

Regular Meeting of the Town Council  
March 20, 2012  
Council Chambers  
7:00 pm

Minutes & General Account

Regular meeting of the Town Council, March 20, 2012, 7:00pm, Council Chambers, Town Hall.

Council Members Present: Mayor Volz, Council Member Montgomery, Walls, Nixon-Roney and Thomas.

Staff Present: Chuck Smith, Judy Gallman, Paul Blanchard, Matthew Johnson, Michael Hutcheon, Jay Gardner, Jeff Greeson, Martha Wolfe and Beth Koonce, Town Attorney

Visitors: Carole Salter & Bill Salter, Ronnie Hancock, Randy Parker, Tony & Pat Cruthis, Joyce Volz, Chris Womack, Harold Rush, Don Douglass, Eleanor Ratterman, John Capes, Charles Dye

1. Call to Order – Mayor Volz called the meeting to order.
2. Community Reflections – Mayor Volz said in the last few weeks some off our town people have left us; namely Sarah Stafford and Burley Dennis. Mayor Volz said his mother-in-law, Kathryn Drake, also recently passed away. Please bow your heads for a moment of silence.
3. Approval of minutes from the February 21, 2012 meeting - The Town Clerk stated Council Member Walls made a correction to the minutes in the Council packet, page 21 please note the time change to am not pm. Council Member Montgomery made a correction on page 17 item #9 paragraph 3, to change wording from paid to extended. Council Member Nixon-Roney made a motion to approve the minutes with the two changes. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.
4. Adoption of the Statement of Consistency for 202 R1 Ragsdale Rd. rezoning case #2011-03 and 1002 Gardner Hill Drive rezoning case #2011-02 - The Town Attorney, Beth Koonce, stated it has been brought to our attention that when the rezoning cases for the 202 R1 Ragsdale Rd. property and the 1002 Gardner Hill Drive property were considered there should have been a Statement of Consistency in Council's deliberation and motion. She has reviewed the statue and that is accurate. This statue encourages us to conduct a full & fair hearing of our rezoning cases. Council did conduct a full & fair hearing considering both the pros & cons of each case. The Town Attorney prepared a Statement of Consistency for the Council to review and hopefully adopt which will satisfy the General Statue.

Council Member Montgomery made a motion to adopt both the Statements of Consistency in reference to the 202 R1 Ragsdale Rd. property rezoning and the 1002

Gardner Hill Drive conditional rezoning. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

(Insert Statements of Consistency)

Council Member Walls stated we failed to adopt the consistency statement last time and he would like to know the procedure for future use. The Town Attorney said in the statues is the requirement that there has to be a Statement of Consistency stating if the request is either consistent or inconsistent with the comprehensive plan. That being said, in the future, Council should add to the motion a statement that Council feels or does not feel the request is consistent or inconsistent with the comprehensive plan.

Council Member Nixon-Roney stated she remembers the Council discussing electronic gaming and that it was inconsistent. Council talked as well about the Ragsdale Rd. apartments and the consistency of that use. Mayor Volz pointed out that the Planning Director gives in his presentation possible goals & policies in the Land Development Plan that are consistent or inconsistent with the subject rezoning case. Then upon discussion by the Council, a Council Member makes a motion that includes the consistency or inconsistency with the Land Development Plan.

Per the Town Attorney, this does not have to be written. The statue is there to ensure a case is fully discussed. The Town Attorney said going forward; we will ask the Council to include in their motion that a rezoning case is either consistent or inconsistent. Per the Town Attorney, there is no guidance in the statue to govern how to do it. Council Member Walls said the example given at the course he took was a short sentence similar to what the Town Attorney suggests.

5. Public Hearing to consider an amendment to the Town of Jamestown General Ordinances, Article V, Traffic Control, Ordinance #2011-6- Prohibiting Parking & Enforcement. Mayor Volz called on the Town Clerk. She stated the Town adopted the Prohibiting Parking & Enforcement Ordinance last June, 2011. The General Statues of the State of North Carolina for handicapped parking gives a range of \$100 - \$250 for a violation. The Town adopted the \$100.00 for the violation. The Sheriff Department brought to our attention that some of our signage had the \$250.00 fee. Therefore, to bring everything in agreement and no conflict between the ordinance & signage we are requesting the Council to amend the ordinance to establish the \$250.00 for a parking in a handicapped space violation. Mayor Volz asked for discussion, there being none, Council Member Thomas made a motion to approve the requested amendment to the Prohibiting Parking and Enforcement Ordinance #2011-6-1. Council Member Montgomery made a second to the motion. The motion passed unanimously.

However, it was brought to the Mayor's attention, that the Public Comment portion was not conducted. At this point, Mayor Volz opened the Public Hearing and asked if there was anyone present that was in favor of increasing the fine from \$100.00 to \$250.00, please come to the podium, state your name and address.

