

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

8325 Angel Pardue Road

Stokesdale, NC 27357

**August 11, 2016**

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

**COUNCIL MEMBERS:** Mayor D. Randall Braswell, Mayor pro tempore 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 (left meeting at 8:30pm); Philip Pulliam, Finance Officer (left meeting at 8:00pm).

**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 in Stokesdale.

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

**REVIEW AND ADOPT AGENDA:** Mayor Braswell wanted to add Urban Archery Deer Season under New Business and Stokesdale Public Water System Director/Technician Job Description under Unfinished Business.

Mayor Braswell made a motion that Council adopt this agenda with these additions. Tim Jones 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; May 2, 2016 Special Meeting; June 9, 2016 Regular Town Council Meeting:** Tim Jones requested to hold the June 9, 2016 Regular Town Council Meeting minutes for one more month.

Mayor Braswell made a motion that Council approve these minutes excluding June 9<sup>th</sup>, 2016. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

**COMMENTS FROM THE FLOOR:** Dwayne Crawford, 1106 NC Highway 150 West, Summerfield, advised he is opposed to the A & Y Greenway. It has become political, expensive, and divisive. There are property owners along the proposed trail that do not want the trail on their property and a questionnaire was never sent out to the property owners on Summerfield Road where the proposed trail is supposed to go.

**NEW BUSINESS:**

**Report from Guilford County Sheriff's Department:** Deputy Neese advised that in the last month there has been a decline in crime throughout the whole district. There were three Part One crimes. An ATM robbery at the Dollar General, a motor vehicle break-in on Bartonshire Drive, and a larceny of trees off

Belews Creek Road. Please keep your car doors locked in order to prevent break-ins. There has been an increase of theft at construction sites. It has been quite in Stokesdale which is good.

**Finance Report – July, 2016:** Philip Pulliam provided the General Fund, Water Enterprise, and Water-Sewer financial reports for July, 2016. Please see the financial reports for details.

**Toshiba N.C. Copier Maintenance Contract:** Tim Jones made a motion to approve the Toshiba copier maintenance contract. Vicki White-Lawrence seconded the motion. All Council members voted aye and the motion carried.

**Mayor and Mayor pro tempore to Work with Fire Department Board to Draft Agreement for Water Service:** Mayor Braswell made a motion for the Mayor and Mayor pro tempore to work with the Fire Department Board to draft an agreement for water service. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

**Declaring Surplus Items (Resolution):** A question was asked if two separate resolutions were necessary because the Town wants to sell the automobile and wants to donate certain items to the Sheriff's Department or could it be done with one resolution. Katy Gregg advised that it is a resolution to authorize the staff to dispose of it. She thinks they can do it in one resolution that specifies a resolution to authorize staff to dispose of the items one through six or seven, if they are going to add the rifle, by donation to the Sheriff's Department and disposal of the car by selling. She thinks it is one resolution for getting rid of the surplus property that they can be specific with, or they can do two resolutions.

Mayor Braswell made a motion that Council authorize the staff to draft a resolution that declares the list that was inventoried at the Sheriff's Department as surplus including the rifle, and once declared surplus, donate those items on that list back to the Guilford County Sheriff's Department, if they want to receive them. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

Mayor Braswell made a motion that Council authorize the staff to draft a resolution declaring the 2009 Dodge Charger as surplus. Once declared as surplus, sell it to the highest bidder on govdeals.com with a minimum bid of \$8,500.00. Bill Jones seconded the motion. Mayor Braswell added to the motion for clarification: to attempt the first bidding to be sold here (Town Hall). All Council members voted aye and the motion carried.

**Carolina Power Generation Maintenance Proposal:** Mayor Braswell made a motion that Council add Carolina Power Generation to the Town's vendors list and file their estimate in with the other estimates the Town has on generator maintenance, and if they could please, as a part of this motion, clarify annual service of \$295.00 and what is a part of that, such as a check sheet, if they could just break that \$295.00 down. Frank Bruno seconded the motion.

Mayor Braswell requested a recommendation from the Safety Committee for Council to declare the generator at the Fire Department as surplus. The Safety Committee should look into the matter and report back to Council next month.

All Council members voted aye and the motion carried.



**Discussion of Protecting Locate Markings – NC811 – Possible Ordinance:** The Town pays to have the water lines located and marked when any digging will be done which is required by NC811. Mayor Braswell wants the Town to be reimbursed for locate markings that are damaged and/or removed and then need to be located and marked again, which is an additional expense to the Town. Katy Gregg advised that she does not see why the Town cannot enact an ordinance, but she thinks they have to be very specific when doing that. There is nothing saying that you cannot seek civil remedies from someone who damages markings. Spray painted markings where the locate area may still be visible should be included in their decision on whether or not they can make someone pay if the spray painted locate area can still be seen. She thinks it would be possible but it would really need to be thought through.

