

MINUTES OF THE WHITSETT TOWN COUNCIL
March 9, 2010
Whitsett Town Hall Building

REGULAR COUNCIL MEETING

The regular meeting of the Whitsett Town Council was held at 7:00 p.m., Tuesday, March 9, 2010, at the Whitsett Town Hall. The following members of the Town Council were present: Mayor Richard Fennell, Mayor Pro Tem Andy Brown, Council members Jerry Rice, Cindy Wheeler, and Lee Greeson. Also present were Town Administrator Gary Deal, Planning Board Chairman Bob Maccia, Benchmark consultant Richard Smith, Republic Services manager Jimmy Torrey, two members of the media, and 11 additional residents.

Mayor Fennell called the Council meeting to order at 7:00 p.m., and noted that a quorum was present. Council member Jerry Rice offered the invocation.

SPEAKERS FROM THE FLOOR

Mayor Fennell asked for any speakers from the floor; and acknowledged a gentleman who took the floor and introduced himself as Ralph Johnson, candidate for the State House of Representatives, District 58. Mr. Johnson, who stated that he is familiar with Whitsett and its nearby areas, simply wanted to be present to perhaps hear and see what some of the major issues or concerns were in the township. Mayor Fennell thanked him for his time and presence.

OLD BUSINESS

1. Adoption of the Minutes

Mayor Fennell asked for any changes to the February 9, 2010 minutes for the regular monthly meeting; and there were none. Motion made by Council member Jerry Rice to accept the minutes as written; motion seconded by Mayor Pro Tem Andy Brown. Adoption carried by unanimous vote.

2. Adoption of Policy Documents for CDBG Infrastructure Project

As announced at last month's meeting, the State notified the Town that it had been awarded a \$750,000 federally-funded Community Development Block Grant for a public water supply infrastructure project to attack the water contamination problem around highways 61 and 70.

Prior to tonight's meeting, Council members had received in their mailed packets, copies of four policy and procedure documents in anticipation of adoption this evening. Since the documents had been prepared by Benchmark, CMR, the Town's grant administrative agent to date, Mayor Fennell asked Richard Smith representing the firm to speak to the purpose and process for the documents.

Mr. Smith explained that the bulk of the package deals with the subjects of fair housing and fair labor, and although these matters may not seem pertinent to an infrastructure project, they are normal to the operation of community development projects and are required to be addressed and adopted in order to progress. Two brief documents would be more familiar to the Council and dealt with the logistics of appropriations and payments, i.e., (1) a budget ordinance with amounts broken down for services totaling the \$750,000 grant level, and (2) a resolution for signatory authority in the processing of grant requisitions.

Following the formal introduction and description of the policies and a brief period to reabsorb the documents, a motion was made by Council member Lee Greeson to adopt the documents as presented; motion seconded by Council member Jerry Rice. Motion carried by unanimous vote.

Recognizing some residents in the audience affected by the public water grant, Mayor Fennell asked if there were any questions they had. Hearing none, Mayor Fennell asked Richard Smith to offer an estimated timeline, and he stated that the engineering design stage of mapping out a water system would likely take 8 to 10 months depending on which firm is selected and when a negotiated contract is reached and executed.

Finally, Mayor Fennell asked Town Administrator Gary Deal to give an update on information from Pyramid Environmental, who conducts periodic contamination checks for the Whitsett Mini Mart. Pyramid had been working with Deal for quite some time in seeking funding assistance from the Tank Fund for residential hookup fees. Deal explained that the grant would cover the hookup fees for low-income households; but Pyramid wanted to encompass as many households as possible that may be subject to potential contamination, and thereby established a 1,500 foot radius from the source of contamination, which extends beyond the planned water lines. The one condition is that there would need to be 100% hookup participation to qualify for Tank Fund assistance.

Council member Lee Greeson asked who would be responsible for line maintenance and repairs once the system is up and running? Gary Deal explained that all the factors of maintenance, meter reading, billing, etc. would need to be worked out during the implementation phase.

