

**TOWN OF STOKESDALE**  
**Regular Town Council Meeting**

8325 Angel Pardue Road

Stokesdale, NC 27357

**April 14, 2016**

The Regular Town Council Meeting of the Stokesdale Town Council was held on Thursday, April 14, 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; Kim Hemric, Town Clerk; Diana Marcus, Deputy Clerk; Philip Pulliam, Finance Officer; Sandra Murrell, Deputy Clerk; Oliver Bass, Guilford County Planning Department, Deputy Scott Casey, Guilford County Sheriff's 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:** Mayor Braswell moved the Finance Report to be the first item under New Business on the agenda.

Mayor Braswell made a motion to adopt the agenda with the one change. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion carried.

**READING AND APPROVAL OF THE MINUTES FOR THE FOLLOWING:** December 10, 2015 Regular Town Council Meeting; February 5, 2016 Closed Session; February 25, 2016 Budget Workshop; March 2, 2016 Special Meeting; March 10, 2016 Regular Town Council Meeting; March 11, 2016 Budget Workshop: Tim Jones requested to hold the December 10, 2015 Regular Town Council Meeting minutes, the February 2, 2016 Closed Session minutes (These minutes were approved at the March 10, 2016 Regular Town Council Meeting), and the February 5, 2016 Closed Session minutes due to a possible error. Frank Bruno said that he would like to hold the March 10, 2016 Regular Town Council Meeting minutes.

Mayor Braswell made a motion to approve these minutes removing December 10, 2015, February 5, 2016, and March 10, 2016 minutes. Tim Jones amended the motion to include the February 2, 2016 Closed Session minutes, although they were previously approved. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

**COMMENTS FROM THE FLOOR:** John Flynt, 8133 Belews Creek Road, Stokesdale, said he had some questions pertaining to the Town water policy. He received his water bills today for multiple properties he owns and wanted to know if 2,000 gallons of water was free, something he thinks he remembers from a long time ago. His second question pertains to the \$30.50 customer fee/dry tap fee that he pays every month. He understands that it is mandatory that this fee be paid each month whether or not he is

connected to the Town water. He would like to know if the agreement he signed was binding on the owner and all subsequent owners or if he is able to opt-out of that agreement. His third question pertains to a commercial building he owns at 8900 Ellisboro Road. He said that every year for eleven of the twelve months his water bill is around \$32.00-\$35.00, because very little water is used. However, one month out of the year, he receives a bill for around \$120.00. He has investigated the possibility of a leak, but there is no leak. This happens one month every year and he wants to know if the meter is really being read every month. It seems odd to him. Mayor Braswell said that there is nothing in writing about 2,000 gallons being free. The monthly \$30.50 customer fee/dry tap fee goes with the property, so when the property is sold the new owner must continue to pay the \$30.50 customer fee/dry tap fee each month. Mr. Flynt asked if the Town has the original copies of those dry tap fee agreements, because he would like to see one and see what the original property owner was bound to. Mayor Braswell asked Mr. Flynt to provide the street address for the property he would like to see the agreement for, so the clerks can find it. He also went to the 8900 Ellisboro Road property and found that what was on the water bill was pretty close to what was on the meter. He cannot explain why one water bill every year is larger than the other eleven and suggests that he just watch it. The Town has a test meter, so if it happens again, he will put in the test meter.

#### **NEW BUSINESS:**

**Finance Report – March, 2016:** Philip Pulliam provided the General Fund, Water Enterprise, and Water-Sewer financial reports for March, 2016. The Budget Ordinance Amendment was also discussed.

Mayor Braswell made a motion to adopt the Budget Ordinance Amendment Number Four (#4) on the 14<sup>th</sup> of April, 2016. Tim Jones seconded the motion. All Council members voted aye and the motion carried. Budget Ordinance Amendment # 4 is hereby incorporated and made a part of the minutes of the meeting.

**Report from Guilford County Sheriff's Department:** Deputy Scott Casey said that from the last meeting until this meeting, all of the calls that were responded to in Stokesdale generated 13 reports and 4 were Part One crimes. On Springdale Meadow Drive, packages were missing, but were found later in their mail box. On Eversfield Road a door was kicked in and a television was stolen. Dollar General had two occasions where items were stolen.

Discussion took place about locking vehicles and homes, cutting back shrubs and bushes, and connecting to Nextdoor.

**Stokesdale Elementary School Shade Site Plan:** Laura Gibson from Stokesdale Elementary School where she is a teacher, parent of a student there, and on the PTA asked for a site plan review fee waiver or reduction. She explained that they would like to install a shade structure over the playground in order to protect the equipment and children from the hot sun. The school and parents have been working together for two years to raise the money for this project. Discussion took place.

