

# **TOWN OF STOKESDALE**

## **Regular Council Meeting**

8325 Angel Pardue Road

Stokesdale, NC 27357

**February 11, 2016**

The Regular Council Meeting of the Stokesdale Town Council was held on Thursday, February 11, 2016, at the Stokesdale Town Hall on 8325 Angel Pardue Road in Stokesdale, North Carolina.

**COUNCIL MEMBERS:** Mayor Randy Braswell, Mayor Pro Tem William N. (Bill) Jones, Frank Bruno, Vicki White-Lawrence, Tim Jones.

**OTHERS PRESENT INCLUDED:** William B. Trevorrow, Town Attorney; Carolyn L. Joyner, Town Clerk/Finance Officer; Diana Marcus, Deputy Clerk; Kim Hemric, Town Clerk; Philip Pulliam, Finance Officer; Sandra Murrell, Deputy Clerk; Oliver Bass, Guilford County Planning Department.

**CALL COUNCIL MEETING TO ORDER:** Mayor Braswell called the meeting to order at 7:00PM.

**INVOCATION:** Given by Mayor Braswell.

**PLEDGE OF ALLEGIANCE:** Recited by Council members and citizens in attendance.

**REVIEW AND ADOPT AGENDA:** Two items were added under New Business.

Mayor Braswell made a motion to approve the agenda with the two items that were added. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion carried.

**READING AND APPROVAL OF THE MINUTES: The Special Council Meeting of July 2, 2015 and the Regular Council Meeting of December 10, 2015:** Tim Jones said he would like to hold the Regular Council Meeting of December 10, 2015 for further review before approval.

Mayor Braswell made a motion to approve the minutes for the Special Council Meeting of July 2, 2015. Frank Bruno seconded the motion. All Council members voted aye and the motion carried.

**COMMENTS FROM THE FLOOR:** There were no comments from the floor.

### **NEW BUSINESS:**

**Report from Guilford County Sheriff's Department:** Deputy Scott Casey was not present.

**PUBLIC HEARING: REZONING CASE 16-01-STPL-00147: AG to RS-40:** Located at 8116 Near Haw River Road on the north side of Haw River Road approximately 1,350 feet west of its intersection with NC Highway 68 in the Town of Stokesdale, (Tax Parcels #0163757 and 0163758) in Oak Ridge Township, being a total of 26.25 acres. Applicant: Combs, Inc.

Oliver Bass said that the applicant is requesting this property to be rezoned from AG (Agricultural) to RS-40 (Residential Single Family). The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions. The RS-40, Residential Single-Family District, is primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water and wastewater services. The district is established to promote single-family detached residences where environmental features, public service capacities or soil characteristics necessitate very low density single-family development. The overall gross density in RS-40 areas will typically be 1.0 unit per acre or less. The district allows major residential subdivisions with minimum lot size of 40,000 square feet. The surrounding area is a mixture of residential lots and subdivisions with commercial uses near the intersection of Haw River Road and NC Highway 68. Stokesdale's Future Land Use Map shows this property designated for residential development. The Town's vision for residential growth is to preserve, maintain, and enhance the rural character, natural habitat, and beauty of the community. This request is consistent with the intent of the Stokesdale Future Land Use Plan. The plan recommends residential development on lots with at least 40,000 square feet. The intent of RS-40 is to promote very low density single-family residential development on minimum lot size of 40,000 square feet, which is consistent with the Town's vision. The Future Land Use Plan designates the parcels as a residential development area. The adjacent areas to the west have been developed to RS-40 residential subdivision standards. Based on the Future Land Use Plan recommendation and the character of surrounding development, rezoning the property from AG to RS-40 would protect the public's interest to preserve its rural character and appears reasonable at this time.

#### **Those speaking favor of the rezoning request:**

Kevan Combs, 7400 Hadleigh Court, Oak Ridge. He said this property is owned by Gary Charles, a longtime resident. Mr. Combs is hoping this property will be developed as a continuation of Charles Place which is a section of the existing subdivision, Arbor Run. He is working with the Arbor Run Homeowners Association (HOA), and if they are able to annex into the Arbor Run HOA, they would have the same Covenants, Conditions, and Restrictions (CC&R) to keep everything in harmony. If this rezoning and the site-plan are approved, he will work with the same builders that built Arbor Run, which he feels is very advantageous for the homeowners in Arbor Run so they do not have to sacrifice quality which could affect values. All of the lots will be one acre. In their preliminary drawings on the 26 acres for the two tracts of land, they were only able to draw 20 lots. The remaining acres on Haw River Road will be made into one single lot, which will not be a part of Arbor Run, but it will be in harmony with all of the other homes along Haw River Road. He has met with the surrounding neighbors that are not a part of Arbor Run and they understand what he is doing. There should not be a problem connecting to the Town water system, which he prefers to do. He plans to bore under Haw River Road, which will be easy to do and he can grant himself the right-of-ways because he owns the property up to that point.

