

**Town of Pleasant Garden**  
February 2, 2010 at 7:15pm  
Kirkman Municipal Building

**Minutes**

**Regular Meeting**

*This document is a compilation.  
The electronic recording of this meeting constitutes the official minutes.*

**In attendance**

Mayor Bill Greene  
Councilwoman Chris Johnson  
Mayor Pro Tem Nancy Jo Smith  
Councilwoman Carla Strickland  
Councilman Bob Wyrick

**Also in attendance**

Sandy Carmany, Town Administrator/Clerk  
Linda Baker, Assistant Clerk  
William Hill, Town Attorney

**Audience**

25

**Call to Order**

Mayor Greene called the meeting to order at 7:25pm and welcomed everyone.

**Invocation**

Reverend A. C. Brock of Bethlehem United Methodist Church delivered the invocation.

**Pledge of Allegiance**

Scoutmaster Mark Wilcox 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 the Agenda**

Mayor Greene requested to move agenda item 11A to follow the approval of the agenda (item 6A). Mayor Pro Tem Smith suggested moving item 11B to immediately follow item 11A. Mayor Greene also asked that the approval of Budget Amendment 9 to cover the cost of reprinting the comprehensive land use plan books be added under the Finance Officer's report (item 9B).

**MOVED by Mayor Greene to accept the agenda as changed. APPROVED 5-0**

### **Boy Scout Resolution**

Mayor Greene read aloud a resolution congratulating the Boy Scouts of America on their 100<sup>th</sup> anniversary and presented it to General Greene District Commissioner Michael Holt.

### **RESOLUTION CONGRATULATING THE BOY SCOUTS OF AMERICA ON THEIR 100<sup>TH</sup> ANNIVERSARY**

**WHEREAS**, Boy Scouts of America was incorporated by Chicago publisher William Boyce on February 8, 1910 after learning of the Scouting movement during a visit to London; and

**WHEREAS**, membership since 1910 totals more than 111,000,000 scouts and is found in 185 countries around the world; and

**WHEREAS**, the purpose of Boy Scouts of America is to teach America's youth patriotism, courage, self-reliance, and kindred values; and

**WHEREAS**, each council will commit each Boy Scout to perform 12 hours of community service yearly, totaling 30,000,000 community service hours each year; and

**WHEREAS**, the organization presented the two millionth Eagle Scout award in 2009; and

**WHEREAS**, more than 1,000,000 adult volunteer leaders selflessly serve young people in their communities through organizations chartered by the Boy Scouts of America; and

**WHEREAS**, these men and women often neither receive nor seek the thanks of the public; and

**WHEREAS**, Boy Scouts of America endeavors to develop American citizens who are physically, mentally, and emotionally fit, have a high degree of self-reliance as evidenced in such qualities as initiative, courage, and resourcefulness, have personal values based on religious concepts, have the desire and skills to help others, understand the principles of the American social, economic, and governmental systems, take pride in their American heritage and understand our Nation's role in the world, have a keen respect for the basic rights of all people, and are prepared to participate in and give leadership to American society, and

**WHEREAS**, February 8, 2010 will mark the 100th anniversary of the founding of the Boy Scouts of America.

**NOW THEREFORE BE IT RESOLVED** that the Town Council of the Town of Pleasant Garden congratulates the Boys Scouts of America on their 100<sup>th</sup> anniversary and proclaims February 8, 2010 as '**Boy Scouts of America Day**' in Pleasant Garden in celebration of its 100th anniversary; and

**BE IT FURTHER RESOLVED** that the Town Council of the Town of Pleasant Garden hereby offers its sincere appreciation and gratitude to the youth and the adult volunteer leaders in this community for their dedication and many hours of service to the citizens of this town.

### **Armed Forces Community Covenant**

Mayor Greene explained the NC League of Municipalities' request that local communities adopt the Armed Forces Community Covenant.

**MOVED by Councilwoman Johnson to accept the Armed Forces Community Covenant.  
APPROVED 5-0**

### **Armed Forces Community Covenant**

Together, we are committed to building strong communities.

We, the elected leadership of the Town of Pleasant Garden, recognize...

The commitment service members and their families are making every day.

The strength of service members come from the strength of their families.

The strength of families is supported by the strength of the community.

The strength of the community comes from the support of employers, educators, civic and business leaders and citizens.

We, the community, are committed to building partnerships that support the strength, resilience and readiness of service members and their families.

We, the undersigned, support the Armed Forces Community Covenant.

*(Signed by members of the Town Council)*

Mayor Greene asked that the Recreation Board plan a formal presentation of the covenant to Representative Howard Coble, Phil Way, and other service-minded community leaders at the next meeting.

