

TOWN OF STOKESDALE
Regular Town Council Meeting

8325 Angel Pardue Road
Stokesdale, NC 27357
July 14, 2016

The Regular Town Council Meeting of the Stokesdale Town Council was held on Thursday, July 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: Katy Gregg, Town Attorney; Kim Hemric, Town Clerk; Diana Marcus, Deputy Clerk; Philip Pulliam, Finance Officer.

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

INVOCATION: Given by Pastor Jerry Walker from Oak Level Baptist Church. Pastor Walker spoke on a personal note prior to the invocation about how he has enjoyed living in Stokesdale.

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

Mayor Braswell recognized a young man in attendance named Cameron. Cameron just got back from interning with Congressman Mark Walker.

REVIEW AND ADOPT AGENDA: Mary Maness wanted to add a discussion about livestock in her neighborhood to the agenda. Tim Jones wanted to add vendor approval for Wilson Pumping to the agenda.

Tim Jones made a motion to adopt the agenda with the two changes. Frank Bruno 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; March 10, 2016 Regular Town Council Meeting; May 2, 2016 Special Meeting; May 10, 2016 Budget Workshop; June 9, 2016 Regular Town Council Meeting: Mayor Braswell requested the minutes from the May 2, 2016 Special Meeting be held for corrections that he will send by email to the Deputy Clerk. Tim Jones requested the minutes from the December 10, 2015 Regular Town Council Meeting be held for corrections that were given to the Town Clerk and still need to go to the Deputy Clerk for handling. Tim Jones also requested the minutes from the June 9, 2016 Regular Town Council Meeting be held.

Mayor Braswell made a motion to approve the minutes from the March 10, 2016 Regular Town Council Meeting and the May 2, 2016 Budget Workshop. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

COMMENTS FROM THE FLOOR: Mary Maness, 8405 Tree Court, Stokesdale said she lives in the West Falls subdivision and a new property owner is building a chicken coop which is not allowed in the West Falls subdivision and she wants to know who handles this. There is no Homeowners Association, but she has some documentation. Mayor Braswell said that since there is no Homeowners Association, Ms. Maness would need to contact Guilford County Ordinance Enforcement. Katy Gregg asked to see the documentation that Ms. Maness had. Mayor Braswell said they would move on while Ms. Gregg reviewed the documentation.

NEW BUSINESS:

Finance Report – June, 2016: Philip Pulliam provided the General Fund, Water Enterprise, and Water-Sewer financial reports for March, 2016. Please see the attached financials.

Mr. Pulliam said that he spoke to Mayor Braswell about looking into a local government retirement program for employees. He will bring information next month about the program. He briefly explained employee eligibility and expenses. Mayor Braswell said there is information about the program on the internet and feels it is a great benefit for employees.

Katy Gregg advised Mayor Braswell that there is not a statutory requirement for the minutes to be approved or finished by a certain time.

Sheriff Cancellation Notification Poll – 4 Aye, 1 Nay: Mayor Braswell said that Town Council voted by an electronic poll of Council, 4 aye and 1 nay, to send a notification of cancellation letter to the Guilford County Sheriff's Department. It was confirmed received by the manager and several different department heads. Deputy Scott Casey's last day with the Town of Stokesdale was June 30, 2016. The deputy's car is at Town Hall and an inventory of weapons and other related items is being taken. He is ratifying the decision publicly. Mayor Braswell, Bill Jones, Frank Bruno, and Tim Jones voted aye. Vicki White-Lawrence voted nay.

Capacity Use Fee – Ratify Electronic Poll: Mayor Braswell said that during the May 2, 2016 Special Meeting, Council had voted to waive the Capacity Use Fee, but under advisement of the Town Attorney, that decision was reversed by an electronic poll of Council. He is ratifying the decision not to waive the Capacity Use Fee publicly. Mayor Braswell, Bill Jones, Frank Bruno, and Vicki White-Lawrence voted aye. Tim Jones did not respond to the electronic poll.

Purchase of a Colorimeter – Ratify Electronic Poll: Mayor Braswell said that Council voted by an electronic poll of Council to purchase a colorimeter which is a handheld device that assists the Town with testing chlorine levels in the water during the hot summer time. He is ratifying the decision publicly. Mayor Braswell, Bill Jones, and Tim Jones voted aye. Frank Bruno and Vicki White-Lawrence did not respond to the electronic poll.