Carole Salter, 601 Havershire Drive - She stated the biggest problem is enforcing it. She uses a walker and numerous times, she has been forced to walk when handicapped spaces are filled with vehicles of people obviously without a handicap. Until you become handicapped you do not realize how much this is abused.

Mayor Volz asked if there was anyone else that wished to speak in favor.

Charles Yates, 512 Oakdale Rd. - He works part-time at the Food Lion Grocery Store. He said lots of people park in the fire lane in front of the door. Handicapped & other people cannot get into the door. He is in favor of the amendment.

Mayor Volz asked if there was anyone that wished to speak against the amendment. There being none, Mayor Volz closed the Public Hearing and called on the Council to retake the vote by a roll call vote. Council Member Thomas restated his motion as written and recorded by the Town Clerk. The Town Clerk read the motion as follows:

Council Member Thomas moved to approve the requested amendment to the Prohibiting Parking & Enforcement Ordinance #2011-6-1. Council Member Montgomery made a second to the motion. On a roll call vote:

Council Member Walls voted aye,

Council Member Montgomery voted aye

Council Member Nixon-Roney voted aye

Council Member Thomas voted aye

The amendment passed by unanimous vote.

6. Public Comment Period – Mayor Volz stated this is the time for those that have signed up for public comment to speak. There is a three (3) minute time limit per speaker.

Ronnie Hancock, 605 Havershire Drive - Mr. Hancock stated he has lived here 29 years. Mr. Hancock stated he visited the City of Archdale on March 8<sup>th</sup>, 2012 and spoke with City staff. Archdale outsources the trash & garbage collection to Allied Waste Management. They have two (2) 95 gal. rollers; 1 for garbage and 1 for recycling. The cost of each roller is \$55.00 to \$60.00. They pick up garbage once a week. They recycle every other week. The cost is \$11.00 for garbage and \$3.00 for recycling a month. The City did receive some grants to start the program in 2008. Archdale staff said this program is successful and accepted by the citizens. The City said when we started this program in 2008, only 10% of waste was being recycled. In 2011, 23% was recycled. The goal for 2012 is 30%. They do have a positive cash flow for recycling. The City of Archdale provides once a week curbside recycling of yard debris. In his opinion, plastic bags left on the street and recycling dumpsters behind Town Hall are not sound procedures for the 21<sup>st</sup> century. Mr. Hancock provided the Council with a handout.

Don Douglass, 202 Edwards Lane - He is requesting the Council to please look at the Golf Course again this year during the budget process. Douglass stated we are losing play due to the slop of the greens and the speed of the greens. Jay & Michael have done all they can to keep the course in good shape. Mr. Douglas said as far as the garbage pickup goes; He has lived here 28

years, does not have a problem. Occasionally, crows get in his garbage, he picks it up. He is happy with the garbage pickup the way it is.

Tony Cruthis, 600 Oakdale Rd. – He thanked Mayor & Council for their service. He was expecting a meeting about the Historic Society Committee. He wishes to voice his opposition to it. He went along Oakdale Rd. and got signatures of those for and opposed to the Historic Commission. He gave Council copies of those signatures. Also, he thinks Jamestown has the best trash pickup service that he knows of. Very few places pickup twice a week and he appreciates the way it is done.

7. Jamestown Public Library Annual Presentation – Eleanor Ratterman presented a PowerPt. Presentation to the Council. Ratterman is the Manager of the Jamestown Library. She has worked there 7 years and manager for 4 years. She gave an overview of the Library activities for the year 2011, highlighted as follows:
  - Over 60,000 people visited the Library
  - Over 56,000 Library materials used
  - Almost 10,000 people used a computer
  - Over 2000 children came to Library events
  - 5892 active Library accounts

The major income supporters of the Jamestown Library are:

- Town of Jamestown - \$60,000.
- Guilford County - \$55,500.
- Fundraisers, donations, library fees \$33,000.

Expenses:

- Payroll - \$79,000.
- Facility \$36,000.
- Library \$15,000.
- Misc. \$15,800.

The mission of the Jamestown Library is to strive to be a caring and compassionate community center; a place that serves the needs of many interests and backgrounds. When the Library was created it had a twofold purpose; library & museum. Upstairs on the 3<sup>rd</sup> level, is housed a beautiful museum with display cases and memorabilia. This area contains the history of education in Guilford County.

Council Member Walls asked her to talk about the Jamestown Welcome Center proposal. Council Member Walls had the idea of a Welcome Center for Jamestown housed at the Jamestown Library. Council Member Walls said there is an Eagle Scout that is interested in organizing this for an Eagle Scout project. Materials needed are:

1. Sign for Jamestown Welcome & Visitors Center
2. Piano moved out of current space
3. Rack to have Town maps, etc.

Council Member Thomas said he has been fortunate enough to work with Eleanor for the past 7 years. She is very passionate about the Library and does a great job. Eleanor is getting married and will be relocating. She will be missed. Council Member Thomas thanked her for all she has done. Mayor Volz also thanked her and the volunteers for all they do for the children and this community.

