

**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, March 20, 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 Deputy Steve Christman; and Carolyn Joyner, Town Clerk/Finance Officer.

After the Pledge of Allegiance, the invocation was given by Mayor Pro Tem Halbrook.

Council considered the proposed agenda. Mr. Attaway made a motion to approve the agenda. Ms. Halbrook seconded the motion. All Council members voted aye and the agenda was approved.

Mr. Attaway made a motion to approve the minutes as presented and without reading. Ms. Halbrook seconded the motion. All Council members voted aye and the minutes for the February 21, 2008 Town Council were approved.

**NEW BUSINESS:**

**Report from Guilford County Sheriff's Department:** Deputy Christman reported that 23 incident reports had been taken since the last meeting. There were 4 assaults which included an incident on Mt Carmel last night that occurred when a vehicle hit a house, 2 property thefts, 1 residential breaking and entering which was a family related issue, and 1 business breaking and entering. Deputy Christman noted that District 1 is getting a lot of calls for residential break-ins around the Church Street and Hwy 150. He encouraged citizens to call in if they see any suspicious vehicles in their neighborhoods. He said that the District 1 office has relocated to a new office on US Hwy 220. The new phone number is 643-2300.

**PUBLIC HEARING:**

**REZONING CASE #08-02-STPL-00785: AG and RS-30 to CU-HB.** Located on the west side of NC HIGHWAY 68 approximately 1,800 feet north of HAW RIVER ROAD (SR 2028) in Oak Ridge Township. Being Guilford County Tax Map 1-58-A, Block 1114, Parcel 18 and 21, approximately 6.09 acres. Owned by Combs Development, LLC.

Mr. Nuttall presented the case as follows: The request is to rezone the property from Agriculture to Conditional Use Highway Business. The following amended uses have been proposed by the applicant:

**BUSINESS, PROFESSIONAL and PERSONAL SERVICES:**

Accounting, Auditing or Bookkeeping  
Administrative or Management Services  
Engineering, Architect or Survey Service  
Finance or Loan Office  
Insurance Agency (no on-site claims inspections)  
Law Office  
Medical, Dental or Related Office  
Medical or Dental Laboratory  
Noncommercial Research Organization  
Office Uses Not Otherwise Classified  
Real Estate Office  
Rehabilitation or Counseling Services  
Research, Development or Testing Services  
Stock, Security or Commodity Broker  
Travel Agency

Development of the property shall take place in accordance with the following requirements, which are in addition to those specified by the Town of Stokesdale Development Ordinance:

1. All applicable scenic corridor guidelines as outlined and specified in the Town of Stokesdale Future Land Use Plan and/or the Town of Stokesdale Development Ordinance shall be followed when developing this site.
2. Any Site Plan submittals that include new building construction shall include front, back and side building elevations to ensure compliance with the Scenic Corridor Guidelines.
3. A Master Sign Plan shall be submitted to the Town of Stokesdale for review and approval. All signs on the property shall follow the approved plan in order to provide uniform signage for the entire property and to ensure compatibility in scale, size, material and character.
4. All illuminated signs must be lighted internally or lighted by top mounted lights pointed down. No sign may be illuminated by fixtures not shielded from upward transmission of light. Lights that flash, pulse, move or simulate motion are not permitted.
5. All outdoor light fixtures shall be shielded to prevent light trespass on adjacent properties or upward transmission of light, with the exception of those lights necessary for safety and security.

Since the Planning Board meeting, it has been determined that one use, Research, Development or Testing Services, is not a permitted use in the Highway Business District and should be removed from the list.

The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

The RS-30, Residential Single-Family District, is primarily intended to accommodate moderate density single-family detached dwellings on lots in areas without access to public water and wastewater services.

The HB, Highway Business District, is primarily intended to accommodate those retail service and distributive uses which are typically located along thoroughfares. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. Developments in this district generally have substantial front setbacks.

**Land Use:** Existing Land Use is residential. The requested land use is commercial and there is no history of denied cases. The surrounding land uses to the North are agricultural and rural residential. To the South is residential and home business. To the East is undeveloped and rural residential and to the west is undeveloped.

