

**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, May 15, 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; Town Attorney William B. Trevorrow; and Town Clerk/Finance Officer Carolyn Joyner.

After the Pledge of Allegiance, the invocation was given by Rev. Claudia Harrelson, pastor of Stokesdale United Methodist Church.

Council considered the proposed agenda. Pam Lemmons asked to add consideration of a resolution in support of the NC Small Town Main Street Program. The Clerk suggested two additional items for Council to consider, the Extension of Waterlines on NC 68 and a NCDOT reasonable access request. Mayor Jones suggested placing the items before the administrative reports. Mr. Attaway made a motion to approve the agenda. Ms. Halbrook seconded the motion. All Council members voted aye and the agenda was approved.

The minutes from the April meetings were not available.

**NEW BUSINESS:**

**Report from Guilford County Sheriff's Department:** Deputy Christman reported that since the last meeting there has been 3 theft of property reports, 1 B&E of a motor vehicle, and 5 assault incidents with most of them being domestic related. He encouraged citizens to call if they see suspicious persons. He reported a break-in a few hours earlier on Hwy 220 and two suspects have been arrested for breaking and entering a residence. Two suspects were arrested yesterday in Brown Summit for breaking into a residence. He said that there seems to be a shift to the western part of the County and they are moving this way from Greensboro.

**APPEAL: SITE PLAN 08-03-STCP-01504; 7612 Pearman Quarry Minor LCID: April 3, 2008:** Joel Richardson requests approval of a site plan to permit the operation of a Land Clearing and Inert Debris (LCID) Landfill and an accessory beneficial fill area. The property is located at 7612 Pearman Quarry Road, totals 16.4 acres and is identified as Tax Parcels 16-06-0376-0-1180-006 and 007. Zoned AG.

Mr. Nuttall reported that the Planning Board heard the site plan case on April 3, 2008 and the decision has been appealed to the Town Council. The Board granted the plan conditional approval with the condition being that all reported staff comments be addressed and revised plans be resubmitted to staff for approval. The original staff report has been included in Council's packet as well as the provisions of the Town's Zoning Ordinance that apply to LCID's and beneficial fill areas. Following the Board's approval and, as permitted by Section 3-11.4(C) of the Development Ordinance, Mr. John Carlson and Ms. Carolyn Beery filed an appeal of the decision on April 18, 2008. The review of the plan is considered an administrative decision. An administrative decision is considered a non-discretionary decision and requires the deciding body to approve a plan that meets all of the requirements of the Development Ordinance or to deny a plan that does not meet all of the requirements of the Ordinance. A denial must include a reason for the denial, namely the Ordinance provision that is not satisfied. An approval of the plan would be an affirmation that the plan meets all of the requirements of the Ordinance for the proposed uses.

Joel Richardson requests approval of a site plan to permit the operation of a Land Clearing and Inert Debris (LCID) Landfill and an accessory beneficial fill area. The property is located at 7612 Pearman Quarry Road,

totals 16.4 acres, and is identified as Tax Parcels 16-06-0376-0-1180-006 and 007. The property is zoned Agricultural. The submitted site plan shows a 2-acre area for the LCID, a .7-acre area to be used for beneficial fill, and a looping drive from Pearman Quarry Road. A dwelling is located on the property.

Mr. Nuttall indicated items listed under the Staff Comments have been completed as follows: The property has been combined into one property and a proper deed has been recorded in the Register of Deeds office. NCDOT has issued a driveway permit for access to Pearman Quarry Road. The plan before Council meets the Ordinance requirements for and LCID and beneficial fill use.

Mr. Trevorrow made some comments since this was the first appeal case that some Council members have heard. The process of this type of appeal is not to find facts like in a zoning case when you listen to people say why they do not want a property to be rezoned. In this type of appeal process, you are looking for whether the request for the LCID meets the requirements of the Ordinance. That is all that you are looking for. Whether there is any outside involvement of traffic, or schools or noise or whatever, it is not a part of the hearing. If you are satisfied that the provisions of the ordinance in terms of placing an LCID are met and Mr. Nuttall has given a report on that information and he said that it does meet the requirements of the Ordinance. You are now listening for why the requirements of the Ordinance have not been met.