8. GTCC Presentation – Mayor Volz introduced Dr. Randy Parker, new president of GTCC. Dr. Parker said GTCC is in its 54<sup>th</sup> year. They have grown to serve over 45,000 students in Guilford County. GTCC is the 3<sup>rd</sup> largest community college in NC, 3<sup>rd</sup> only to Wake Tech in Raleigh and Central Piedmont in Charlotte.

Dr. Parker said GTCC has 4 types of programs:

1. College Credit Courses
2. Adult basic education
3. Personal enrichment
4. Occupational/jobs training

GTCC is currently constructing a new campus on Hwy. 68. This will bring the total sq. footage for GTCC campus up to approximately 1.6 million sq. ft. They have a 200 million dollar budget.

GTCC is currently working on a logistics project with 4 other community colleges. GTCC is the leader on this. Parker stated that Guilford County is the hub of logistics and transportation. We want to be the center to add companies and workforce interested in logistics and transportation. GTCC is the aviation college for North Carolina. They have been teaching aviation for over 40 years.

Dr. Parker said Council Member Walls came to see him. They brainstormed ways GTCC and the Town could work together. GTCC is designing some new flags. Possibly the Town could fly some of the new flags on the Town's poles. GTCC may have an entry in the Jamestown parades. GTCC wants to partner with the Town of Jamestown and work together.

Mayor Volz said a project that GTCC could partner with the Town is the traffic problem and study of traffic around GTCC, YMCA & Guilford County Schools. Dr. Parker said GTCC is currently working on updating its master plan for GTCC. During this process, GTCC will share data and information it receives as it pertains to traffic in the area.

Council Member Walls said he and Dr. Parker talked about ways that GTCC could help with beautifying parts of Jamestown. Dr. Parker said they have about 40 student clubs and they are often looking for service projects. A good time to talk with the service clubs is early fall.

Council Member Walls thanked Dr. Parker for speaking at this meeting and for meeting with him earlier. Council Member Walls stated he is a product of GTCC. He received a two year degree from GTCC 30 years ago. That education allowed him to succeed.

9. Guilford County Sheriff Department Annual presentation – Lt. Tim Parker stated a lot of what he heard tonight deals with quality of life in Jamestown. The GCSO wants to be a

partner in that as well. I represent District 3 of Guilford County, which is roughly one-third of the County. It is a large populated area. For 2010-2011 the only major increase we had in crime was in the area of larceny up 7%. (From 60 cases to 64 cases) Jamestown continues to be a sought after place. Jamestown has an officer assigned to this community 24 hours a day/7 days a week. There are 36 officers in District 3. Captain Gordon is the commander; Lt. Parker is second in command.

The Guilford County Sheriff Dept. is aware of the traffic issues in and around Jamestown and the areas of GTCC and the schools. Lt. Parker said before the start of school this year, we had to evacuate the campus. It took 2 ½ hours, that was with the benefit that the High School, the Middle School and Elementary school were not in session.

There are 7 officers that work from the Jamestown campus. A priority of the Sheriff Dept. is burglary. Burglary was reduced (business & residential) by 42%. The Sheriff Deputies have good communication with Jamestown. The Sheriff Dept. has been patrolling Jamestown for decades. The Town population is accustomed to the deputies and call when they need them.

Lt. Parker said it is no surprise to him that parking is an issue at Food Lion Shopping Center. This is the largest concentration of people parking & shopping in the city. When they can, the officers make an effect on the parking issues. Overall the reduction from last year in Part 2 crimes was reduced 18%. Lt. Parker said that speaks a lot for the Town and its people.

Council Member Nixon-Roney said Jamestown and the Sheriff Dept. have a good relationship. She commends the deputies as being friendly and approachable.

Lt. Parker said the District office and their activities will remain in Jamestown. Mayor Volz stated we appreciate everything the Sheriff Dept. does for Jamestown. Citizens feel safe because of them.

10. Jamestown Garbage Pick-Up Policy change request by Jamestown Council Member – Council Member Walls presented an updated PowerPt. regarding the Town’s Garbage Pick-up Policy. (changed from policy to study) Council Member Walls said the Council talked a lot about trash during the work session held earlier. Council came up with some temporary solutions therefore; this is a study instead of a policy change. Council Member Walls presented the PowerPt. which stated again that crow littered garbage is a health hazard to citizens & public service workers. It is difficult for citizens to pickup the littered garbage, especially if physically challenged, pregnant, etc. It looks bad and smells bad & attracts vermin. Council Member Walls stated the use of ammonia is a health hazard to citizens, public service workers, pets, animals & birds. Some property owners have covered their garbage bags with tarps, but that does not work either.

Council Member Walls cited recommendations by local experts:

-NC State University & NCA&T State University Cooperative’s Guilford County Extension Director, Wick Wickliffe, recommends a study.

-Dennis Burnette of Guilford County’s T. Gilbert Pearson Audubon Society & Dr. Lynn Mosley, Guilford County bird specialist, recommend trash cans.

