

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

8325 Angel Pardue Road  
Stokesdale, NC 27357  
**July 13, 2017**

The Regular Town Council Meeting of the Stokesdale Town Council was held on Thursday, July 13, 2017, 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, Tim Jones.

**COUNCIL MEMBERS ABSENT:** Vicki White-Lawrence.

**OTHERS PRESENT INCLUDED:** Katy Gregg, Town Attorney; Kim Hemric, Town Administrator; Diana Marcus, Deputy Clerk; Philip Pulliam, Budget Officer; Steve Mann, Northwest Observer; Oliver Bass, Guilford County Planning and Zoning Department/Stokesdale Town Planner.

**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:** Frank Bruno made a motion to adopt the agenda as written. Bill Jones seconded the motion. All Council members present voted aye and the motion carried with a 4 to 0 vote.

**READING AND APPROVAL OF THE MINUTES FOR THE FOLLOWING: May 2, 2017 Town Council Budget Committee Meeting; May 11, 2017 Regular Town Council Meeting; May 31, 2017 Town Council Business Meeting; June 8, 2017 Regular Town Council Meeting; June 14, 2017 Town Council Business Meeting; June 21, 2017 Town Council Business Meeting; June 28, 2017 Town Council Business Meeting:**

Bill Jones made a motion to approve the May 2, 2017 Town Council Budget Committee Meeting, the May 11, 2017 Regular Town Council Meeting, the May 31, 2017 Town Council Business Meeting, the June 8, 2017 Regular Town Council Meeting, the June 14, 2017 Town Council Business Meeting, the June 21, 2017 Town Council Business Meeting, and the June 28, 2017 Town Council Business Meeting. Frank Bruno seconded the motion. Mayor Braswell, Bill Jones, and Frank Bruno voted aye. Tim Jones voted nay. The motion carried with a 3 to 1 vote.

**COMMENTS FROM THE FLOOR AND/OR COMMENTS ABOUT THE PROPOSED WATER AUTHORITY:** Tom McCoy, 8516 Spring Birch Terrace, Stokesdale, wanted to speak on behalf of the Stokesdale Community Choir. There is a rumor going around that Town Council is considering charging a rental fee for the Choir's rehearsal space. They use the Town Hall community room to hold their practice sessions on Monday mornings. He remembers that Town Council had exuberantly invited the Stokesdale Community Choir to use Town Hall at no charge when they formed their non-profit group a few years ago. The Choir has represented Stokesdale at numerous Veteran's Day and Memorial Day services and events. The Choir has

sung at Stokesdale Christmas events, such as at the annual Tree Lighting and Christmas Parade. The Choir, representing Stokesdale, has provided concerts every year at numerous nursing facilities and church services within and outside of Stokesdale's boundaries. All of this has been provided on a volunteer basis and an admission fee has never been charged for any of the Choir's performances. The Choir has never asked Town Council for any funds to support any of their activities while representing Stokesdale. The Choir paid for their own sound system and pays for their own transportation to events. The Choir has also been able to provide door prizes to some of the Town's local veterans at their last Memorial Day concert a couple of months ago. One of those prizes was worth over \$1,500.00, and it all starts with the rehearsals and some big hearts. Town Council has the right to begin charging for the space that is not used anyway, but he doesn't really think that is what the people of Stokesdale want. He would appreciate it if Town Council would consider not charging rental fees to the Stokesdale Community Choir for using the Town Hall for their Monday practice sessions. Thank you.

**NEW BUSINESS:**

**Report from Guilford County Sheriff's Department:** No deputy was present to give a crime report. The crime report is available online and in the Northwest Observer. Mayor Braswell reminded everyone to lock their cars or risk losing what's inside. He also asked Stokesdale residents to participate in their neighborhood's Community Watch programs.

**Finance Report – June, 2017:** Philip Pulliam, Budget Officer, provided details about the General Fund, Water Enterprise, and Water-Sewer Financial Reports for June, 2017. (Please see the Financial Reports, which are available in the Town Hall lobby, for details).

