

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, December 18, 2008.

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 Mickie Halbrook, Cheryl Steele, James Attaway, and Norman Cook.

Others present included: Guilford County Sheriff's Deputy Steve Christman, Town Attorney William B. Trevorrow; and Town Clerk/Finance Officer Carolyn Joyner.

After the Pledge of Allegiance, Council considered the proposed agenda. Mayor Jones indicated that there were two items to be added to the agenda, a driveway permit for the Town Park and the Sheriff's car. He moved to add them as Items 3 and 4 under New Business. Mr. Attaway seconded the motion. Mayor Jones made a motion to approve the agenda with the two additions. Mr. Attaway seconded the motion. All Council members voted aye and the agenda was approved.

The minutes of the Regular Meeting of Town Council were not available.

NEW BUSINESS:

Report from Guilford County Sheriff's Department: Deputy Christman reported five alcohol and drug incidents, one B&E of a motor vehicle which occurred during the Parade at the church on Stokesdale Street, two domestic incident reports, and one resist arrest. There was a total of twelve B&E of motor vehicles in Stokesdale this year with only one of the vehicles being locked at the time of the break-in. He encouraged everyone to lock their vehicles especially if there are any valuables left in them. There was the report of an armed robbery at a residence at the dead end of Angel Pardue Road at about 1:00 AM this morning. The major crime detectives are investigating some leads in the case.

NEW BUSINESS:

REZONING CASE #08-11-STPL-06030: RS-40 TO LO. Located on the north side of US HWY 158 approximately 360 feet east of NC HWY 68 in Oak Ridge Township. Being Guilford County Tax Map 2-S, Block 12, Parcel 2, approximately 0.546 acres. Owned by Gas Town, Inc. Reidsville Watershed.

Mr. Nuttall presented the case as follows: This request is to rezone approximately 0.546 acres from RS-40, Residential Single Family District to LO, Limited Office District. Mr. Nuttall noted that the staff report contained descriptions for the existing RS-40 and the proposed Limited Office zoning district.

The existing land use shows the current existing land use is a vacant single-family home. The requested land use is some type of future office type of use.

There is no zoning history of denied cases and there have been no requests for the property previously.

Surrounding Uses: Uses in the vicinity are residential uses to the north, single-family residential to the East, Educational uses to the South and motor vehicle sales/service to the West of the subject property.

RECOMMENDATION OF STOKESDALE FUTURE LAND USE PLAN (UPDATE 2007): This property is within the Town Core. Plan recommendations include development of professional office space.

HISTORIC PROPERTIES: There are two historic properties approximately 1000 feet from this property (Baywood Drive and Purgason Lane). Efforts should be made to rule out the potential of unknown gravesites prior to any site disturbance on the subject property.

UTILITIES AND COMMUNITY SERVICES: Public water is available to the site.

TRANSPORTATION: Existing Conditions: US Highway 158 is a major thoroughfare with an apparent right-of-way of 75 feet in this area. The property is just east of NC Highway 158's intersection with NC Highway 68, also a major thoroughfare. No improvements are proposed as part of the application. The NCDOT will review access requirements to US Highway 158 as part of its issuance of a commercial driveway permit. A driveway permit will be required even if the existing access is to be used. Projected Traffic Generation for permitted uses within a Limited Office District of this size would typically generate up to 25 trips per day.

PHYSICAL CHARACTERISTICS: There are no floodplains or streams located on the property. The property is located within the Reidsville Watershed. Built-upon-area (BUA) in excess of 24% of the total land area will require stormwater mitigation devices. However, town Core watershed provisions may exempt certain impervious area existing prior to 1993 from BUA calculations. This may aid development of the site.

Several maps are included with the staff report.

STAFF RECOMMENDATION: Staff recommends approval of the request. The request is supported by the Town's Future Land Use Plan (FLUP) as it will promote development of professional office space in the Town Core. Further, the Limited Office District provides a sensible transition between the commercial use to the west and the residential use to the east. Staff, therefore, believes the request is a reasonable designation for this property as it located on a major thoroughfare and is adjacent to a relatively intense commercial use. Approval of the request is in the public's interest as it will make additional office space available for a small business.

