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December 13, 2011

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MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
DECEMBER 13, 2011
6:30 PM

NOTE: The official minutes are a CD recording of the meeting. The following is a summary of the events of the meeting.

The meeting was called to order at 6:30 pm by Mark Brown.
Following a moment of silence, VFW Post 7999 led the Pledge of Allegiance.

INTRODUCTIONS:

Council:
Mark Brown, Mayor
Dena Barnes
Alicia Flowers
Bob Williams
John Wray
Elizabeth McClellan (Council Elect)

Staff:
Dana Luther, Interim Town Manager/Finance Officer
Carrie Spencer, Interim Town Planner
William Hill, Town Attorney
Valarie Halvorsen, Town Clerk

Barnes made a motion to formally excuse Dianne Laughlin until her arrival. The motion was seconded by Flowers and carried unanimously.

CONSENT AGENDA:
Brown suggested adding item 11H Discussion/Approval of Town Council Budget Amendment #1 FY 2011-2012 relating to contracting for Code Enforcement services.

Flowers asked that the location of the November 16, 2011 minutes be corrected to Town Hall.

Barnes made a motion to approve the Consent Agenda ***as amended***, including the meeting agenda, minutes and Closed Session minutes of the November 10, 2011 meeting, minutes and Closed Session minutes of the November 2 and November 16, 2011 Special Call meetings, and Financial Report. The motion was seconded by Flowers and carried unanimously.

SPEAKERS FROM THE FLOOR
Ronnie Stafford, 3229 Pleasant Ridge Rd, stated his feeling that there are already enough rules in place and the town core plan should be put to the side for now.

Beth Kaplan, 7979 Highfill Rd, thanked Bob Williams for all his efforts on behalf of the Town and its citizens over many years, noting her wish that the Halloween Event continue.

Don Wendelken, 3406 Windswept Dr, congratulated the candidates who won reelection and Council Elect McClellan. He stated traditionally the candidate who received the highest number of votes was appointed as Mayor Pro Tem and asked that McClellan be given the opportunity to accept the position.

COMMITTEE REPORTS:
A. **Finance:** Ronnie Stafford, Chair stated there would be no December meeting.
B. **Historical:** No report.
C. **Parks & Rec**: Jane Doggett stated the committee is working on recruitment and upcoming events and will meet again January 5, 2012.
D. **Public Safety**: No report.
E. **Founders' Day**: The 2012 Founders Day event will be held May 18 and 19.

F. SFD Rd/Development Ord.: Wray noted there were no more SRSAP meetings planned, other than joint presentation meeting to be discussed later. Barnes stated there was no December meeting.

OLD BUSINESS

Consideration/Approval of Interim Town Manager Contract
Wray made a motion to approve the Interim Town Manager contract. The motion was seconded by Williams and carried unanimously.

Consideration/Approval of Finance Officer Contract
Wray made a motion to approve the Finance Officer contract. The motion was seconded by Williams and carried unanimously.

BUSINESS FROM THE MAYOR (CEREMONIAL)

Retire Outgoing Council: Brown read a plaque commemorating Williams' service to the town, and expressed his appreciation.

Seat New Council: Oath of Office
The Honorable Lawrence McSwain, District Court Judge, administered the Oath of Office to Mayor-elect Mark Brown and Council-elect Dena Barnes, Alicia Flowers, and Elizabeth McClellan. McSwain discussed the importance of the oath, noting there was a duty to self, supporters, opponents, and to all town citizens. He said there is no way to please all of the people, but each should strive to do his or her best. McSwain, Brown, Barnes, Flowers, and McClellan then signed the oaths with the signatures conferring all duties and responsibilities that come with council membership.

Recess from 6:55pm to 7:25 pm
Laughlin arrived at 7:00 pm

ELECTION OF MAYOR PRO TEM

Responding to Wendelken's earlier comments, Brown stated that in the past both the Mayor and Mayor Pro Tem were selected based on number of votes received, but that had not been the practice in some time. Wray stated that the Mayor Pro Tem position was a very important one for an experienced person.

