

TOWN OF STOKESDALE

Regular Council Meeting

8325 Angel Pardue Road

Stokesdale, NC 27357

November 13, 2014

The regular meeting of the Stokesdale Town Council was held on Thursday, November 13, 2014, at the Stokesdale Town Hall at 8325 Angel Pardue Road.

Council members in attendance: Mayor Randy Braswell, Frank Bruno, William N. (Bill) Jones, Vicki White-Lawrence, Joe Thacker.

Others present included: William B. Trevorrow, Town Attorney; Carolyn L. Joyner, Town Clerk/Finance Officer; Diana Marcus, Deputy Clerk; Deputy Scott Casey, Guilford County Sheriff's Department; Dervin Spell, Guilford County Planning Department/Town Planner.

Call Council Meeting to Order: Mayor Braswell called the meeting to order at 7:00pm.

Invocation: Mayor Braswell read a prayer by Joanna Fuchs.

Pledge of Allegiance: Recited by Council members and citizens in attendance.

Review and Adopt Agenda: Mayor Braswell said he wanted to recognize Kathleen, a ninth grader from Northwest High School. He thanked her for coming to the meeting and asked her to bring some of her classmates to the meeting next time.

Frank Bruno made a motion to adopt the Agenda. Vicki White-Lawrence seconded the motion. All Council members voted aye and the Agenda was adopted.

Reading and Approval of the Minutes for the Following Meetings: Regular Council meetings of November 19, 2013 and December 17, 2013; Special Meeting of January 6, 2014; Regular Council meeting of January 21, 2014; Workshops of January 23, 2014, January 24, 2014, January 31, 2014, February 4, 2014, and February 7, 2014.

Mayor Braswell asked to wait until next month's meeting on approving the minutes because he has not had a chance to read them all.

Vicki White-Lawrence said that she had a correction on the November 19, 2013 minutes that she wrote. Next to the last page, four lines up from the bottom where it says that the Mayor would be serving in that capacity until 2014. It should be 2013, not 2014.

Comments from the Floor: There were no comments from the floor.

New Business:

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Report from Guilford County Sheriff's Department: Deputy Scott Casey said that from the last meeting until today, 19 reports were generated from the calls that were received. Four were Part One crimes. Roofing materials worth \$4,000.00 were stolen from a house under construction, items totaling about \$2,100.00 were stolen from a location after a door was kicked in, some copper was stolen from a trailer at another location, and some medications were stolen at another location. Other than that, it has been fairly quiet.

Mayor Braswell asked if the door that was kicked in was done during the day time or night time. Deputy Casey said it occurred during the day time. Some of these locations are secluded and you cannot see them from the road but some of them are on the road. You have to keep your eyes and ears open and lock your doors.

Eileen Thiery, a resident of the subdivision, Springdale, said that she noticed a digital speed display sign in the neighborhood that was located on Springdale Meadow Road. She asked Deputy Casey if it takes pictures of license plates. Deputy Casey said that it was put it there at the request of the Springdale Homeowners Association. It does not record license plates but does monitor speed statistics so the police will know the prime time for speeders.

Presentation of the 2013-14 Audit: Cannon & Company: Craig Hopkins: Craig Hopkins of Cannon Company, the auditor for the Town of Stokesdale, gave a brief overview of the numbers for the Fiscal Year of July 1st, 2013 through June 30th, 2014. He gave a clean unqualified unmodified opinion which means there were no issues with the financial statements.

The General Fund's actual revenues were over budget by \$54,952.00 and were \$89,882.00 more than 2013 revenues. Expenditures were \$62,502.00 under budget and decreased by \$21,617.00 compared to 2013. The General Fund ended the year with assets of \$2,460,903.00, which included \$2,361,298.00 in unrestricted cash. The General Fund, fund balance at year end was \$2,436,467.00 of which \$2,274,362.00 was unassigned.

The Enterprise Fund ended the year in good financial condition with assets of \$4,345,341.00 of which \$1,314,397.00 is unrestricted, liabilities of \$67,189.00, and a net position of \$4,278,375.00 of which \$1,283,777 is unrestricted.

The Town ended the year with unrestricted cash in the bank of \$3,675,695.00 compared to \$3,555,848.00 last year.

He said that it is always a pleasure working with the Town of Stokesdale. Carolyn Joyner, the Town's Finance Officer, did a great job and she is always a pleasure to work with.