Animal Control Contract: Bill Jones made a motion Council approve the Interlocal Agreement between Stokesdale and Guilford County for animal shelter and control services entered into on May 19, 2016. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

Contract to Extend Waterline by Connection to the Town Water Supply System – Northridge Phase 2: Mayor Braswell made a motion Council approve this contract between the Town of Stokesdale and

Northridge LD, LLC to extend the water line. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion carried.

Revised Fortiline Water Works Estimate for Hersey Meter Hotrod Kit – Panasonic Laptop Purchase for Water Department: Mayor Braswell made a motion Council proceed with the purchase of what you're seeing here from Fortiline, \$9,607.50. That does not mean the Panasonic Laptop needs to be purchased from them and could be purchased from someplace else. Frank Bruno seconded the motion. All Council members voted aye and the motion carried.

Purchase Computer/New Router (for public use) for Library: Tim Jones was concerned about permitting WIFI access to the public for a variety of reasons. No decision was made to purchase a computer/new router for the library.

Murphy's Tree Service – Town Vendor Request: Mayor Braswell made a motion Council add Billy Murphy's Tree Service to the Town's Vendor List. He's filled out all of the necessary paperwork the Town requires. Also to add Atlantic Outdoors pending the return of their documents to Katy Gregg's satisfaction. Also to add Wilson Pumping as well and give the Town Clerk authority to approve Atlantic Outdoors and Wilson Pumping when the paperwork is returned to Town Hall. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

ABC Store Discussion: Frank Bruno would like start the process of whether it would be feasible now to have an ABC Store in Stokesdale and report his findings at the August 11th Town Council Meeting.

Mayor Braswell asked for Council comments.

Tim Jones would hate for the Town to be pursuing little money when the Town really needs to be doing everything they can to reverse the decision that the Guilford County Commissioners made which prevented the Town from getting sales and use tax money.

Mayor Braswell opened the floor for public comments.

Nancy McCoy, 8516 Springbirch Terrace, Stokesdale advised that our community is spending an awful lot of money in Oak Ridge that could be coming to Stokesdale. She is in favor of an ABC Store in Stokesdale.

Pastor Jerry Walker, 8308 McCrory Road, Stokesdale thinks an ABC Store would open up more drinking and driving. For a little bit of money, it is not worth what would be coming in as a result of an ABC Store being in Stokesdale. He is against an ABC Store in Stokesdale.

Eileen Thiery, 8101 Meadow Springs Place, Stokesdale knows Town residents are driving to the ABC Store in Oak Ridge when they want liquor, so what would be the difference driving to an ABC Store in Stokesdale. She is in favor of an ABC Store in Stokesdale.

Mary Maness, 8405 Tree Court, Stokesdale, doesn't think there is anything wrong with an ABC store in Stokesdale because it's going to bring money into Stokesdale. She is in favor of an ABC Store in Stokesdale.

Layton Spencer, 8280 Coldwater Road, Stokesdale does not think Stokesdale needs an ABC Store and he does not think the Town would make enough money off of it be a profit to this community. He is against an ABC Store in Stokesdale.

Pastor Jerry Walker asked Frank Bruno to research how an ABC Store could impact Stokesdale.

Town Administrator Discussion: Frank Bruno suggested going forward with putting together a job description and employee hiring procedures. Mayor Braswell said that he had asked Katy Gregg to go to the general statutes and define administrator in the Council-Mayor form government. Katy Gregg said in a Council-Mayor form of government, there is not exactly a statute that says town administrator is this and enumerates anything for that person. It allows you to delegate or give the authority to an individual who would be the head of all of your committees, a committee, all of your departments, a department. You can be as specific as you want to be. In a Council-Manager form of government which is different from what we have, they have a town manager who is the head of the town and then reports back to the Council. There is not very much a distinction between manager and administrator. The difference between manager and administrator is a manager's duties are set out in statute and you cannot take them away. An administrator you delegate so you can take away. You can delegate as much authority to that person as you want or as little authority to that person as you want. You can set out the process for hiring employees. That should be what your process already is for hiring employees. She does think that an ordinance needs to be made allowing for that position if they do decide to do that, and then delegating those authorities within that ordinance to that person. She also discovered that there is nothing that prevents the Town Clerk or Finance Officer from being that individual, but the Mayor cannot be that individual. To find the description for the Council-Mayor form of government in the general statutes you would go to Section 143 and Chapter 160A. A change of government to Council-Manager would require the Town to change their charter. Delegating authority to a Town Administrator would not require a charter change, but an ordinance would have to be created. Statute 160A-148 is for the manager's duties for the purpose of mirroring.