No action was taken at this time.

**Tap Removal Discussion:** A trustee with Stokesdale United Methodist Church has requested removal of a tap at 8008 Stokesdale Street because he plans to combine that property with another property and only one tap will be needed, not two.

Katy Gregg advised that a precedence would be created if a tap is removed. If Council is going to agree to remove the tap, then a procedure should be made, and ultimately it would be decided on a case by case basis. Possible appearance of impropriety, possible appearance of favoritism, and possible appearance of unfairness across the board would certainly need to be removed.

It was discussed that if a tap is removed from a property and then requested again in the future for that same property, the property owner would be required to pay whatever the current rate is at that time for the tap installation.

Before Council would consider removing the tap at 8008 Stokesdale Street, the property owner would be required to provide valid proof that the lots were combined legally into one lot.

Katy Gregg advised that the Town's policy also needs to encompass specific instances, as well as the what ifs.

Mayor Braswell made a motion that staff send the trustees for Stokesdale United Methodist Church a letter asking for the new deed showing the combined lots, notifying them if we remove it, it would be removed at their cost which is our normal markups in pricing, notify them that we would be removing a retail valued tap that is \$3,907.00, and if it is ever to be replaced, they would have to replace it at the current rates and the Council is taking it under advisement. Mayor Braswell amended the motion to include the request of a current survey. And include in the letter offer to meet with them one on one and we can all have a meeting here if that is what it comes down to. Tim Jones seconded the motion. All Council members voted aye and the motion carried.

**Discussion – Weekly Business Meeting of Town Council:** Mayor Braswell wants to set a day and time each week for Council to meet. It would be a regularly scheduled workshop and the public is always invited to attend. The meetings would be posted according to the general statute. A consent agenda would be made to take care of a lot of items that come up.

Mayor Braswell made a motion that the staff poll the Council to find out what that best time slot is and then make it consistent. A motion for staff to generate an annual calendar with the best possible meeting

date and time during the week. Bill Jones seconded the motion. All Council members voted aye and the motion carried.

**Urban Archery Deer Season:** Mayor Braswell made a motion for the Mayor to sign the agreement and return it back to the North Carolina Wildlife Resources Commission. Tim Jones 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:** John Flynt, 8133 Belews Creek Road, Stokesdale, previously received a copy of the original signed agreement for a dry tap on a property he purchased. All that agreement said was that the previous owner was willing to pay \$200.00 for a dry tap fee. It did not say that he would be forever bound to pay the dry tap fee or would never have any right to get out of that if he did not want it. It seems fair to him that if people paying the dry tap fee want to get out of that, they should be able to do that. He understands that the Town has been running in a deficit on the water system for a number of years and the fee to connect to the water system have increased recently and the cost of water has also increased. People may be more hesitant to connect to the water system due to the significant cost increases, so Council may want to look at that. He also disagrees with Council charging the Stokesdale Fire Department for hydrant water usage and thinks they should reconsider.

**Other Issues Pertaining to the Water System:** Mayor Braswell advised that he and Kim Hemric had to buy \$900.00 worth of chlorine last night at the request of Meritech, Inc.

**Poll of Council (Permanent Agenda Item):** Mayor Braswell advised that this will be a permanent agenda item in order to remind Council to ratify any decisions Council made prior to the meeting.

**Ratify Water Meter Poll of Council:** Mayor Braswell advised that a customer had requested his first month's water bill out of a three-month billing cycle be reduced to the Town's cost. The vote was 3 to 2 not to waive or discount the first month's fee, so he was billed the full amount.

Mayor Braswell advised that one of the Council members suggested donating the residual equipment from the deputy sheriff contract. The vote was 4 to 1 to donate the equipment to the Sheriff's Department.

**Follow Up on ABC Store:** Frank Bruno advised that he is working on a presentation that he plans to present to the ABC Board in order to find out if it is economically feasible to open an ABC Store in Stokesdale. Discussion took place.

Eileen Thiery, 8101 Meadow Springs Place, Stokesdale, looked into the matter of a ABC Store in Stokesdale. She contacted an ABC Board member, as a citizen, and was told that Stokesdale does not have the population to warrant an ABC Store, and an ABC Store in Stokesdale would take revenue away from the ABC Store in Oak Ridge.



