

**Village of Misenheimer
Joint Council/Planning Board Minutes
Community Building
August 13, 2012 6PM**

Council Present:	Michael Riemann, Mayor Michael Herron, Mayor Pro-Tem (Arrived at 6:35 PM) Michael Burrage, Finance Officer Jim Gullledge, Council Member Peter Edquist, Council Member (Arrived 6:15 PM) Pam Humphrey, Administrator/Clerk	Visitors Present:	Darren Rhodes, Chief Planner, NC Department of Commerce- Division of Community Planning
Planning Board:	Ahren Burrage, Chairman Nancy Henderson, Board Member Mark Stephenson, Board Member		

Call to Order: Mayor Riemann called the Council meeting to order at 6:00 PM declaring a quorum of Council members present. Planning Board Chairman A. Burrage called the Planning Board Meeting to order at 6:00 PM declaring a quorum of Planning Board members present.

Introduction of Visitors: Visitors noted above were welcomed to the joint Council/Planning Board meeting.

Approval of Agenda: M. Burrage made a Motion to approve the Agenda for the August 13, 2012 joint Council/Planning Board Meeting with no revisions. Gullledge seconded the Motion and it was approved by a vote of 3/0 from the Council and 3/0 from the Planning Board.

Approval of July 9, 2012 Council Minutes: M. Burrage made a Motion to approve the July 9, 2012 Council Minutes with no revisions. Gullledge seconded the Motion and it was approved by a vote of 3/0.

Approval of July 12, 2012 Planning Board Minutes: A. Burrage made a Motion to approve the July 12, 2012 Planning Board Minutes with no revisions. Henderson seconded the Motion and it was approved by a vote of 3/0.

Presentation by Darren Rhodes, Chief Planner with NC Department of Commerce-Division of Community Planning:

Mr. Rhodes made a presentation to the Council and Board Members advising them regarding the following:

- Municipal planning services the NC Department of Commerce can provide (Land Use Plan, Land Use Map, Ordinance revision and development, downtown revitalization, economic development, growth management, transportation planning, vision development, etc.)
- Four (4) planning staff is available from the Winston-Salem (WS) office that serves nineteen (19) counties. Mr. Rhodes recommended that David Fencl, Sr. Planner, be involved with the Village as he is an Ordinance specialist and is currently working with New London.
- WS office has worked a lot in Stanly and Montgomery counties. Currently working with New London.
- Project scheduling with Planning Board members can be flexible depending upon the engagement requirements (monthly, every other month, etc.). The engagement pace is set by the municipality.
- Project costs to the Village include mileage, meals, and lodging if an overnight stay is necessary. There is no cost for utilizing planning staff.
- The NC Department of Commerce should be able to add us to their client list without much of a wait.
- The NC Department of Commerce's Ordinance review and development approach is to assist the Village in defining their Ordinance requirements vs. lifting an Ordinance template and making it fit for the Village.

Mr. Rhodes advised the Council and the Planning Board members that he had reviewed the Minutes from the January and April 2012 meetings. These meetings included discussions regarding the vision and long range planning for the

Village. He had also reviewed our Land Use Plan, Land Use Map, and Ordinances.

The following is a summarization of comments made by Council and Planning Board members following Mr. Rhodes' presentation:

- Village Officials are happy with the current land use planning philosophy. The Village is a unique and quaint community. It is important with any planning effort to retain those Village values.
- The Village does need professional planning assistance with the land use plan and map along with Ordinances.
- Situations are arising where the Ordinances do not specifically or clearly denote requirements.
- The Village wants to continue to incorporate the "Front Porch" vision that was discussed in planning meetings held earlier in 2012.
- Sewer concerns should be considered in planning. Sewer capacity requires growth management considerations.
- The Village is aware of its assets and challenges (Community centered around education and churches, railroad, through traffic patterns with no cross roads, poor soil for septic systems, little road frontage for retail business development, historic aspects of the community, land tied up in estate ownership, industrial gold mining interests, approximately half of all residences are rental property, small tax base, many residents have lived in the Village for many generations, privately maintained road infrastructure, and the Village has a mature tree canopy that is preferable to maintain.

Mr. Rhodes concluded his presentation and departed to meet with Red Cross officials.