**PUBLIC HEARING: Rezoning Case 17-06-STPL-02877: A request to change zoning from RS-30 and AG to RS-40. Subject property is located at 8511 Oak Level Church Road, Guilford County Tax Parcel #0164651 in Oak Ridge Township, totaling approximately 14.82 acres. Applicant James G. Apple:**

Mayor Braswell opened the Public Hearing.

Oliver Bass said that Staff reviewed this rezoning request. The Stokesdale Future Land Use Plan recommends the area as Residential Development Area. The rezoning request is consistent with the type of development of residential uses at the recommended density of 40,000 square feet per dwelling unit, which is consistent with the Stokesdale Future Land Use Plan. The rezoning request appears reasonable and in the public interest and will allow uses that are generally compatible with established development patterns in the vicinity of that property. It will also allow the Town to expand its customer and revenue base to maintain its public water system. The Stokesdale Planning Board recommended approval of the rezoning of this property to Town Council.

Mayor Braswell asked if anyone wanted to speak in favor of the rezoning request.

Anthony Vaughn, 116 South Market Street, Madison, NC 27025, said he would answer any questions about the rezoning request.

Mayor Braswell asked if anyone wanted to speak in opposition to the rezoning request.

Patrick McCormick, 8507 Belews Creek Road, Stokesdale, said he lives across the street from the property requesting the rezoning. He is not really opposed to the request, but has a couple of questions. His main concern would be the layout of the development and how the driveways are going to affect Belews Creek Road and Oak Level Church Road. He wanted to know if there is going to be a cu-de-sac in the development or if there are going to be driveways coming out of the development? That is a very bad curve and he is concerned about the traffic coming out of the development. He's not sure if an official map has been published yet on what the plat plan is. His second concern is the planned US Highway 158 Bypass and how it will affect the development.

Oliver Bass said that this is a rezoning request so they are not able to consider any specific development proposals. In terms of subdivision standards, the streets would have to be reviewed and permitted by the North Carolina Department of Transportation (NCDOT). NCDOT will consider traffic flow and issue driveway permits based on their analysis. Streets will have to be paved to NCDOT street standards, which would be asphalt and concrete. That will be reviewed once the subdivision plat is developed, if that is what the property owners plan to do. The property is in the path of Alternate 2 of the proposed US Highway 158 Bypass. However, the path is still being studied, so it may or may not impact the property development. He believes that the property owner would be legally required to advise this possibility to any potential buyers of a lot on the property.

Katy Gregg thinks that is correct, because it is still too early in the process. To her knowledge, there has not been a subdivision plan drawn up or submitted to Staff. Oliver Bass confirmed that is correct, and should the property owner submit a plat plan, that information will have to be noted on the final plat as a possibility, if it has not been ruled out by NCDOT. Katy Gregg said it would certainly be in the property owner's best interest to make any potential lot buyers aware of that possibility, since they know it is a possibility. Mayor Braswell advised that NCDOT will review driveway locations to determine roadway improvement needs prior to use of the subject property. He advised that there is a US Highway 158 Bypass map at Town Hall, which shows the alternate routes (if anyone is interested in viewing it).

Mayor Braswell made a motion to close the Public Hearing. Bill Jones seconded the motion. All Council members present voted aye and the motion carried with a 4 to 0 vote.

Frank Bruno made a motion to approve the rezoning from RS-30 and AG to RS-40, because it is reasonable and in the public interest and is consistent with the Stokesdale Future Land Use Plan. It's compatible with the existing developments in the area and will allow the Town to expand its current water system. Bill Jones seconded the motion.

Tim Jones wanted to confirm that the Town of Stokesdale will not be asked to approve or disapprove the two remaining alternate routes for the US Highway 158 Bypass, and that it will be a decision that NCDOT will make. Mayor Braswell confirmed that was correct.

All Council members present voted aye and the motion carried with a 4 to 0 vote.