Pastor Jerry Walker, 8308 McCrory Road, Stokesdale, would hate for Town Council to pursue having an ABC Store in Stokesdale if it is not their place to be doing so. He found information on the internet that crime increased in towns allowed to open a liquor store. He feels the money the Town would make by having an ABC Store in Stokesdale is not worth the increase in crime. Studies show that liquor availability increases consumption which increases crime. An ABC Store in Stokesdale is not good for our community and not something we need.

John Flynt, 8133 Belews Creek Road, Stokesdale, does not think Stokesdale needs an ABC Store.

Jason Riddle, 141 (unintelligible) Drive, Stokesdale, does not think an ABC Store in Stokesdale would generate as much money as the ABC Store in Oak Ridge. He suggests focusing on getting the sales and use tax money back from Guilford County.

Mayor Braswell is not pursuing an ABC Store in Stokesdale and does not want Council members pursuing an ABC Store in Stokesdale.

**Computer for Library:** Frank Bruno wants to give internet access to the public on the library computer without affecting the security of Town Hall's computer files. Tim Jones is concerned about the security of the Town Hall staff and feels that the space currently used for the library may need to be used for the water system to operate out of. He is not in favor of buying a library computer and there have not been any requests for one. Mayor Braswell does not want to allow access to inappropriate websites. Katy Gregg thinks that if the purpose of this computer is for the public to have internet access, inappropriate websites can be limited for the security of the Town's server and computer, due to possible virus attacks. If the purpose of this computer is to allow public access to Town Hall's public records, those public records do not have to be provided and a statute does not require that, so the ability of the computer can be limited. The computer can be made to allow the public access to the Town's website and nothing else. Also, children under a certain age can be prohibited from using the computer. The computer can also not be hooked up to the internet and just allow the public to use a read-only format of documents on the computer that the Town wants the public to see. So there are options available. If you are going to allow the public to look things up on the computer, such as their email or study websites, limits can be put in place for certain websites. Mayor Braswell wants some evidence that there is a real need for a computer in the library.

**Water Utilities Technician Job Description:** Mayor Braswell wants staff to proceed with advertising this position. Discussion took place about the job description for this position.

Mayor Braswell made a motion for staff to post this on [water@listserv.gov](mailto:water@listserv.gov) and Southern City magazine with salary range or salary based on qualifications and have staff investigate what the cost of a recruiter would be for this position. A benefits package can be added if Council votes to move forward with a benefits package. Bill Jones seconded the motion if the benefits package will be added as part of this position.

Discussion took place about how much experience with a municipal water system the candidate should have.

Mayor Braswell, Bill Jones, Frank Bruno, and Vicki White-Lawrence voted aye and Tim Jones voted nay. The motion carried with a 4 to 1 vote.

**Report on Progress of Town Administrator Job Description:** Mayor Braswell made a motion that appoints Kim Hemric as Stokesdale's Town Administrator. Vicki White-Lawrence seconded the motion.

Mayor Braswell spoke about Kim Hemric's qualifications and commitment for the Town Administrator position.

Katy Gregg advised that the Clerk, Finance Officer, Budget Officer, and Town Administrator can be intertwined. She thinks that Philip Pulliam's position is more appropriate as Budget Officer, which is required by statute for the Town to have, and is the person who creates the budget and helps enact the budget. The Finance Officer is also required by statute for the Town to have, and is the person who does the day-to-day money collection, money depositing, the accounting system, and getting the finance report. The Clerk can be the Finance Officer as well as the Town Administrator. A Clerk is also required by statute for the Town to have.

Mayor Braswell amended the motion to add pending a full legal description of that job.

Tim Jones wanted to know if the Town Administrator would be at the same rate of pay as what Ms. Hemric is currently receiving. Mayor Braswell advised that Council needs to meet with Ms. Hemric one-on-one to discuss that and suggested salary should be increased on a graduated scale. Discussion took place about defining the Town Administrator position and hiring a Town Clerk in the near future with the intention of cross training them to evolve into the next Town Administrator.

There was a resident, Tim Shields, that disrupted the meeting, so Mayor Braswell asked him to leave.

Mayor Braswell made a motion for a five-minute recess. Frank Bruno seconded the motion. All Council members voted aye and the meeting recessed at approximately 9:36pm and Mayor Braswell called the police department and requested that an officer remove Tim Shields from Town Hall because he had refused to leave.

The meeting reconvened at approximately 9:41pm.

Mayor Braswell read to the public General Statute 143.318.17, Disruption of Official Meetings, which states "A person who willfully interrupts, disturbs, or disrupts an official meeting and who upon being directed to leave the meeting by the presiding officer willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor". For the record, that is the reason the gentleman was ejected.