Mayor Jones opened the public hearing portion of the meeting. He indicated that each side would 15 minutes to speak with five minutes of rebuttal.

*Those speaking in favor of the matter:*

Bill Greco, Land Solutions, 7622 Bentley Road, Greensboro, pointed out that is not a process that you normally have to go through with a site plan. The original submittal of the plan did receive conditional approval of the Planning Board. Those conditions have now been met. Both Planning Board and staff say it meets the requirements of the ordinance and his company creates plans that meet the requirements of the ordinance. He said that he had not received any specific section cited from the Ordinance as a reason for the appeal. The initial site plan approval of any site is a trigger that allows other things to happen with regards to permitting. NCDOT has visited the site and approved a driveway permit. The fire marshal has reviewed the plans and made recommendations which have been addressed. He said that the plan meets or exceeds the standards of the Ordinance. He noted that the Richardson's are in attendance and he would answer any questions.

*Those speaking in opposition:*

John Carlson, 7607 Pearman Quarry Road, Kernersville, said that the Council of Stokesdale has gone through a lot of trouble to develop a land use plan and the vision statement and the Ordinance has nothing to do with that vision. The Ordinance is out of harmony with the community and the lifestyles of the people who live here. The Ordinance was designed 20 years ago so that farmers could put debris in their fields where it would not be seen and would not impact the rest of the community. Those times have changed. What was in the middle of nowhere is now in the middle of his front yard. He said that Council was doing an injustice to him and the rest of the community if the Ordinance was allowed to go forward. He said that from the comments, Council was not interested in the safety of the community or the effects on the water supply. He felt that the ordinance needs to be changed. Twenty years ago the area was agriculture and today it is residential. The Ordinance should ban LCIDs within the City of Stokesdale.

Cheryl Arledge, 8700 Warner Road, said that she her husband Jean lives at the corner of Pearman Quarry and Warner Road and they have lived with speeding dump trucks, dust, dirt and mud from trucks going into and out of the LCID dump across the street on Warner Road. She said that the permitted materials of stumps and tree limbs are brought in but they also see scrap metal, tires, construction materials and demolition waste going into the landfill. In August 2004 an audit/inspection was done and they were sited to remove all of the unacceptable materials and to cover the area with it with soil which they were not doing. These audits are only done when there are complaints. It was supposed to be open for four years and it has been in operation for 10 years. Brames Landfill, further down Warner Road recently caught on fire jeopardizing all of the homes in the area because of irresponsible control of materials being dumped. It is still smoldering. There are no fire hydrants in the areas so water was brought in. She was concerned over the amount of the smoke and ash in the air. She felt property values are at stake in the area and it is an attempt to end the peace and tranquility of the neighborhood. She said her final thought was that it was about greed and that was not what the community is about.

Mary Ann Williams, 8632 Warner Road, said that she has fought dumps for 20 years now. She said that there are two closed landfills, one on Warner Road and one on Happy Hill Road. Dexter Hill's on Warner Road is in the process of being closed. There are two active landfills, the Brame landfill on Warner Road and the Anthony Landfill on Anthony Road. All of these are within a one half-mile area. She said that fires at landfills are a regular occurrence with 8 occurring in the last 6 months according to the Fire Marshal. She said that these landfills have not been covered with dirt. Even if it is covered, there can still be fires. She said that the site of the proposed landfill is virgin forest and the trees have not been cut in one hundred and fifty years. She felt that it will impact the wildlife of the area. She said that this was one area where Stokesdale could expand but people may not want to come here is there are landfills. She said that Oak Ridge asked Stokesdale to do an ETJ and Stokesdale had a conflict of interest. She said that there are six springs on the adjoining Combs property which combine and feed into Belews Lake. She said that approximately 62 loads a day are going into the landfill. She suggested that limbs should be mulched.

Christine Staub, 7737 Pearman Quarry Road, noted that Ms. Joyner had pointed out when they called, that since the site plan was approved according to the Ordinance, the appeal would have to show that the Ordinance was not followed. She said that in 1993 someone wanted to put a landfill at the intersection of Warner Road and Pearman Quarry. At that time, Guilford County made decisions, and the County denied the LCID and said that it would contaminate the water, decrease the property values, and mar the peace and quiet of the neighborhood. She has lived on Pearman Quarry for 10 years and there are new homes there now. She expressed concerns over the dump trucks on the road with her children as they are learning to drive. She asked Council to use their creativity to find some way to deny this request.

