

Town of Pleasant Garden
Zoning Board
April 21, 2008
Kirkman Municipal Building
4920 Alliance Church Road

Minutes
Regular Meeting

Attendance:

Rene Aldridge
Steven Bullis
Alan Carroll
David Lewis
James Sealy, Jr.
Ron Surgeon
Henry Tripp

Also in Attendance

Chris Johnson, Council Liaison
Don Vaughan, Town Attorney
Sandy Carmany, Town Administrator/Clerk

Audience

2

Call to Order

Chairman Alan Carroll called the meeting to order at 7:01pm.

Chairman Carroll gave the invocation.

Chairman Carroll led the Pledge of Allegiance.

Roll Call

Town Administrator/Clerk Carmany called the roll, and all members were in attendance. A quorum was present.

Approval of Agenda

MOVED by Ron Surgeon to approve the agenda, seconded by Henry Tripp. APPROVED, 7-0.

Approval of Minutes

MOVED by James Sealey to approve the February 25, 2008 minutes as written, seconded by Ms. Aldridge. APPROVED, 7-0

New Business

Warren Simmons, Floodplain Administrator for the Guilford County Planning and Development Department, presented the proposed Flood Damage Prevention Ordinance. (*copy attached*) Guilford County has participated in the National Flood Insurance Program since the mid-1980s. Before Pleasant Garden incorporated, this participation covered the entire county, but once Pleasant Garden became an entity into itself, it had to apply to participate if Town residents want to purchase flood insurance. There are a few flood-prone properties in Pleasant Garden, but anyone can still purchase flood insurance. 25-
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30% of flood insurance losses come from people outside the regulated flood zones; 80% of the damaged property in Hurricane Floyd was outside the designated flood hazard areas. In order for individual residents to purchase federally-backed flood insurance at reduced premiums, the Town must participate in the program. There are no additional costs to the Town because the needed services are already covered in the Town's contract with the county for planning services. Mortgage lenders often require flood insurance coverage; this is not covered in personal homeowner's insurance policies. This flood insurance program is part of FEMA. Federal agencies are able to approve loans, grants, payments, subsidies or rebates for acquisition or construction purposes within special flood hazard areas including those guaranteed or administered by the FHA, VA, HUD, EPA or Small Business Administration. Normal subdivision design regulations require flood-prone property be dedicated as an easement or drainage way and open space. In order to rebuild a flooded house back to its original condition, the owner would have to raise the house above the flood level and come into compliance with development regulations.

Discussion focused on participation being to residents' advantage with no cost to the Town, added costs and time for builders to obtain the required elevation certificate, the small amount of flood-prone areas in Pleasant Garden and the number of people affected, the Town's potential liability for failure to provide citizens with the opportunity to purchase flood insurance, and letting the state and federal government off the hook for covering flood damages. Mr. Surgeon stated he respected the concerns that had been expressed about additional cost to the builder, but as a good steward of the Town, he believed we need to offer the protection.

MOVED BY Mr. Surgeon to adopt the Flood Damage Prevention Ordinance as presented, seconded by Mr. Tripp. Discussion followed about savings in the cost of premiums and how residents would be made aware of the availability of the insurance. Mr. Surgeon asked if the Zoning Board was being asked to adopt the ordinance or just recommend it to the Town Council. Town Administrator/Clerk Carmany responded that the Board was being asked to recommend it. Mr. Surgeon stated he would modify his motion.

(modified motion) **MOVED BY Mr. Surgeon to recommend the adoption to the Town Council of the Flood Damage Prevention Ordinance as presented, seconded by Mr. Tripp. Approved, 4-3.** *(Yes – Bullis, Sealey, Surgeon, Tripp; No – Aldridge, Carroll, Lewis)*

Chairman Carroll thanked Mr. Simmons for his presentation. Mr. Simmons noted he had maps available for anyone who wanted to see them.

Review of the Development Ordinance Handbooks

Council Liaison Johnson noted that the handbooks are the same as the previous one except for Sections 3 and 5 that contain changes to the law made by the legislature. The notebooks will be reviewed at next month's meeting if anyone has any questions.

Public Comment

None

Staff Comment

Town Attorney Vaughan said the General Assembly will be going into session next month and he will monitor their actions for any changes to development regulations.

Town Administrator/Clerk Carmany pointed out two sheets in the Board folders, one showing expenditures by the Board for the last three years and the budget worksheet that should be completed at this meeting. The first sheet will provide guidance for the second one. She noted that Kim Payne has suggested combining the cost of legal ads into one category instead of in each individual Board's budget.

Questions were asked about the costs of legal ads; Town Attorney Vaughan noted that the Town Council could choose to advertise in a less expensive newspaper than the *News & Record* if desired. There were some questions about the meeting supplies line item, and Mrs. Carmany responded it consisted of printing of the notebooks and purchase of educational books on zoning for reference. Legal fees were reduced to \$3,500 and left the newspaper notices at \$1,200. Meeting expenses were left at \$50. Council Liaison Johnson asked if additional money should be budgeted to address the Jordan Lake Rules; Mrs. Carmany responded the rules will likely be challenged and tied up for a long period of time so it's unlikely expenses will be incurred in this fiscal year. The worksheet total was \$5,100.

MOVED by Mr. Tripp to accept the proposed budget, seconded by Mr. Surgeon. APPROVED, 7-0.

Town Administrator/Clerk Carmany informed the board of a schedule conflict with the October 21, 2008 meeting date because Town Hall is being used as an Early Voting site in the fall. The Board will either have to reschedule the meeting, cancel the meeting, or hold it in a different location. Discussion followed about the appropriate time to hold the meeting.

MOVED BY Mr. Sealey to move the October meeting to Monday, October 13, 2008, seconded by Mr. Surgeon. APPROVED, 7-0.

Carmany Town Administrator/Clerk will publicize the new date to Greg Niles and the public.

Board Comment

Mr. Lewis asked Town Administrator/Clerk Carmany to check with county code enforcement about 1305 Rose of Sharon Court that backs up onto Walter Wright Road. According to agreements when the subdivision was developed, there was to be no access to the property from Walter Wright Road. However the current resident is using access from Walter Wright Road to park a crane and a dump truck on the property as well as dumping debris, rocks and mulch material in the yard. Town Attorney Vaughan suggested notifying Greg Niles. This area is not zoned for business.

Mr. Surgeon stated he had contacted Town Administrator/Clerk Carmany about a lot on Talbot Road where trees have been clear-cut. There is a lot of debris on the lot. Mayor Hice noted that the elderly owner has sold the timber deed to a company in Ramseur and they have a certain amount of time to clean it up.

Mr. Lewis said that Commissioner Billy Yow was contacted about a problem with a property on Pleasant Garden Road previously reported by John Virden. Mayor Hice reported that it was submitted to Mr. Niles two weeks ago for inspection. There has been previous action taken on this property.

Adjournment

MOVED by Ron Surgeon to adjourn the meeting, seconded by Chairman Carroll. APPROVED 7-0.

The meeting was adjourned at 8:08pm.

Clerk

Date

Chair