said that there could be additional attorney's fees or penalties that the Court could award which is unlikely but could happen. The attorney would get 25% of the settlement amount for his fees. In most legal actions, each side pays their own attorney's fees.

Mr. Braswell made a motion to approve the Memorandum of Understanding with the addition of injecting in paragraph 1 "exclusive Agent Attorney" and a 120 day cancellation notice for either party. Ms. Halbrook seconded the motion. All Council members voted aye and the motion carried.

**Departmental and Administrative Reports: Finance Report: January 2013:** Regarding the Water Enterprise Checking Account, Ms. Joyner noted payments to the following: City of Winston Salem for \$16,043.33 and Yates Construction was paid \$3,824.56 for reading and installing meters, repairing two fire hydrants and cut-offs. Accounts Payable includes an invoice from Southern Corrosion in the amount of \$3,905.00 for the tank washout. The Finance Officer noted that a business customer had experienced an excessive water leak which was not detected for three months. Their hot water heater which was

Book 11, Page 2250

located underneath their building was leaking. An adjustment of \$108 was made to their account which was based on their average bills.

General Fund Assets decreased for January. Checking Account transactions included payment to the following: Northwest High School Band \$150 for participation in the Holiday Parade; \$1,140 was issued to Custom Alarm Systems as a replacement check for one previously issued on which a stop payment had been placed; a donation of \$13,611.35 was given to Stokesdale Elementary School as a donation for their IPAD lab; \$3,183.25 was paid to Guilford County for Animal Shelter services; and Mayor Jones was reimbursed \$53.13 for refreshments for the Legislative Meet and Greet at Oak Ridge.

Accounts Payable includes invoices from Guilford County Emergency Services for 4<sup>th</sup> Quarter Fire Code/Fire Investigations \$331.25 and US Postal Service \$106.00 for the annual rental for post office mail box.

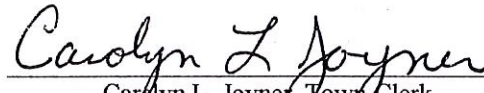
Ms. Joyner noted that funds have not been budgeted for the \$332.50 payment approved earlier for the payment of an invoice for diagnostics for the repair of cameras and a budget amendment is necessary to cover this expenditure. Mr. Bill Jones made a motion to allocate funds from undesignated fund balance in order to amend the budget by adding \$750.00 for Park repairs. Mr. Braswell seconded the motion. All Council members voted aye and the motion carried. A copy of the Budget Amendment #8 is hereby incorporated into and made a part of the minutes of the meeting.

**Administrative Report – Town Clerk:** The Clerk did not have a report.

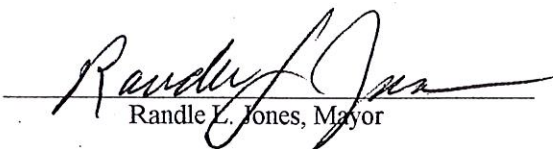
**ANNOUNCEMENTS:** Mayor Jones read the announcements listed on the agenda.

**COMMENTS FROM COUNCIL:** Mr. Bruno said that NCDOT had sent a study of roads including noise information. He suggested that the US 158 Committee should meet and discuss the information and come up with some alternative ideas for the bypass.

**ADJOURMENT:** Mayor Jones made a motion to adjourn. All Council members voted aye in favor of adjourning the meeting. The meeting was adjourned 8:43 pm.

  
Carolyn L. Joyner, Town Clerk

Approved:

  
Randle L. Jones, Mayor



**RESOLUTION OF SUPPORT  
BY THE TOWN OF STOKESDALE  
TO SUPPORT AMENDMENTS TO THE  
JORDAN LAKE NUTRIENT MANAGEMENT STRATEGY (SL 2009-216)**

The Everett B. Jordan Reservoir ("Jordan Lake") was impounded in 1983 by the US Army Corps of Engineers for the purposes of flood control. It has been eutrophic since its impoundment, and was declared a Nutrient Sensitive Water by the NC Environmental Management Commission ("EMC") that same year, 1983. It was declared impaired by the NC Department of Environment and Natural Resources ("DENR") and the US Environmental Protection Agency ("US EPA") for high chlorophyll-*a* levels (and indirect measurement of algae) since 2002 (the Upper New Hope Creek Arm) and 2006 (the rest of Jordan Lake).

