

TOWN OF STOKESDALE
PO BOX 465
STOKESDALE, NORTH CAROLINA

The regular meeting of the Stokesdale Town Council was held in the Town Hall at 8416 US Highway 158 on Thursday, October 18, 2007.

Mayor Randle L. Jones called the meeting to order at 7:30 PM. The following members of Council were present: Mayor Randle L. Jones Mayor Pro Tem John W. Flynt, Bobby Richardson, Mickie Halbrook, and Powell Shelton.

Others present included: Trevor Nuttall, Guilford County Planning Department; William B. Trevorrow, Town Attorney; and Carolyn Joyner, Town Clerk/Finance Officer.

After the Pledge of Allegiance, Council considered the proposed agenda. Mr. Shelton made a motion to approve the agenda. Ms. Halbrook seconded the motion. All Council members voted aye and the agenda was adopted.

Mr. Flynt made a motion to suspend with the reading of the minutes and to approve them as presented. Mr. Richardson seconded the motion. All Council members present voted aye and the motion carried.

Deputy Christman was responding to a call and was unable to report to Council.

GUILFORD COUNTY STRATEGIC PLANNING: Mr. Randle Zimmerman, Director of Risk Management for Guilford County addressed Council. He introduced Barbara Weaver, Information Services Director for Guilford County who was present to assist Mr. Zimmerman. Mr. Zimmerman noted that the County Commissioners, at their annual retreat held on January 2007, decided that a road map for the future of the County was needed. The Board of Commissioners unanimously endorsed a proposal to develop a comprehensive strategic plan the County. A committee researched strategic planning efforts and developed a 20 month process for the County that included gathering citizen input. On September 6, the Commissioners adopted a vision, a mission, and values for the County. Information can be found on the County website at www.guilford.co.nc.us. He asked for Council and citizens on three questions as follows:

1. What does Guilford County government do well? There was no response from the citizens at the meeting on the question. Mayor Jones said that he felt the Town has a good working relationship with the County Planning Department. The rate schedule is more appropriate now than it was in the past. The contractual relationships with County have been very good. The Town contracts for law enforcement and it has been a positive relationship. Animal Control has changed over the years and is now provided by the County which is positive although is not to say that we may not seek improvements because we are satisfied with the service. Stokesdale would like to see a return to the per capita sales tax distribution. It changed from ad valorem because it was more advantageous to the County, but in view that every Town except Stokesdale levies a tax now it may be appropriate for the County to reassess that to determine is that has changed. Mayor Jones said that he would like for the County and the Town to work together on providing libraries for the northwest area.

Mr. Shelton noted that after incorporation, the Town was encouraged to take care of the planning issues. Jim Elza, Planning Director at that time helped the Town.

2. In what areas does Guilford County government need to improve? There was no response from citizens. Mr. Flynt commented that there are drugs and gang issues that need to be addressed and law enforcement manpower is limited. The Court systems are overburdened and judges need to be added.

Another concern is the attitude that the demographics of the northwest area show high incomes and it seems that the commissioners fund everyone except this area. Stokesdale had to go to Forsyth County and Oak Ridge has gone to Rockingham County for water. There may be opportunities to work together to obtain water and sewer.

Ms. Halbrook said that she liked the mission statement and hopes that it helps citizens out here.

3. What are important issues for the Town and how can Guilford County government be a partner in addressing those issues? A citizen in attendance commented that the County has the ability to have their grant writing specialists to assist Stokesdale and other small Towns with grants and procurement of different resources since they have paid professional staff. Another citizen commented that going from the per capita to the ad valorem system is an uneven distribution of the cost of services. They take money away from us to provide services for our town citizens but yet they make the incorporated towns pay extra for Trevor's position. Across the Town line, there is no extra tax paid by those citizens. If you pay your taxes no matter where you live if you choose to let Guilford County do the planning then it should cost the same. If you subsidize the unincorporated county, then you should subsidize the incorporated as well.

