

TOWN OF STOKESDALE
8416 US Hwy 158
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 15, 2009.

Mayor Randle L. Jones called the meeting to order at 7:30 PM. The following members of Council were present: Mayor Randle L. Jones, Mickie Halbrook, James Attaway, Cheryl Steele and Bobby Richardson.

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

After the Pledge of Allegiance, Council considered the proposed agenda.

Mr. Richardson made a motion to adopt the agenda. Mr. Attaway seconded the motion. All Council members voted aye and the agenda was adopted.

Ms. Halbrook made a motion to adopt the minutes and waive the reading of the minutes. Ms. Steele seconded the motion. All Council members voted aye and the minutes for the special meeting held on August 27, 2009 and the regular meeting of September 17, 2009 were approved.

NEW BUSINESS:

Report from Guilford County Sheriff's Department: Deputy Christman reported three property thefts, and four assaults with one involving a vehicle with the subject being struck by the vehicle and being pinned to another vehicle. Warrants were obtained and the defendant was arrested. There were also two DWI arrests, and one drug arrest and one alcohol offense.

Mountains to Sea Trail – James Attaway: Mr. Attaway said that Pam Lemmons, ROADS, had asked him to provide information to Council about the Mountains to Sea Trail. He said that Stokesdale is one of the 37 small towns that are listed as being a part of the Mountains to Sea Trail. The Trail would be hiking walking and biking. One of the proposed routes would go through Stokesdale. Mr. Attaway had a map that showed the proposed route. Summerfield is making plans to support the trail. Mr. Attaway had a copy of a Resolution that supported the trail that had been proposed or passed by the County Commissioners. Larger maps showing the trail locations will be available at the next Saturday Market on November 7. Mr. Attaway gave the Clerk the information that he had. Mayor Jones said that the Trail had been worked on for some time and he was familiar with some of the territories that are involved with it and he has spoken with people involved in the process. He suggested that the Clerk make copies of the resolution for the next meeting.

UNFINISHED BUSINESS:

2010 Permit to operate the Town Water System: Mayor Jones noted that the Town is required to have a permit. Ms. Joyner said that it must be submitted along with the fees (\$780) in early November. The permit states that the population served by the water system is 721 persons. Ms. Steele made a motion of the Mayor to sign the 2010 Permit Application to operate a Community Water System. Ms. Halbrook seconded the motion. All Council members voted aye and the motion was approved.

Town Park: Mayor Jones said that construction was continuing. There are some change orders which were anticipated such as granite and rock which had to be removed. There is a contingency fund to cover these items. Council had been provided information on the proposed change orders. The largest change order was for temporary seeding of the soccer fields. The proper time to sprig the fields with Bermuda grass had passed because construction and grading had not been completed by that time. It is too late in the season to sprig the fields now and the grass would not root properly. The fields must be seeded now for erosion control to prevent erosion from taking place during the winter season. By seeding with a temporary grass now, the fields would be available for use this spring. In late spring/early summer the grass would be killed and the sprigging with the permanent Bermuda grass would be done. It would be sown with rye grass now. The fields would be available in the fall. Birk Ayer, Project Engineer, was present if Council had questions. Mr. Ayer indicated that the

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landscaping subcontractor for the project had also provided an alternate proposal for seed with bluegrass and fescue as a permanent measure. He said that he strongly recommended going with the Bermuda grass. Bluegrass/Fescue blends will not stand up to the abuse of athletic fields. The rye grass will establish itself quickly but will not stand up to the summer heat and the use as well as Bermuda but it can be played on this spring. It must be sown now to protect the grading that has been done. He said that an irrigation system has been installed. The Bermuda will not be perfect in the fall but there will be enough grass to play on and by the next season, it should be lush. It will be more economical in the long run because Bermuda is self-repairing since it spreads. Cool weather grasses do not spread and they do not stand up to the use as well. Ms. Steele said that her issue was that the teams would want to practice in late summer. Mr. Ayer said that the quicker you play on the fields, the slower the growth may be and the thinner the grass will be. Ms. Steele asked about the difference in perennial and annual rye. Mr. Ayer said the perennial is tougher.