-Dr. Mosely states "there's no evidence that crows have a good sense of smell."

-Dick Thomas, Director of PEC, recommends impervious containers.

Council Member Walls said after the last meeting, he researched information on the use of ammonia. Council Member Walls stated concentrations of ammonium hydroxide vary from 5 percent to 10 percent for household use and 25 percent or more for industrial use. It is all hazardous. It can irritate the eyes & skin, burning and swelling and cause burning to eyes, nose throat and/or respiratory system could even result in death.

Since this is a study, trash can use is voluntary and restricted to those citizens with chronic crow problems, animal and other situations as needed to prevent garbage littering. Town staff shall create guidelines to include selecting appropriate trash can type & size for citizen use. The Guidelines should be posted in 30 days on Town website and other media sources. Citizens required to retrieve trash can from curb within 24 hours after each pickup. Trash can to be purchased & maintained by the citizen.

Council Member Walls stated he is trying to find a solution to the chronic problem we have twice a week for people that have crow problems. Council Member Walls said he would like to make two motions.

1. Motion for the study.
2. Motion to remove the verbiage to ammonia on our Town website.

Council Member Nixon-Roney questioned if it was legal to restrict to certain people. If a policy change is made, she thinks it applies to all people. Mayor Volz said there are a lot of citizens that are happy with the trash bags. Many citizens dislike the use of cans and their appearance along the street and in front of property. Mayor Volz recommended sending a poll on the Town utility bill asking the citizens which they preferred: i) staying with the bags, ii) staying with bags and finding a way to recycle, iii) go with cans entirely (trash& recycling). Also, add the anticipated cost of each alternative. Per information presented by Mr. Hancock during the public comment period, Archdale is experiencing positive cash flow from recycling & acquired grants for start up of the program. Jamestown should discuss this with the vendor submitting bids. Council Member Nixon-Roney would be in favor of doing a proposal accepting bids to see what the cost is of bag recycling. Council Member Nixon-Roney said her experience is that most citizens like the bags. Council Member Thomas felt we need to take the steps to see what the expense is and what direction we want to go.

The Council discussed recycling. The Town Manager asked for clarification on the requested proposals for bids. Council Member Nixon-Roney stated I would like to be as informed as possible. The Town Manager said they would prepare an informal bid for recycling carts verses bags.

Council Member Thomas cautioned to be sure any wording on the message to be sent on the utility bills to citizens was worded correctly. He also wanted a clear financial picture before we start polling the citizens. Council Member Walls suggested doing the RFP before polling the citizens. The Town Manager said the earliest we could send out an in-town survey would be in May. That would be too late to include in the CIP budget. Council Member Montgomery

agreed we need to do our research first before we send out a survey. The Town Manager wanted Council to know that Archdale's solid waste fee is \$14.00 a month. (\$11.00 solid waste & \$3.00 recycling) The Town's current rate is \$7.00 a month. Council Member Walls said from earlier discussion, the short term solution of the study was to send a truck out to pick-up from those residents that have chronic issues. Council Member Montgomery asked how we will determine where those addresses are. The Town Manager said it would be complaint driven. Council discussed problems with this procedure.

Council Member Nixon-Roney made a motion that for the next 30 days we do a study having a service truck pick-up trash first thing in the morning from the houses that have asked the Town to do so. The Clerk asked if this should be stated as houses that have a chronic problem or houses that notify the Town they had a chronic problem with crows.

The Town Manager said the Operations Manager, Jeff Greeson, was present and asked him to weigh in on the trash issue.

Jeff Greeson said the Public Services Dept. does not have the man power to take a service truck and pick up trash from residents. Summer is coming up and the Public Service Dept. has lots of extra mowing during the season. He just doesn't feel we have the staff to do it. He feels if this is done, the number of residents to pickup may increase every month.

Council Member Thomas recapped the Council discussion from the work session to Greeson. He said Council is trying to find a solution for these residents that are having a chronic problem. We must try something. Doing nothing is not an option. We thought a 30 day study would be good because it would be temporary and we can evaluate the results. The Town Manager said Council also discussed reversing the route. Greeson said he would rather try reversing the route.

Council Member Nixon-Roney stated she was glad to hear from the Operations Manager. She wanted to hear from the staff that is responsible for the trash procedures. Greeson said he feels the only real solution is toters.

Greeson liked the idea of reversing the routes and pick up trash in the morning for the areas having problems. The citizens would need to have garbage out by 7:00 am (Which all citizens are advised to do anyway). The Town Manager said they can do an adjustment of routes for a temporary solution and then evaluate the results. Greeson said that his first option would be to work with correcting the trash issues with the garbage truck and the existing sanitation crew.