Mayor Braswell said that Craig Hopkins and Ashley Crim came to a workshop a couple of weeks ago which was also open to the public. Mr. Hopkins reviewed the audit with Council. Mayor Braswell really appreciates the opportunity to do this because he has a better understanding of the numbers and also gets a chance to ask a lot of questions. He would like them to come again next year.

Craig Hopkins said that he and Ms. Crim certainly enjoyed the time they spent at the workshop. He thanked Mayor Braswell for the questions. It would be nice to see some citizens there next year.

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Public Hearing: REZONING CASE 14-10-STPL-05442: AG to CU-HB: Dervin Spell, the Town's Planner, said that he had not heard anything from the applicants for this rezoning case. The applicants were not present at the meeting. Mr. Trevorrow suggested that the meeting continue and see if the applicants would arrive. Mayor Braswell said that the applicants may have thought that the Town Hall meeting was at 7:30pm instead of 7:00pm, so he agreed to wait.

Consider the Proposed 2015 Meeting Schedule: Frank Bruno said that the dates were changed because of the holidays in January and July 2015. The Planning Board moved their meeting to the 8th in January, so the Town Hall meeting would have to be changed to January 15th.

Further discussion took place among Council and Carolyn Joyner about the July 4th holiday and the Planning Board having already voted to move their meeting to July 8th, so the Town Council meeting needs to be changed to July 15th. Carolyn Joyner pointed out that the Planning Board needs to hear the cases before Town Council in the event Town Council needs to vote on the cases.

Vicki White-Lawrence made a motion for Council to vote on the full schedule at their December meeting but to set the January schedule with the Planning Board meeting on January 8th, and the Town Council meeting on the 15th, and this would include the Board of Adjustment meeting also. Frank Bruno seconded the motion. All Council members voted aye and the motion was approved.

Review of the Facility Use Agreement Including Fees Charged: Mayor Braswell said that on the third page in the Special Events box, Ball Field will be changed to Ball Fields. Frank Bruno said the change should be Ball Field #1 and Ball Field #2. Mayor Braswell said to change it to Field #1 and Field #2.

Mayor Braswell made a motion to increase the field fee to \$25.00 for a non-resident team and increase the resident fee from \$10.00 to \$15.00. The fees would be per hour for the fields and the concession stand would also be a \$25.00 per hour fee for non-resident. The definition of a non-resident team is that less than 60 percent of the players are residents.

Bill Jones asked how they would determine if 60 percent of the team were non-residents. Mayor Braswell said a team roster would be requested if it was a resident team. Vicki White-Lawrence asked if it was comparable to what the other towns are doing. Frank Bruno said that it was what the Town of Summerfield does.

Mayor Braswell made a motion to increase the non-resident ball field fees to \$25.00 per hour and increase the fee from \$10.00 to \$15.00 per hour for residents, just for the ball fields. Frank Bruno seconded the motion effective December 1st, 2014. All Council members voted aye and the motion was approved.

Mayor Braswell made a motion to increase the concession stand fee for non-resident use to \$25.00 per hour. Frank Bruno seconded the motion.

Bill Jones asked how they were going to determine who was resident and who was non-resident for that fee.

Further discussion took place among Council about how they would determine non-resident versus resident concession stand fees, especially for a tournament.

All Council members voted aye and the motion was approved.

Mayor Braswell said Council needs to talk about passing on the cleaning fees. For now, they will consider additional cleaning fees, additional restroom cleaning, and additional trash service for the Park receptacles. Frank Bruno said the Town does not want to make any money. Only wants to pass on the cost.

Mayor Braswell made a motion to hire additional restroom cleaning and trash service of \$175.00 for Saturday and Sunday this weekend and Jani-King will be the vendor. Frank Bruno seconded the motion.

Mayor Braswell said that \$105.00 was Jani-King's fee to clean the restrooms three additional times. Saturday at 10:00am and 2:00pm and Sunday at Jani-King's discretion, as long as the restrooms were cleaned by the end of the tournament. It was \$70.00 additional to service the trash receptacles three additional times. There are five existing receptacles at the Park and an additional six receptacles will be placed in the Park.

All Council members voted aye and the motion was approved.

Mayor Braswell said that Council was polled this week for the cleaning and service for the trash cans and needs to ratify the vote.

Mayor Braswell made a motion to have a dumpster delivered by Waste Industries sometime between tomorrow and the weekend. Frank Bruno seconded the motion.