Tim Jones said "Well, for the record, I would like to say that I'm absolutely opposed to a change to a Council-Manager form of government. Just in case anybody wonders where I stand on the matter." Frank Bruno said "I agree with that."

Mayor Braswell said for Kim Hemric to start the process by writing a job description for a Town Administrator.

Discussion for Hiring a "Stokesdale Public Water System Director/Technician": Mayor Braswell advised Kim Hemric to start the process by writing a job description for a Public Water System Director/Technician. Bill Jones would like to start advertising for full time Water System Director/Technician in Southern City magazine. Mayor Braswell advised they are currently looking into a salary range for the position.

Tim Jones said the following: "For what it is worth I think our priority needs to go toward the public Water System Director/Technician. If we had an administrator manager type person, the minute they arrived here, within I would say about 3 ½ days they would determine that that would be their hiring priority. Given the work flow that comes into our Town hall and the amount of energy it takes to operate our water system."

Bill Jones made a motion to authorize the Clerk to write a job description complete with a suggested salary based on similar systems, towns of this size. You should probably get some responsibilities from other ads. There are a lot of them out, it's not that hard to find. They do that just as quick as we can advertise. Mayor Braswell seconded the motion. All Council members voted aye and the motion carried.

Discussion of "Read-Only Computer System Access for Council Members": Tim Jones would like to move towards Council members having read-only access to QuickBooks and minutes. Frank Bruno said they started the process of putting the PDF versions of the minutes on the Town website yesterday. A read-only version of QuickBooks can also be set up for Council members.

Discussion of "Water Payment Drop Box" – U.S. Postal Mailbox Option: Tim Jones would like Council to consider some options of different boxes and choose one to put outside to the left of the Town Hall front door when facing the building.

Tim Jones made a motion that Council investigate this type of box, submit it to the Property Committee for approval, and then submit estimates for installation to the Property Committee for approval and they supervise the installation. Mayor Braswell seconded the motion. All Council members voted aye and the motion carried.

Diana Marcus and Philip Pulliam left the meeting at 8:30pm as previously requested by the Town Clerk.

Discussion of "Resolution in Support of Session Law 2016-3 HB2": Tim Jones said the following: "I hardly know where to start, but I have been keeping up with the news as best I can about the HB2 business and what went on in Charlotte and what is being said across the country. And there is one thing I just can't get past is the idea that I have to stand somewhere in North Carolina and watch a man in dress go in the bathroom behind my daughter. If I have to disagree with everybody in this Town I can't go there, I can't get use to that idea. With respect to folks that are different, you know I would like to say this, I had a doctor friend of mine do some research for me and what she came back with was about 1.7% of newborns are born with some sort of abnormality that often times results in a committee of doctors having to reassign a gender to that baby, and they do the best they can and sometimes it doesn't work out to the satisfaction of that baby when it becomes an adult, and I have the greatest sympathy for those people. I ran across another statistic that the birthrate was something like 1 in 2000. I asked a friend of mine that is a nurse that has worked for 10 years delivering babies and she has never seen such a case, so I don't know. But I think we all need to keep that in mind ever which side of the fence you are on about this. That there are some folks out there that have some challenges that are very real and were born that way. That being said it is my feeling that if we had difficulty with 1.7% of the stop signs in our Town or in our state we wouldn't be talking about taking all the stop signs down. And so that is where I am coming from and that is why I ask for this to be put on the agenda, and I have a draft resolution that Council has."

Tim Jones made a motion to approve a draft resolution in support of Session Law 2016-3 HB2. Mayor Braswell seconded the motion.

Mayor Braswell asked for Council comments.

Mayor Braswell advised this is a law and he plans on obeying the law until it is otherwise changed. He is in support of Session Law 2016-3 HB2.

Bill Jones advised this is not all of House Bill 2. This is the part of House Bill 2 that refers directly to the decision Charlotte made. He is in support of Session Law 2016-3 HB2.

Tim Jones advised there is a handout available on House Bill 2 that came from Lieutenant Governor Dan Forest's staff. He is in support of Session Law 2016-3 HB2.

Frank Bruno is concerned that a government would pass any type of legislation that would discriminate against anybody. It opens the door for a lot more discrimination. He is not in support of Session Law 2016-3 HB2.

Vicki White-Lawrence totally agrees that government should not pass any type of legislation that would discriminate against anybody. She is not in support of Session Law 2016-3 HB2.