Doug Mack, past president of the Stokesdale Parks & Recreation asked what sports would be played on the fields next spring. Mayor Jones responded that the fields are designed for multi-purpose use. He said that he had played phone tag with the sports associations' directors to find out who wanted to use it and when they would want it. Mayor Jones said that the Parks & Recreation chairman could not attend the meeting tonight. Mr. Mack said that soccer practice starts on August 1. Mayor Jones said that September 1 is a tentative date and if the grass is not ready, then it will be later. Mr. Ayer said that it is not an exact science, but there is an irrigation system and the Bermuda will be sprigged and not seeded and it is estimated that it will be playable by the Fall season but not on a specific date. He said that Bermuda could be over seeded in the winter with a rye if it is going to be played on but that generally it spreads aggressively and it establishes itself quickly.

The second change was the removal of trench rock. Rock had to be removed in order for the water lines to be installed. Some other changes had been made so that the entire vein of rock did not have to be removed which would have cost more. Mayor Jones said that this was not unanticipated since there is a rock quarry in Stokesdale.

The third change order was for electric service to for the septic service which was not included in the original plans. The fourth change order was for a change in a storm water device. Ms. Joyner noted that Stewart Cooper Newell recommends the approval of all of the change orders. A contingency fund was included in the contract and about \$18,000 would remain in the contingency fund after these change orders.

Mayor Jones said that the grass issue is trying to do it right to get the best grass and it should be available in the spring and a permanent stand by the fall. Rock was anticipated in the beginning and he was surprised that there was not more of it that had to be removed as there are many granite deposits in the area. Septic and storm water issues are standard. SCN recommends approval and the contingency fees cover it. Mayor Jones made a motion to adopt the change orders. Mr. Attaway seconded the motion. All Council members voted aye and the motion. All Council members voted aye and the change orders were approved.

The Clerk noted that a right of way agreement must be submitted to Duke Energy in order to have electricity placed on the site. Ms. Steele made a motion for the Mayor to sign the Duke Energy right of way agreement. Ms. Halbrook seconded the motion. All Council members voted aye and the motion was approved.

Ms. Halbrook said that the Park Site is beautiful and that Town's people should love it and enjoy it.

Mr. Ayer reported to Council that some changes have occurred during construction of the Park. Because of the rock, the water line depth could not be changed. The vein of rock extended across the site and the septic drain field had to be moved. It was placed on the proposed location of the volleyball courts so they were moved. There was rock under the new location so the volleyball courts were elevated as well as the playground site because of the rock. It has turned out nicely due to the relation of the areas to each other. He said that the contractor had worked with them and kept him informed about the rock so that changes could be made rather than going to the expense of removing the rock. The bleachers on one side of the field next to the volleyball area are now elevated and will provide greater visibility of the field and would allow parents to oversee children on the playground as well.

COMMITTEE & BOARD REPORTS:

Public Safety Committee: Mr. Hooks, Chairman of the Committee, gave a report of the meeting held on October 6 at the Fire Department. Draft minutes were provided to Council. Mr. Hooks corrected the spelling of committee member James Hardy which had been misspelled as "Hardee." He said that the committee had worked on possible staging locations. Pam Lemmons had spoken to the committee about the Mountains to the Sea Trail specifically safety issues regarding the trail. She also asked about a flashing light on US 158 as a speed deterrent. The next meeting will be on November 10 at the Fire Department. The C.E.R.T. (Community Emergency Response Team) program will be delayed until January. The Committee will not meet in December.