Bobby Dimmette, 7615 Pearman Quarry Road, said that all of the residences are not shown on the site plan. His property is directly across the road from the property. He felt that Council should change the Ordinance and preserve the community and the Vision Statement. He said that he did not understand why there is a land use plan if the ordinances are not going to protect it.

Connie Alexander, 8716 Pearman Quarry Road, said that she has lived there 6 years. She said that Council needs to understand that this is a factory that runs from dawn to dusk. She complained that there is noise from the trucks and there are no restrictions on when they are supposed to be at the landfill. She said that this would be the third one and asked Council to imagine that it was in their neighborhood.

Debbie Dimmette, 7615 Pearman Quarry Road, said that she seconded what Christine Staub had said and she asked Council to do something to protect the children.

Lloyd Tucker, 7709 Pearman Quarry Road, asked Council if they would like to have a stump dump next to their home.

Ruby Combs said that she and her husband Luther N. Combs own 75 acres that adjoin the property. She said that there are very steep banks on the creeks that run through the area and she questioned how high a wall the landfill will have. She said that she too has been fighting dumps for years. She met the first load of garbage in Danville that was taken to the Piedmont Landfill. She said that there is a picture of her and her husband fighting another dump in the area which Guilford County turned down.

Carolyn Beery, 7602 Pearman Quarry, next to the Richardson property, said that Joel had told her that only natural materials that would decay would be placed in the dump. She said that she did not believe that tons of stumps and the other things that would be put in it would decay through a natural process. She said that nature would not take care of tons of debris. She said that she had ravines, valleys, hills and springs on her property and they have made it into a lake and have stocked it with fish. It is natural and there are birds and wildlife on the property.

Suzanne Carlson, 7607 Pearman Quarry Road, challenged Council to table or revisit the ordinance. She felt that we can't have these in our neighborhood and follow the vision statement. She was not proud of the stump dumps.

Perpetua Muganda, 7603 Trebbiano Drive, said that she came because she was concerned about property values and increased traffic.

*Rebuttal for those in favor:*

Bill Greco, Land Solutions, stated that this is a permitted use and the zoning of the property is not the question. He noted that many of the objections deal with enforcement. Speeding trucks can be taken care of by the Sheriff's Department. The hours of operation, Monday thru Saturday from 8:00 until 5:00, will be posted on a sign. If folks notice a violation of the posted hours, it would be a violation and there are enforcement provisions built into the Ordinance to deal with those types of issues. If there is mud on the road, it is an erosion control issue and the devices are an enforcement issue. There are buffers and erosion control devices shown on the plan and they are inspected by Guilford County. The Richardson's have posted a bond of thousands of dollars to make sure that they are in compliance and if they are not, then Guilford County, on behalf of the Town, can use the money to bring them into compliance. There are checks and balances and by allowing these to be approved, you are not allowing them the free rein for all of Pearman Quarry Road. The Fire Marshal has requested dual entrances and an all weather road which is geared for safety in the event that there is a fire. Joel Richardson lives on the site. He said that are opportunities for citizens to request changes to ordinances but it is not appropriate to attempt to change an ordinance to address a plan that is compliance with the existing ordinance for a use that is permitted. Doing this would be taking away someone's right that has been granted to them by the Town Ordinance. The rules and regulations that are in place cannot be ignored. He had not seen anything pointed out that is technically wrong with the plan.

Jackie Richardson stated that she has spoken with the neighbors several times. Her husband is a fisherman and they love the outdoors and spend a lot of time there. They will not be taking down all of the trees but only want to improve their property to grow crops. They have a five year old son and they want to insure safety as much as possible. It will be closed on Sundays. She pointed out that the trucks would have to slow down to turn into the landfill. They want to leave a buffer of trees and it will be all natural because it is in their backyard where they live there and when they walk out their door it will be what they will see. She said that there is a 100 foot drop and they want to improve their land. She said that their mortgage company has said that it will improve the value of their land.

Joel G. Richardson, 1925 Piney Grove Road, said that he owns about 12 acres of the property which has good building lots on the front of the property and he will not do anything to hurt those lots. He wants to improve the back part of property. The timber was cut off of all of the 16 acres in 1991. There is a large area before you reach the creeks and they will restrict the flow of any kind of debris before it can reach the creek. There are deep ravines on the property.