**RECOMMENDATION OF STOKESDALE LAND USE PLAN (2007 Update):** The Future Land Use Map designates the subject properties residential. Plan goals and policies recommend seeking a balance between accommodating new commercial growth, minimizing sprawl, and preserving the Town's rural character.

**HISTORIC PROPERTIES:** There are no inventoried properties located on or near this property. Efforts should be made to rule out the potential of unknown gravesites prior to any development.

There are plans to extend public water from Prince Edward Road to Haw River Road to serve the proposed Food Lion Shopping Center. When this occurs water will be available to the subject property. It is in the Stokesdale Fire protection district and is about 3.3 miles from the Station.

**TRANSPORTATION:** NC 68 is a State maintained major thoroughfare with a variable right of way in the area. NCDOT shows an annual average daily traffic count from 2005 of 16,000 vehicles on NC 68 north of Haw River Road and 3200 on Haw River Road west of NC 68. There are no binding traffic improvements proposed as a part of the application. The applicant has submitted a traffic impact analysis which recommends right and left turn lanes should a multi-tenant medical office facility be constructed. Ultimately NCDOT will review any proposals for the site driveways and any improvements to NC 68. It is difficult to project the traffic generation for the site since there is not a specific use at this time. The TIA that was submitted assumes approximately 28,000 square feet of medical office space. Projected traffic generation is estimated for a 24-hour 2-way volume of 1,103 trips.

The property is not located in a water supply watershed but it is covered by Phase II stormwater regulations so there will be stormwater controls on the site should it be developed commercially.

**STAFF RECOMMENDATION:** The request was recommended favorably by the Planning Board who voted 7 to 0 in favor of the amended request. The Planning Board reasoned that this is a developing commercial area and disagreed with the Land Use Plan’s recommendation that generally encourage commercial development in the Town Core and along US Hwy 158 sighting environmental and space constraints. With the conditions and limited uses proposed, the Planning Board does believe approval will lead to future development that will be an asset to the community.

The staff report based on the original request was to recommended denial of the request. Overall Mr. Nuttall said that he believed that the application before Council is much improved and more closely reflects the Planning Boards position on the need of these types of professional services. He said that he also believes that the approval will increase commercial development pressure northward up NC Highway 68 and may lead to incompatible land uses and commercial sprawl.

Mayor Jones opened the Public Hearing. Each side would have 15 minutes to speak with five minutes for rebuttal.

Those speaking in favor of the request:

Bob Dischinger, Evans Engineering, 4609 Dundas Drive, Greensboro, said that he was representing Combs, Inc. He thanked the planning Staff and Planning Board members for their patience in determining the permitted uses in the Highway business district that reflected the uses that Mr. Combs intends to place on the property which is a professional office and medical park.

No one spoke in opposition to the case.

Mayor Jones asked for a show of hands for those that were in favor of the proposal. About 6 people raised their hands. He then asked for a show of hands for those opposed to the project. No one raised his hand.

There was no rebuttal from either side. Mayor Jones then took questions from the public regarding the case.

Kathleen Hommel asked what type of rehabilitation uses would be allowed. Mr. Nuttall said that physical therapy would be allowed under the medical offices and rehabilitation or counseling services may be more related to mental or drug dependency services that may be offered. Mayor Jones said there may be a distinction between counseling and a rehabilitation program and a rehabilitation center where people may be living on the premises. Mr. Nuttall said that a family care home or a group home (a larger facility) would not be permitted in this district.