Mayor Braswell opened the floor for public comments.

Mary Maness, 8405 Tree Court, Stokesdale, does not like discrimination and feels this law is unfair to the children in school that are transgender. She is not in support of Session Law 2016-3 HB2.

Mike Threatt, 8523 Belews Creek Road, Stokesdale, is in support of Session Law 2016-3 HB2.

Pastor Jerry Walker, 8308 McCrory Road, Stokesdale, advised whether we agree with it or not, it is the law in the state of North Carolina. He is in support of Session Law 2016-3 HB2.

Eileen Thiery, 8101 Meadow Springs Place, Stokesdale, needs to read over Session Law 2016-3 HB2.

Jim Greene, 7765 NC Highway 68 North, Stokesdale, does not like the Town of Stokesdale taking sides.

Jason Riddle, 141 North Drive, Stokesdale, is in support of House Bill 2.

Vicki White-Lawrence read an email from Todd Harmon, Funeral Director of Forbis & Dick Funeral Service on 8320 US Highway 158, Stokesdale which advised he is not in support of House Bill 2.

Mayor Braswell, Bill Jones, and Tim Jones voted aye. Frank Bruno and Vicki White-Lawrence voted nay. The motion carried with a 3 to 2 vote.

Mayor Braswell made a motion to recess. Frank Bruno seconded the motion. All Council members voted aye and the meeting recessed at 9:00pm.

The meeting reconvened at 9:10 pm.

Discussion of "Resolution in Opposition to the A & Y Greenway in the Town of Stokesdale" – References include: "A & Y Greenway Feasibility Study" (184 pages prepared by Withers & Ravenel): Mayor Braswell advised there is a link to the A & Y Greenway Feasibility Study on the Town website.

Tim Jones explained that he is opposed to the A & Y Greenway. He feels it is not a good fit for Stokesdale because of the cost and a danger to pedestrians. He also circulated a petition against the A & Y Greenway. Most of the residents that live in the area of the old A & Y Railroad bed that was abandoned 35 years ago,

are in opposition of the A & Y Greenway. He is not aware of any resident offering to donate any land or write a check for anything. The A & Y Greenway may benefit the Town in some small way, but he does not think the cost is justifiable. An industrial park or recreational center could be built instead, which would be more beneficial for the residents of Stokesdale. The few times when he has stepped onto the A & Y Greenway, he has not seen anyone using it, and doesn't understand this emphasis of trail building. He thinks that the Town cannot undertake another capital project with its current income and he is not willing to vote to impose a property tax. He does not want this to go any further in Stokesdale. It is a great imposition on those residents that are being asked to have it in their backyard. He is certain that the people that would use the A & Y Greenway are not criminals, but he believes that a small percentage would utilize that trail to surveil the houses in anticipation of committing other crimes. This could put our residents in peril which could result in the Town having to pay someone to patrol this trail once it is built. Given the cost, he just can't support it.

Tim Jones made a motion that Council look at having the (Town) attorney review the draft (of the Resolution) that he has and that Council vote on it in August if the Council wants to do so. So that is a motion to present this resolution at our August meeting for a vote and it's titled a "Resolution in Opposition to the A & Y Greenway in the Town of Stokesdale" pending any corrections that our Town attorney thinks needs to be made. Mayor Braswell seconded the motion.

Bill Jones advised that he also is not in support of the A & Y Greenway.

Mayor Braswell asked Tim Jones to repeat his motion. Tim Jones is requesting that Town Council hold this open for 30 days until the next Town Council meeting and then vote on the "Resolution in Opposition to the A & Y Greenway in the Town of Stokesdale" pending any changes or corrections that the Town attorney thinks are necessary to make. That is his motion.

Mayor Braswell opened the floor for public comments.

Mike Threatt, 8523 Belews Creek Road, Stokesdale, is opposed to the A & Y Greenway.

Joe Thacker, 7936 Lester Road, Stokesdale, disagrees with the way this whole thing was handled.

Mayor Braswell, Bill Jones, and Tim Jones voted aye. Frank Bruno and Vicki White-Lawrence voted nay. The motion carried with a 3 to 2 vote.

Mary Maness, 8405 Tree Court, Stokesdale, left the meeting earlier, so Katy Gregg was unable to advise her about the documentation she had provided to Ms. Gregg for her review earlier in the meeting.

UNFINISHED BUSINESS

Stokesdale Water System:

Citizens' Comment Period on the Stokesdale Water System: Joe Thacker, 7936 Lester Road, Stokesdale, was confused about the earlier discussion about waiving the Capacity Use Fee and would like clarification.