Mayor Volz stated it seems the Yorkshire area has the worst problem and they would be the first addresses to pickup. Council said the Town would have to get the word out about the change. Some residents purposely do not put trash out until later because they know that is when the garbage truck arrives in their neighborhood. Council discussed again the use of cans allowed for the properties with chronic problems. However, Council Member Nixon-Roney felt this may be illegal to allow for some and not for others. We would have to allow for all 1300 customers. We would have a hybrid of bags and toters. Council directed the Town to reverse the trash route. The newspaper was present and asked to print this notice in the next issue.

The Town Manager asked for further direction from the Council on the previous trash discussion. Council directed the Town Manager to:

- Do the RFP on recycling bags & containers
- Delay questions on the May water billings until the RFP (proposal) is submitted

Council Member Walls restated his second motion to remove the ammonia reference off the Jamestown website as a deterrent to the trash issue. Council discussed. There was no second to the motion, therefore the motion died.

11. Request approval of the First Tee Program agreement – Chuck Smith said Parks & Recreation Committee did write a letter of recommendation for the First Tee Program. This Committee was not charged with reviewing the agreement, just whether to endorse the program. The Town Manager said his request is for the Council to consider the First Tee Agreement with the condition to allow the Town Attorney to make minor changes to the agreement as required. Smith said the agreement in Council packet has been reviewed by the Town Attorney and by him. The agreement has gone back to the First Tee for their review. If they require a minor change, the Town Manager is asking approval from Council to allow the Town Attorney authority to do so.

The Town Manager directed the Council to item #12 of the contract – termination. The original termination day was 120 days. We have requested the termination clause to be 30 days. First Tee has requested back to 120 days. These are the type minor changes we are asking the authority to do. If it is a major change they will bring it back to the Council. Council Member Thomas said he was present at the Parks & Recreation meeting when Hutcheon presented this program. The Parks & Recreation Committee members were in favor of this. His concern was that we not obligate the Town or future Council to any type monetary commitment. (Ex: YMCA obligation) The Town Manager said that is why we have the termination clause. Council Member Thomas said Hutcheon felt it is a great program and we really need it. It is a great opportunity to get the “Friends of the Park” involved as well. Council Member Thomas felt we should give the Town Manager direction to move forward.

Council Member Walls questioned the 10 years and could it be reduced to his years of service on the Council. The Town Manager said the termination clause allows the Town or First Tee to terminate the agreement. Council Member Nixon-Roney made a motion to adopt the approval of the First Tee Program agreement with the condition to allow the Town Attorney to make minor changes to the agreement. Council Member Walls made a second to the motion. The motion passed by unanimous vote.

12. Request approval of the Silver Sneakers Agreement – Smith said the Parks & Recreation Committee did make a positive recommendation of the Program. The Committee was not charged with reviewing the agreement, just whether to endorse the program. The Town Manager said he has been unable to reach the provider regarding making some changes to the agreement. At this point, the Town Manager said he would like to withdraw this contact from the agenda at this time.

13. Event Jamestown Easter Egg Hunt – Smith announced that the Town is hosting the first annual Easter Egg Hunt April 7, 2012, 9:00am – 12:00 pm. The Town of Jamestown, Parkwood Baptist Church and Jamestown Lions Club are the organizers and supporters of this event. Smith said Sheetz is a major contributor of the event. Also Pepsi is donating products. A lot of local businesses are donating or having activities at the event.

14. Proclamation Spring Litter Sweep –Martha Wolfe said the Spring Litter Sweep is set for April 21, 2012. The employees from Martin Marietta are helping us again this year. Please meet at the Food Lion Parking lot at 9:00 am if you would like to help.

(Proclamation)

15. Proclamation Multiple Sclerosis Awareness Week – Mayor Volz proclaimed March 12 – 18, 2012 as Multiple Sclerosis Awareness Week.

(Proclamation)

16. Proclamation Women in Construction Week – Mayor Volz proclaimed March 4 – 10<sup>th</sup>, 2012 as “Women in Construction Week”

(Proclamation)

17. Traffic Study discussion & authority to negotiate agreements – Smith stated he has secured 100% of the funding for the \$58,500.00 to perform this study. The \$58,500.00 has to be paid by the Town of Jamestown and the Town has to enter into the agreement to conduct the study. The Town Manager has secured reimbursement for the full amount once the study is completed. The Town Manger wants written confirmation that the Town will be reimbursed. The agreement for reimbursement from HPMPO is in the form of a letter and it is not a binding agreement. It is a letter of intention to reimburse the Town up to 80% of the \$58,500.00

The Town Manager stated that timing is of the essence for this study. In order to capture the counts for GTCC we need to do the traffic counts while all the schools are in session. It is of no use to do in the summer. If the study is not done now, it should be delayed until the fall. The other 20% reimbursement is from NCDOT. Smith received an email from NCDOT committing the 20% for the study. However, the Town needs to enter into a municipal agreement that secures the 20%. This agreement will not go before the Transportation Board until May. The importance of timing is what makes this difficult. The Town would need to pay the money at the beginning of the study (now) but would not receive reimbursement until the study is completed.