3. Recycling Survey Results and Continued Discussion on Future Efforts

Before any discussion started, Town Administrator Gary Deal mentioned that Jimmy Torrey from Republic Services is the Town's contact and facilitator for recycling, and has been superb in accommodating the ever-changing needs and growth of the recycling program based in Whitsett. Deal stated that Mr. Torrey is present tonight to field questions or concerns.

The Council had at their seats the latest results of the Town-wide survey asking residents to vote for one of two options relative to recycling: (1) pursue instituting curbside recycling, or (2) continue with the drop-off site at the Town Hall. The current tallies, based on an almost 57% response rate were 59 in favor of curbside, 54 in favor of drop-off, and 2 votes indifferent.

One leftover question from a previous meeting dealt with the provision of curbside containers, and Mr. Torrey explained that for those households in the County where Republic provides curbside service, the homeowner usually furnishes a 32-gallon covered container, which generally proves sufficient for biweekly pickup. The lidded containers work extremely well especially for high-wind or rainy days.

Council member Cindy Wheeler asked that if a homeowner would just as soon have a bin supplied by Republic, could the company provide that? Mr. Torrey replied that if Republic and the Town entered into a contract for curbside service, providing containers could be built into the contract and at a minimal cost.

Town Administrator Deal asked Mr. Torrey for his take on how the current recycling effort in Whitsett has done so far vs. curbside; and Mr. Torrey stated that for a town so small with only some 280 households, the drop-off site participation has in his opinion "gone through the roof." No doubt in his mind that communities outside of Whitsett town limits are taking advantage of this site.

Mr. Torrey mentioned one final option the Town could consider—that being the use of one 20-yard dumpster; and cited Jamestown as an example who actually houses three 20-yarders on their Town Hall grounds. Mr. Torrey stated that the 20-yarder in Whitsett would, of course, require some constructional changes so money is a factor; but, it may help the problem of the three 8-yarders being consistently filled to capacity.

Council member Cindy Wheeler questioned a better location for the three 8-yard containers; and the grassy area next to the side portico of the Town Hall was favored, even though this area may require some grading and movement of gravel. Town Administrator Deal suggested that following the Council meeting, light permitting, Council members along with Jimmy Torrey may want to size up the feasibility of this spot for relocating the three bins.

The issue of recycling being provided in Whitsett-bordering developments or subdivisions was raised by Council members; and Jimmy Torrey offered to find out what communities do or don't have recycling available to them—whether provided by Republic or another vendor—and would get back to the Town with the findings. This may help determine where some of the outsiders using Whitsett services could be coming from.

Mayor Fennell concluded by stating that for now the Town should continue status quo; and then hoping to inspire additional public comment on the subject, Mayor Fennell made a motion to put this item on the June public hearing docket where a proposed budget would be adopted that would include initial Town funding for its recycling program; motion seconded by Mayor Pro Tem Andy Brown. Motion passed unanimously.

4. Any Other Old Business

Mayor Fennell if there were any other old business; and there was none.

BOARD AND COMMITTEE REPORTS

1. Planning Board

Planning Board Chairman Bob Maccia reported that at March's Board meeting, the original wording changes to the General Ordinance Title IV on "nuisances" in Chapter 42 on Health and Sanitation proposed by the Board in February had been revised at the direction of the Town Council, and those amendments were now before the Council to be placed on the June public hearing agenda.

Next, Board Chairman Maccia reported that Denny Stroud, an area resident and present at tonight's meeting, had approached the Planning Board on selling utility buildings in Town which is currently not permitted according to ordinance. Mr. Stroud explained that he had recently leased the commercial property at the corner of highways 61 and 70 from Huffman Oil with the intention of setting up a small business to sell portable utility buildings. When asked about permits or checking with the Town, Huffman informed Stroud that nothing was needed.

Stroud proceeded with his plan by placing several metal buildings on the lot, only to soon learn that even though the leased land was zoned highway business, this particular trade of selling utility buildings was not allowed in Town. Even if it were allowed, Stroud would still have to comply with other development requirements and secure a privilege license prior to the conduct of business. Learning of the usually more than three-month process involved for ordinance changes and a public hearing, discouraged Stroud asked the Board if anything could be done to expedite that process. The Board after hearing more of Stroud's

plans, determined that this type business would be a good one for this parcel, and agreed to recommend to the Town Council that this trade be added to the Town's permitted-use schedule, and to push for public hearing earlier than the standard June hearing.