Mayor Jones said that he felt there are opportunities for joint ventures with the Towns. The Towns have a lot to offer and the libraries and public services could use a team approach with the County providing support staff, the Town could provide land and infrastructure perhaps. The Towns have been active to work together in areas such as law enforcement and the library situation. Ms. Halbrook said that if some central locations for libraries could be found, it would be much better.

Mr. Zimmerman thanked everyone for their input and said that the next step is establishing goals and objectives we want to incorporate some of the additional input that has been received.

Ms. Claudia Harrelson, pastor at Stokesdale United Methodist Church, gave the innovation for the evening at this time.

Public Hearing:

REZONING CASE #07-09-STPL-06478: AG and RS-40 to CU-RS-40. Located at the southeast corner of ELLISON ROAD (SR 2107) and THORNGATE ROAD through to EVERSFIELD ROAD (SR 2109) in Bruce Township. Being Guilford County Tax Map 10-656, Block 1040, Parcels 11, 18, 23, and 30 and Part of Parcel 29, approximately 46+ acres. Owned by R. Barry Friddle, etal.

Mr. Nuttall presented the case as follows: It is a request to rezone approximately 46.37 acres to allow a major subdivision for single family dwellings only. The current zoning is AG (Agricultural District) and RS-40 (Residential Single Family District) and the request is change the entire property to CU-RS-40, Conditional Use Residential Single Family District.

The following uses and conditions have been proposed by the applicant:

USE (S): Single-family dwellings only.

CONDITION (S): Trees and vegetation on the entrance to the development on Eversfield Road shall be preserved, except as needed to be removed for the street and right-of-way.

The majority of the land uses is undeveloped with a few existing home sites on the property which is a combination of 5 or 6 different tax parcels. The requested district would allow the development of a major single family residential subdivision and the district requested allows only site built or modular built homes and not manufactured dwellings. Surrounding land uses are primarily rural residential, undeveloped, and agricultural. The recommendation of the Land Use Plan (2001) is rural residential. There are no inventoried properties located on or near this property. Efforts should be made to rule out the potential for unknown gravesites. Town water is not in close proximity to the site.

TRANSPORTATION: Existing Conditions: Eversfield Road is an existing minor thoroughfare. Ellison Road is designed a collector street on the proposed Collector Plan. No road improvements are proposed with this request. The Department of Transportation will be responsible for reviewing driveway location and roadway improvements associated with the development of the property at a later point. We would anticipate a single-family development on 46 acres to generate approximately 440 trips per day.

STAFF RECOMMENDATION: Staff recommends approval. The request generally is supported by the adopted Future Land Use Plan (FLUP), which designated the properties for rural residential development. A portion of the properties already is zoned RS-40 and RS-40 zoning adjoins the subject properties to the east. Staff and the applicant discussed landscaping and the retention of vegetation along the properties' road frontages in accordance with recommendations of the FLUP. The applicant has conditioned the request to retain trees and vegetation outside of the area needed for the 50-foot right of way to the property from Eversfield Road; no conditions pertaining to landscaping are offered along Ellison Road but staff notes this frontage is already zoned for major residential development. Considering all factors, staff believes the request is consistent with the recommendations of the adopted FLUP and in the public's interest as it promotes plan implementation. The request was heard by the Town Planning Board and it was unanimously recommended for approval with a 7 to 0 vote. The Board concurred with Staff's reasoning in its recommendation.

Mr. Flynt mentioned Thorngate Road and asked if it is actually a road and if it was the road that was on the Southard property. Mr. Vaughn indicated that this road is off of Ellison Road and that it was Suffield Road that is near the Southard property.