Tim Jones advised that the Council was attempting to encourage people that already had the waterline running in front of their property to connect to the water system by keeping the cost as low as possible

(waiving the Capacity Use Fee for a period of one year). The Town attorney had advised Council this could not be done because it would not be legal.

Katy Gregg said the reason it would not be legal is because of the way that the Council was determining who was waived and who was not waived. There was not a procedure that set out a non-discriminatory or non-favoritism way of determining who got a waiver and who did not. So my advice was that if you are going to waive, you need to have a uniform procedure and guidelines for who was going to qualify for that waiver and who was not going to qualify for that waiver. At that time, the Council, if I'm not mistaken, was not prepared to do that. So that is why I advised against it until the guidelines or procedures were put in place if they were going to put a waiver in place.

Other Issues Pertaining to the Water System:

Revised Application for Water Service: Mayor Braswell made a motion that Council approve the revised 7/5/16 Application for Water Services in Stokesdale. Frank Bruno seconded the motion. All Council members voted aye and the motion carried.

Consider Committee Application – Continued from June 9, 2016 TC Meeting: Mayor Braswell advised that there have been some changes in the state statutes that affect the Town's development ordinance so the Town has to amend their ordinance. Counsel recommends that the Town needs public hearings on it, so Council is going to let the Ordinance Review Committee go over the changes. There were also some suggestions from the Guilford County Planning Department staff to streamline the development procedures.

Council will move forward with the committee applications.

COMMITTEE AND BOARD REPORTS:

Mayor Braswell advised that the Property Committee is quiet.

Regarding the Library Committee, Frank Bruno will be going through the rest of the books and cleaning up the hallway in Town Hall.

Mayor Braswell advised that the Safety Committee is still on hold.

Parade Committee Discussion: Vicki White-Lawrence hopes that other Council members would be the liaison for the Parade Committee. The Chair from last year, Pam Mick, is willing to continue to chair if Council can get some more community people involved in the parade. Some of the Parade Committee members from last year are no longer available for this year. Pam Mick scheduled a Parade Committee meeting for August 25th at 7:00pm at Town Hall. She is hoping to get anyone who is interested in helping in any way on the parade to attend the meeting and find out what it is all about. The parade is usually held the second Saturday of December. Discussion took place.

Departmental and Administrative Report: Kim Hemric advised that the Town sold 3,552,590 gallons of water between June 11th and July 9th. The Town purchased approximately 3,380,511 gallons, so the difference is approximately 172,000 gallons. There were about 29 water service applications processed in June with 12 new meters sold and one new meter changed out due to damage. There were three backflow

preventers tested and two inspected by Guilford County. A total of 526 water bills were mailed out today. June was busy with over 40 NC811 locates. She handled approximately 321 external emails that were sent to the Town Clerk during the month of June. Approximately 175 incoming calls to Town Hall were handled and approximately 109 outgoing calls were made by Town Hall staff. Approximately 162 people visited Town Hall for various reasons during the month of June. The July 1st deadline for the Consumer Confidence Report was met in June. The THM Water meeting is scheduled for July 20th at 1:30pm and the next Town Council meeting is scheduled for August 11th. The Town Council meeting agenda deadline is August 1st.

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

COMMENTS FROM COUNCIL: Tim Jones encouraged Town residents to contact Town Council if they have a question or concern which requires an explanation.

Frank Bruno encouraged Town residents to get involved with committees.

Bill Jones spoke about going to Town Hall Day six weeks ago and House Bill 2.

Mayor Braswell thinks it is important that the citizens who come in Town Hall on election day know who they are voting for, what their values are, and what they believe in, and he supports House Bill 2. He announced that his daughter is expecting, so he and his wife are going to be grandparents for the first time around December 26th.

Katy Gregg announced that her son, born May 31st, at 9 pounds 5 ounces, is doing well.

Vicki White-Lawrence is glad for volunteers. She advised that Council was elected to represent the Town residents. Council members don't always agree and the Town residents have different viewpoints as well. Town Council strives to represent not just the majority, but everyone. She knows she speaks for people who might not be in the majority all the time, but she is speaking.

ADJOURNMENT: Vicki White-Lawrence made a motion to adjourn. Mayor Braswell seconded the motion. All Council members voted aye and the meeting adjourned at 9:58pm.



Diana Marcus, Deputy Clerk

Approved:



D. Randall Braswell, Mayor