It is important to note that development of the site for anything other than small-scale office uses may be difficult in light of landscaping buffering, parking, and health department requirements but site constraints, if any, will become more apparent during review of detailed site development plans. Staff encourages the owner and any future developer to consider providing parking to the rear of any office structure to further implement the recommendations of the Town's FLUP. The Planning Board heard the request on December 4 and they unanimously recommended approval of the request sitting staff's rationale.

Mayor Jones opened the public hearing. Those speaking in favor of the request:

Brian Pearce, PO Box 3463, Greensboro, 27402, said that he was an attorney with Nexen Pruet and he was representing Gas Town, Inc. He reiterated the statement just made that this was a sensible transition to the residential area. Gas Town wants to use the property for limited office and that is what they are planning for it. The District is intended to accommodate low intensity medical and professional, administrative, and government offices uses on small to mid-size sites near residential areas. That is exactly what this property is. The property is located in the Town Core so this is in line with the Plan. The Town Core is recognized as the center of commerce and social activity and this property would fit in. He would answer any questions.

Crystal Bray, 8120 US Hwy 158, said that she was in favor of it.

No one spoke in opposition to the request. The matter was with Council.

Ms. Halbrook asked if there was room for parking in the rear of the building. Mr. Nuttall said that it was hard to tell since there was not a survey. He said that he felt that it was possible and he would discuss it with the developer when site plans are submitted. It may depend on septic issues on the property.

Mayor Jones made a motion to approve the rezoning based on the following reasons: the action is consistent with the adopted Stokesdale Land Use Plan; that the requested zoning in the district to Limited Office district is a reasonable designation for the property under its current situation and currently desired use; that this action will promote the public's best interest in that it is an appropriate use for development as office space in its current location and it is no longer reasonable to be considered residential due to the location and that residential application of that property is not practical based on location and its proposed use in addition provides for a sensible transition into appropriate use in the Town Core. Ms. Halbrook seconded the motion. All Council members present voted aye and the property was rezoned.

ROLL CALL VOTE:	Jones	<u>Aye</u>	Halbrook	<u>Aye</u>
	Attaway	<u>Aye</u>	Steele	<u>Aye</u>
	Cook	<u>Aye</u>		

Driveway Permit for the Park: The Clerk noted that the Town must have a NDCOT permit for a driveway for the park. The Mayor must sign for it and it is one of the steps that must be completed. Mr. Nuttall indicated that obtaining the permit is a part of the review process and it must occur before the site plan can be given overall approval. Ms. Steele made a motion to give the Mayor permission to sign the permit. Mr. Attaway seconded the motion. All Council members voted aye and the motion was approved.

Sheriff's Department Vehicle: Mayor Jones said that the current vehicle is showing some age and wear and tear and has developed transmission problems. With the current automotive situation, it may be a good time to purchase a car because of prices in the marketplace. The issue is whether Council would want to purchase a car through the fleet department of the Sheriff's Department. It would be replaced with a Dodge Charger at an approximate cost of \$24,000. The Finance Officer indicated that a budget amendment would be needed. Council has been reserving funds each year for the purchase of a new vehicle. Deputy Christman said that the cars are more fuel efficient than the Fords. The current car has about 64,000 miles on it. He said that the car was rear ended when it was about three months old and it has had other mechanical issues. Mr. Attaway said that he felt that it would be wise to replace the car since there were mechanical issues. The Finance Officer said that \$25,000 has been reserved for the purchase of a vehicle. Mayor Jones made a motion to purchase a new police package vehicle under the County bid process and that be for the Dodge Charger or the vehicle that meets the criteria of the Sheriff's Department and that the budget would be amended to cover the cost of the vehicle. Ms. Halbrook seconded the motion. All Council members voted aye and the motion carried.

UNFINISHED BUSINESS:

ROADS (Revitalizing Our Ancestors Dreams in Stokesdale) Report: Pam Lemmons: Ms. Lemmons said that she and her husband started ROADS several months ago. She said she wanted to clear up any confusion from the previous meeting about the ROADS agenda. She said that they had almost completed their building and she welcomed everyone to visit 8238 US Hwy 158 after the meeting to see what they have done. They are still working on plans for the building. She talked about the upcoming events for the group. Kate Dixon with the Friends of the Mountains to the Sea Trail will meet with ROADS on January 20. The Trail is supposed to come through the downtown area of Stokesdale and she will be able to tell how that will happen since it has not been done before. She will be here from 4:00 to 6:00pm. She is hoping to bring the Guilford County Open Space Plan with her. ROADS hopes to have an auction in February and it will be announced later. They will have a Fancy Flea in conjunction with Stonefield Cellars in the spring. The markets will begin again on March 7 and will be held the first Saturday of each month at the Business Park.