Wray made a motion nominating Barnes as Mayor Pro Tem. The motion was seconded by Laughlin.

Flowers welcomed McClellan to Council and stated she was qualified and had much education and experience as an HOA president, also noting that there is a tradition as stated by Wendelken. She further stated during one election Wray received the highest number of votes, but recommended Barnes as Mayor Pro as she was doing a good job at it. Flowers feels McClellan should have the opportunity.

Flowers mad a counter motion nominating McClellan as Mayor Pro Tem. The motion was seconded by McClellan.

Laughlin does not doubt that McClellan would do a good job, but noted she had not seen McClellan at Town Council meetings until shortly before the election and is concerned that she may not be familiar with issues. McClellan stated she would be happy to accept the nomination if Council had as much confidence in her that the voters did, noting that everyone has to start somewhere. Barnes stated in 1997 she received the highest number of votes, but was not appointed as Mayor Pro Tem; then Mayor Bill Peterson stated this was because she had never served before and was not experienced in Summerfield government. Brown called for a vote.

As to the nomination of McClellan as Mayor Pro Tem, the motion failed 2 to 3 (Banes, Laughlin, and Wray opposed).
As to the nomination of Barnes as Mayor Pro Tem, the motion passed 3 to 2 (Flowers and McClellan opposed).

PRESENTATION OF AUDIT REPORT – Rex Rouse of Rouse, Rouse, Penn & Rouse
Rouse presented the report, making particular note of the following: an increase in cash and investments from 7,524,869 in 2010 to 7,602,191 in 2011; an increase in total assets from 7,674,054 to 7,726,384; a decrease in liabilities from 354,798 to 81,821; an increase in total fund balance from 7,319,256 to 7,726,384. Rouse further noted Summerfield was in an enviable financial situation, with investment earnings and expenses. Rouse stated that the town does an excellent job of mitigating weaknesses in internal controls by outsourcing the bookkeeping, having independent and multiple reviewers and check signers, and an independent finance committee.

PUBLIC HEARING
Ordinance Text Amendment #TA-01-11 Revisions to the Development Ordinance Articles 7-6.8, Table 7-6-1 Table of Uses, and Article 7-6.9(B)(2) Lake Stream Buffer Ordinance.
Spencer noted the NC Division of Water Quality asked the Town to make the modification due to an omission made when drafting the original Jordan Lake Stream Buffer Ordinance. This omission was the following exempt use: Drainage of a pond in a natural drainage way provided that a new riparian buffer that meets requirements of Items (7) and (8) of the Rule is established adjacent to the new channel.

Brown opened the Public Hearing at 7:50 pm.
There were no speakers.
Brown closed the Public Hearing at 7:50 pm.

Barnes made a motion to approve Ordinance Text Amendment #TA-01-11. The motion was seconded by Wray and carried unanimously.

TOWN BUSINESS
A. Discussion of Discharge of Firearms in Town Limits
This item was discussed during the November 16, 2012 Special Call meeting, during which Hill recommended issuing a new Town Ordinance adopting the Guilford County Ordinances, and rescinding the current Town Ordinance O-1999-004 Offences Against Peace and Order.

Wray made a motion to set the Public Hearing for this issue January 10, 2012. The motion was seconded by Laughlin and carried unanimously.

B. Discussion/Approval of Changing Bank Signatories
Wray made a motion naming Mayor Mark Brown, Mayor Pro Tem Dena Barnes, Finance Chair Ronnie Stafford, and Councilperson Alicia Flowers as interim bank signatories until a new Town Manager is hired. The motion was seconded by Laughlin and carried unanimously.

Barnes made a motion approving the Corporate Resolutions naming signatories when corrected versions were received by the banks. The motion was seconded by Wray and carried unanimously.

C. Discussion/Approval of Joint Town Council, Zoning Board, and SRSAP Committee Meeting January 23, 2012 for Presentation of Summerfield Road Special Area Plan
Flowers made a motion approving the Joint Town Council, Zoning Board, and SRSAP Committee Meeting January 23, 2012 for Presentation of Summerfield Road Special Area Plan. The motion was seconded by Wray and carried unanimously.

D. Consideration/Approval of Founders' Day Committee Members
There was concern about the additional work proposed staff co-chairs would have in addition to their regular duties, and discussion about the General Committee Ordinance, which states spouses of council members may only serve as ex-officio committee members.

Flowers made a motion appointing Phyllis Franks, Assistant to the Town Manager, as co-chair of the Founders' Day committee. The motion was seconded by Barnes and passed 4 to 1, Laughlin opposed.

Barnes made a motion appointing Carrie Spencer, Interim Town Planner, as co-chair of the Founders' Day committee. The motion was seconded by Laughlin and passed 4 to 1, Flowers opposed.

Barnes made a motion appointing Bob Williams to the Founders' Day committee. The motion was seconded by Wray and carried unanimously.

Barnes made a motion appointing Delane Williams to the Founders' Day committee. The motion was seconded by Flowers and carried unanimously.

Flowers made a motion appointing Mark Brown to the Founders' Day committee. The motion was seconded by Barnes and carried unanimously.

Flowers made a motion appointing Cyndi Brown to the Founders' Day committee. The motion was seconded by Barnes and carried unanimously.

Wray made a motion appointing George Holub as an ex-officio member of the Founders' Day committee. The motion was seconded by Barnes and carried unanimously.

Barnes made a motion appointing Dana Luther as an ex-officio member of the Founders' Day committee. The motion was seconded by Laughlin and carried unanimously.

Flowers made a motion appointing Mamie Brown as an ex-officio member of the Founders' Day committee. The motion was seconded by Wray and carried unanimously.

E. Update on Fire Department Study
Brown stated the Guilford County Commissioners would have a meeting in late January or early February for further discussion of the issue, giving Fire Departments a chance to review the study. It was decided by consensus to invite Chief Johnson to speak about this during the January 10, 2012 Town Council meeting.

F. Discussion of MOA with NCDOT for 220 Widening
It was decided during the November meeting to approve the amended contract; however, the contract includes changes that were not discussed at that time. Staff will review the new contract and bring back to Council in January for further consideration.

G. Report on meetings or activities
McClellan and Barnes attended the December 5, 2011 Transportation Advisory Committee meeting, during which there was discussion of the following: 2014-2020 TIP Prioritization Process, "Freedom Roads" Trails Program, Air Quality Redesignation for Greensboro Area, Transportation Project Updates, and MPO Strategic Topics.

H. Discussion/Approval of Town Council Budget Amendment #1 FY11-12 Relating to Code Enforcement Contract

Flowers made a motion to approve Town Council Budget Amendment #1 FY11-12 Relating to Code Enforcement Contract. The motion was seconded by Barnes and carried unanimously.

Brown read the reasons for entering into Closed Session as follows:

CLOSED SESSION:

A) consider the qualifications, competence, performance, character, fitness, conditions of appointment or conditions of initial employment of an individual public officer or employee or prospective public officer or employee as provided under NCGS 143-318.11(a) (6).

Barnes made a motion to enter into Closed Session at 8:50 pm. The motion was seconded by Flowers and carried unanimously

Flowers made a motion to return to Open Session at 9:40 pm. The motion was seconded by Laughlin and carried unanimously.

Brown announced a Special Call meeting December 21, 2011, 6:30pm at Summerfield Town Hall to continue the closed session.

With no further business before the Town Council, a motion was made at 9:41 pm by Wray to adjourn. The motion was seconded by Laughlin and carried unanimously.

Mark E. Brown, Mayor

Valarie Halvorsen, Town Clerk