### **Consent Agenda**

The consent agenda included the approval of the minutes of the January 5, 2010 Regular Meeting and the January 7, 2010 meeting of the Board Orientation Meeting.

**MOVED by Councilwoman Strickland to approve the consent agenda. APPROVED 5-0**

### **Public Comment**

*Kenny McGinnis of 6829 Branson Mill Road* offered information and an apology. He reported that the Pleasant Garden Lions Club had received a bill for \$88 for the power used to light the Christmas tree in front of the Pleasant Garden Fire Department, and he felt the bill was too high and should be recalculated. He reviewed the history of the placement of the tree; Dale Pruitt donated the tree and the Lions decorated it. He did not realize that the Town was responsible for the power costs at that site.

*Glenda McGinnis of 6829 Branson Mill Road* said she was disappointed that the book club had lost its spot at Town Hall for its meetings at no cost to town. She enjoyed past meetings and asked that past history be forgotten so the book club could begin again, perhaps with the town as a sponsor.

*Alan Marshall of 2318 Carlford Road* said the county commissioners heard at their retreat that the state revenue picture was not good. He stated that the past council went ahead and spent money on pet projects anyway using the emergency funds. He suggested the state would continue to hold back funding and urged the budget be cut to the bone and be kept as revenue-neutral as possible.

*Pam Lemieux of 5102 Foxview Drive* echoed Mr. Marshall's comments and expressed concern about no trespassing policy that was on the agenda for consideration.

*Nancy Martin of 6802 Rustic Wood Court* said the Christmas tree was very much appreciated and noted that her personal energy bill doubled even when she was away. She objected to the Lions Club being billed for the power usage and thanked them for their efforts.

**Reports**

*Town Administrator/Clerk Carmany* reported that the first soccer registration had been received as well as several sponsorships. A new laptop computer was purchased for the mayor’s office and the Assistant Clerk’s computer memory was upgraded. The Services Merger Task Force completed its recommendations and no impacts are anticipated on the town’s contract for planning services with the county. Mrs. Carmany reviewed the suggested format for the first budget work session. The proposed amendments to the Development Ordinance pertaining to the Jordan Lake regulations will be ready for the next meetings of the Zoning Board and Town Council. Following a question from Councilman Wyrick, there was discussion about the accuracy of the website hit report; it was agreed the information would no longer be included in the monthly report.

*Finance/Budget report:* Mayor Greene said it was decided at the council retreat to print 20 additional copies of the Comprehensive Land Use Plan for distribution to both the Zoning Board and Long-Range Planning Board members. Councilwoman Strickland explained that she volunteered to have them printed at her own cost but did not realize the cost would be so high until she received the bill.

**MOVED by Mayor Greene to adopt Budget Amendment 9.** Town Attorney Hill advised that Councilwoman Strickland should abstain due to her pecuniary interest in the matter. **APPROVED 4-0 with one abstention (Strickland)**

**Ordinance adopting the budget of the Town of Pleasant Garden for Fiscal Year 2009-10 Amendment 9**

By the request of the Town Council;

Increase the following expense budget line item by the amount shown:

5302.00 Printing	\$1,150.00	
TOTAL		\$1,150.00

Decrease following expense budget line item by the amount shown:

5999.00	\$1,150.00	
TOTAL		\$1,150.00

Purpose: To allocate for the printing of additional copies of the land use plan.

Respectfully submitted the 2<sup>nd</sup> day of February 2, 2010

Finance Officer Carmany presented the January 31, 2010 financial report. Fund balances were \$1,147,485 in the General Fund, \$1,960,415 for a total of \$3,107,900. She reviewed the check register, budget versus actual, and analysis of interest received.

Councilmembers agreed to change the name of line item 5316.00 to “Continuing Education --- Staff and Boards” to allow the payment of registration fees for members of the Zoning Board to attend training.

Mayor Greene announced that councilmembers were invited by Commissioner Skip Alston to attend a joint meeting with the Guilford County Commissioners at 10:30am on February 16, 2010.

*Town Attorney Hill* responded to a question from the previous council meeting that the donation to the David Lawrence scholarship fund could also have been taken from the Benevolence line item if a

budget amendment had been approved. Councilmembers agreed to add “Honorariums” to the name of line item 5317.00 Dues and Subscriptions.

Town Attorney Hill reviewed the current Town Hall use policy and shared a draft of a revised version that included councilmembers’ suggestions to him and Mayor Greene shared a draft he had written. Councilmembers agreed to table consideration of the policy to the February 11 agenda to allow sufficient time to review the proposed revisions.