Carolyn Joyner said it was a total of \$140.00 for that service. It is \$65.00 for the container and \$75.00 to get rid of the trash. There was some discussion as to where the dumpster was going to be located during the weekend tournament.

All Council members voted aye and the motion was approved.

Eileen Thiery, a Stokesdale resident, asked if the applicants will know how much the cleaning fee is without it being on the application in order to prevent a dispute later on. Mayor Braswell said that this time the tax payers are paying for the additional cleaning fees. The next time Council will have the option to pass those fees along. Ms. Thiery said that she just wanted to know if the cleaning fees would be noted on the application itself so there will not be a disagreement with the applicants over the fee. Frank Bruno said that he agrees that it needs to be in writing and plans to take care of that issue soon.

Mayor Braswell said there were some additional heavy-duty jumbo trash bags that fit the large blue containers behind Town Hall that Council previously agreed to purchase. Two cases were purchased for approximately \$80.00.

Mayor Braswell made a motion to ratify the consideration taken by poll of Council to purchase additional heavy-duty trash bags for the blue containers at \$80.00. Frank Bruno seconded the motion. All Council members voted aye and the motion was approved.

Frank Bruno said that he wanted to make some changes pertaining to the cleaning fees on the Facility Use Agreement that is taking effect on December 1st. He wants it to state that there would be a

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minimum of \$100.00 per day for cleaning fees for the Park restrooms and a minimum fee of \$150.00 per weekend for dumpster rental. It would give the people involved with tournaments some numbers up front to work with. There is always room for negotiation but he thinks that is a fair way to do it. Some further discussion took place about the varied number of people that may want to rent the fields, possible intimidation that could be felt by the applicants due to the large dollar amounts listed, the difference between big tournaments versus small groups, and how to handle the specific wording used on the application.

Vicki White-Lawrence wanted to discuss the Facility Use Agreement received from Greensboro United Soccer Association. Further discussion took place among Council about the number of participants being smaller than the estimated number of vehicles, the \$360.00 received for the two ball fields, the cleaning fees that the Town is paying for, and the Certificate of Liability Insurance that was provided by Greensboro United Soccer Association. Mayor Braswell said, although it is not on the agenda, the application from the Greensboro United Soccer Association needs to be approved.

Frank Bruno made a motion to approve the application. Joe Thacker seconded the motion.

Some discussion took place about the parking of the vehicles for the tournament, the application indicating 200 participants but 1,000 additional people are expected to attend, the Stokesdale Fire Department being notified, and the fact that the right questions need to be asked about events like this in the future.

All Council members voted aye and the motion was approved.

Public Hearing: REZONING CASE 14-10-STPL-05442: AG to CU-HB. Located on the west side of NC Highway 68 North and Chartress Road intersection in Oak Ridge Township, Being a portion of Guilford County Tax Parcel #0163701, approximately 5.70 acres. Owned by J. Bryan Jenkins.

Mayor Braswell said that Council is going to address the Public Hearing noted on the Agenda now. He told Mr. Trevorrow that Council needs some legal advice because the applicants were not present at the meeting. He can only assume that there must be some terrible misunderstanding.

Mr. Trevorrow said that one of the issues at the Planning Board hearing which found its way into a discussion before the motion was made to deny was whether or not there was an application of Section 5-13.6B of the Town's Ordinance as it relates to the connecting of the project to the Town's water system. In one case whether it was within 300 feet or in another whether it was within 1,000 feet. The applicants were not prepared to answer the question as to whether they would or would not agree to connect to the water system.

Mayor Braswell said the applicants agreed to connect to the water system even though they might not have to.

Mr. Trevorrow said that he discussed that item with Mr. Spell. He and Mr. Spell concluded that the applicants would not be required to connect to the water system because their project is not a major subdivision and is not within 300 feet as a minor subdivision, so that provision really has no application. He offers that because he does not know if that is any reason why the applicants are not present. It seems like the thing that would make more sense would be that the applicants would have contacted

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Mr. Spell, himself, Mayor Braswell, the Town Clerk, or somebody and indicate that they would not be at the Town Hall meeting for any reason. Having said that, he really sees no reason why Council could not go forward with the hearing because there are people present that need to be heard.

Vicki White-Lawrence said that the hearing was advertised as required. Mr. Trevorrow said, yes, it was properly advertised, so if the applicants have elected not to be at the meeting, they do so at their detriment and you move forward with the hearing. If there is no one to speak for the applicant, it should be noted in the record that there was no one present at the hearing to speak for the applicant and Council can move forward with the hearing and hear those who are present.