**Consider the Possible Annexation of the US Highway 158 & US Highway 220 Intersection to the Town of Stokesdale:** Mayor Braswell said that a business owner in that area (the intersection of US Highway 158 and US Highway 220) had asked him about voluntary annexation, so he referred him to the Town Staff and Town Attorney. Katy Gregg advised that Mayor Braswell had sent an email to Kim Hemric asking for her to have Oliver Bass or Katy Gregg answer this request. She contacted Oliver Bass first, who said it

would be more appropriate for Katy Gregg to answer. Kim Hemric then contacted Katy Gregg and provided her with the business owner's property information and asked how to handle this request. She sent Kim Hemric an email explaining that there are two (2) separate types of annexations that are voluntary annexations. A contiguous annexation which means that the property that wants to be voluntarily annexed is touching a border of a municipality. A non-contiguous annexation means the property is not actually touching the border of a municipality, but is within three (3) miles from the border of a municipality. In this case, she has determined, to the best of her ability, that this is a contiguous annexation, so she outlined the process for voluntarily annexing a contiguous property. The process information has been sent to that business property owner. The property owner would be required to file a petition with the Town Clerk asking for voluntary annexation. The petition must include the signatures of all of the property owners that are subject to the annexation. Once the petition is presented to the Town Clerk, the Town Clerk will investigate and verify whether the petition is sufficient and accurate. The Town Clerk would then present her findings to Town Council who would hear her investigation and review the petition. Town Council would then make the determination whether to choose to annex that property based on the voluntary petition. At that time, if Town Council chooses to do so, they would adopt an ordinance that annexes the property. If Town Council chooses not to annex the property, it dies and goes nowhere. That information was given to that business owner and it is her understanding the Town has not had any contact with that business owner since the information was given to him. Kim Hemric said that was correct.

Tim Jones asked Katy Gregg how that information was sent to that business owner, Mr. Moran. Katy Gregg said she gave the information to Kim Hemric and Kim Hemric sent it to Mr. Moran. Tim Jones asked what method of communication was used to send the information Mr. Moran. Kim Hemric said the information was communicated by telephone to Mr. Moran.

Tim Jones wanted to read an email that he received from Mr. Moran today. He had expected Mr. Moran to attend the tonight's meeting and had asked for this agenda item. He wanted to read the following email, so that Mr. Moran has an opportunity to be heard.

"Do to unforeseen developments, I will not be able to attend tonight's Town Council Meeting as planned. My main concern is to find out information on voluntary annexation for Pump, Pipe, Sales & Service, what is involved, the advantages, disadvantages, and more about the process. If you would have someone, such as the Town Planner or attorney or whomever get in touch with me concerning this matter or tell me how discussions go concerning this matter. Thanks. Hassel Moran, General Manager, Pump, Pipe, Sales & Service."

Tim Jones said that email was sent to him today. He thinks that Mr. Moran had some sort of family emergency that took him away from attending tonight's meeting. He has spoken to Mr. Moran several times and he's indicated to him that he hasn't had any contact with anyone from the Town, so he doesn't know where the miscommunication may be here.

Katy Gregg said she wasn't authorized to have communication directly with him (Mr. Moran), so she has not had any communication with him (Mr. Moran). Until Town Council, as is the policy, gives her the authority to do that, she can't do that.

Kim Hemric said she has some research to do with Mr. Moran to pass that information to Katy (Gregg) for her to further investigate for the legalities of it. She definitely spoke with him (Mr. Moran) on the

telephone. She would be happy if Town Council decides to authorize Katy Gregg to follow up with him (Mr. Moran) tomorrow. She didn't know any information about his (Mr. Moran's) company (Pump, Pipe, Sales & Service). The research she completed was passed to Katy Gregg and when it was passed back she communicated it to Mr. Moran with a brief telephone call.

Tim Jones made a motion to have Katy's (Gregg) basically her prescription to have Mr. Moran follow up with the Town if he chooses to the information regarding the petition etcetera put into a letter from the Town and have the Town Clerk send it to him and that way we're communicating in writing. Mayor Braswell seconded the motion. Bill Jones said part of your motion is to authorize our Town Attorney to. Tim Jones said no, we need to have Kim (Hemric) transcribe Katy's (Gregg) comments that she just went through the prescription the steps that they needed to follow.