*Council Retreat:* Mayor Greene reported that the retreat lasted about five-and-half hours with all councilmembers participating. Ginger Booker of the Piedmont Triad Council of Governments facilitated the session, and councilmembers reached agreement on projects for the Zoning Board and Long-Range Planning Board. It was a good experience and moved the town in positive direction. A summary of the meeting notes was made available to citizens.

*Long-Range Planning Board:* Chairman David Seel reported on the January 19 meeting of the Long-Range Planning Board where Councilman Wyrick provided an overview of the ordinances and the goals set by the Town Council. Mr. Seel was elected as chair and Pam Lemieux as vice chair. The board is looking forward to working with the Town Council and the community on projects.

*Recreation Board:* Chairman Steve Brandt reported that he was elected chair at the January 26 meeting and Beth Moore was elected as vice chair. The board will be considering suggestions for the Christmas parade and asked that the term of the Recreation Board be extended until after the Christmas parade. Board members did not like the suggestion that the Veterans Appreciation Day and Christmas Parade be removed from their responsibilities and will be following up on suggestions for summer concerts and a heritage day. They are receptive to assuming supervision of the soccer program but needed clarification of the board’s role. He requested less micro-management of their activities and asked the council to re-examine the policy about not being able to use non-town residents on committees. Additional research is being done regarding the proposed 5K/10K run in May.

Councilman Wyrick asked for clarification on the issue of bonding volunteers and their handling of money. Mayor Greene shared information he obtained from Ryan Ezzell at NCLM that noted provisions for the use of volunteers on a temporary and seasonal basis if needed.

*MPO meeting:* Councilman Wyrick reported on the January 27 Greensboro MPO meeting and referred to the article in the *News & Record* on the lack of small town representation on the MPO. The MPO staff provided research on other MPOs and the members seemed receptive to providing at least one seat for small towns.

### **Old Business**

*A. Discussion of Finance Policy:* Councilman Wyrick said clarification was needed about when RFPs and quotes should be obtained to make the process more transparent and user-friendly. He shared his suggestions for Section 5 to set up different authorization levels for contracting and purchasing. There was extensive discussion about definitions of key phrases, the need for internal controls and segregation of duties, and the need for further input from all councilmembers. Mayor Greene asked that all councilmembers submit their recommendations to Town Administrator/Clerk Carmany to compile into a spreadsheet for comparison and establish a date at the February 11 meeting to discuss them further.

Mayor Greene called a recess at 9:26pm.

Mayor Greene called the meeting back to order at 9:38pm.

*B. Appointment of 2010 Board members – Zoning Board vacancy:* Dianne Kuhn was unable to accept appointment to the Zoning Board due to a recurring schedule conflict. Councilwoman Strickland nominated Ron Robertson to fill the vacancy and Councilwoman Johnson nominated Anne Hice. Ron Robertson was elected by a 3-2 vote to fill the vacancy. (*Robertson -- Greene, Strickland, and Wyrick; Hice -- Johnson and Smith*)

*C. Discussion of town committees:* Councilwoman Strickland asked for clarification about how various town committees were formed and who would oversee the activities formerly planned by the committees that no longer existed. Town Attorney Hill explained that ad hoc committees are formed by the Town Council for a specific purpose and cease to exist once the task is accomplished unless otherwise directed by the Town Council. There was discussion about the function of the Healthy Living and Reading Grows Community committees and if the Recreation Board could take on their duties.

**MOVED by Mayor Greene to move the community reading program/ book club and the health fair/Healthy Living under the Recreation Board.** There was further discussion about the past use of committees, the difference between the Reading Grows Community and the book club and whether it was a town-sponsored activity, expanding the scope of the reading activities, providing a site for the book club to meet, the budget process to allocate funds for activities, and other organizations providing the health fair at no cost to the town. **FAILED 2-3** (*Yes -- Greene and Wyrick; No – Johnson, Strickland, and Smith*)

### **New Business**

*Items A and B were addressed earlier in the agenda.*

*C. Spring 2010 Soccer Season – use of the Idol field at Pleasant Garden Elementary School:* Town Administrator/Clerk Carmany shared photos taken on January 7 of the lower field of the town soccer complex showing the wet, unplayable condition of the field; it was not likely to be usable until the fall season. Brent Lewis explained that the soccer program would need to schedule the 9-and-10-year old practices and games at the school field for the spring season. This would entail moving town soccer goals which were not being used. Mayor Greene and he met with the principal; issues about liability can be resolved if the town declares the goals as surplus and donates them to the school. The town must provide a Certificate of Insurance to the school system which can be obtained under the town's current liability policy. Town Attorney Hill was directed to research the process to declare the extra goals surplus. The cost for additional mowing of the Idol Field will be negotiated with Still's Lawn Service and credit sought for not having to mow the lower field while it is unusable.