Mayor Braswell made a motion to waive the \$1,000.00 fee for the PTA. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

**Republic Services – Expiration and Contract Renewal:** Tracy Nestor from Republic Services of North Carolina said that the contract that was signed with the Town in April 2006 is due to expire on June 30, 2016. She has sent the Town a proposal to be considered. Their proposal is to renew the contract for an additional five years and would be effective July 1, 2016. The current rates would be maintained. They did



request a change in the Consumer Price Index Series ID #CUUR0000SEHG02 US City Average Garbage/Trash. She explained further details pertaining to the Consumer Price Index (CPI). Discussion took place.

Bill Jones made a motion to continue this until they have had an opportunity to obtain citizen input. Tim Jones seconded the motion. Mayor Braswell amended the motion to continue this until the May meeting. All Council members voted aye and the motion carried.

**U.S. Motto Action Committee "In God We Trust":** Mark Smith from the U.S. Motto Action Committee said he would like to invite the Town to join the list of cities and counties in North Carolina to vote yes to display the U.S. motto of "In God We Trust" in and on government buildings. There are over 28 cities and over 42 counties that currently display this motto. He went on to explain further details about what the committee does. He also displayed computerized enhanced pictures showing what "In God We Trust" lettering would look like on the front of Town Hall and in Council Chambers. One-hundred percent of the cost for this comes from private donations, so there is no cost to the Town of Stokesdale. The letters are high quality and will not deteriorate over time. Discussion took place how the funds are raised, other towns and counties that participate, and a written agreement.

Bill Jones made a motion to approve this assuming there is no cost to the Town and with consent from the Town Attorney. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

**BOARD OF ADJUSTMENT CASE #16-03-STPL-01049. Located at 8104 Moores Mill Court. Guilford County Tax rear yard setback required for accessory buildings under Section 4-4-2.1 of the Stokesdale Development Ordinance. Property zoning is RS-40. Applicant: Jon Goy.**

Town Clerk Kim Hemric swore in Jon Goy and Oliver Bass. Mayor Braswell opened the Public Hearing.

Oliver Bass said that this is an application for a Variance Request. The applicant is requesting a variance from Section 4-2.1(B) of the Stokesdale Land Development Ordinance which requires accessory buildings with a gross floor area greater than 600 square feet to maintain the setbacks of the principal building. The proposed location of the building does not comply with rear yard setback established under Section 4-1.1(A) of the RS-40 zoning district. Therefore, a variance is required in order to locate the building in that location. The owners and applicants are Gina and Jon Goy of 8104 Moores Mill Court in Stokesdale. The property is located at 8104 Moores Mill Court, Stokesdale, NC; Parcel #0150587; Lot 7 of Old Mills Subdivision. The property is zoned RS-40. The required notices were mailed to the owners/applicants and adjacent property owners on March 23, 2016 and posted on the property March 22, 2016. The proposed square footage of the accessory building is 672 square feet. The proposed rear yard setback is 25 feet from the rear property line and the required setback is 30 feet from the rear property line. The existing land uses in the area for the subject property is Single Family Residential on most all of the adjacent properties. The lot is situated in a RS-40 residential subdivision. The Board's decision to grant a variance shall be based on evidence presented during the hearing. The applicant should address how each of the required findings of fact are satisfied. See page 2 of the report under section (D) for the decision-making criteria. A variance may be granted by the Board if evidence presented by the applicant persuades it to reach the following conclusions: 1) Unnecessary hardship would result from the strict application of the ordinance. 2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. 3) The hardship did not result from actions taken by the applicant or the property owner.



It is the burden of the applicant to make his case and address each one of those facts to help make those determinations.

Those speaking in favor of the variance request:

Jon Goy, 8104 Moores Mill Court, Stokesdale, said he and his wife are requesting a variance to the strict ordinance of a 30-foot setback at the rear of their property. Due to the topography, septic, and covenants, this is the only usable portion of their land. Over half of the landscape is on a dramatic downslope towards the back of the home. Photographs were provided to show this and is part of the evidence. The rear portion of the property is somewhat flat which leads into the 30-foot setback. The rear left side is where the septic lines are installed. The rear right side of the property has large trees approximately 15 feet from the property line. The rear adjacent property is all trees. The land between the septic and trees and at the top of the drop off is the only usable land which leads into the 30-foot setback. The topography/landscape is unique and surrounding properties do not share this hardship. This hardship is not a result of their actions. The dramatic downslope/topography which was the landscape at the time the home was purchased is the hardship which they had no involvement in creating. During the due diligence period for the purchase of the home, he contacted Mr. William Lambert, the Home Owners Association (HOA) Manager and majority property owner at that time, requesting permission for a fence, Leyland Cypress trees, and a storage building. Mr. Lambert approved the request stating in the approval that the building must be at the rear of property. The approval also shows the use of this land was in the spirit of the community and was approved by the HOA for the community. Mr. Goy provided a copy of the documented approval as part of the evidence. A copy of the septic tank permit was also provided. Further discussion took place.