Those speaking in favor of the matter:

Fred Berry, 654 Troublesome Road, Reidsville said he previously lived and still owns a house at 7890 Eversfield Road. Mr. Berry said that he was speaking on behalf of Barry Friddle and the others. It is collaboration between Barry Friddle, and Mr. Berry and his family. A subdivision plan will be submitted to the Town which will show a connection of the subject property to the Lambert property and this would ultimately allow a road from Oak Creek to Eversfield Road. He would answer questions and Mr. Vaughn was available to answer technical questions.

No one spoke in opposition to the request.

The matter was with Council. Mayor Jones noted as a matter of disclosure, he said that he had known Mr. Berry for years and they had served on the Council together, have been neighbors for years but he is not an adjoining property owner. His wife's aunt is an adjoining property owner. He has no financial interest in the property. Mr. Trevorrow said that if there is not financial gain or interest in the property, there is not an issue.

Mr. Shelton made a motion to approve the request. Ms. Halbrook seconded the motion. Mr. Flynt said that he felt that it is a good use for the property and that it will bode well for Moore's Mill. Mr. Trevorrow suggested that the motion should include a statement that it is consistent with the land use plan and to incorporate staff's findings by reference. Mr. Flynt made a friendly motion to include the information. Ms. Halbrook seconded the motion. Council voted 5 to 0 to approve the rezoning.

ROLL CALL VOTE:	Jones	<u> Aye </u>	Halbrook	<u> Aye </u>
	Flynt	<u> Aye </u>	Richardson	<u> Aye </u>
	Shelton	<u> Aye </u>		

Mr. Berry noted that the property is some distance from the Town water system and he would be interested in talking with the Town about whether there could be some collaboration to run a water line. Mayor Jones suggested that he should contact Mr. Marziano. Mr. Flynt suggested that he contact the president of the Oak Creek Homeowners Association as well since some of those homes may have water issues.

UNFINISHED BUSINESS: LAND USE PLAN: DECISION BY COUNCIL: Mayor Jones recapped by saying that a public hearing on the revision of the Land Use Plan was held at the previous meeting. The public hearing was closed and the matter was with Council and Council had continued the matter hoping that there would be a full Council. Some suggestions were made on the concerns that were voiced at the last meeting. Mayor Jones proposed that on the NC 68 Corridor part, the third bullet should be stricken and the 4th bullet be stricken on Page 14 and the following language be inserted:

“Minimize sprawl of commercial development and insure new commercial development maintains land use plan provision. Minimize the visual impact of large residential developments.” (This is consistent with the previous land use plan.) Add the New language: “It is the goal of the Town of Stokesdale to promote the rural character of the Town throughout the city limits including along the NC 68 and US Hwy 158 corridors. However this goal will not in any way prohibit commercial/retail development in these areas by landowners who wish to seek same pursuant to applicable state laws and city ordinances.” By translation, this would mean Council would continue to promote the rural character of the Town but nothing would prohibit an individual or landowner from seeking to develop their land for commercial or retail use under state laws and city ordinances such as the scenic corridor.

He clarified that the Land Use Plan is a guideline and it is not an ordinance, law or statute. It is something that Council looks at to plan for the future. He said that it has not changed the Town Core or the Central business district. If, for example, you have a home in these areas and something happened to it, it would not prohibit you from building back. If you want to develop it for business, it would make it easier. Nothing about this plan would prohibit discourage it or harm anyone’s right to have a home located in this area. The bullets that deal with these issues are also exactly like the 2001 plan.

Mayor Jones proposed that the 1 acre lot requirement should be changed to RS-40 on page 16 which would not make a substantial difference in the amount of land but in dealing with planning and zoning but it would make it simpler.

He noted that there are recommendations for some additions to the scenic corridor. Some people thought that Council had done away with the scenic corridor but that is not the case. The scenic corridor was adopted and is a part of the current ordinance. These are recommendations for Council to consider when appropriate hearings are held.