If the Town Council agreed with the permitted-use addition and voted to hold a public hearing on the matter as early as April, then the Planning Board would need to scurry to formulate development conditions and terms for compliance, e.g., distance from roadway buildings could be placed, etc.

At this point, Board Chairman Maccia asked Mr. Stroud to take the floor and plead his case directly to the Council. The Council members were sympathetic to the situation; however, Mayor Fennell explained that he would prefer to follow the normal procedure, and not make an exception, especially since a decision by the Council to allow this trade in Town could have a Town-wide impact on any property zoned highway business. This is not a personal case; permission would apply universally.

Mayor Fennell asked for other input from the Council, and two members thought this type business would be good for the vacant lot where the Texaco once stood. Another somewhat agreed with the two, but did not want to feel rushed in deciding. Ultimately, Council member Lee Greeson made a motion to set a public hearing in April to further deliberate the proposed amendments; motion seconded by Mayor Pro Tem Andy Brown. Motion passed unanimously.

The public hearing will be held at 7:00 p.m. on April 13, followed by the regular Council meeting where approval or denial could occur or a continuance to another hearing could be established. The Planning Board, meanwhile, would call a special meeting to determine conditions and restrictions for this type retail business and present their proposed provisos to the Town Council at the April public hearing.

2. Enforcement Committee

Town Administrator Gary Deal reported that, after much Town persistence, the vacant residence on Burlington Road where curbside bulk trash had set for an inordinate period of time had finally been mostly cleaned up—could be better, but is considered resolved.

3. Enforcement Officer

Enforcement Officer Deal reported that no development permits had been issued since last month's meeting.

4. Town Administrator

Town Administrator Deal reported that at the monthly County Solid Waste Committee meeting on February 17, he learned of several “clean-up” efforts taking place during the spring: March 27, Pleasant Garden would be hosting an e-waste disposal; April 10 would promote a “Great American Clean-Up”; and April 16, the Ag Center would be accepting white goods, e-waste, old tires, etc.

Town Administrator Deal also mentioned that many citizens had inquired about disposal of fluorescent bulbs and CFL bulbs; and he informed that citizens can drop them off at any Home Depot or Lowe’s Supply stores.

Finally, Town Administrator Deal reported that Guilford County engineer Shea Bolick had been working with the Town on reconfiguring the County and Town environmental regulations to incorporate the Jordan Lake Rules requirements. The almost 50-page document will be submitted for DENR approval, and once approved, the Town will have 90 days to adopt the document—hopefully in time for the June public hearing.

NEW BUSINESS

1. Any Items from Council Members

Mayor Fennell asked for any items from Council members; and Council member Lee Greeson asked about any available monies to make improvements to the Town Hall, particularly painting the columns that are so badly rusting. Mayor Pro Tem Andy Brown added that the generator is in need of service. Monies for public buildings repairs and maintenance are minimal for this budget year, but may be built into the next year’s, with the budget process starting next month.

2. Announcements

Mayor Fennell asked for any announcements; none heard.

3. Speakers from the Floor

Mayor Fennell asked if there were any speakers from the floor; and no one asked to be recognized.

ADJOURNMENT

With no further business before the Council, Mayor Fennell invited a motion to adjourn. Motion was made by Council member Jerry Rice to adjourn; motion simultaneously by Mayor Pro Tem Andy Brown and Council member Cindy Wheeler. Motion passed unanimously; and the March 9 Town Council meeting was adjourned at 8:20 p.m.

A public hearing will be held at 7:00 p.m., Tuesday, April 13, 2010 at the Whitsett Town Hall, followed by the regular monthly meeting of the Town Council.

/s/

/s/

Jo Hesson, Town Clerk

Richard Fennell, Mayor

APPROVED: April 13, 2010