Mr. Combs said he hopes that Town Council finds this favorable. He feels very blessed to work and live within this community and he respects it and hopes he never ever takes it for granted. Most of all, his subcontractors, workers, materials, and everything they use he tries to buy locally through the Town to help support and keep the money flowing within the Town. He wants to thank Town Council for supporting him and if he ever falls short, he has an open-door policy. Thank you.

Chris Rohrer, Land Solutions, 200 South Regional Road, Greensboro. Mr. Rohrer said that if the property is rezoned to RS-40, the lots will have to be a minimum of 40,000 square feet and because the major

subdivision will be within 1,000 feet of the Town's water system, they will be required to connect to the Town's water system. This request is within harmony of the surrounding properties and current Land Use Plan. He feels that this is a reasonable request that meets the intent of the Land Use Plan and is in the best interest of the public. Because of that, he would appreciate Town Council's approval this evening.

Kevan Combs said he wanted to say one more thing that he forgot about. There is a graveyard on the property which is on the State Registry Map. The graveyard has been surveyed off and will be a protected area and will continue to be maintained. He is working with the state to ensure this.

**Those speaking in opposition to the rezoning request:** No one spoke in opposition to the rezoning request.

Oliver Bass said he wanted to mention for the record that the Planning Board held a public hearing last week and recommended approval to Town Council on the proposed rezoning.

Tim Jones asked Mr. Bass to explain the connection to the graveyard and how it would be preserved and how access would be provided to it. Mr. Combs said he could address that. There is an illustration on the site plan which should be approved by the state at that point. There is immediate access right across the road right-of-way on the back of the property towards the creek.

Bill Jones wanted to know if Arbor Place Drive would be connected. Mr. Combs said that Arbor Place Drive would be the only connection. There is a safety concern with a Haw River Road connection. They are going through all of the steps with NCDOT (North Carolina Department of Transportation) now and are using the sub-street coming out of Charles Place. The left over acre or two will be cut off and will be where he will bring the water line into the property. There are two existing homes surrounding that piece of the property and he plans to build a home on that single lot that is in harmony with the surrounding homes.

Frank Bruno made a motion to approve the rezoning based on the following: 1. It is consistent with the current Stokesdale Land Use Plan which recommends residential development of lots of at least 40,000 square feet. 2. It is reasonable based on the recommendations of the Town Planning Staff and Planning Board recommendation of approval. 3. It is in the public interest because it promotes low-density single-family residential development and is consistent with current housing developments in the area. Mayor Braswell seconded the motion. All Council members voted aye and the motion carried.

**Consider Purchase of Numbered Bands for Fire Hydrants:** Mayor Braswell said that the Fire Department numbers the new fire hydrants installed in a new subdivision and applies reflective strips around them in order to identify the flow. The Fire Department is running out of them and the Town has always split the cost.

Mayor Braswell made a motion to purchase 40 bands at whatever half the cost is unless the price break is 50. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

**A Resolution Requesting Guilford County Commissioners to Consider the Distribution of Local Sales and Use Taxes on a Per Capita Basis:** Bill Jones said that the Guilford County Commissioners need to make a decision about which process to use, Ad Valorem or Per Capita, in April that will be effective July 1<sup>st</sup>. He wants to get this Resolution to the Commissioners to review before they need to make that decision. He also made a chart from several different sources and Mr. Trevorrow advised him that he needs to put a

disclaimer on the bottom of it. He wants to make it part of the record that he will leave it to Mr. Trevorrow's discretion to put the disclaimer on the bottom of it and have it retyped. Diana Marcus read the Resolution to Town Council and those attending the meeting. Mr. Trevorrow said that he may want to put in some clarifying changes of wordage that may help the Resolution.

Bill Jones made a motion to adopt the Resolution with whatever changes Mr. Trevorrow determines is needed to apply. Mayor Braswell seconded the motion.

Bill Jones said he also has some numbers that he wants to make a part of the record and Mr. Trevorrow is also going to write some disclaimers on the bottom of the Resolution. Tim Jones said for the record, where were these numbers gathered from. Bill Jones said from the Department of Revenue website and budgets from various towns.

All Council members voted aye and the motion carried. The Resolution is hereby incorporated and made a part of the minutes of the meeting.