Katy Gregg said that she would feel more comfortable if the letter came from her as it is legal advice. She thinks it would be more appropriate to come from an attorney as opposed to the Town Clerk. It is her advice and, therefore, she can be held responsible for it if it is miscommunicated. Not that it would be, but it's her advice. All she would have to do is copy and paste what she put in the email. She would feel more comfortable if it came from her.

Mayor Braswell asked Tim Jones to restate the motion.

Tim Jones said that motion would be to have our Town Clerk transcribe the context of Miss Katy's statement in regards to what Mr. Moran needs to do as a next step and send that to him in the form of a letter. He doesn't object if someone wants to make an amendment to his motion to have the Town Attorney take care of this.

Katy Gregg said that she would do it on her letterhead as the Town's attorney and get it to Kim Hemric for her to mail out. Tim Jones suggested that the letter be done generically so that it can be used to send to another property owner in that area, if another inquiry is made.

Mayor Braswell said he is still a second (to the motion).

All Council members present voted aye and the motion carried with a 4 to 0 vote.

Tim Jones said he is aware that the Town of Summerfield is discussing annexing that intersection, either in whole or in part. He thinks it is important and the time is now for the Town of Stokesdale to have a public discussion about whether or not they would like to see the Town limits go across that intersection to the west side of US 220.

John Flynt, 8133 Belews Creek Road, Stokesdale, asked if he could make a comment. Mayor Braswell allowed it. John Flynt appreciates being given an opportunity to speak. The original boundaries of the Town of Stokesdale were defined by the Fire District. When he was on Town Council, Mickie Holbrook made some conversations out there with properties when they realized Interstate 73 (I-73) was scheduled to come into the area. It is his understanding that the new boundaries would have to be surveyed. It going to be an extremely valuable corridor. He thinks it is the best interchange between there and Madison. The Town of Summerfield has already purchased two acres of land for a Fire Station on US Highway 158 East near the intersection of Murphy Road. He's not sure whether they (Town of Summerfield) did a voluntary annexation on that property or not. He imagines that everyone would like to have the tax revenue that's

going to come from that. He would like to have the letter available at Town Hall for all of the property owners in that area. He would like Town Council to encourage all of the property owners, in terms of a large group or number of citizens, to get that area voluntarily annexed for Stokesdale.

**Yates Construction Quote:** Bill Jones made a motion to accept this proposal for the sum of \$1,200.00 to relocate the water service at 8208 Wendy Gale Drive. Mayor Braswell seconded the motion.

Discussion took place about a possible water leak and the exact location the water meter will be moved to.

All Council members present voted aye and the motion carried with a 4 to 0 vote.

## **UNFINISHED BUSINESS**

### **Stokesdale Water System:**

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

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

**Continued – Emergency Access Water Usage Policy:** Mayor Braswell made a motion to continue this agenda item. Frank Bruno seconded the motion. All Council members present voted aye and the motion carried with a 4 to 0 vote.

## **COMMITTEE AND BOARD REPORTS:**

**Library Committee:** Frank Bruno said more book donations have been received. He will organize and put more books out for sale in the next few weeks.

**Property Committee:** Bill Jones said he will meet with Vicki White-Lawrence to measure the proposed shelter location. The bare spots on the Town Park fields have improved and are filling in. Mayor Braswell advised that the irrigation system has been turned on and Mike Hunter has been working on the fields.

**Public Safety and Water Committee:** Chairman Thearon Hooks said he is planning a training session for the portable generator that will be scheduled on two Saturdays in August at United Methodist Church. He will communicate the dates and times sometime soon. The portable generator is stored at the Stokesdale Fire Station. He explained some details about the training process to the audience and asked for volunteers to contact him if they are interested in participating.