Mr. Spell said that he did discuss with the applicant that there were two parts to the process. He advised the applicant that the Planning Board would make a recommendation to the Town Council and the Town Council would have the final vote as to whether the property would be rezoned or not, so the applicant was aware that there were two parts to the process.

Mr. Trevorrow said the Notice of Public Hearing clearly states that any zoning or amendment of the decision of the Stokesdale Planning Board is forwarded as a recommendation to the Stokesdale Town Council. Therefore, it is clearly noted that the Planning Board has only a recommending authority and not an action authority in terms of granting or denying, which is done by Town Council. To be entirely fair about this, there is no date in the Notice of Public Hearing as to when Town Council would be meeting, but you have to put some responsibility on the applicant to know that or find that out.

There was further discussion about the possibility that the applicant may have been involved in some kind of an accident, postponing the Public Hearing for 30 days, the liability of whether or not Town Council takes the Planning Board's recommendation without hearing the applicant speak, the fact that the public was aware of the Public Hearing and made the effort to attend in order to speak, the fact that the applicant can withdraw his request without notice, whether the public that came to speak would be inconvenienced by having to come back to the hearing a second time, the fact that the public cannot make statements in favor of or opposed to what the applicant may have presented at the hearing, and whether or not Mr. Spell can present the applicant's rezoning request on the applicant's behalf.

Mr. Trevorrow said that the normal format for a Public Hearing on a rezoning matter is to allow the proponents or applicants to move forward with their request of the application for rezoning and then to take any opposition to that request and then to allow a rebuttal period for both sides before Council takes action. The time allowed for each one of those categories usually depends on the importance of the issue. A Quasi-judicial issue would take much longer than a regular, standard, or general rezoning which is what this is. He thinks that the fairest thing to do, even though it is unfair and an inconvenience for the opposition to have to be at the hearing twice, would be to continue the Public Hearing and send notice to both sides that it has been continued. If there is a reason why the applicants want to withdraw their application let it be known whether they intend to be there a second time or not.

Mayor Braswell made a motion to continue for 30 days until the next Council meeting on December 11th, and to contact the applicant. In my motion, we need all of the names, addresses, and phone numbers of the citizens that spoke at tonight's Public Hearing. Then Council will get in contact with them and let them know if they need to be back to Town Hall in 30 days or if they cannot be back to Town Hall in 30 days, they can send a letter stating their opposition.

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Mr. Trevorrow said it is a little risky to take undocumented evidence by way of a letter because there is no way to have a give and take with a letter. A letter cannot address or speak on an issue that may arise.

Mayor Braswell said that his biggest concern is that the Planning Board told the applicants that they had to connect to the water system, so the applicants said that they would connect to the water system. The applicants also heard that their request was denied. To protect the Town, Council needs to clarify that the applicant does not have to connect to the water system. Therefore, there is a 30-day continuance to find out whether or not the applicants are withdrawing their rezoning request.

After looking at his phone, Mayor Braswell said he is withdrawing his motion.

Mr. Trevorrow advised Mayor Braswell to proceed with his continuance in order to clarify whether or not the applicants were withdrawing their rezoning request or proceeding with their rezoning request. He understands that it is an inconvenience to those that attended the meeting to speak in opposition, but thinks that this is fair.

Mayor Braswell said that after he had given the applicants over an hour and they had still not shown up, he sent a text to the phone number for Ken Whitley in State Road, NC. The following is what he texted to Mr. Whitley: "Mayor of Stokesdale here. Did you realize that tonight is the second Public Hearing?" He said that it took Mr. Whitley a few minutes to respond the following: "Yes sir. I spoke with Mark Isaacson and he was supposed to contact you and take care of any paperwork. We had decided to put it off until the December meeting in order to have some time to better address the concerns mentioned last week. Did he not contact you?" Mayor Braswell texted him back the following: "No one has contacted Town Hall."

Mayor Braswell made a motion to continue to the December 11th meeting.

Mr. Trevorrow said that Mayor Braswell should wait until after the public speaks before making his motion.

Mayor Braswell said he is withdrawing his motion again. He asked Dervin Spell, the Guilford County Planner to present the applicant's rezoning request. He apologized to everyone for the confusion.