**Approve a Vendor for Pre-employment:** Tim Jones made a motion to approve the Mayor to sign this contract and he would also like to include in the motion that the Mayor and Mayor Pro Tem be the review committee for the reports they get back from this vendor and make a recommendation to Council. Frank Bruno seconded the motion. All Council members voted aye and the motion carried.

#### **UNFINISHED BUSINESS**

##### **Stokesdale Water System:**

**Citizens' Comment Period on the Stokesdale Water System:** There were no comments made.

##### **Any Other Issues Pertaining to the Water System:**

**Set Fees for Construction Inspections – Continued:** Mayor Braswell made a motion to continue this item until the March Town Council Meeting. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

**Consider Applicant Certification Form for Northwest Meadows Phase One:** Mayor Braswell made a motion to authorize the Clerks to send this forward to the North Carolina Water Resources Environmental Quality Group with all of the accompanying documentation showing it is complete and checked off and authorize the Mayor to sign it. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

**Public Records Request Policy – Continued:** Frank Bruno made a motion to continue this item. Mayor Braswell seconded the motion. All Council members voted aye and the motion carried.

**Consider Proposal for Typing Services:** Mayor Braswell made a motion to add Triad Reporting and Typing Services to the Town Vendor List. Frank Bruno seconded the motion. All Council members voted aye and the motion carried.

**Consider Contract for Water Billing Services:** Frank Bruno asked if Anne Garner from By the Book Accounting and Tax Preparation Service needs to sign a confidentiality agreement. Carolyn Joyner asked if there should be some wording incorporated into the contract that this is on a month-by-month basis and not an annual contract. Mr. Trevorrow said that there may be a possible insurance issue due to this person being contracted by the Town. Liability issues could potentially result if confidential information was released and inappropriately used, so something should be put into the contract that covers the Town from liability for disclosure. Discussion took place about this issue. Mr. Trevorrow said that he would contact the Town's insurance carrier.

Mayor Braswell made a motion to approve this agreement pending Mr. Trevorrow's contact with the Town's insurance carrier and he will also speak with Anne Garner about her insurance certificate and should there be any suggestions or changes, they will be incorporated into the agreement. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

**Community Day Update for May 7, 2016:** Frank Bruno updated Council about Community Day.

**Visitors Log Update:** Tim Jones made a motion to continue the Visitors Log for 90 more days. Mayor Braswell seconded the motion. All Council members voted aye and the motion carried.

**Ethic's Training Update:** Tim Jones said he contacted UNC School of Government and there is no class available in this area at the moment. The Ethics webinar course in May is a one-time course and in June it can be purchased at a minimal cost which can be used multiple times. He thinks that purchasing the Ethics course which is approximately \$125.00 would be the best option. Discussion took place.

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

**Property Committee:** Bill Jones said he spoke with Vicki White-Lawrence about the Town Park. She had gotten some prices from two different vendors and will resubmit the proposals for everyone to review. A workshop will be scheduled with Sunshine Scapes to go over their proposed maintenance schedule.

**Library Committee:** Frank Bruno said that two people called to donate books and he will put more books out to sell.

**Water Committee:** Mayor Braswell said that meetings were put on hold until after the Town Hall staff transition. He would like to schedule a meeting in March.

**Consider Planning Board Application:** Frank Bruno made a motion to approve Joe Thacker as an alternate on the Planning Board. Vicki White-Lawrence seconded the motion. Frank Bruno, Bill Jones, and Vicki White-Lawrence voted aye. Mayor Braswell and Tim Jones voted nay. The motion carried with a 3 to 2 vote.

#### **Departmental and Administrative Report:**

**Finance Report - December 2015 and January 2016:** Carolyn Joyner went over the financials for the General Fund, Water Enterprise Fund, and Water-Sewer Fund for December 2015 and January 2016.

**Administrative Report:** Carolyn Joyner said she did not have anything to report.

Discussion took place about the proposals that were received for lawn maintenance.

Discussion took place about the committee list.

Frank Bruno made a motion to have the Deputy Clerk go through all of the committees and contact the people currently serving on them to verify whether or not they want to continue to serve on that committee and if not, remove them from the list. If they want to continue to serve, they would need to reapply. Vicki White-Lawrence seconded the motion.

Mayor Braswell said to call the members listed on the following committees: Budget & Finance, Public Safety, Economic Development, Roads & Transportation/158, Ordinance Review, Land Use Plan Review, and Athletics & Recreation.

All Council members voted aye and the motion carried.

**Municipal Records Retention and Disposition Schedule:** Vicki White-Lawrence said that the last time that Council had adopted the Municipal Records Retention and Disposition Schedule was in July, 2002. However, there had been a revised schedule that was done in 2012, and a portion of it was revised again in 2015. It is something that Council needs to take action on. Discussion took place.