Planning Board: Applications Received: The Clerk indicated that one new application had been received and a current alternate on the Board had sent an email expressing interest in becoming a full member. Currently there are 6 full members on the Planning Board and 2 alternates. The Board should have seven members and four or five alternates. Mayor Jones said that at the last meeting council had intended to review the applications and schedule interviews before a selection is made. Ms. Steele suggested holding the interviews prior to the regular Council meeting next month. Mayor Jones suggested that Council would need about fifteen minutes for each applicant and Council could begin at 6:30 pm.

Departmental and Administrative Reports: Finance Report: September, 2009: Ms. Joyner reported that Assets decreased from the previous month due to payments being made for improvements at the new Town Park. Checking account transactions for the general fund included the payment of \$2,500 to the Stokesdale Youth Football Association for equipment for the team; payment of \$12,500 to Guilford County Finance Department for planning services. Accounts Payable reflects a payment due for Sir Speedy Printing for \$654.07 which was for the printing and mailing of 1,536 newsletters.

The General Fund Saving Account shows the deposit of the Utility Franchise Tax Distribution in the amount of \$62,941.93. A transfer from the Money Market Savings Account to the Park Capital Project Fund in the amount of \$250,000 was made. Interest earned on Certificates of Deposit totaled \$4,689.80.

Invoice for Park Construction are listed for the Park Capital Project and includes a payment to R. P. Murray for \$93,480.00. Yates Construction was paid \$20,290 for the water tap and devices. Accounts Payable includes an invoice from \$129,999 from R. P. Murray, Inc. Water Enterprise Accounts Payable includes the DENR Annual Permit Fee of \$780.00. The Water Enterprise checking account transactions were mostly routine with a payment of \$3,179.62 to Yates Construction for two new water taps that were installed in October and the installation of water meters.

Ms. Joyner reported that the patrol car previously used by the Town's Deputy was sold for \$3,000 and that was the most that was paid for any of the cars that were sold. The camera was not sold since it was broken and there were no bids made. Deputy Inman will attempt to sell it on the Internet.

Administrative Report - Clerk's Report: The Clerk reported that DSL Light has been installed on the Town's computer and it seems to be working well. The Town now has a new Fax number as noted in the announcements listed on the agenda.

Ms. Joyner also noted that she has attended a couple of meetings about the update of the Emergency Management Mitigation Plan. It is a joint effort between Guilford County and the municipalities. The County plans to bring a consultant on board to assist with the update. Some grant funds are available to pay the associated costs.

LEGISLATIVE ACTION:

Consider an Ordinance Declaring Speed Limit of 25 MPH on US 158 for Stokesdale Elementary School: Mayor Jones noted that Council's package should include Ordinance #72 an Ordinance to regulate the speed limit within the Town of Stokesdale which would set the speed limit on US Hwy 158 from NC 68 eastward to a point 0.04 miles west of SR 2102 (Angel Pardue Road) for the Stokesdale Elementary School Zone, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only at 25 miles per hour

maximum. The ordinance would be adopted on the basis of engineering and traffic investigations that it is unsafe and it would be unlawful to exceed the speed limits established in this zone.

Mayor Jones made a motion to adopt the Ordinance #72. Ms. Halbrook seconded the motion. All Council members voted aye and the Ordinance was adopted. A copy of Ordinance #72 is hereby incorporated into and made a part of the minutes of the meeting.

ANNOUNCEMENTS: Mayor Jones read the announcements listed on the agenda. Mayor Jones also noted that the next ROADS Saturday Market will be held on November 7 from 9:00 am to 1:00 pm and it will be celebrating the Town's 20th birthday.

COMMENTS FROM THE FLOOR:

Gail Dunham, Summerfield asked questions about the Stokesdale Park and how many ball fields were there and how much was the Town spending. She said that on Tuesday evening some closed session minutes were released in Summerfield and it was shocking. She left a copy of the Summerfield minutes with the Clerk. She felt that the minutes are illegal. Ms. Dunham said that she felt they were kept closed because they were embarrassing and that business was conducted that should not have been. She said that Mr. Trevorrow was the attorney for Summerfield at the time and she asked him if he could explain this. Mayor Jones said that she would need to make an appointment with Mr. Trevorrow to discuss.