*Rebuttal for the opposition:*

Mary Ann Williams said that she was not sure how long the Richardson's have owned the property but she has lived there for 65 years and the trees have not been cut off of the property. Her family owned it for over 200 years. She said that when a stump dump is covered over with grass, you cannot put pasture on it or build a structure on it. You can only mow it.

Tim Hutchison, 7718 Pearman Quarry Road, said that there is a bridge on the other end of Pearman Quarry Road and ask if it would support the dump trucks.

Connie Alexander, 8716 Warner Road, said that they have tried to address the traffic issues but the trucks are not covered. They have called but it has not been taken care of. Warner Road has been repaved because they tore it up. It cannot be disguised and you will still hear the trucks.

Christine Staub, 7737 Pearman Quarry Road, said that perhaps you have to follow the letter of the law and it is nice that you can hide behind the letter of the law. She said she was asking if Council could be creative and if there is some way to be legal about this. She said that she hoped Council had heard their voices so that they would not have to fight a battle that was fought 13 years ago in Guilford County when the County Commissioners were wise enough to see it. She hoped that Council would not sleep too well at night until they had dealt with it.

Bobby Dimmette, 7615 Pearman Quarry, said that no one ever contacted him or his wife about the pending presence of a dump and that he has never met the Richardson's. He felt that it was interesting that we are weighing the interest of a family that built a house knowing what the land was like against the good of the entire

community. While there is the question of the technicality of whether it was approved or not, he found it disconcerting that the plan was submitted, approved and the neighbors did not know that it was in process and he felt that it was hidden so that they could not voice their opinion before the decision was made. The site plan does not show where other homes are located and how they will be impacted. He said that they are taxpayers too. It is not for the good of the community and it does not meet the Vision Statement. The Ordinance is out of harmony and he did not appreciate being put in this position. He urged Council to rethink this and see if they could address it as Guilford County did years ago.

Suzanne Carlson, 7607 Pearman Quarry, said that they are neighbors and they have adopted a highway and wondered if they would be cleaning up the debris from the landfill.

Toni Beery, 7600 Pearman Quarry Road, the corner of Warner and Pearman Quarry, Said that the Richardson's bought their land knowing what it looked like and the other 10 to 15 families on Pearman Quarry knew what their land looked like and they have done massive improvements without hurting the property value of any of the other homes on the road. She felt that it was an injustice to have one family whose home is for sale to potentially ruin the property values, to increase the truck traffic. She felt that if there is nothing wrong with the ordinance and it is tight, then something was wrong.

Lloyd Tucker, 7709 Pearman Quarry Road, said that he owned 10 acres which has ravines on it. He did not know that an LCID could be placed on it. He expressed concerns over one family making money while taking his property value down. He said that the Richardson house has been up for sale and he asked why they would have it up for sale and put in a landfill.

Mary Ann Williams asked who was going to inspect the trucks as they dump if Mr. Richardson is a fisherman.

Debbie Dimmette, 7615 Pearman Quarry Road, said that other properties around this area are prohibited from having dumps by restrictive covenants. She suggested that Council should restrict the hours of operation. She said that she could hear the one on Warner Road at her house when they are moving debris. She said that the house is listed on MLS and so the Richardson's may not be here to deal with the dump like the other neighbors.

Mayor Jones took questions at this time. Someone asked how they would get the trucks into and out of the land.

Mr. Tucker said that he thought the bridge was limited to 30 tons and the trucks may be heavier than that amount and he asked if there are any provisions for payment for repairs if it is damaged. Ms. Steel asked if the bridge had been uplifted recently.

Bill Greco, regarding the bridge question, responded that the NCDOT process for approving a commercial driveway permit includes the marking of the entrances on the ground which NCDOT staff visits the site and they evaluate the driveway permit. They had to move them from the original location after the DOT visit. He said that the permit is an agreement between the applicant and NCDOT and the owner agrees to construct and maintain the driveway in a safe location so as not to endanger the public travel. Permits can be revoked if they are not operating in accordance with the permit.