Mr. Spell said that the applicants are requesting to rezone from Agriculture (AG) to Conditional Use - Highway Business (CU-HB) on a portion of the property located at 7571 NC Highway 68 North, Oak Ridge, NC 27310. The applicants have requested to rezone approximately 5.7 acres of an 8.22 acre tract, Tax Parcel #0163701 owned by J. Bryan Jenkins. As part of the conditions, they are proposing Area "A" will be for self-storage use only and Area "B" will be an office/flex space building with future potential of any uses listed on the attached "Exhibit 1" which is in Council's packet. The Future Land Use Plan recommends the parcel to remain as residential use. Staff believes that applying a commercial district to properties removed from the existing commercial node will increase commercial development pressure on NC Highway 68 and may lead to incompatible land uses and commercial sprawl. The application of commercial zoning in this area would contradict one of the visions of the Land Use Plan which was to minimize sprawl of commercial development. After considering all of these factors, Staff believes that denial of the request to be in the public's interest and that the current agriculture zoning to be a reasonable designation for the properties at this time.

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Mayor Braswell said that, normally, the applicant would be asked to come forward and present any documents he had for the rezoning, but he is not present. No one spoke in favor of the rezoning request.

Those speaking in opposition to the rezoning:

Eric Lowe, 7563 NC Highway 68, said that he is located next to the property under consideration for the rezoning and development. He saw the sign advertising the Public Hearing and made sure he was at the meeting tonight. He does not have a problem with business development such as the businesses that Kevan Combs built along NC Highway 68, but he is not happy about having a self-storage facility next to his property and does not feel that it is appropriate for that location. He does think that at some point all of that area is going to be developed. He has his property up for sale but he would like to hear some more information about this proposed business from the applicant.

David Dalton, 7612 Ribier Drive, said that his property backs up to the property under consideration for the rezoning and development. He attended the Planning Board meeting last week and is afraid of the possibility of potential crime that a self-storage facility could bring to the residential area he lives in. He was upset about the continuance because the applicant chose to disregard the meeting while he had to make arrangements at work in order to attend tonight's Public Hearing in order to voice his concerns. He understands about fairness but feels that it is unfair to him and shows favoritism towards the applicant. He has concerns about the potential uses of the flex space and how that could impact his property values. He appreciates the opportunity to express his opposition, but he regrets Council's decision of a continuance based solely because the applicant chose not to attend this advertised Public Hearing.

Jeff Carr, 7604 Ribier Court, said his property backs up to Mr. Lowe's property and is near the property under consideration for the rezoning and development. A couple of his main concerns are increased traffic on NC Highway 68, the risk of crime, and how this potential business could affect property values. He also disagrees with the continuance because he knew that he needed to attend the Public Hearing.

Michael Marshall, 7602 Ribier Drive, said his property also backs up to Mr. Lowe's property. He has a couple of concerns that revolve around safety. There was a crash last summer on NC Highway 68 and Haw River Road that killed one person. Millions of dollars is being spent adding a turn lane on NC Highway 68 right now trying to make the road safer. If you start allowing commercial development along NC Highway 68, more traffic will be turning in and out, and it is a dangerous stretch of road already. He does not think it makes sense to allow more commercial development when trying to alleviate the problems on that stretch of road. He read in the paper about the Public Hearing that was scheduled for tonight, and the residents that had concerns managed to attend. If the applicant decides to put it off for a month, he does not understand how they can arbitrarily decide to do that.

David Dalton, 7612 Ribier Drive, spoke again. He said he understands that the normal process of an application that is denied requires a year before the applicant can reapply. If that is already on record as the process, and the applicant went before the Planning Board and at the final Hearing it was denied, how can you suddenly then arbitrarily push it up by a month? Does that not get into a gray area?

Mr. Trevorrow said that in answer to Mr. Dalton's question, there appears to be some miscommunication or misunderstanding between the applicant and whoever was supposed to notify

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them about their desire to request a continuance. He and Council do not know what happened, but there appears to be that miscommunication as indicated by the response in the text. The other part of that question is that there is a process in the ordinance for filing the same rezoning request. He thinks that there is a year hiatus. Mr. Spell said he would take a look at the ordinance to confirm that.