**Departmental and Administrative Report – Town Administrator:** Kim Hemric reminded everyone that the Town of Stokesdale has a Facebook page where pictures and friendly reminders are posted. Citizens have been able to pay their water bills online 24 hours a day seven (7) days a week for about four months now. Since April 17, 2017, 111 payments have been made online with credit/debit cards. Seven water meters have been sold since last month's Regular Town Council Meeting. She met with a state representative from the Department of Environmental Quality (DEQ) related to the Stokesdale Water System, and the Town received a good report. At the end of the month, she will be meeting with a Paychex representative, the service that provides the Town staff's paychecks, to perform an assessment to confirm

the Town is in compliance with OSHA labor laws and FICA. She has completed the Consumer Confidence Report (CCR) which was due July 1<sup>st</sup>. A link for the CCR was posted on the back of the water bills, which is required by law. She has completed two (2) of three (3) mandatory reports from the Census Bureau, and hopes to finish the third one tomorrow. She plans to roll out the specifics about the Citizens Academy at the August 10<sup>th</sup> Regular Town Council Meeting.

**COMMENTS FROM THE FLOOR AND/OR COMMENTS ABOUT THE PROPOSED WATER AUTHORITY:**

Thearon Hooks, 8135 Shoeline Road, Stokesdale, said that a minister from Bethel United Methodist Church, Oak Ridge, would like to perform the invocation at the next Regular Town Council Meeting. Mayor Braswell asked Mr. Hooks to provide the minister's contact information and he will invite him to the meeting.

Mayor Braswell advised that he signed the Timmons Group agreement to move forward with the Feasibility Study. He thinks the citizens of Stokesdale need to get involved and provide input.

Tim Jones wanted to know what the next action that Town Council will be asked to vote on after the Feasibility Study is completed. Mayor Braswell suggested putting the scope of the study as a discussion item on the Wednesday Town Council Business Meeting agenda. He doesn't want to speculate what might happen next until he sees the completed Feasibility Study.

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

**COMMENTS FROM COUNCIL:** Tim Jones thanked the audience for attending the meeting tonight. He also wanted to thank NCDOT and all of the contractors working on the highways, because it is a dangerous job working along all that traffic. He favors small government for Stokesdale and does not favor a property tax for Stokesdale.

Frank Bruno thanked everyone for attending the meeting tonight. He suggested volunteering for committees. He is also working on having another Community Day sometime in October. He doesn't have a Saturday date set yet and would like people to volunteer to help him. He will have more information in the coming weeks.

Bill Jones thanked everyone for attending the meeting tonight. He complimented Mayor Braswell on his invocation which mentioned the first responders. He received a complaint from someone the other day asking about a rumor. He would like people to contact him by email or telephone, if anyone has any questions about anything Town Council is doing and he would be happy to talk about it.

Mayor Braswell wanted to comment on the Stokesdale Community Choir's pending Facility Use Agreement that is waiting for Town Council's approval. He wanted to know if Council could temporarily waive the fees until a policy can be put in place regarding waiving fees. Katy Gregg understands the situation, but it is not about the Stokesdale Community Choir. It is about government and the laws they are required to follow, and government has liabilities that they incur if they don't follow those laws. Council cannot waive fees for one group and not waive them for another group without the possibility of being sued for discrimination. She suggests that Council form a policy that defines when it is appropriate to waive fees or not waive fees. It is very bad policy to implement waivers without a policy as to when those waivers are appropriate and to whom those waivers apply, so that those waivers are put into place

in a uniform unbiased unfavorable way. Town Council decided to put this item on the next Wednesday Town Council Business Meeting agenda, so they can define a waiver policy and vote on it.

Mayor Braswell announced that he and his wife, Cindy, are grandparents for the second time. Their first grandchild, Everett was born on New Years Day, January 1<sup>st</sup>, 2017. Now, their second grandchild, Iris, was born on July 4<sup>th</sup>, 2017, so they have two firecracker babies. Baby Iris was 7 pounds 7 ounces and 20 inches long and is healthy and home now with Jenna and Jonathan.

**ADJOURNMENT:** Mayor Braswell made a motion to adjourn. Tim Jones seconded the motion. All Council members present voted aye. The meeting adjourned at 8:17pm.

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Diana Marcus, Deputy Clerk

Approved:

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D. Randall Braswell, Mayor

DRAFT