Mayor Jones said that the matter was now with the Council. He asked Mr. Nuttall if there was any information that had been received tonight that would address a material fact with regards to compliance for a site plan. Mr. Trevorrow has distinguished a site plan from a rezoning. He asked if anything presented had changed his opinion. Mr. Nuttall responded negatively.

Ms. Steele asked if this is a developmental right in both Stokesdale and Guilford County and if the permitted uses are the same. Mayor Jones indicated that the two ordinances are the same. Mr. Nuttall confirmed that it is from the Town's Ordinance and said that both ordinances are almost the same.

Mayor Jones addressed some concerns that had been voiced. He said he appreciated everyone's input. It is not an easy decision and Council members take an oath to follow the law. He also said that Stokesdale had pursued the idea for ETJ but the Town was not able to get it because the County Commissioners would not approve it. He said that questions were raised regarding an article from the newspaper and after reviewing the article, he

found that it was a request for a special use permit and not a site plan. A special use permit requires a different procedure with different information and different laws that apply to it. He said that he had been on Council for 18 years and he could not recall any attempts to operate a landfill here that did not have opposition from the Council.

He noted that the request is for a site plan and it is not a rezoning request. A rezoning can have different issues addressed. For a site plan, it has to meet the criteria and if it does not, it is not approved. A rezoning is the finding of fact, different issues can be addressed and some of the previous matters before the County dealt with the rezoning that had to take place before there could be a site plan. Council has denied rezoning requests in the past for appropriate causes. There were no changes in the zoning when the Ordinance was adopted. If land was residential it stayed residential and if it was agriculture it stayed agriculture. The ordinance is adopted to address all matters fairly and equally and gives the criteria for doing so. The ordinance cannot be amended tonight. There is a specific procedure for doing that which includes giving notice by placing ads in the newspaper and a public hearing must be held. All comments that had been made are well received. This is not approving an ordinance to allow or not allow stump dumps. The constitution and law are not technicalities. Council cannot make a law tonight that is retroactive. The Planning Board and the appeals process has been set up so that citizens concerns can be heard. The appeal is hearing the case again and it is not an affirmation of any previous decision. Council hears it as though it is the first time. Council members may have friends on your street and must makes it decision even though it is not easy and because it is a small town, they may see you at church or at the grocery store.

Ms. Halbrook said that she appreciated everyone's' efforts and she had made notes on what everyone said. She said that she had attended the NEST meetings and appreciated that fight they had been made.

Mayor Jones read the list of materials that could be placed in the LCID landfill minor. Mr. Nuttall said that a note had been placed on the plan listing the materials that could be placed in it. It is two acres or less. It will be in operation for three years or less. If an increase in size is requested, a special use permit would be required. It is by right granted for a three-year limit. They will be notified when the three-year limit is approaching. Ms. Williams asked what kind of insurance they would be required to have to cover fires or debris falling from trucks. Mayor Jones said that they are not required to carry insurance in order to have a site plan approved. Ms. Halbrook asked Mr. Richardson if the trucks would be checked to make sure that it they contain the correct materials. Ms. Steele said that construction debris could not placed in the LCID landfill.

Mr. Attaway asked about dust leaving the site. Mr. Greco said that it is an enforcement item and there are methods that can be used to such water trucks or irrigation lines. Mr. Attaway said that water trucks could be going to the site 24/7.

Mayor Jones made a motion to approve it as required as meeting the site plan requirements with development standards. Ms. Steele said that although she did not like it, she did not feel that Council has a choice since the requirements of the Ordinance have been met. Ms. Steele seconded the motion. Mayor Jones clarified that to his knowledge the County has not changed their Ordinance and the same rules would apply to minor landfills. Council voted 3 to 2 to approve the request.

ROLL CALL VOTE:	Jones	<u>Aye</u>	Halbrook	<u>No</u>
	Attaway	<u>No</u>	Steele	<u>Aye</u>
	Cook	<u>Aye</u>		

Mayor Jones said that he felt that all are sympathetic to the parties involved and it was not an easy decision. He said that the Ordinance Committee can review the rules. Ms. Steele encouraged citizens to work with the Ordinance Review Committee. Council took a brief recess at this point.