**MOVED by Councilwoman Strickland to authorize the use of the Idol Field and declare the set of the town's soccer goals as surplus and donate them to Pleasant Garden Elementary School.**  
**APPROVED 5-0**

*D. Community Christmas Tree at Pleasant Garden Fire Department:* Town Administrator/Clerk Carmany explained that the December electric bill for the message board at the Pleasant Garden Fire Department jumped from the normal \$22-23 to \$112. After checking with Duke Energy, Fire Chief

Tommy Cole and others, it was determined that the increased usage was likely due to the lights on the Christmas tree plugged in there by the Pleasant Garden Lions Club; similar spikes in costs were discovered in checking the electric bills from past Decembers. Mayor Greene said he asked that this civic organization be invoiced for the extra cost in an effort to avoid favoritism and address the issue. Councilman Wyrick said he had analyzed the kilowatt usage and it had jumped from 74 in a normal month to 928 for December.

**MOVED by Councilwoman Strickland that this bill be waived for this year. APPROVED 5-0**

*E. Trespass Policy:* Mayor Greene asked that this item be tabled until the March 2 council meeting.

*F. Urban Archery Season:*

**MOVED by Mayor Pro Tem Smith to table this item until the March 2 council meeting to allow time to notify to the homeowners associations in the town.** There was discussion about excluding some neighborhoods and Town Hall property from the season and the need for hunters to have permission to hunt on someone's property. **APPROVED 5-0**

*G. Community Readers:*

**MOVED by Councilwoman Johnson that the Town Council continue to provide space for the planned book club events through May.** Councilwoman Strickland expressed concern about the lack of clarity on which groups were authorized to use Town Hall and Town Attorney Hill advised to hold off on a decision until the policy was clarified. **MOTION WITHDRAWN**

**MOVED by Mayor Pro Tem Smith that the Town Council declare the Pleasant Garden Community Readers as a town-sponsored activity and continue to use the Town Hall for its book discussions.** There was discussion about what a town-sponsored activity is, the difference between government entities and non-affiliated groups, the need to define "sponsored," and the availability of other facilities in the town. **FAILED 2-3** (*Yes - Johnson and Smith; No - Greene, Strickland and Wyrick*)

*H. Sunshine List Maintenance:*

**MOVED by Mayor Pro Tem Smith to table items H & I for the March 2 meeting. FAILED 2-3** (*Yes - Johnson and Smith; No - Greene, Strickland, and Wyrick*)

*(Taken out of order after completion of Item I)* Town Administrator/Clerk Carmany explained that once someone requests to be placed on the Sunshine List, the name remains on the list until that person requests removal. Agendas of all Town Council and town board meetings are emailed to list members as well as occasional severe weather alerts and other special items of interest. After discussion by councilmembers, no changes were recommended for the process.

*I. Town Ordinance revisions:* Town Administrator/Clerk Carmany explained that most of the changes consisted of moving items to the appropriate section, officially designating the Town Council as the Board of Adjustment, clarifying language concerning committees and task forces from the board section, and extending board members' terms to December 31 to allow those boards to conduct business in December if needed.

**MOVED by Councilwoman Strickland to accept the verbiage extending the duties of the town boards to December 31 of each year. APPROVED 4-1** (*Yes - Greene, Johnson, Smith and Strickland; No - Wyrick*)

Mayor Pro Tem Smith presented her draft of other proposed changes. Discussion of these and the remaining items prepared by Town Administrator/Clerk Carmany was tabled to the March 2 meeting.

**Public Comment**

None

**Staff Comment**

Town Attorney Hill noted that Blair Carr was no longer with his firm and another municipal law attorney would be hired to replace her.

**Council comment**

*Mayor Greene* thanked everyone for coming and staying four-and-a-half hours.

*Mayor Pro Tem Smith* said she attended the State of the Schools presentation by Superintendent Greene, and shared a written report on his presentation in which he challenged the students in Guilford County to read a million books. She shared the book Three Cups of Tea that the book club is discussing. Next week she will attend ethics training and a meeting of the solid waste committee.

Town Administrator/Clerk Carmany noted that Superintendent Greene and the area superintendent were scheduled to attend the March 2 meeting.

*Councilman Wyrick* had no comments.

*Councilwoman Johnson* thanked everyone for coming.

*Councilwoman Strickland* said she voted a certain way on the town committee issue because she did not have sufficient information and would like to revisit it at a later time.

**Adjournment**

**MOVED by Mayor Greene to adjourn. APPROVED 5-0**

The meeting was adjourned at 11:35pm.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor