

MINUTES OF THE WHITSETT TOWN COUNCIL
June 8, 2010
Whitsett Town Hall Building

PUBLIC HEARING

A public hearing was held at 7:00 p.m., Tuesday, June 8, 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, 2 members of the media, and 8 area residents.

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

Mayor Fennell explained that the purpose of the public hearing was to invite public comment and discussion on the subjects advertised in the newspaper and listed on the public hearing agenda. (Copy attached as part of these minutes and for the official record.)

1. Proposed 2010-2011 Whitsett Town Budget

Mayor Fennell asked for any public comment from those present regarding the 2010-2011 proposed budget for Whitsett; and no public input came from the audience. Mayor Fennell then touched on several budget items, namely animal control fees that had this year been reinstated by the County. He stated that at the latest County mayors meeting he was hoping to get some support from municipalities to band together in protest of the again-imposed assessments; but instead most cities and towns considered the County charges to be inevitable and that voicing opposition would be a waste of energy. In closing on this, Mayor Fennell, stated that the County also being present at the mayors meeting, of course, assured municipalities that with the additional charges additional services would also be provided by the County.

Another line item new to this year's budget was for recycling, which since October 2009 has been a free service to Town residents by the Town's trash hauler Republic Services, but for which the Town would soon be funding. The dilemma has been whether to continue with the current drop-off site on the Town Hall grounds or change to curbside—the latter, of course, the costlier. Discussion on the future of recycling would occur later in the hearing. Meanwhile, the budget reflected \$8,000 set aside for recycling in 2010-2011.

A budget area raised for discussion and possible curtailment was the attendance and participation of the Town Administrator and Town Clerk in certain monthly, bimonthly, or ad hoc local government meetings, e.g., PTCOG, TCC/TAC, and Solid Waste meetings. A way to save on some administrative costs would be for Council members to represent the Town in these arenas; and if any Council member were interested in stepping in for the Town Administrator Deal, they should contact him.

Mayor Fennell conclusively remarked that he felt the quarterly mayors meetings he attends are a means to keep abreast of what's going on in other municipalities and communities, and brings with it a connection and certain amount of trust among mayors and other officials. Council member Cindy Wheeler added that it's important, for continuity's sake, to have Town Administrator attend the meetings he does, so the full background and ongoing chronology make sense.

A final word from Mayor Fennell on the proposed budget was that a dipping into reserves [by almost \$22,000] had been reflected in the 2010-2011 budget to arrive at a balanced budget; but as the year progresses, it is only hoped that the need to do so diminishes.

2. Proposed General Ordinance Changes on Nuisances

Mayor Fennell invited public comment on the proposed wording insertions to the general ordinance on nuisances which dealt with lawn and property maintenance. In addition, he noted a proposed definition of the term nuisance new to the Chapter. Mayor Fennell asked Planning Board Chairman Bob Maccia to the floor to further enlighten. A copy the proposed additions presented by Chairman Maccia is attached for the record.

The word additions to the 42.10 (B) brought virtually no public comment. The necessity for and the wording of the definition was the primary language in question, due to ambiguity; and opinion from the public and the Council members kicked around striking certain phrases and words or striking the definition altogether. Town Administrator/Enforcement Officer Gary Deal, however, made the point that the "meat" of the proposed changes is the ordinance itself, which is the only part enforceable; the definition is simply auxiliary. That being said, focus shifted back to the 42.10 ordinance amendment, on which again came no public comment.

3. Proposed Development Ordinance Amendments on Accessory Buildings

Mayor Fennell again asked Planning Board Chairman Bob Maccia to the floor to give the background on and the Board's recommendation for the proposed amendments. Maccia explained that what prompted the work on the Town's

requirements relative to accessory buildings, was a relatively new resident on Brightwood Church Road, wanting to erect a rather large—48’ by 60’—accessory building on his lot, and there being a discrepancy between Town and County ordinances.

Town Administrator Gary Deal added that the County had contacted him as Town Enforcement Officer about the case, whereby the Brightwood Church Road resident had approached the County permits department about his plans to build, unaware of the Town procedure to first secure a development clearance permit from Town Hall. The County, informing the resident of this first step, did, however, look over the plans only to inform the resident that his plans did not meet County codes.

According to County requirements, accessory buildings must be located behind the front building line of the principal structure on the parcel. The County, being the contracted enforcement authority for Whitsett, thought that Whitsett’s ordinances mirrored those of the County. The Town normally would adopt the County ordinances for uniformity of compliance; but, in this case they had not; and the Town’s ordinance actually allowed accessory structures to extend beyond the front line of the main dwelling as long as they complied with front yard setbacks.

Although the case above that brought about these proposed amendments would not be affected by these code changes since the Town issued the development permit before this ordinance change, it would be in the best interest of the Town to conform its ordinances with those of the County for future applications; and the recommended amendments reflect that move. (The document with the current Town ordinance and recommended insertions from County requirements is attached for the record.)

Mayor Fennell asked for any public comment regarding these amendments; none were offered.

4. Proposed Environmental Regulations to Conform to Jordan Lake Rules

Town Administrator Gary Deal reported that the environmental regulations covering the Jordan Lake Rules, originally planned for adoption at this time, had had a setback because DENR disapproved the first submittal. Guilford County engineer Shea Bolick, who has been working diligently to meet DENR guidance and deadlines on behalf of the County and four other municipalities, including Whitsett, had been put back to the drawing board for additional compliance and revisions.

The deadline for resubmittal is July 20; meaning the earliest that the new regulations could be available for public comment and adoption would be August. Bolick continues to inform all parties on progress.

5. Topic of Recycling

Mayor Fennell asked Town Administrator Gary Deal for opening remarks, who reported that Jimmy Torrey, the Town's contact for Republic Services, stopped by the office today and was asked if he were aware of any problems that the current drop-off bins were giving Republic, i.e., cross contamination, etc. Torrey's response was nothing major, and, in turn, asked how the Town considered the set-up to be faring. The Town is satisfied; and with this being the universal opinion of the public as well, no further comment was necessary.

Finally, Mayor Fennell reiterated the invitation for any public comment on the above proposed issues; and hearing none, asked Council members to voice any concerns or questions as well.

With no further comment on any of the items presented, Mayor Fennell made a motion to adjourn the public hearing; motion seconded by Council member Jerry Rice. Motion carried by unanimous vote, and the June 8 public hearing was adjourned at 7:55 p.m. to proceed with the regular Council meeting at which final actions would be taken.

/s/

/s/

Jo Hesson, Town Clerk

Richard Fennell, Mayor

APPROVED: July 13, 2010