

**Town of Pleasant Garden**  
Zoning Board  
May 18, 2009  
Kirkman Municipal Building

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**Minutes**  
Regular Meeting

**Attendance**

Rene Aldridge  
Alan Carroll  
Wade Norman  
James Sealy, Jr.  
Henry Tripp

**Also in Attendance**

Town Administrator/Clerk Carmany  
Mayor Hice, Council Liaison (*substituting for Councilwoman Johnson*)  
Attorney Blair Carr

**Audience**

3

Mayor Hice said that Ron Surgeon had been released from the hospital and was doing well at home.

**Call to Order**

Chairman Alan Carroll called the meeting to order at 7:00pm.

Mr. Carroll delivered the invocation

Mr. Carroll led the Pledge of Allegiance.

**Oath of Office**

Town Administrator/Clerk Carmany administered the Oath of Office to Rene Aldridge. Ms. Aldridge signed her oath and liability waiver.

**Roll Call**

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

**Moved by Henry Tripp to excuse Ron Surgeon for medical reasons, seconded by Chairman Carroll.  
APPROVED 5-0**

**Approval of Minutes**

**MOVED by Mr. Tripp to approve the minutes of January 26, 2009 meeting, seconded by James Sealey. APPROVED 5-0**

**Unfinished Business**

none

### **New Business**

*Signs/political signs:* Mayor Hice explained there had been previous problems with campaign signs being placed in NCDOT right-of-way, on town property, and on private property without permission from the property owner, all in violation of the development ordinance and NCDOT regulations. Chairman Carroll said this appeared to be an enforcement issue and would have to be handled consistently with all candidates treated the same.

The Board reviewed ordinances from other nearby local governments and Mayor Hice noted that other towns send letters to candidates stating the rules. Some such as Jamestown and Oak Ridge pick up illegal signs. Town Administrator/ Clerk Carmany reminded members that the Board of Elections would give the letters to candidates when they filed for office. Board members felt an individual letter mailed from the Town to each candidate would be more effective. There was discussion about having volunteers who would be authorized to remove illegally-placed signs; James Sealey said he would be willing to do so.

Attorney Carr advised that political signs cannot be placed on state property; local governments must adopt their own policies or ordinances to prohibit placement on town property except when that location is being used as a polling place. The Zoning Board directed Attorney Carr to develop a policy to prohibit the placement of political signs on town property based on the premise that a property owner must give permission for the placement of signs and the Town would not grant that permission. She was also asked to draft a letter to be sent to candidates highlighting the sign restrictions and requirements such as the removal of the signs no later than seven days after the election.

### **Training**

Attorney Carr conducted training with the members of the Zoning Board. She provided handouts (*copy attached*) defining public meetings, public hearings, and public comments and explained the difference between legislative and quasi-judicial proceedings and what board members can or cannot do when hearing those cases. She reviewed the legal requirements regarding conflicts of interest and recusals; the requirements regarding zoning cases were expanded to include family and business interests in addition to financial interests.

### **Public Comment**

*Alan Marshall of 2318 Carlford Road* said he agreed there should be enforcement on illegally-placed political signs and that it must be even-handed across the board. He asked how volunteers would be given the legal authority/jurisdiction to remove signs. Someone who didn't like their action could cause issues.

Attorney Carr responded that another town has a volunteer team empowered by the police department to issue parking tickets to illegally-parked vehicles in handicapped zones. Those volunteers sign a liability waiver, attend a training program, and have ID available. If a confrontation occurs, they are trained to walk away for their safety. The Pleasant Garden Town Council could empower volunteers to remove illegally-placed signs. She noted that sometimes vigilantes or rival candidates remove signs without appropriate authority but this would be beyond the Town's control.

Chairman Carroll closed the public comment period.

### **Staff Comment**

Attorney Carr said it was a pleasure to attend the meeting.

**Board Comment**

Chairman Carroll complimented Attorney Carr on her being helpful and informative.

**Adjournment**

**MOVED by Mr. Tripp to adjourn the meeting, seconded by Mr. Norman. APPROVED 5-0**

The meeting was adjourned at 8:02pm.

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Clerk

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Date

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Chair