Betty Lou Hand, 7729 NC 68, adjacent to the property questioned the location of the turn lanes and how much of her yard would be taken up in turn lanes. Mr. Nuttall said that the scale or size of proposed facilities would have some bearing on the size and location of the turn lanes with the width of right of way in front of the property having a greater impact on the turn lanes. Mr. Nuttall did not have information on the amount of right of way at this location but he said that generally it is 100 feet from centerline which would be fifty feet from the centerline of the road. Mr. Dischinger said typically they add six feet on each side of the road to create another 12-foot lane and the road is restriped. He also said that some portion of a taper for a southbound right turn lane could be in front of Ms. Hand’s home. Ms. Hand said that she was in favor of the project but she was concerned with the addition of the turn lane and she did want to be any closer to NC 68 that she is now. She asked if you have to pay taxes on property in the right of way. Mr. Nuttall said that generally you should not be paying taxes on it. Mayor Jones said that she said check with the tax department.

Ms. Halbrook made a motion to approve the rezoning and to incorporate, by reference, the recommendations of the Planning Board’s rationale. Ms. Steele seconded the motion. Council voted 5 to 0 to approve the rezoning.

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

**UNFINISHED BUSINESS:**

**Planning Board Applications /Appointments:** Mayor Jones said that there are three Planning Board members whose terms are expiring for March, 2008. Scott Lawrence, Robert Wurz, and Jaycee Spruill are the members whose terms are expiring. The Clerk indicated that Mr. Lawrence has not applied. Mr. Spruill had not indicated

that he would not be interested in continuing on the Board and Mr. Wurz has submitted an application. There are seven applications included in Council's packet. Mayor Jones said that in the past interviews have been set up, interviews held for all applicants and then at the next meeting, make recommendations based on the interviews. Mr. Attaway made a motion to hold interviews. Ms. Halbrook seconded the motion. After the Clerk checked the calendar for Town Hall, it was decided to hold interviews on Wednesday, April 9 beginning at 6:30. Mr. Attaway said to incorporate the date into the motion. Mayor Jones said that the motion was to hold interviews for the seven Planning Board applicants that were received. The applicants would be notified and the interviews would be held on Wednesday, April 9 beginning at 6:30 PM. Council confirmed that this was the motion. All Council members voted aye and the motion passed.

**Appointment of Budget Officer/Budget Committee: All Budget Requests must be submitted to**

**the Budget Officer by April 30:** Mayor Jones indicated that procedure is to appoint a budget committee. They will meet and review requests, which must be submitted by April 30. Mayor Jones made a motion to appoint Finance Officer, Carolyn Joyner, Councilman James Attaway, and Mayor Randle Jones to the Budget Committee. Ms. Halbrook seconded the motion. All Council members voted aye and the Budget Committee was appointed.

**Other Committee Appointments:** Mr. Attaway said that one application had been submitted for the Public Safety Committee. He asked if Council would like to interview the applicant when the Planning Board interviews are held. Ms. Steele asked if there had to be an interview since there was only one application. Mayor Jones said that the number of committee members and vacancies as well as the number of applicants may influence whether committee members are interviewed. Ms. Steele said that since there was only one applicant and Council had reviewed the application, it did not seem that an interview was necessary. Mr. Attaway made a motion to appoint Thearon Hooks Jr. to the Public Safety Committee. Ms. Halbrook seconded the motion. All Council members voted aye and the motion was adopted.

The Clerk asked for a clarification on setting up a planning board interview for Mr. Spruill since he had not submitted another application and was not included in the number of applicants previously discussed. Council clarified that it was their intention to interview Mr. Spruill since his application had been submitted a few months earlier. Mayor Jones made a motion since he had only recently been appointed and there was the belief that he wished to continue to serve, that he would be a part of the interview process as well. Ms. Steele seconded the motion. All Council members voted aye and the motion was approved.

Mr. Attaway said that there was a business on Hwy 65 that has a motion type of sign and he had been asked if the Town could do something about it. Mayor Jones said that it may be an enforcement issue. Mr. Attaway said that he would report it.

**COMMITTEE AND BOARD REPORTS:**

**Committee/Board Reports:** No reports were given.

**Departmental and Administrative Reports: Finance Report - February 2008:** The Finance Officer reported that assets had dropped by about \$5,000 since the January report. Several certificates of deposit matured during February and they were renewed at about 4% and interest rates are continuing to drop. Checking account transactions include a payment of \$18,293.31 to Guilford County Finance Department for Law Enforcement for 4<sup>th</sup> quarter, \$444.10 was paid to Covington Diesel for the annual maintenance for the generator, and \$3,280 was paid for soil borings on the Town property.