**UNFINISHED BUSINESS:** Ms. Halbrook said that she had information on the landowners from the Town limits to Spotswood Road and to US Hwy 220 and US Hwy 158. She suggested that the Clerk should

write a letter to the landowners. Mayor Jones asked if there was a draft of the language that would be used. Ms. Halbrook said that there was not. Mr. Trevorrow said there should be a motion since it would be a letter sent by way a survey sent out to see if there was interest in becoming residents of the Town. Mr. Nuttall said that according to the most current tax records, it is predominately corporations that own the property in question. Mr. Cook asked if there was going to be a moratorium on annexation. Mayor Jones said that the legislature is looking at forced or involuntary annexation. Ms. Halbrook made a motion to send letters to the land owners to inquire as to their desire to be voluntarily annexed. Mr. Attaway seconded the motion. All Council members voted aye and the motion carried.

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

Pubic Safety Committee: Theoron Hooks informed Council that the committee had met on May 8 and provided copies of the minutes of their meeting. The Committee had discussed their Mission Statement and set goals of formulating a Public Safety Resource Manual, developing an All Hazard Action Plan, setting up a Community Emergency Response Team and inquiring about the expansion of the Town water system. He reported that Deputy Christman continues to work on the issue of the car lot at the US 158 & NC 68 and the noise complaints from NC 65 are non-existent at this time and he is continuing to issue citations for illegal truck traffic. The next meeting will be June 12.

Mr. Attaway made a motion to accept the mission statement as proposed by the Public Safety Committee. Ms. Steele seconded the motion. All Council members voted aye and the motion carried.

Ms. Halbrook said that the second and third Thursdays are not good for her schedule. Mr. Hooks said they could consider other dates.

Mr. Attaway asked about a contingency planning association. Mr. Hooks said that there is group of professionals based in Charlotte called the Emergency Planning Association of the Carolinas. It is a network of various groups that develop and share templates for pre- training and provide free or low cost training thru emergency management agencies. Sponsors include the Secret Service, the FBI, FEMA, NC Emergency Management Association, and others. The Town can join the group which he felt would be beneficial. The cost would be an annual fee of \$50 and which would include four memberships for the Town.

Mr. Attaway proposed that the Mayor, Ms. Halbrook, himself and the Chairman of the Public Safety Committee to be considered as the four members. Mayor Jones said that he respectfully declined as he had a number of other commitments at this time. Mr. Attaway offered it to Ms. Steele and Mr. Cook. Mayor Jones asked if they wanted three Council members on the committee. It was suggested that the fourth position be left open.

Mr. Attaway made a motion to join the group with the membership being the Chairman of the Public Safety Committee, Ms. Halbrook and himself and the fourth position to be undetermined.

Mayor Jones asked what the benefits of membership were. Mr. Hooks said that it would provide low or no cost training, input on programs for emergency management, networking with other professionals for disaster recovery, business owners and utility members and others that have plans for state, local and federal government. Ms. Halbrook seconded the motion. Council voted 4 to 1 to approve the motion with Mr. Cook voting no.

**RESOLUTION IN SUPPORT OF THE NC SMALL TOWN MAIN STREET PROGRAM:** Pam Lemmons, 8306 Newberry Street and owner of a storefront at 8428 US Hwy 158 asked for a show of hands of those who would be in favor of downtown revitalization. She urged everyone to support them in this goal. She said that she had attended Small Town Mainstreet Informational Workshop that was held in Morganton. She had picked up an application for Stokesdale to apply for the Mainstreet program which addresses the issue of revitalization. It is called the NC Small Town Mainstreet Program. West Jefferson and Walnut Cove along with 14 other small towns have participated in the program which began in 2003. The program is sponsored by the NC Dept. of Commerce and there is no real cost. Council could be asked to pay for travel expenses as stated in the resolution (#8) that must be passed. It states that travel expenses must be submitted and approved before they are incurred. The program, which offers technical advice, is a four point approach which includes

organization, design, promotion and economic restructuring. She said that she would serve as the contact person, fill out the application and would do all of the work involved. She said that commitment letters are needed from citizens, businesses, churches, and organizations in support of this effort. There is a June deadline for submitting the resolution and application. She said that three or four towns would be chosen. If Stokesdale is not chosen, the Town would be on a first call basis with the group should issues arise.