Mayor Jones made a motion for those changes in the land use plan and moved to adopt the plan with the changes stated. The first change is on page 14, starting where it says “Provide enough viable space for the future growth of businesses and services. The next would say “Minimize sprawl of commercial development and insure new commercial growth maintains the land use plan vision. Minimize the visual impact of large residential development which is consistent wit the scenic corridor in particular. Everything else would be taken out except this language:

“It is the goal of the Town of Stokesdale to promote the rural character of the Town throughout the city limits including along the NC 68 and US Hwy 158 corridors. However this goal does not in any way prohibit commercial/retail development in these areas by landowners who wish to seek same pursuant to applicable state laws and city ordinances.” If it meets the legal requirements then it can occur. Demographics and business demands will dictate what happens.

Mr. Jim Flynt asked if the issue of eliminating RPD was being addressed. He said that he felt that over 35% of the land in Stokesdale would be prevented from being developed residentially if RDP was eliminated. Mayor Jones said that his suggestions did not address this part of the plan.

Mr. Flynt commented that he appreciated all of the letters and phone calls from the community. He felt that about half favored NC 68 development and some do not. He was going to suggest changing the proposed minimum lot size of one acre to 40,000 square feet or RS-40. This will simplify the matter for the planners.

He suggested a change on Page 15 to delete "Further heavy industrial zoning should not be allowed in this corridor or elsewhere in Stokesdale" and add "No new industrial areas are proposed due to the number of areas currently zoned but undeveloped." He suggested these as friendly amendments to Mayor Jones motion.

Mr. Nuttall read the definition of heavy industrial from the Ordinance. He noted that the difference between heavy and light industrial was that light industrial has little or no effect on the adjoining property owners. It is the intensity of the uses on the property.

Ms. Steele asked if the original map can be maintained. Mayor Jones said that the maps would have to reflect the changes that are made to the Plan tonight. No ordinances are being changed at this time. Any changes to the ordinance must have to be considered by Council with public hearings before changes can be made.

Mr. Trevorrow said that you cannot eliminate a change in the ordinance by the land use plan.

It was pointed out that Historic Structures should be Appendix B rather than Appendix A. On Page 11, Critical Habitats should be Appendix C and there were other errors regarding the Appendixes.

Mayor Jones amended his motion to correct all typographical errors.

Mr. Hooks if industrial uses included hazardous materials and hazardous waste. Mr. Flynt said that it is discussed under permitted uses.

Mr. Nuttall said that we would not prohibit anyone from taking an application for heavy industrial use and following the guidance in the ordinance for a special use permit requirements or development standards are and Council would make that decision and that would be an issue we would discuss with the applicant and let them know that there is a policy statement regarding this and if they want to proceed we would.

Mayor Jones noted that the changes with appropriate amendments and corrections for typographical errors, spelling, and it conforms in nature and forms to appendices and references and anything that needs to be adjusted and his motion is to approve with these circumstances. Mr. Richardson seconded the motion.

Mr. Flynt noted that the map was revised by Guilford County GIS and Planning to adequately reflect the land that was described by the Revised plan to reflect the wording. The original plan had a number of items that the new map does not have. There were two rural districts and the new map is more appropriate and fits the descriptions and the definitions in the revised plan. Mr. Nuttall suggested that if Council felt that revisions to the map were necessary, Council could consider revisions at a later time.

Mayor Jones called the question and all Council members voted aye and the Land Use Plan with the noted changes was adopted.

Mayor Jones recognized prior Council members Anthony Vaughn, Fred Berry, and Candidates James Attaway, Norman Cook, Thereon Hooks, Jimmy Landreth, and Cheryl Steele was in attendance at the meeting.