Ms. Lemmons said that ROADS wants to explore establishing a historic business district for the downtown. They feel that by developing a central business district, some of the Guilford County regulations can be relaxed. She said that we are dealing with the third largest city and we fall under their rules and regulations. Of course we are helping to explore the immediate needs for a Town Hall and a community park and unfortunately the hard economic times that we are up against. They may urge Council to set up some exploratory groups to look at those situations. She mentioned the lights that were put on the tops of the buildings by Bill and a helper. She was not sure when they would turn them off but said that they would be solar powered by the end of the week. They have not heard from IRS regarding their non-profit status.

She mentioned that we had applied to NC Small Town Mainstreet Program last year and were in the final four but was not accepted. Another conference will be held in January and she was thinking about attending. She said that we need to be thinking about whether Stokesdale wants to pursue this again and if we do, more letters of support from Council than we had last time are needed and they need a little more representation from Council than last time if it is something that we are willing to do. We need to have some dialogue about it. Last time there were questions raised about the Town not having a tax and she did not know if that played into the fact that we were not accepted and there were a couple of other things that could have played into it. She is trying to dig deeper and find out why we were not accepted and see if it is worthwhile since it was a lot of effort.

COMMITTEE AND BOARD REPORTS:

Consider Applications submitted for Committee Members (Continued from November 20): Mayor Jones said that in the past, Council has done personal interviews with the candidates. Mr. Attaway said that he did not recognize some of the names and he would like to meet and talk with them briefly. Mayor Jones said that the interview process would allow Council to speak with them and if there was more than one candidate for a position, you could talk with them and determine if they are interested in different committees which would be an advantage. Ms. Steele made a motion to hold interviews on the second Tuesday, January 13 and if anyone can't make it then they could come on January 15 before the Council meeting. The meeting would begin at 6:30 pm with each applicant scheduled for ten minutes. Ms. Steele asked if there were a specific number of members for each Board. Mayor Jones said that the Planning Board had a specific number of positions. Other Boards do not have a specific number but generally there are no more than two Council members on a committee because of open meeting laws although the meetings are announced. He suggested that if Council wants to set specific numbers for committees they should be prepared to discuss it at the meeting. Ms. Steele asked if committee members have to live within the town limits of Stokesdale. Mayor Jones said that it was policy that voting members representing the Town should be residents but anyone can attend the meetings. He clarified that committees do not have power or authority to encumber the Town financially or represent the Town from the point of incurring debt or saying this is what the Town's position is on a matter. Committee members work on projects and report back to the Council and the Council approves funding and makes any decisions as to the Town's position on matters. Mr. Cook questioned the number of members for a committee since most of the applications were for the Ordinance Review Committee. Mayor Jones said that the number may need to be limited as to the number that would vote. He suggested that Council should look at the numbers and be prepared to discuss it at the meeting. Usually there is an odd number of voting members. Mayor Jones said that it would be good to ask those who had applied if they are willing to serve if it is not a voting position and if they would be willing to serve on another committee if they cannot serve on one committee.

Mr. Cook seconded Ms. Steele's motion. All Council members voted aye and the motion was approved.

The Clerk noted that one of the Planning Board Alternates had sent in his resignation. Mayor Jones read the letter from DeLon Richardson. A copy of the letter is hereby incorporated into and made a part of the minutes of the meeting. Ms. Halbbrook asked if there would be enough alternates. The Clerk replied that there would be four alternates remaining on the Board which has been an adequate number in the past. Mayor Jones made a motion to accept Mr. Richardson's resignation. Mr. Attaway seconded the motion. All Council members voted aye and the motion carried.

Departmental and Administrative Reports: Finance Report: October & November, 2008: The Finance Officer noted that there were two reports. She noted that on the October report that the total current assets were over \$5M. October checking account transactions for the Water Enterprise Account included a payment of \$420 to NC Department of Natural Resources for the permit to operate the Town water system; \$177.68 to the NC State Treasurer for Unclaimed Property which was funds that were due customers that left no forwarding address so that deposits could not be returned to them and there were a couple of refunds of water deposits. The General Fund checking account had routine transactions. Sales Tax in the amount \$201.05 was refunded for the taxes paid on purchases in the 07-08 fiscal year. The General Fund savings account reflects some planning fees that were collected during the month. The Money Market Checking accounts shows the deposit of \$11,848.05 from interest earned on Certificates of Deposit. \$74.73 in interest was earned on the account. Two Certificates matured during the month. They were renewed at 2.25% for 6 months.