Ms. Steele made a motion to adopt the resolution as long as there is not cost involved. Costs cannot be incurred without the prior approval of Council. Ms. Halbrook seconded the motion. All Council members voted aye and the resolution was adopted. A copy of the resolution is hereby incorporated into and made a part of the minutes of the meeting.

**Departmental and Administrative Reports; Finance Report: April 2008:** The monthly Finance Report for April was not available.

**Presentation of the 2008-2009 Budget & Budget Message:** The Finance Officer presented the 2008-09 Budget Message. A copy is hereby incorporated into and made a part of the minutes of the meeting. Mayor Jones noted that the proposed budget would be available at Town Hall for citizens to review. Mayor Jones made a motion to set a public hearing on the proposed budget on June 19, 2008. Mr. Attaway seconded the motion. All Council members voted aye and the Public Hearing was set.

**Administrative Report: Vacation Request:** Mayor Jones made a motion to approve the Clerk's request for vacation. Ms. Halbrook seconded the motion. All Council members voted aye and the request was approved.

**NCDOT Reasonable Access Request:** Mayor Jones had received a letter from the NC Department of Transportation which said that NCDOT has received an application from Epes Transport System, Inc. requesting STAA reasonable access between the Epes terminal located at 340 Edgefield Court and NC 68 and US 158. If the route is approved, twin-trailers and 48 to 53 foot long single trailers destined for the Epes Transport System, Inc. terminal located at 3400 Edgefield Court in Greensboro would be allowed to be allowed to use NC 68 to reach their destination. The Town may send in comments for the record by June 6, 2008. Ms. Halbrook said that it would be hard to allow them to use NC 68 and not allow others to use it.

Jim Flynt said that due to their location, it may have the effect of closing their operation. He suggested that Council should do more research on the economic impact of making a decision on the matter. This may affect their employees and families. The County made a decision to allow this use at this location and if you should roadblock NC 68 so that it cannot be used for access, then you have changed the initial conditions.

John Flynt, Perrou Count, said that the trucking industry knows the rules and they are restricted to US highways. When they originally opened at this location they probably had single trailers. He said that he had lived on NC 65 for 18 years and those trailers were not supposed to come through but it was a short cut between NC 68 and US 158 and trucks came through that way without regard for the rules and speed limits. He asked how could Council allow them access when there are other truck terminals in the area that could make the same argument. Council has the responsibility to look at safety issues as well as economic issues. He said that he felt that it was a safety issue.

Bill Jones, Dorsett Downs, said that he has been in law enforcement and that tandem trucks are much different than straight trailers. They do weave and on four lane roadways there are some extra lanes if this occurs but on NC 68 guardrails have been installed and there is no extra room. It would be a fiasco.

Mahalia McGee said that she was married to a truck driver at one time. Epes has been there for more than 30 years and adding 8 feet or more to a single trailer does make a difference. She noted that Roadway, Southeastern and other trucking companies are located in the area. If is approved for one company then the others will want to do the same thing.

Mayor Jones said that over the years, there have been more complaints on twin trailer truck traffic and it has consistently been a problem in the Town. The Town officer has consistently enforced the prohibition of it.

Ultimately NDCOT will do what they think is best. A shopping center complex has been approved on NC 68 which may increase traffic. Mayor Jones made a motion to send a letter saying that it has been the practice in this jurisdiction that we strictly enforce the prohibition of those types of vehicles being operated within the Town limits and it has been enforced by our Town officer and has been a source of complaint by our citizens. We ask them to take that into consideration when making their decision. Mr. Attaway seconded the motion.

Tim Venable, 8700 South Point Drive, said that he felt that it was a safety issue and that there have been accidents with the ones that do use it. He said that he saw 27 trucks which included four sets of double trucks at one time at the NC 65 NC 68 stoplight. He said that the stoplight needs to be checked because traffic is backing up on NC 65 and it needs to be set.

Ms. Steele asked if tandem trucks are allowed on NC 65. Mr. Flynt said that they are only allowed on US Hwy 158 and US 220. Mayor Jones called the question on the motion. All of the Council members voted aye and the motion carried.