Eileen Thiery, 8101 Meadow Springs Place, said that she respects Mr. Trevorrow's opinion and she wants to talk about the appropriateness of this project planned for commercial development on NC Highway 68. There is already a self-storage facility located on US Highway 158. She thinks that storage units are not the most necessary thing right now. Houses are selling below market value in some communities and people are not storing things anymore. She thinks that we should be more concerned about the residents and the property owners. She is a property owner and loves Stokesdale and does not want to see Stokesdale start declining. She does not see any reason at all for storage units and the flex-space building to be built on NC Highway 68.

Eric Lowe, 7563 NC Highway 68, spoke again. He said that as he stated before, he does see that part of NC Highway 68 being developed into something in the future, but a self-storage unit is not appropriate for the location. He is able to attend next month's meeting.

Mayor Braswell made a motion to take a five-minute recess. Bill Jones seconded the motion. All Council members voted aye. The meeting recessed at 8:33pm.

Mayor Braswell reconvened the meeting at 8:39pm.

Mayor Braswell made a motion to close the Public Hearing. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion was approved.

Mayor Braswell made a motion to deny the rezoning because the applicant was not there to present the case. Joe Thacker seconded the motion.

Vicki White-Lawrence asked if it was correct that no one was notified prior to this meeting that the applicant would not be attending. Staff was not notified and the Mayor was not notified. Is that correct? Carolyn Joyner asked Diana Marcus when she previously spoke to Ken Whitley by telephone this past week, if he said anything about not being able to attend the meeting. Diana Marcus said that when Mr. Whitley called, he never spoke about not being at the meeting. He only asked how many feet he needed to be from the water system to connect. She told Mr. Whitley to call back on Wednesday to speak to Carolyn Joyner about his question.

Bill Jones asked Mr. Trevorrow if they needed to touch on the specifics of the requirements to deny. Mr. Trevorrow said yes, they do, because the action to rezone is a two phased approach. One is the action to approve or deny and two is the consistency statement. You must make a proper consistency statement which consists of the three elements that you have in your paper and that must be approved by Council, because it is one voice speaking to the issue of consistency as set forth in the consistency statement requirement.

Mayor Braswell said that Mr. Whitley did call the Deputy Clerk. Diana Marcus said that Mr. Whitley did not say anything about the meeting at all when he called. He did not say he was not coming and he did

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not say he was coming. He did not mention the meeting at all. His question was about the water connection and he said nothing about the meeting. She told Mr. Whitley to call back on Wednesday to speak to Carolyn Joyner about the water connection and he never did.

Mayor Braswell asked Mr. Trevorrow if, legally, Council could deny the rezoning request or would they have to continue? Mr. Trevorrow said that the reason for the Public Hearing is to allow the applicants and any opponents to present their issues as they may appear. Obviously, there has been no opportunity for the applicant to present anything, so you really are not weighing the pros and cons of anything. Nothing has been presented to you in terms of the application.

Vicki White-Lawrence said that the applicants did have the opportunity to present, but they were not at the meeting to do so. The applicants were given the opportunity to present their request, but did not avail themselves of that.

Bill Jones said that Council has heard from the opposition and most of them stated that the project would not be in harmony with the surrounding area and a part of the Town's ordinance. The question is whether Council is required to hear from the applicants. This is actually the same thing as if the applicants were here to present the project and the homeowners were not here to oppose the project. What would Council have done then? Do we treat the homeowners any different than we treat the applicant?

Mr. Trevorrow said that the consistency statement does not have to do with harmony. It has to do with whether it is consistent with the Land Use Plan or not consistent with it, as the case may be. It has to do with whether it is a reasonable use within the confines of the area and whether or not it is in the public's interest. Those are the three components of the consistency statement that Council has to make findings on or Council has to give some reasons or explanations for. And just so Council has some concept of why they are being so precise about that is because over the last couple of years he has had some statements about that from litigation. Litigation has said that if you cannot adopt Staff's findings as your findings, you have to make your own findings for this consistency statement. You have to make your findings based on what you have heard for this rezoning request and the opposition to this rezoning request.

Mayor Braswell said that he is looking at it like the applicants withdrew because they are not at the meeting in order to present anything. The advertisement for the Public Hearing was made, and he just does not see that any effort was made by the applicants to make contact with anybody of authority regarding this matter. Mr. Trevorrow said that according to the ordinance, the applicants have up to a year to file another rezoning request. The applicants might have implied the withdrawing of their application as opposed to specifically withdrawing their application. The applicants can come back for a rehearing. Carolyn Joyner said that, normally, the applicant would appear and ask to withdraw their application and Council would then decide whether they can withdraw.