Mayor Braswell made a motion to use that schedule as a guide for the Town's records retention and disposition schedule. Discussion took place. There was no second or vote.

Frank Bruno said that he would like to have a small retirement party for Carolyn Joyner on Monday, February 29<sup>th</sup> from 4:00pm to 6:00pm.

Frank Bruno made a motion to budget \$300.00 to spend on food and whatever is needed for the celebration. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion carried.

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

**COMMENTS FROM COUNCIL:** Tim Jones said he wanted to thank Carolyn Joyner for her service to the Town of Stokesdale over these many years and wishes her a happy retirement.

Frank Bruno said he wanted to thank Carolyn Joyner as well. She took something that really had no direction and turned it into something amazing. Three people were hired to replace her. Carolyn Joyner has done a fantastic job and we are going to miss her.

Bill Jones said he would like to echo those comments to Carolyn Joyner. He would also like to remind citizens that there is a referendum on the ballot for the March 15<sup>th</sup> primary election, so please come out and support the Stokesdale Fire Department for a 5-cent increase on the fire district tax cap.

Mayor Braswell said congratulations to Carolyn Joyner for making it through 20-some years. That is the kind of employee he thinks any firm would want to have, which is her dedication. It definitely was not for

the pay, but was her absolute dedication to the Town and the citizens of the Town. She has done a great job.

Vicki White-Lawrence said that the Town has been fortunate to have her. She is amazed at all of the knowledge, information, and Town history that she has in her head.

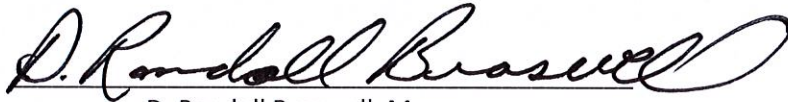
Diana Marcus said that she wanted to thank Carolyn Joyner for a wonderful year and a half. She is a wonderful boss is very thankful to have had the experience of working with her. She has taught her a tremendous amount of knowledge that she will use going forward to help the new employees.

**ADJOURNMENT:** Mayor Braswell made a motion to adjourn. Vicki White-Lawrence seconded the motion. All Council members voted aye and the meeting adjourned at 8:29PM.



Diana Marcus, Deputy Clerk

Approved:



D. Randall Braswell, Mayor

**A RESOLUTION REQUESTING GUILFORD COUNTY COMMISSIONERS TO CONSIDER THE DISTRIBUTION  
OF LOCAL SALES AND USE TAXES ON A PER CAPITA BASIS**

**WHEREAS,** the Town of Stokesdale was incorporated on November 9, 1989 by act of the North Carolina General Assembly; and

**WHEREAS,** from that time until July 1, 2003 the Town of Stokesdale received the major part of its funding from the distribution of sales and use taxes collected by the State of North Carolina on every purchase made in Guilford County and distributed to all municipalities on a Per Capita basis; and

**WHEREAS,** the Guilford County Commissioners in 2003 voted to change the distribution method from Per-Capita to Ad Valorem in the face of much opposition from Mayors, Council Members and citizens of many smaller towns in the county, who realized that they would get none of the distributions of the locally collected taxes because the towns did not impose a property tax on their citizens; and

**WHEREAS,** the Stokesdale Town Council believes the residents of smaller municipalities are entitled to the same reimbursement of local taxes collected as those who live in the larger cities, and should not be punished because their town chooses to act in a conservative manner and not impose a property tax, which is hurtful to the local economy and stifles job growth; and

**WHEREAS,** the Town of Stokesdale now provides many of the services provided by the county in unincorporated areas, such as a water system, a full time law enforcement officer, a library, a town hall, a community room, emergency shelter, animal control, planning department services, attorney on staff, zoning and planning board, a town park, walking trails, veteran's monument lighting, downtown street light maintenance, garbage service contract administration and many more services generally provided by local government;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

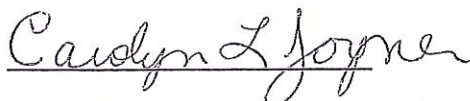
1. That the Stokesdale Town Council respectfully requests the Guilford County Commissioners vote to return to the Per Capita distribution method which treats all taxpayers fairly and equitably regardless of where they live.
2. That the Mayor of Stokesdale be authorized to sign this resolution and present it to the Guilford County Board of Commissioners with any other documents necessary for their consideration.

Adopted this the 11th day of February, 2016.



Randy Braswell, Mayor

Attest:



Carolyn L. Joyner, Town Clerk