The November report shows a payment of \$3,100 to Canon & Company for a progress billing for the audit and a payment of \$524.61 for the rental of chairs for the November meeting. Accounts payable includes Updates and Indexes for the General Statutes \$280.28 The General Fund Savings Account reflects the deposit of ABC profits of \$1,323.99 and time Warner Cable Fees of \$1,459.91. Parade Fees are beginning to come in. The money market savings account shows \$12,672.40 was the amount earned on CD and deposited into the account. The Park Capital Project includes the payment of \$1,300 to the Guilford County Health Department and a payment of \$5,253.65 to Stewart, Cooper; Newell Architects. Accounts Payable for the Park includes an invoice for the \$50.00 for the driveway permit. The Architects have billed the Town for \$7,986.53. Vaughn Surveying has billed the Town for \$410.00 for marking locations of improvements and boundaries before the test pits can be dug. The test pits are scheduled to be dug tomorrow.

Under Accounts Payable, Yates Construction had billed the Town \$1,803.48 for the repair of the waterlines which were damaged on the day of the November meeting. Ms. Joyner asked who she should bill for the repair. Mayor Jones said to check with their regional representative to see who it should be sent to.

Ms. Joyner noted that Stewart Cooper Newell Architects (SCNA) have been paid at total of \$138,784.86. An initial master design for the entire 25 acres was created at a cost of \$11,370.10 which includes some reimbursable expenses such as travel and the costs of producing site plans. To date, \$74,200.96 has been paid on the Town Hall design. The billing is broken up into phases such as schematic design and design development. Most of the cost for the Construction documents for the Town Hall has been billed. The bidding and negotiations, and construction administration for the Town Hall has not yet occurred. Ms. Steele asked if the specs are all completed. The Clerk said that the documents are completed for the most part and are ready when the Town is ready to proceed with the project. She pointed out that all of the billing is based on estimated construction costs. When the project is bid, if the construction costs are higher, then there could be additional fees to be paid to SCNA. To date, SCNA has billed \$53,213.80 for the Park which includes most of construction documents. The plans for the Park have been reviewed by the Planning Staff and were approved this month by the Planning Board. One issue of discussion was the walking trail which encircles most of the property. The front portion of the trail along Angel Pardue Road was to be completed when the Town Hall is built. The architects will be making some changes to show the walking track as a complete circle with the portion being asphalt rather than a sidewalk along Angel Pardue Road.

The soil borings have been done but the report has not been received. Bill DeYoung says that some rock was found but it may or may not be of any significance.

Administrative Report – Town Clerk: The Clerk reported that she had attended a meeting on the Jordan Lake Rules. Because more than ten objection letters had been received, the rules will be reviewed by the General Assembly beginning in late January. The COG had hoped to put together a package of information about the options that are available to continue voicing objections to the rules. The rules have not been changed and the retrofitting of existing development with stormwater devices continues to be a great concern because of the costs associated with it.

Mayor Jones said that he went to the legislature last year and talked to the representatives about the Rules and many of them are not familiar with that aspect of it. He said that he had also talked with elected officials from our district and others that are newly elected and they feel that there may be hearings with testimony about the drastic impact that it would have on governmental agencies and municipalities especially those that are so far removed from Jordan Lake such as Stokesdale. Some of the rules exceed practical application. Some local officials on the State level will be leading the charge on this. In January there will be a Mayors Meeting and it will probably be a topic of discussion. The Clerk said that the PTCOG was continuing to work on the matter as well.