The study is basically a plan for NCDOT to implement traffic improvements throughout the GTCC, Ragsdale, and Millis Rd. Elementary School area. It will provide short term goals and longer term solutions for traffic after the Bypass is constructed. Council Member Nixon-Roney stated if we wait until the fall to do the study, then we will not be able to advise NCDOT of any deficiencies during the construction of the By-pass. Smith said the study will take about 2 -3

months to complete. The actual agreement with HPMPO is 80% of the cost. Smith said if we are uncomfortable with this now, he recommends we wait until the fall to do the study. Smith said NCDOT is to let contracts in August of this year. Council Member Nixon-Roney asked the Finance Officer her opinion. She stated that the Town does not have the funds to do the study unless we get reimbursement. We cannot do it without a budget amendment.

Council Member Walls asked why NCOT would not do the study themselves. Smith stated we approached NCDOT to do the study but they declined. Smith pointed out this area is in the Town's ETJ territory. It is common for NCDOT to ask where the issues are in your area and give them a good plan, and DOT will consider it. From the meetings that have occurred, NCDOT does realize we have a traffic problem in the area of the schools. Smith said the Town can have the consultant's do this study, give to NCDOT and they may do some of the recommendations and some of the recommendations could be delayed until DOT funding is available. Smith said we should see some short term improvements and then other improvements after the By-Pass is completed (2018) It is a plan that they will phase in over several years. The study will focus funds on specific items that NCDOT can budget and plan for in the future. The Council discussed the implications of the timing of the study and the timing of the reimbursements. Smith felt if HPMPO committed to the reimbursement they would fulfill that obligation. Smith stated that NCDOT is only looking at the By-pass area as their area of study. This study would look at areas beyond that and the affect the By-pass will have on the surrounding areas. It is a chance to provide input on behalf of the Town of Jamestown. Council discussed how to fund the project. Smith asked if the Council is comfortable with allowing him to move forward with a letter of commitment from HPMPO to fund 80%. Then, the Town will work on funding the \$12,000.00 which represents NCDOT's portion. Staff will bring this back to the Council at the April meeting to request a budget amendment.

The Council agreed for the Town Manager to move forward and bring this back to the Council at the April 2012 meeting.

18. Monthly Golf Course Report – Michael Hutcheon thanked the Council for approving the First Tee Program. Hutcheon stated that the month of February was good. Slightly down from last year at this point due to weather related days. March has started off really well and weather has been great. During February they sold additional senior and adult passes. Increased email data base up to 10,000 and have moved into mobile texting. Website activity continues to grow.

The month of February played about 1250 rounds of golf, revenues just over \$30,000.00. February is also the start of school golf season. We host Ragsdale High School and Southwest High School from Monday – Thursday. Jamestown Middle School also practices at the Golf Course.

Hutcheon provided the Council with upcoming events calendar. In addition to the scheduled events, May starts the free lesson golf month, family golf month in June, bring your daughter to the Golf Course and specials for Women's Golf month.

They continue to do the loyalty card program, still offering the summer Jr. Pass (June, July & Aug.) Still have senior and adult annual membership passes. This month we introduced a mini-membership pass which is a Mon.-Fri. opportunity that allows players a one month membership.

They continue to market the Golf Course by e-blasts, magazines, newspapers, radio, mobi-deals on ABC 45 and website. They mailed brochures to businesses. Council Member Nixon-Roney said Sedgefield Golf Course is closing down for the summer to prepare for the Wyndham Tournament. (May 15, 2012 closing) Hutcheon said this may be a good opportunity for golfers to try the mini-membership to Jamestown Golf Course.

Council Member Walls asked about JYL Golf Tournament. Hutcheon talked with Kevin Hagie, JYL, last week and discussed ways to get some of the JYL kids participating in other sports and interested in golf. Hutcheon said they discussed ways to get kids interested in the First Tee Program. He also plans to talk with Kevin Bottomley, YMCA, to discuss ways to get kids interested in the First Tee program.

Hutcheon again thanked the Council for approving the First Tee program. He said the golf course, shelters, ball parks and soccer fields are a great gathering place for Jamestown. The facility is widely used. (50,000 visit the Park Facility each year). The Golf Course and Facility means a lot to the community and the surrounding areas, especially to the kids. It makes a difference in their lives. We do need infrastructure changes at the course. He would like to become the best First Tee Facility in the Southeast.

Mayor Volz thanked Hutcheon and Jay for their hard work.