Kim Hemric swore in Gina Goy.

Gina Goy, 8104 Moores Mill Court, Stokesdale, said she wanted to know if there is a stipulation, can they still get a permit. They need to get the variance approved in order to get a permit. Oliver Bass said that the variance becomes approved once the conditions are satisfied. The setbacks would be reviewed after a building permit is submitted. Environmental health will also review it. Because of this variance, the building department would understand that the Board of Adjustment is allowing this building to be built within 25 feet of the property line. Further discussion took place.

Mayor Braswell said for the record, regarding the wastewater system construction, he has labeled exhibit number four into two parts.

Mayor Braswell made a motion to recess as Council. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

Mayor Braswell made a motion to reconvene as Board of Adjustment. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

Bill Jones made a motion to do conditional approval for the variance pending a clear check from the health department and application of the building permit for that area because of the septic system problem through there. I do 1) unnecessary hardship results due to the lack of a buffer location inside of the 30-foot setback for the building, and 2) a hardship results from the topography of the property and the location of the septic system, and 3) the hardship did not result from the actions of the owner but is the

result of the lay of the land and property which does seem to slope. I did drive by the property today and it does seem to slope and the lots around it. 4) The variance and building is in harmony with the neighborhood as per the Home Owners Association and it does substantial justice. Mayor Braswell seconded the motion. All Council members voted aye and the motion carried.

Mayor Braswell made a motion to close the Board of Adjustment hearing. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

Mayor Braswell made a motion to reconvene as Council. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

**Discussion/Requesting Guilford County EMS-Paramedic (at no cost to the Town):** Tim Jones he would like to request that Guilford County assign a paramedic to Stokesdale at the County's expense.

Mayor Braswell made a motion to support Tim Jones in his effort to seek paramedic assistance in Stokesdale. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

**Billing of Damaged Water Lines – Discussion:** Discussion took place about damaged water lines and the company responsible for the damage.

Mayor Braswell made a motion to authorize the staff to send an invoice describing the damages that are here on this invoice. Take your standard markup that you guys already have preauthorized by Council and any attaching documentation and attach a note that there will not be a water meter installed at this location until the damages are paid for in full. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

**Legal Representation Update:** Mr. Trevorrow said that he is announcing his retirement.

Mayor Braswell made a motion to approve the Berger Law Firm as a vendor and a hire and appoint as a director, Ms. Katy Gregg, which is a member of that firm and as our primary legal counsel for the Town of Stokesdale moving forward beginning tonight. Additionally, in that motion, to approve and accept the legal services agreement from her firm and authorize the Mayor to sign. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

Mayor Braswell introduced Katy Gregg from Eden office of Berger Law Firm.

## **UNFINISHED BUSINESS**

### **Stokesdale Water System:**

**Citizens' Comment Period on the Stokesdale Water System:** Mary Maness, 8405 Tree Court, Stokesdale, said she is still trying to understand why the Town cannot run the water lines down her road. Discussion took place.

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



**Set Fees for Construction Inspections – DSC Construction Bid:** Mayor Braswell made a motion to add DSC Construction Company to the Town Vendor List. Frank Bruno seconded the motion. All Council members voted aye and the motion carried.

Mayor Braswell acknowledged DSC Construction Company's fee structure.

**Public Records Request Policy:** Discussion took place and changes were made.

Tim Jones made a motion to adopt this with the changes discussed regarding the attorney review and changes so it will read properly. Strike Town Manager and insert Town Clerk. The rates will be 25 cents for a single-sided copy, 35 cents for a double-sided copy, \$5.00 for a compact disc, 40 cents for a color copy, and everything else will remain the same. Mayor Braswell seconded the motion. All Council members voted aye and the motion carried.

**Petty Cash/Cash-On-Hand Recommended Protocol:** Kim Hemric said that she feels it is necessary to divide and clean up the accessibility in our systems for the Town's petty cash and cash-on-hand. The books would be balanced at the beginning and end of each month. The Town Clerk would handle the petty cash and hold the key for the petty cash box. The cash-on-hand would be handled by all of staff, so a second lockbox will be needed.

Mayor Braswell made a motion to adopt these policies and protocols for petty cash and cash-on-hand and authorize the Clerk to purchase a lock box that would be secured at the front desk and the Town has approved vendors for that. Tim Jones seconded the motion.

Kim Hemric said she would like to implement the policy and protocol by May 1<sup>st</sup> or June 1<sup>st</sup>.

All Council members voted aye and the motion carried.

Mayor Braswell made a motion to recess at 9:54PM.

Mayor Braswell reconvened the meeting at 10:03PM.