Mayor Braswell amended the motion to add duly appoint. Mayor Braswell, Bill Jones, Frank Bruno, and Vicki White-Lawrence voted aye and Tim Jones voted nay. The motion carried with a 4 to 1 vote.

**Amend Town Clerk Title According to General Statute (Finance Officer):** Mayor Braswell advised that Kim Hemric is actually performing the duties of the Finance Officer according to the description in the general statute.

Mayor Braswell made a motion to duly appoint the Clerk/Town Administrator as Finance Officer and to be sworn in tonight and that title will be retroactive to her hire date.



Katy Gregg advised that if they are going to make Kim Hemric the Finance Officer, a motion also needs to be made to make Philip Pulliam the Budget Officer. She would also have to review the general statute to confirm that the Finance Officer title can be made retroactive to Ms. Hemric's hire date because Mr. Pulliam had already been sworn in as the Finance Officer.

Mayor Braswell said his motion is to appoint her Finance Officer, swear her in tonight, and pending general statute review, if we can make it retroactive. Ms. Gregg said that the general statute may not define retroactive due to this situation being an uncommon experience.

Mayor Braswell said the motion will be to appoint and swear in Kim Hemric as Finance Officer tonight. Vicki White-Lawrence seconded the motion.

Discussion took place about whether or not Phillip Pulliam had already been sworn in as the Budget Officer, because if he wasn't, Ms. Hemric cannot be sworn in as Finance Officer. It was confirmed that Mr. Pulliam had been sworn in as Budget Officer and Finance Officer at an earlier meeting.

All Council members voted aye.

Mayor Braswell swore in Kim Hemric as the Finance Officer.

**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) – Continued from July 14<sup>th</sup> TC Meeting:** Tim Jones made a motion to approve the Resolution. Mayor Braswell seconded the motion.

Discussion took place among Town Council about the feasibility study and the statements written in the Resolution.

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

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

The Safety Committee is quiet.

The Ordinance Review Committee met to work on the proposed text amendments to the Stokesdale Development Ordinance. Public hearings will be set up for the Planning Board and Town Council meetings.

The Property Committee is keeping up with the progress being made on the soccer fields at the Town Park. The fields are progressing well and should be ready for the spring.

The Parade Committee will be meeting at Town Hall on August 25<sup>th</sup> at 7:00pm.

**Departmental and Administrative Report – Town Clerk:** Kim Hemric advised that the focus in the last 30 days has been on developing a strategic flushing program for the water system. The water meters will be read this Saturday, September 13<sup>th</sup>, and water bills will go out September 18<sup>th</sup> or 19<sup>th</sup>. Policies and procedures continue to be developed by staff. Approximately 3.5 million gallons of water was sold in July.

Ms. Hemric will be attending a digital government technology summit on August 31<sup>st</sup> and September 1<sup>st</sup>. The Town of Stokesdale receives approximately 300 to 350 emails per month that require a response. In July, there were approximately 190 incoming calls received at Town Hall and approximately 150 outgoing calls were made. Approximately 180 people visited Town Hall during the month of July. There were 15 water applications processed and three meters were sold to builders in July. The NC811 locates were trending very high for the months of July and August. She thanked Council for appointing her as Town Administrator.

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

**COMMENTS FROM COUNCIL:** Tim Jones is still a proponent of small government and is opposed to a property tax in the Town of Stokesdale.

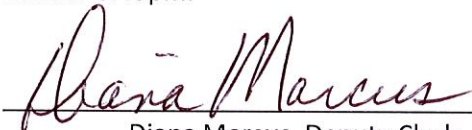
Frank Bruno announced the 9/11 Honor & Remembrance Ceremony scheduled for Sunday, September 11<sup>th</sup> at 2:00pm in Linear Park next to the Stokesdale Fire Department.

Bill Jones appreciates the public coming out to the meeting. It means a lot.

Vicki White-Lawrence appreciates the public coming to the meeting because you learn a lot. It is tough being up here and she appreciates the support.

Mayor Braswell apologized for getting upset earlier. They do the best they can and not everyone will agree on things. Stokesdale is the greatest place to live and it is a blessing to live in a community like this.

**ADJOURNMENT:** Vicki White-Lawrence made a motion to adjourn. Tim Jones seconded the motion. All Council members voted aye and the meeting adjourned at 10:45pm.

  
Diana Marcus, Deputy Clerk

Approved:

  
D. Randall Braswell, Mayor