Frank Bruno, Anthony Road, commented that he has been talking to folks about the vote on Liquor by the Drink and he feels there is a misconception that people think that it will be great if we would get restaurants. It is not a vote for restaurants but it is a vote for liquor by the drink in other establishments as well. He suggested that citizens should visit the NC ABC Commission Website to see what the permits are for. A restaurant is defined as any establishment with gross receipts for food and non-alcoholic beverages shall not be less than 30% of the total gross receipts and it has to seat 36 people. It can be a bar or any establishment that meets those requirements. He suggested that people should look at this and then make an informed decision before going to vote and it should not be on whether there will be restaurants in Stokesdale.

Douglas Mack, 7885 Springdale Meadow Drive, said that he had talked with Pam Lemmons who could not attend the meeting, and she wanted to ask the Council to consider putting together a historic committee along with Appendix A of the Land Use Plan. She is interested in what the Town would say about a historic district and the downtown core. Mr. Mack complimented Mayor Jones for coming by and seeing Pam on Saturday and he said that she was very encouraged by their conversation. She is very interested in having the downtown core to be vibrant again. He said that he thought that the Mountains to Sea Trail would provide the opportunity to piggyback with things that are being planned. He asked if there is a park committee. Mayor Jones said that a park committee has not been set up and decisions regarding the park are being decided by Council. Council has to make decisions and policies for the Park. North Carolina law does not allow the delegation of authority. Council may hire someone to run the park but the ultimate decisions come to Council. Mayor Jones said that he would propose having an athletic and recreation committee. He said that the Stokesdale Parks & Recreation Board, like the Fire Department is a separate entity from the Town and it has its own identity. The Council will be responsible for the operation of the Park. Mr. Mack asked if a historic committee would operate under the same jurisdiction as the other committees. Mayor Jones said that none of the Town's committees have authority to make decisions or incur debt on their own. They are fact finding and gathering information and they bring the information to Council. Mayor Jones said that a historic preservation committee may be appropriate since there are other sites in the community other than downtown locations that may meet the criteria and would be subject to historic preservation. Buildings would probably be refurbished as close to their original appearance as possible. Mr. Mack said that Pam's umbrella of concerns would include the Mountain to Sea Trail and the revitalization of this side of the Town.

Thearon Hooks, 8135 Shoeline Drive, asked if the referendum on ABC stores and liquor by the drink on the ballot is an either/or situation. Mayor Jones indicated that it would be two separate issues on the ballot. He asked about the zoning that would apply to the five or six categories on the ballot and what zoning do we have to apply to private clubs for example. Mayor Jones said that the State does not take over the zoning. Mayor Jones

said that they control the licensing. He said that the distance they must be away from schools, a church, and certain others, may be 1,000 feet. Because of the number of schools and churches, it may be difficult to place them and meet the criteria. Law enforcement will be a deterrent as well. There are a number of things in place to make it not as attractive. He said there are specific rules that apply to private clubs. With rezoning, you cannot outlaw a specific type of establishment. It can be limited to one area of the Town but it cannot be outlawed all together. If the character of the business is changed, they may have to ask for a variance or meet requirements.

Mr. Trevorrow said that if it were a fact that they could not locate by Ordinance, then applying for a use variance would not be granted since the Zoning Ordinance prohibits it. They have to satisfy the application process to the ABC Board. They want a license to sell alcohol. The ABC Board grants or denies the application.

COMMENTS FROM COUNCIL: Ms Halbrook thanked everyone for coming to the meeting.

ADJOURNMENT: Mayor Jones made a motion to adjourn. Ms. Steele seconded the motion. The motion passed unanimously. The meeting adjourned at 8:32 pm.

Carolyn L. Joyner, Town Clerk

APPROVED:

Randle L. Jones, Mayor