**Contract to Extend Waterline on NC 68:** Mayor Jones noted that this information has just been submitted. The Clerk noted that Mr. Marziano has reviewed and approved the plans for a waterline extension extending from Prince Edward Road to Haw River Road intersection. A signed contract with Haw River Holdings, Inc., a completed DENR application, and DOT Encroachment agreements have been submitted and are ready for signatures if approved. Ms. Steele asked if the developer is paying the cost of installing the lines. The Clerk confirmed that the contract indicated that the cost would be paid. Mayor Jones made a motion to approve contingent on it being determined that it is an appropriate contract by the Town Attorney and to authorize appropriate signatures. Ms. Steele seconded the motion. All Council members voted aye and contract was approved.

**ANNOUNCEMENTS:** Mayor Jones read the announcements listed on the agenda. Ms. Halbrook asked if there are any cars available for the Summerfield Parade. The Clerk suggested that she should call Mr. Bob Williams to inquire.

**COMMENTS FROM THE FLOOR:** Tim Jones, 8441 Southard Road, asked what process would be followed if a property tax were to be imposed by the Town and if citizens would be told two or three years before being taxed. Mayor Jones said that the Town has not had a tax in almost 20 years of existence and it has been five years since the Town has received any money from the sales tax. A tax would be a part of the budget proposal and public comments would be taken and Council would vote to approve the budget. A referendum cannot be held since it would be taking a survey using the voting system. Jim Flynt asked if a referendum could be taken on whether to build a Town Hall or not. Mr. Trevorrow said that you could not hold a referendum on it. Mr. Flynt said that a group of citizens believe that the Town Hall will cause a tax. The group has sufficient funds to send out letters to the registered voters of the community. He said there is a great fear in the community that the Town Hall will cause a tax. He asked if a petition were presented that had been signed by a majority of citizens would Council honor it and not build the Town Hall. Mayor Jones said that the budget does not have a tax included and that the numbers show that the debt for a Town Hall could be paid without a tax. He said that if citizens do not want a Town Hall that is fine but if someone is asking if you want a Town Hall if the Town has a tax, then that is not being truthful with people. The budget speaks for itself and there is not a tax. The people of the Town can ill afford a tax with gas prices and unemployment.

John Flynt said that the Town purchased the Town Land in 2004 and if the budgets for the last five years are reviewed, money has been set aside for a Town Hall. He said that he felt that Council has been good stewards of the money.

Mayor Jones said that once bids are taken and a definite cost is determined, the Town should be able to borrow the funds to build a Town Hall and to make the payments to retire the debt on a loan interest earned on the funds that have been invested without imposing a tax. The Town, to meet requirements, has to show that funds are available to cover the debt service.

Mayor Jones said that the Town Hall that is being planned is larger than what is needed but it is being planned for the future.

Someone asked what the current cost for the Town Hall would be. Mayor Jones said that is now estimated at about \$1.5 Million.

Pam Lemmons asked what the maintenance and upkeep would be for a new Town Hall. Mayor Jones said that the difference in what is currently being paid for rent and maintenance would not necessitate a tax.

Jim Flynt said that he wished that the Town could hold a referendum to see if they want a Town Hall. Mayor Jones said that the State legislature would have to approve it. Mayor Jones said that he would not vote for it if it meant that the Town would have to levy a tax. Guilford County will be increasing taxes this year.

Ms. Halbrook said that the surveys that were sent out seemed to indicate that citizens wanted a Town Hall. Tim Jones asked if the survey results were summarized. The Clerk indicated that the results of surveys are tallied and the results are summarized.

Mayor Jones pointed out that the Town water system was built and the Town operates it and there has not been a tax for it.

Mary Ann Williams, expressed concerns over truck traffic and the truck traffic on Warner Road. She said that those truck drivers are no different than truck traffic on Warner Road than in the other roads in Stokesdale. Mr. Attaway said that he would contact the District commander and make a special request to have enforcement in her area.

Pam Lemmons asked if there was a larger space available for Town meeting since some citizens were not allowed inside the meeting room tonight. Mayor Jones said that rent charged would be higher and the Town would have to rent or buy chairs. He said that the space that was used for the large meeting last year would be more expensive and a long-term lease would be required. The larger space is not needed every month.

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

**ADJOURNMENT:** Mr. Cook made a motion to adjourn. Ms Steele seconded the motion. The meeting adjourned at 10:24 PM.

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Carolyn L. Joyner, Town Clerk

Approved:

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Randle L. Jones, Mayor