Update on Postal Petition: James Attaway: Mr. Attaway indicated that a group of citizens which included Kathy Hommel, Eileen Thiery, Pam Lemmons, and Tim Richardson have worked together and have obtained 1,000 signatures that will be forwarded to local representatives on a Federal level. Virginia Fox's office had been helpful. The committee was hopeful they could get some action on a different facility which will serve all of the people and their needs. Mr. Attaway said that the post office does a wonderful job with the safety issues they have to work with. He thanked everyone and asked, on behalf of the postal committee, if Council would write a letter endorsing their work so that it could be included with

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the informational package that would be sent to the Post Office. It will include photographs. Someone asked when the lease would run out for the post office. Mr. Attaway said that he thought the lease was for five years but that the owner has said that he would let them out of the lease with a 30 day notice. Someone asked if the US Post Office would shut the Stokesdale Post Office down. Mayor Jones said that they can close it if they chose to do so. Mr. Attaway asked for all of the Council members to sign the letter.

2008 Permit to Operate the Town Water System: Mayor Jones made a motion to approve the 2008 permit and to authorize the Mayor's signature on the permit application. Mr. Shelton seconded the motion. All Council members voted aye and the motion carried.

Committee and Board Reports: There were no Committee reports.

Departmental and Administrative Reports: Finance Report for September, 2007: The Finance Officer noted that assets increased slightly in September. Checking account transactions included the payment of \$3,000 to the Stokesdale Youth Football Association; \$13,794.59 to Stewart, Cooper, Newell Architects; \$12,500 to Guilford County Finance Department for planning services and stipends were paid to Council Members in September.

Accounts Payable included routine transactions. General Fund Savings account reflected the deposit of a Utilities Franchise Tax Distribution of \$67,533.66 and a refund of the Sales and Use Tax of \$57.49 and a \$10.00 fee for the purchase of a zoning ordinance. A number of certificates of deposit matured during the month of September. All were reinvested for various maturities and at various rates. One certificate was transferred to Fidelity Bank in order to get a higher interest rate. The certificates earned over \$49,000 in interest. A few deposits were made to the water enterprise savings account. One water-sewer certificate matured during the month and earned \$2,178.72 in interest. It was reinvested at Fidelity Bank at 4.88% for seven months. Water Enterprise Accounts Payable includes \$420 for the permit which Council had just authorized and billing from Winston for water was \$4,901.05. Water Enterprise Checking Account transactions show that Water Technology is making many more deposits. Accounts Receivables is getting on tract with the delays in posting being resolved.

Administrative Report – Town Clerk: Approval of 2008 Calendar: The Clerk noted that the Planning Board had reviewed the schedule and there are no conflicts. Planning Board meetings are shown as the first Thursday and Council meetings are on the third Thursday. Mayor Jones made a motion to approve the meeting schedule as proposed for 2008. Mr. Flynt seconded the motion. Council members voted aye and the motion carried.

LEGISLATIVE ACTION:

Consider a Regulatory Ordinance: Mayor Jones noted that a draft of an ordinance has been provided for Council to consider since they continue to get phone calls about items that it addresses such as graffiti and weeds and grass. Mayor Jones suggested that if there are criminal charges made against the individual that individual should be made responsible for the graffiti. Mr. Trevorror asked if he meant clean-up and clean-up could be made a condition at sentencing but it is a judicial decision. If someone is caught in the act then that person should be responsible to pay for the cleanup.

Mr. Flynt noted that this was an area that was discussed in the future land use plan. It would rectify some of the abandoned buildings issues. He made a motion that Council should have a public hearing on the suggested Ordinance at the December 20, 2007 meeting. Mr. Trevorror indicated that Council can adopt it on a first reading since it is a policing ordinance that can be adopted on the night of the hearing if Council wants too. Mr. Flynt amended his motion to hold a public hearing on the proposed ordinance at the November 15, 2007 Town Council meeting. Mayor Jones seconded the motion. All Council members voted aye and the motion carried. Mayor Jones noted that a copy of the proposed ordinance will be available at Town Hall.

OTHER BUSINESS: There was no other business coming before Council.

ANNOUNCEMENTS: Mayor Jones noted that the Candidates Forum would be held at the Oak Ridge Town Hall. He pointed out that the Stokesdale Town Hall was not large enough to host the event and the school could not be obtained. He read the other announcements listed on the agenda.