LEGISLATIVE ACTION:

Consider Resolution in Support of the I-73/68 Connector: Mayor Jones said that there had been a request to join with other governmental agencies and entities to support the building of the I-73/68 Connector. Mayor Jones said that they are looking at the area that runs through Rockingham County and that Stokesdale and Summerfield area and going toward the airport. He said that years ago there was the issue of a 68 connector versus a 220 connector. Stokesdale opposed the 68 connector because it would take a number of homes and businesses plus about 18 cutovers between Stokesdale and the airport. The alternate route was to go through Summerfield in the Henson Farm area toward Northwest School. He said that Council may want to look at more detailed maps of the connector. The Clerk noted that she had spoken with Craig McKinney, and Lydia McIntyre who have been to Town Hall on numerous transportation issues and they said that this had been the route since the 1990's. There is no consideration for any changes since NCDOT has done the studies and public hearings. They may do an explanatory session on it this spring but changes in the route will not be considered. Ms. Steele said that she thought that the GIS maps have it clearly shown on them. The Clerk noted that Mr. Rakestraw and other supporters were looking for funding for the highway, Mayor Jones said that they were trying to prioritize it and that is the purpose of the resolution. Mr. Trevorrow said that if something changed, then Council could withdraw their support of the resolution. He noted that it was not necessary to have the committee member's names in the document. Mr. Cook said that he did not see the need to support it. The Clerk said that the Connector should take traffic off of NC 68 and reduce some of the safety concerns for the traffic on NC 68. Mayor Jones said that the main concern of some of the other entities was

economic development (marketing and jobs) that may occur as the result of the route. Stokesdale may receive the benefit of some of the development as well. Ms. Steele made a motion to support the connector. Mr. Attaway seconded the motion. Council voted 4 to 1 to support the resolution. Mr. Cook voted nay.

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

COMMENTS FROM THE FLOOR: Steve Miller who resides in Springdale Subdivision said that this was the second Council meeting that he had attended. He said that he has lived here two years and loves the community. He has a business background and hoped to be able to help the community in some way.

COMMENTS FROM COUNCIL: Mr. Attaway asked for clarification from Mr. Trevorrow on a matter. He said that usually when a business sells alcohol, they must come to the Town for approval. That has not happened with Food Lion. He asked if they were under some sort of corporate coverage or if they needed to come to the Town. Mr. Trevorrow said that he thought there was a provision in the law that the County has authority over the approval of a permit that ABC is authorized to extend a permit and apparently the County had authorized a beer and wine permit. Mr. Nuttall said that the Planning Department had received an ABC compliance application from Food Lion several months ago. There are three elements on the form. There is an approval from building inspections, a sign-off of the Fire Marshal's Office, and a sign-off from zoning compliance. Generally the contracted planner for the jurisdiction will look at the zoning and route it to the Fire Marshal and the zoning compliance. Mr. Attaway said that the Sunoco, Stonefield Cellars, and Village Pizza had to have one. Mr. Nuttall said that the ABC Board did receive comments from County Planning. Mr. Trevorrow suggested that Mr. Attaway should call the ABC Board in Greensboro and they should be able to answer the question. Mr. Nuttall said that the selling of beer and wine is a permitted use at this location. He said that the sign-off for the zoning compliance could be directed to the Town if that is what is desired. Mayor Jones said that Mr. Attaway was the Town ABC representative and he should call and check on it. Mr. Trevorrow noted that it was important that the money would flow where it is supposed to go.

Tim Jones noted that the Food Lion has an Oak Ridge address and it is being advertised as being in Oak Ridge and he expressed concerns that any flow of funds from the store could be influenced in the same way. Mayor Jones said that the Town receives a portion of the ABC profits from Oak Ridge and Greensboro, and Jamestown and the address makes no difference. He said that several years ago, the Town asked citizens in the area of Food Lion if they wanted to change their address to Stokesdale. People responded that they wanted it left like it is because citizens did not want incur the costs of making the changing by notifying businesses and creditors of a change.

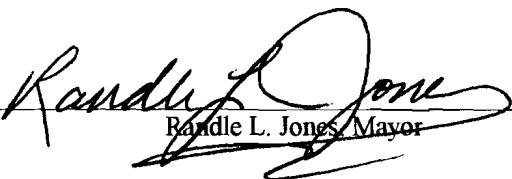
Ms. Halbrook said that the advertising for Food Lion was printed several weeks ahead and they will be making a correction.

The Clerk noted that the NCLM has published a book titled "100 Years of Serving and Celebrating Cities and Towns." The Town of Stokesdale is included in the book along with the picture of downtown that was made in about 1905.

ADJOURNMENT: Mayor made a motion to adjourn. Ms. Steele seconded the motion. All voted aye and the meeting adjourned at 8:45 pm.


Carolyn L. Joyner, Town Clerk

APPROVED:


Randle L. Jones, Mayor