In the 2009 Regular Session of the North Carolina General Assembly, Session Laws 2009-216 and 2009-484, addressed the needs to reduce nutrient loadings to the Jordan Lake watershed in order to remove it from the 303(d) list. These Laws are collectively known as the Jordan Lake Nutrient Management Strategy ("Jordan Lake Rules"). They contain thirteen elements addressed at all stakeholders – including all local governments – in the 1,800-square mile watershed that require reductions in nutrient loadings to the Jordan Lake watershed, as determined by the NC DENR. Due to prior amendment of the Jordan Lake Rules and frustrations in the application of the specific elements of the Jordan Lake Rules, enhancement of the Jordan Lake Rules through amendment(s) to the existing, relevant session law is hereby considered.

WHEREAS, the Town of Stokesdale is a regulated community under the jurisdiction of the aforementioned session laws collectively known as the Jordan Lake Rules; and

WHEREAS, the Stream Buffer Rule (SL 2009-484 PART II, SECTION 6.(f) & 6.(g)) is unsatisfactory in its practice and administration to the Town of Stokesdale and

WHEREAS, the Existing Development Rule (SL 2009-216 SECTION 3.(d) & 3.(e)) is unsatisfactory in its practice and administration to the Town of Stokesdale; and

WHEREAS, the Scientific Advisory Board Rule (SL 2009-216 SECTION 4.(a), 4.(b), & 4.(c)) is unsatisfactory in its practice and administration to the Town of Stokesdale; and

WHEREAS, the New Development Rule (SL 2009-484 SECTION 5.(c) & 5.(d)) is unsatisfactory in its practice and administration to the Town of Stokesdale; and

NOW, THEREFORE, the Stokesdale Town Council, resolves to support amendments to the Jordan Lake Rules that will address the aforementioned concerns to improve the efficiency and efficacy of their application (in the following ways:)

IN WITNESS WHEREOF, duly authorized officers of the Town of Stokesdale have executed this Resolution of Support as of the 19th day of February, 2013.

TOWN OF STOKESDALE

BY: *Randall L. Jones*  
Mayor

ATTEST TO:

BY: *Candyn L. Joyner*  
Town Clerk

Approved as to form and legality

BY: *[Signature]*  
Attorney



**TOWN OF STOKESDALE**  
**P.O. BOX 465**  
**STOKESDALE, NORTH CAROLINA 27357**

**BUDGET ORDINANCE AMENDMENT #8**  
**February 19, 2013**

BE IT ORDAINED by the Governing Board of the Town of Stokesdale, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2013:

Section 1: To amend the General Fund, expenditures for Expense Accounts: Park Maintenance the accounts are to be changed as follows:

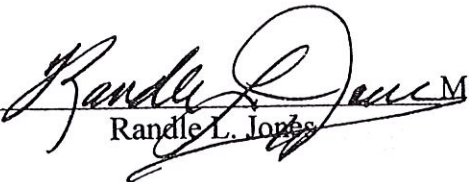
	<u>Decrease</u>	<u>Increase</u>
Cultural & Recreational		\$ 750.00

Section 2: To amend the Revenues to the General Fund as follows:

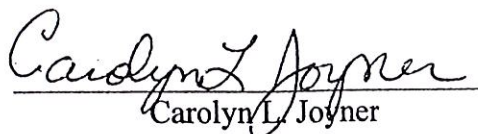
Undesignated Fund Balance	\$ 750.00
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Section 3: Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget Officer/Finance Officer for their direction.

Adopted this 19th day of February, 2013.

  
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Randle L. Jones Mayor

ATTEST:

  
\_\_\_\_\_  
Carolyn L. Joyner Town Clerk