COMMENTS FROM THE FLOOR: Thearon Hooks noted that the state is now in a state of drought and asked what contingencies have been planned in the event that Winston was to cut back on the water available to the Town. Mayor Jones indicated that the Town does not use anywhere near the amount of water that the contracts call for and there have been no indications that they cannot supply the Town with water. They must notify the Town if they intend to cut back the supply.

Mayor Jones noted that he has not seen any blatant or improper use of the water system. He noted that citizens must understand that water coming out of fire hydrants is necessary to flush the system and it is not wasting water. Because of the extreme heat, the chlorine levels must be maintained to keep the bacteria out of the system. When the system was built, several water sources were considered. Wells were not done since they could become contaminated and they could be affected during drought situations. The Town could have bought water from other municipalities but it was untreated and it would have cost about \$5 million to build a treatment plant. Winston has been very helpful in all situations and the Town has had a very good working relationship. Mayor Jones pointed out that Council has tried to work with developers to expand the system. Mr. Flynt pointed out that there is a lag time between the time of drought conditions and the times when wells go dry.

Claudia Harrelson, pastor at the Stokesdale United Methodist Church, said that she felt sure that the Church would be amenable to hosting an event such as the Candidates Forum if the Church was available. It was noted that it was not available on Wednesdays.

Mahalia McGee said that she is a former resident of Stokesdale and is a home owner and a property owner, says that she has received only one card for the past two months and she has had to call and asked why she had not received them. She said that she like the other type of billing which came in an envelope and had a returned envelope provided with it. She also noted that the comment was made that people who have houses in the Town Core could rebuild and would not have problems getting a loan. She said that this was not true. She owns two housing on Shilling Street and if either of them is destroyed, they could not be replaced due to the current zoning. She was unable to consolidate some loans earlier this year because they are on postage stamp size lots. Mayor Jones said that it is nothing that the Town is doing to cause this but it may be the policy of the Bank. Mr. Trevorrow said that if the exiting zoning creates a non-conforming use for you, then they are leery of making loans on the property. This would be an existing situation and would not have anything to do with the Land Use Plan. Mr. Nuttall commented that their is one section of the ordinance that may apply to this situation and it deals with non-conforming structures and he could review her situation.

Mr. Nuttall noted that the Watershed Engineer, Warren Simmons, had been out and spoken with Council regarding current regulations and some of the State requirements that the Town could pursue to allow additional built upon areas providing they meet storm water mitigation in certain areas of the Town. Mr. Simmons has sent a letter to the State since they must approve it before any further action can be taken by Council. He will provide a copy of the letter to the clerk.

COMMENTS FROM COUNCIL: Ms. Halbrook said that she hoped that people feel better informed tonight and she thanked everyone for coming. She thanked Rev. Claudia Harrelson for coming.

Mr. Flynt commented that now that the Land Use Plan has been adopted, Council should appoint an Ordinance Review Committee. With the pending election, it would probably be best to wait until the new Council is seated.

Mr. Richardson referred Mr. Nuttall to Shamburg's parking lot again. He noted that the cars are about two feet off of the pavement and you cannot see at the intersection because of the vehicles. Mr. Nuttall said

that they must be out of the road right of way and there is some question as to where this might be at the intersection. If there is a site distance easement, they must be out of that distance as well.

Mayor Jones recognized Robert Wurz as a candidate. Ms. Halbrook pointed out that Mr. Richardson is a candidate as well.

Mr. Hooks welcomed Mr. Shelton back and say that hope that he is feeling better.

ADJOURNMENT: Mr. Flynt made a motion to adjourn. Mayor Jones seconded the motion. The meeting was adjourned at 9:25 PM.

Carolyn L. Joyner, Town Clerk

Approved:

Randle L. Jones, Mayor