Accounts Payable for General Fund included an invoice from the News & Record for advertisement of public hearings for a total of \$788.24. The General Fund Savings account reflects several deposits made up of planning and zoning fees and the deposit of Greensboro ABC Profits from 4<sup>th</sup> quarter of \$1,426.07.

Several General Fund Certificates of Deposit matured during the month of February which earned a total of \$20,515.57 in interest. The Water Enterprise Account also had certificates that matured during the month. They earned \$2,561.56 in interest. The Water Enterprise Checking account shows routine transactions. Water Technology & Controls was paid \$7,16.61 which was for the January operation of the water system and for water testing for August through January. Accounts Payable shows an invoice for the City of Winston-Salem for water in the amount of \$4,536.79 and an invoice from Yates Construction Company for installing meters in the amount of \$396.55.

**Administrative Report:** The Town Clerk reported that she had completed a review and update of address files for the 2010 Census. A number of new addresses were added.

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

**COMMENTS FROM THE FLOOR:** Thearon Hooks, 8135 Shoeline Road, thanked Council for their vote of confidence in appointing him to the Public Safety Committee. He asked if Town Hall had any of the New Guilford County drug cards. Mr. Nuttall indicated that he had delivered some to the Clerk at the request of Beverly Williams. The County is offering the card to residents of the County. There are no costs to the residents or to the County for the card and it is totally free. It allows residents to obtain a 20% discount if their prescription is not covered by insurance. It may be used for animals and pets as well.

Vicki White Lawrence, 8400 West Falls Lane, noted that the Planning Board meets on April 3 and Council will be interviewing applicants on April 9 and asked what that would mean as to the makeup of the Board. Mayor Jones said that generally existing Board members continue to serve until they have been replaced. Although the terms have expired, until a new member is appointed and certified, the current members would continue in their capacity until new ones are certified. He said that Council can check with Mr. Trevorrow on the matter.

Mahalia McGee said that Planning Board members should be notified so they would know they were to continue serving as there were some comments made at the last meeting about their status.

Jim Flynt said that part of the Planning Board problem that occurred in December and January was the lack of a process or the process was inconsistent, or you did not adhere to the rules. He said that Council has seven or possibly eight applicants for the Planning Board. There are several alternates serving on the Planning Board now. The purpose of having alternates is twofold; in the situation you have now, when a members term expires, his service would end at that moment. Four members are a quorum. If three vacancies have occurred, the alternates can take the place until a member is appointed. The purpose of the alternates is also for them to learn the ordinances and the procedures with the ultimate goal of being elevated to a seat on the Board. He felt that some of the alternates would be interested in being a full member but they did not submit another application. He felt that the alternates should be considered on the same basis as the other applicants.

Robert L. Casey, 8146 Flat Rock Road, said that he has been on the Board since it began. After noting that terms are limited to two three-year terms, he asked if Council was going to take any action on the members who were serving their third term which has not expired. Mayor Jones said that there has not been any motion or legal requirement to have any member removed. He said it was his opinion that by allowing members to complete their term, it provides continuity for the Board. He said that he had not received any complaints. He noted that the Planning Board makes recommendations and the decisions they make can be appealed to Council and Council has final authority. He does not feel that it is an issue and until it arises as an issue, then Council will seek legal counsel. He noted that two of the applicants have served previously on the Board and are eligible to serve another term. Alternates have been moved into other seats in the past.

Someone asked if the interviews would be an open meeting. Mayor Jones said that it would be an open meeting.

**COMMENTS FROM COUNCIL:** There were no further comments from Council.

**ADJOURNMENT:** Mayor Jones made a motion to adjourn. Ms Steele seconded the motion. The meeting adjourned at 8:24 PM.

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Carolyn L. Joyner, Town Clerk

Approved:

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Randle L. Jones, Mayor