Vicki White-Lawrence said that the applicants just decided to wait until December to present their request, but the Town would have to pay for advertising and holding another Public Hearing which does not seem fair. Joe Thacker said that if the applicant had a question about the water connection, he could have presented that at the meeting tonight and asked for a continuance then if there was a question about that. Mayor Braswell said that Joe Thacker had a good point and he agreed.

Mayor Braswell said that he is withdrawing his previous motion. Joe Thacker said he is withdrawing his second.

Frank Bruno made a motion to deny the application based on the following: #1 - It does not meet our Land Use Plan because the property is zoned for agriculture or residential; #2 – It is not a reasonable use of the property because the property is zoned for agriculture and residential and not for business use; #3 – It is not in the public interest because of the safety hazard of cars turning off of NC Highway 68 which has never been addressed. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion to deny the application was approved.

NCLM Advocacy Goals Conference on December 11th: Frank Bruno said that the NCLM Advocacy Goals Conference is for League Membership to consider the league's legislative, regulatory, and federal advocacy priorities for 2015-2016 and debate, discuss, and openly adopt them. The Conference is held in Raleigh from 8:30am to 5:00pm on December 11, 2014, which he realizes is the same day as the Town Hall meeting. He was not sure if anybody else on Council would want to attend. He feels that it is important to show the Town's presence there because Stokesdale is a small Town fighting to keep its money in place. He plans to attend.

Frank Bruno made a motion that Council members who would like to attend the NCLM Advocacy Goals Conference would be reimbursed by the Town for the \$100.00 conference fee which is held on December 11th. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion was approved.

Commemoration of the 25th Anniversary of the Town's Incorporation: Vicki White-Lawrence said that she would like to purchase a plaque for the Town Hall Lobby that lists all of the past and present Town Council members' terms of office on it. She is working on the design and researching the cost involved. She is working with Carolyn Joyner in order to get all of the names, titles, and term dates that she needs for the plaque. She also would like trophy vendor recommendations, if anyone has any. She plans to incorporate the Commemoration into the Parade as well. Hardin Farms has offered the use of a tour wagon that has seats in it for former and current Council members to ride in at the Parade. She also plans to decorate the wagon with a banner and posters that include the Council members' names and dates of service. She asked Council members to participate by riding in the wagon because she wants to honor the past, present, and future Council members of the Town. She expects to have 16 former and current Council members riding in the tour wagon which is big enough to accommodate that many people. The Parade is progressing and vehicles are always needed. Several elected officials from Summerfield and Oak Ridge Town Councils have confirmed participation in the Parade. The Mayor of Kernersville, some County Commissioners, and a member of the Board of Education also plan to participate. Some local businesses in the community have been contacted and she hopes to get some additional sponsorship money from them. The Northwest Observer has been kind enough to donate advertisements for the Parade and plan to run ads before and after the Parade. Parade sponsors will also be recognized. The poster for the Parade and Tree Lighting will be designed by the Northwest Observer as well. Mr. Trevorrow is welcome to participate in the Parade and invitations have been sent out. She was on the radio last Thursday advertising the Parade. The Parade Committee is meeting at Town Hall on Tuesday nights at 7:00pm every week until the Parade, except for the week of Thanksgiving.

Unfinished Business:

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Review Changes to Water User Agreement: Vicki White-Lawrence made a motion to accept the changes made to the Water User Agreement.

Bill Jones said that in item number 3, the word "meter" should be changed to "tap". Mr. Trevorrow said that item number 3 should state the following: "If you opt not to hook up to the water system at this time and you have access to water by way of a tap, you will be charged an availability fee of \$30.50 per month (billed monthly)."

Vicki White-Lawrence amended her motion to accept the changes suggested by Mr. Trevorrow about "access to water by way of a tap" to the Water User Agreement. Frank Bruno seconded the motion. All Council members voted aye and the motion was approved.

Committee and Board Reports: Bill Jones said that he, Mayor Braswell, and Thearon Hooks attended the last Safety Committee meeting. Future goals were discussed. Making extra copies of the books used to hook up, start, and disconnect the generator was also discussed. He thinks that another dry run at the church to make sure everything still works properly transferring power to the generator and back to the church should be done, and should be done every six months or every year.