**Community Day and Red Cross Blood Drive Update:** Frank Bruno said that the Red Cross sent a form confirming the date of Friday, May 6, 2016 and the time from 2:00PM to 6:30PM for the blood drive. They want it to be signed and faxed back to them as confirmation.

Frank Bruno made a motion to sign the form and fax it back. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion carried.

Frank Bruno updated everyone about Community Day.

**Water Deposit Dropbox Update:** Tim Jones updated everyone on his research pertaining to the dropbox. He will continue his research.

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

**Property Committee:** Vicki White-Lawrence said that Sunshine Scapes presented a proposal for maintenance. Bids are currently being reviewed for the purpose of getting the large ball field in playing condition.

**Board Reports:** Bill Jones said that in his quest for sales and use tax per capita distribution, he put together some figures that pertain to property tax per capita for the municipalities in Guilford County. He provided copies to Council members and explained the results.

**Review and Adoption of Agenda and Purpose of Town Committees:** Frank Bruno went over the Basic Agenda for Committees and the Process for Committee Applications. He also went over the purpose for each committee listed on the Town of Stokesdale Committees list. Discussion took place.

Tim Jones said he supports this Town calling the parade the Stokesdale Christmas Parade rather than the Stokesdale Holiday Parade. Frank Bruno said that, personally, he does also.

Frank Bruno made a motion to change the Stokesdale Holiday Parade to the Stokesdale Christmas Parade. Tim Jones seconded the motion. Mayor Braswell, Frank Bruno, Bill Jones, and Tim Jones voted aye. Vicki White-Lawrence voted nay. The motion carried with a 4 to 1 vote.

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

Kim Hemric said that since the last Town Hall meeting she had the opportunity to attend a Town Hall in Guilford County and a Town Hall in Stokes County. It has helped to solidify good vision of where the Town is now and where the Town wants to go with different things. There has been good progress made in Rural Billing and she hopes to be able take further advantage of the reports, data, and many other things that the Rural Billing software has available. She wants to investigate tweaking Rural Billing more specific to Stokesdale. She and the deputy clerks have started working on policies, procedures, and protocol for certain functions. The 30-day goals have been met. There is now a weekly staff meeting held on Tuesdays that Council is invited to attend. There is Separation of Duties between the Town Clerk, Finance Officer, and Deputy Clerks, but there is a need for cross-training and overlap. She also wants to be copied on all emails between the staff and Town Council. There is a Master Clerk class coming up in September that she plans to go to and will find out more about it. There is a class in May about records retention that she and Sandra Murrell will be attending. She and Sandra Murrell met with a representative from NCDEQ (North Carolina Department of Environmental Quality) about electronic water reporting a couple of weeks ago and will meet again with him by the end of the month. She met with a representative from the North Carolina Municipal Trust regarding bad debt collection processes. The local water supply report was submitted before the April 1<sup>st</sup> deadline. She has also been in contact with the UNC School of Government. It has been a good month and she will give Town Council her mid-month-at-a-glance report next week.

**ANNOUNCEMENTS:** Mayor Braswell read the announcements listed on the agenda. Vicki White-Lawrence said that "We the People" will be at Town Hall on Tuesday, April 19<sup>th</sup> at 5:00PM to have one of their practice sessions.

#### **COMMENTS FROM COUNCIL:**

Tim Jones said that Stokesdale is ranked number two as the most affordable Town which we should be proud of.

Frank Bruno thanked Mr. Trevorrow for his service and all of the help he has given him over the years.

Bill Jones thanked Mr. Trevorrow. He is a great teacher. He will miss his wisdom and his strong handshake.

Mayor Braswell thanked Mr. Trevorrow and told a story about his strong handshake. He really appreciates him.

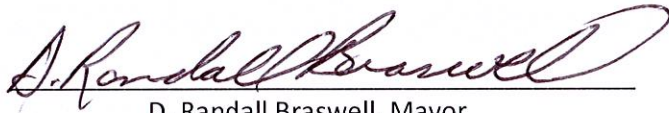
Vicki White-Lawrence said she will miss Mr. Trevorrow and appreciates all he has done for the Town.

**ADJOURNMENT:** Tim Jones made a motion to adjourn. Frank Bruno seconded the motion. All Council members voted aye and the meeting adjourned at 10:46PM.



Diana Marcus, Deputy Clerk

Approved:



D. Randall Braswell, Mayor



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

**BUDGET ORDINANCE AMENDMENT # 4**  
**April 14, 2016**

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, 2016:

Section 1: To amend the General Fund, expenditures for Expense:

	<u>Increase</u>	<u>Increase</u>
Admin Exp, Services & Fees		\$3,000.00
Payroll Expense/Salaries		\$25,000.00
Planning/Inspection Fees	\$28,000.00	

Section 2: 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 14<sup>th</sup> day of April, 2016

  
D. Randall Braswell Mayor

ATTEST:

  
K. E. Hemric Town Clerk