19. Budget amendment – Judy Gallman presented budget amendment #6 to correct the budget amendment #5 which related to the transfer from the water/sewer fund to the general fund. Funds in the general fund spanned two fiscal years. We had to accrue interest paid to the water-sewer fund in the first year that was not paid until the second year. This budget amendment is requested to correct that entry. We would be over budget if we did not approve this amendment. Council Member Nixon-Roney made a motion to approve budget amendment #6 in the amount of \$12,195.00. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

(Budget Amendment)

20. Analysis of Financial Position of the Town of Jamestown – Judy Gallman presented the financial summary report as of February 29, 2012:
  - Cash balances – approximately 7.4 million
  - Of that amount, funds are reserved for Randleman Reservoir, Powell Bill, General Capital Reserves and Water/Sewer Capital Reserves
  - Debt balance – approximately \$72,000.
  - Revenue & Expenditures of each fund, at this point should be at 66% of the budget. Per Gallman, the Town is in good shape with percentages

Gallman presented the detail financial report for the month ending February 29, 2012. The Town paid the balance due to the YMCA on their grant in the amount of \$81,600.00. The rest are normal reoccurring revenue & expenses. There were no questions.

21. Public Comment Period - John Capes, 704 O'Neil Drive. He feels maintaining transparency of the Council is important and what is seen as public records is important. He stated the present Council has been in office for 3 months. He finds it disturbing that a newsletter is going out that is not public knowledge. There is a blog which was published, until a few days ago, which was actually protected and could not be accessed publicly. It belonged to a member of the Council. Capes stated he finds it inappropriate for Public officials of the Town to be doing something that is contrary to maintaining an open & transparent environment. I find it disturbing that we have a new member of Council that is using the minutes of the Council meeting, that are public records, and putting his own spin on it. As a matter of public record & as a matter of disclosure I think it is inappropriate for Council Member Walls to have had a protected blog and still have a newsletter that is going out on a month to month basis. The newsletter is not going out to everyone. The newsletter is portraying things that may be not entirely accurate whether by accident or intent, in terms of the vote, Council discussion and putting his own spin on it. I think it is important the Council uses its own words and leave the Public record as the public record. From a standpoint of trust & code of conduct as it relates to this Town, it is important we don't do things that are divisive and that can divide the Council and the Town. We need to take a real hard long look at the level of transparency we maintain in our Town and how it is perceived. The acts of one person can tear down the entire Council.

Charlie Dye – 208 Wiltshire Dr. – He said he thinks the Town has the best garbage system that we can possibly have. He thinks if you do a survey he believes 90% of the people in Jamestown are satisfied with what we have. In Forestdale East, he has only seen maybe one time this year when he saw a garbage bag torn. He feels the area having the problem is near a wooded area, with a creek. Please don't screw up the garbage system we have.

22. Other Business –

Mayor Volz stated he would like to direct the Town Attorney to review the Town's Public Records Policy and provide an update to the policy with regard to "excessive & extraordinary" requests being made of the staff. (ex: an hourly rate) He feels as part of preparing the budget for the next fiscal year, we need to know how much it costs to fulfill these requests. The Town Attorney asked if the Council wanted her to do the review toward developing a new policy or just assessing the cost based on current policy. Council Member Walls and Mayor Volz voiced desire to see a proposed new policy. Mayor Volz did point out that the current Town's Public Records Request Policy is in agreement with current laws. The Town Attorney stated the Town currently asks the requestor to fill out a request. We do make allowances for people that want to call and verbally make a request, as long as we have the information to fulfill the request. The Town provides the document in the format that the requestor is requesting as long as the Town has that format available. We do not have to create a new format.

Mayor Volz stated one of the problems is that staff spends a lot of time pulling information out and then the requestor says that's not what they want. Council Member Nixon-Roney stated there are 1 or 2 people that think there is a problem with the current public records policy. She does not think there is anything wrong with our policy. Council Member Nixon-Roney said Mr. Mann said it was illegal not to provide the public record in the format he chose. The Town Attorney stated the Town does not have to create a new format.

Council Member Nixon-Roney said responding to the email distribution list that Mr. Capes made reference to, she thinks it is detrimental to our Town and the feel of our Town. Council Member Nixon-Roney stated if someone wants a public record then, of course request it, but she has actually seen public records requests that ask to compare & contrast the municipal golf course of Thomasville to ours. That is not a public document. That is asking staff to do research. She agrees with Mayor Volz and feels it is costing the Town more money.

Council Member Walls disagrees. He stated as a citizen he tried to get access to public records to educate himself while I was running for Council. In doing so, he had records locked & he could not print or copy and paste from the document. He got the record by email, but could not print it. Per Council Member Walls, the Attorney General contacted the Town Attorney and got the emails unlocked.

Council Member Nixon-Roney stated one of the things she takes issue with is that Council Member Walls admitted he requested public record documents to help him with the election. Council Member Nixon-Roney said also Council Member Walls is requesting the Town to provide a format that allows him to copy and paste so that it is convenient. Council Member Walls said the records were electronically locked. Council Member Nixon-Roney said Council Member Walls previously complained about PDF format because he could not cut and paste. He took issue with that too. She felt per the General Statutes, a public record document could be copied and still could be considered locked, because you could not copy & paste from it, unless you type it yourself. She feels we all have something to bring to the table, but when we are spending so much money on attorney fees it is detrimental to the Town. Mayor Volz agreed. Mayor Volz then stated he would like to have the blind copy list of the newsletter stopped. If Council Member Walls wants to continue, then provide who is on the distribution list.