Departmental and Administrative Report:

Finance Report: October, 2014: Carolyn Joyner said that on the General Fund Balance Sheet for October, 2014, assets decreased by about \$4,000.00. Entries on the Checking Account Transactions included \$52.50 that was paid to NC Department of State Treasurer for Unclaimed Property for checks that were sent out but were never cashed. Community Fire Extinguisher Sales and Service was paid \$45.00 for the annual inspections that were done on the fire extinguishers and Guilford County Emergency Services was paid \$200.00 for 3rd Quarter for Fire Code Inspections. On Accounts Payable for General Fund invoices were received from Clarke Power Generation for \$617.19 for the Annual Service on the Town Hall Generator and BB&T Financial for \$98.00 for postage stamps that were purchased in order to mail out the Parade invitations. Time Warner Cable Fees were received for \$1,954.25 and deposited into the General Fund Savings Account. Interest was earned on Certificates of Deposit for \$273.08 and deposited into the General Fund Money Market Account.

Vicki White-Lawrence said that the postage was mainly used to send out Parade applications to businesses that are being soliciting for donations. As many as possible are sent by email, but there are some local businesses that do not have email addresses.

Carolyn Joyner said that in the Water Enterprise Account assets decreased by \$5,589.00. Assets increased by about \$79.00 in the Water-Sewer Fund which is interest on the CDs in Accounts Receivable. In the Water Enterprise Checking Account DENR was paid \$810.00 for the Annual Permit Fee, \$1.82 was sent to NC Department of State Treasurer for unclaimed property, and Yates Construction Company was paid \$1,576.99 for locating lines, flushing, and reading meters. In Water Enterprise Accounts Payable invoices were received from Meritech, Inc. for \$825.00 for their monthly bill and Yates Construction Company for \$4,502.66 which included meter repairs, a new tap, reading meters, and a new meter installation.

Mayor Braswell asked what portion of the \$1,576.99 that was paid to Yates Constructions Company was for locating the lines out on Angel Pardue Road. Carolyn Joyner said that it was \$200.00 or \$250.00.

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Administrative Report – Town Clerk: Carolyn Joyner said she did not have anything at this time.

Announcements: Vicki White-Lawrence read the announcement listed on the Agenda. She mentioned that Parade applications available on the table in the Town Hall lobby as well as on the Town's website.

Mayor Braswell asked Mr. Trevorrow for the procedure for appointments by Council to the Planning Board. Mr. Trevorrow said that Alternates that have served on the Planning Board can be elevated to the Planning Board as voting members and then new applicants can be seated for the Alternate positions that were vacated. That is the usual procedure. Carolyn Joyner said that Steve Louie is an Alternate on the Planning Board now. Currently, there are only six voting members but seven are needed.

Mayor Braswell made a motion to appoint Steve Louie as a full voting member. Bill Jones seconded the motion. All Council members voted aye and the motion was approved.

Further discussion took place about the length of terms for voting members, the number of full terms allowed to be served, the fact that Alternates can be needed to vote at any time due to a voting member's absence, and a voting member whose term has expired being allowed to come back as an Alternate and how long they had to be on hiatus before being eligible to serve.

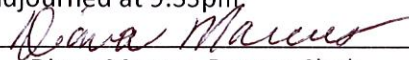
Comments from Council: Joe Thacker said that he attended the Veterans Day Memorial Ceremony last Tuesday. He would like to commend Vulcan Materials and their grounds people for the excellent maintenance they do to keep the grounds looking beautiful there.

Bill Jones said that he would like to commend the people that came to the meeting today, voiced their opinions, and exercised their right to have their say on items that affect their neighborhood. He wishes there was more of that during the monthly Town Hall meetings.


Vicki White-Lawrence said that she thought the Veterans Day Memorial Ceremony was great. She was happy to see that all five of the Council members attended and thinks that sets precedence. She was also glad that citizens came to the meeting and expressed their opinions. She wishes that more people would show up for Council meetings and workshops.

Carolyn Joyner said that she is not a Council member but she thinks that Barbara Marshall deserves a great deal of credit for putting together the memorial ceremony. Ms. Marshall takes good care of the flags and makes sure everything is clean and straight. She also makes sure that the lights are shining on the flags and that everything is in top-notch order. Her committee and the ladies that work with her accomplish all of that. She wants to recognize Ms. Marshall for her dedication.

Adjournment: Vicki White-Lawrence made a motion to adjourn. Frank Bruno seconded the motion. All Council members voted aye and the meeting was adjourned at 9:33pm.


Diana Marcus, Deputy Clerk

Approved:


D. Randall Braswell, Mayor