Council Member Walls stated he would like to have his blog on the Town website. He feels we should vote on what is on the Town website; it belongs to the Council and not the Mayor. The Mayor stated the website belongs to the Town. Council Member Walls stated the Council is responsible for the content on the website.

Council Member Nixon-Roney stated in the course of business, she has had a lot of contact with the Institute of Government and the High Point Bar Association; they quite honestly took issue with Council Member Walls paraphrasing the minutes and putting it out to a select few or a blind copy list. That is not the minutes, the Clerk has the minutes and they are available on the website. They had a problem with that and its perception. She fully believes Council Member Walls is not intending to do any wrong, but the perception is that you are putting your spin on

things that are not exactly what happened at the meeting. Council Member Walls asked the Town Attorney if there was anything legally wrong with me sending out a newsletter to my neighbors as a Council Member. The Town Attorney stated she did not believe there was anything wrong with that. Council Member Walls said he did it for informational purposes because he is asked about the trash, so instead of answering everybody, he sent out a newsletter. He did not do it to make anybody on this Council look bad. Council Member Nixon-Roney asked that the Council Members be copied on it, so that if Council Member Walls misquoted something she said, she can at least reach out to that person and correct it. Council Member Nixon-Roney gave an example (she did not think it came from Council Member Walls) she had a neighbor ask why she voted for the electronic gaming issue. She replied that she did not, Council Member Walls did. So, somewhere in that round of emails you were sending, the person believed that I voted for what you voted for. At least the Council should be copied and if it is blind copied I can't even respond to defend myself.

Council Member Walls stated he is turning the newsletter over to the Town Manager. The Council is more than welcome to have a copy of my "send to" list. Council Member Nixon-Roney still concerned she would not know who received it in order to provide correction if needed.

Council Member Montgomery said we seem to be continually dealing with non-issues over & over again. She received an email that was 9 pages long. It started with nothing, it ended with nothing and there was nothing in the middle. We are wasting staff time & Council time.

Council Member Nixon-Roney wants to move onto some of the issues that in her opinion are more important to the Town, like recycling and sidewalks. We keep getting side tracked from the real important business. Mayor Volz hoped we can start working together better in the future.

Still under other business – Mayor Volz said we need to call a special meeting regarding budget for the upcoming fiscal year 2012/2013. Council discussed dates and agreed to call a special meeting date of April 4, 2012 at 5:30 pm with the place to be determined. Mayor Volz said the proposed budget will be presented to the Council at the May meeting. The Council must adopt the budget by June 30, 2012.

Mayor Volz asked the Council if anyone would object to starting the regular council meetings at 6:00 pm for the remainder of the calendar year. The Town Clerk stated in the beginning of the year, Council adopts its meeting schedule for the year. If this is a change, Council would like to make for the remainder of the year, Council needs to do so by motion and we need to publish it.

Council Member Thomas made a motion to start the regular council meeting at 6:00 pm starting with the April 17, 2012 meeting and the remainder of 2012. Council Member Walls made a second to the motion. The motion passed by unanimous vote.

Still under other business, Council Member Walls said he would like to make a motion to have the staff to investigate and determine if it would be possible to have Jamestown collect

privilege license taxes or fees on gaming terminals similar to what the City of Lumberton has done and report back their findings at the Town Council for the May meeting. I would like to see if we could generate revenues on the gaming terminals on the two businesses we have here in town.

Council & staff discussed business licenses. The Council directed staff to research this and bring the study back to the April meeting or whenever it can be completed.

Council Member Walls did apologize to the Council if they thought he was doing something that was not transparent, he did not mean for it to be that way. He would like to go on record as saying it was done in good spirit as a Council Member just trying to keep people he associated with informed as to what I was doing. If it was taken the wrong way he apologizes.

Council Member Nixon-Roney asked the Town Attorney about the status of 103 Pearce Drive. The Town Attorney stated our 60 day time period from last date of attempt to serve notice is March 30, 2012. The next move is to schedule a public hearing in front of the Planning Director. If there is evidence that nothing has been done on the property, and no building permit issued, we can then proceed with the condemnation. The foreclosure sale has been postponed again to May 7, 2012. The Town Attorney plans to file papers with the Clerk of Courts Office to put people on notice that the property is going through condemnation process.

Council Member Brock Thomas asked for the April Council meeting agenda to include a discussion and possible agreement to adjust the fee structure we have for the field rental to JYL. He asked the Town Manager and Finance Office to have at this meeting the income figures from the field rentals from JYL.

Council Member Thomas stated on a lighter note, He heard that one of our own Council Members participated in the High Point version of "Dancing with the Stars", Council Member Nixon-Roney. She said this was a fundraising event and it was a great experience.

Council Member Montgomery made a motion to adjourn. Council Member Thomas made a second to the motion. The motion passed by unanimous vote. The meeting ended at 10:24 pm.