Discuss and Consider Approval of Planning Approach and Resources: Mayor Riemann requested for the Planning Board to advise and recommend to Council what the next planning steps would be based upon Mr. Rhodes' presentation. Planning assistance alternatives that have been previously discussed include NC Department of Commerce, Centralina Council of Governments (CCOG), and independent planning consultants. A. Burrage, Planning Board Chairman, made a Motion for the Planning Board to recommend to Council to secure a planning engagement with the NC Department of Commerce for planning assistance regarding the Village's Land Use Plan, Land Use Map, and Ordinances. Henderson seconded the Motion and it was approved and recommended to Council by a vote of 3/0.

M. Burrage, Council Member, made a Motion to accept the Planning Board's recommendation as noted above. Edquist seconded the Motion and it was approved by a vote of 5/0. Mayor Riemann advised that the Planning Board should consider including some representation from Council as they proceed in to a planning engagement where planning recommendations from the Planning Board will be recommended to Council for approval.

Pam Humphrey, Administrator/Clerk, will draft correspondence to Mr. Rhodes to advise him of our acceptance to retain the NC Department of Commerce for planning assistance.

Adjourn Planning Board Members from Joint Portion of Meeting: The Planning Board adjourned from the Joint Council/Planning Board meeting at 6:50PM.

COUNCIL ONLY PORTION OF MEETING

Administrative Report-August 2012: Mayor Riemann updated Council regarding the engagements that he attended and/or participated in since the July 2012 Administrative Report. Mayor Riemann advised that he has not initiated any further discussions regarding sewer since the July 2012 meeting but hopes to in August 2012. Mayor Riemann advised Council regarding current potential Zoning Ordinance violations that are being discussed with property owners.

Chief McGinnis is attending a law enforcement course 8/13-8/17/12 and was not in attendance at the meeting. The July 2012 Misenheimer Police Department Monthly Report was included in the Council packet for Council's review.

Pam Humphrey, Administrator/Clerk, advised Council that the bank loan had been finalized and that the 2012 Dodge Charger had been delivered to the Village. Add on equipment is on order and will be installed soon. She also advised that the 1994 Ford Crown Victoria was sold as salvage for the high bid of \$700.00.

Pam Humphrey, Clerk/Administrator, advised Council that the Council of Governments (COG) dinner hosted by the Village and scheduled for Tues, 8/28/12 at 6:30PM in the Community Room of the Stokes Student Center located on the campus of Pfeiffer University is in the RSVP stage. The meal will be catered by Sodexo. She also advised Council that she had declined health and dental insurance coverage provided by the Village as of 8/1/12 when she became eligible for this Village benefit. As approved in the Village's FY 12/13 Budget, the Village will reimburse Ms. Humphrey for the health and dental insurance premiums that she personally pays as those are less than the Village provided coverage.

Noise Ordinance Discussion and Consideration for Approval: Council had been provided a draft of the Proposed Noise Ordinance for their review and comment prior to the Council meeting on Mon, 8/13/12. The draft provided had been reviewed by G. Crawford Rippey, III of Brown, Brown & Brown P.L.L.C. and Chief Erik McGinnis and his full time Officers. Chief McGinnis connected with other law enforcement agencies to discuss enforcement and potential issues related to implementing a Noise Ordinance. Some Village forms may need to be developed contingent to approval of the Noise Ordinance.

Herron made a Motion to approve the Noise Ordinance as presented with no revisions and to be effective immediately. Gullledge seconded the Motion and it was approved by a vote of 5/0.

Council instructed Chief McGinnis to advise his staff and citizens regarding the new Noise Ordinance. Chief McGinnis and Pam Humphrey, Administrator/Clerk, will develop necessary permit, violation notice, and fine notice forms.

Motion to Support NC League of Municipalities (NCLM) Legislative Initiative Regarding Usage of Powell Bill Funds Adjacent to Public Roads But Out of Right of Way: Mayor Riemann advised that the NCLM is requesting legislative and regulatory goal proposals that have been approved by Councils to be received via a survey by 8/31/12.

Herron made the Motion to request that the NCLM support the usage of Powell Bill funds for use adjacent to public roads but out of the right of way. M. Burrage seconded the Motion and it was approved by a vote of 5/0. Mayor Riemann will complete the NCLM survey by 8/31/12.

Continued Discussion Regarding Adoption of *Suggested Rules of Procedure for a City Council as Council Meeting Procedural Guidelines*: Herron advised Council that he has been reading the publication noted above provided by the Village to all Council members. He noted his concern regarding the extent of detail "legal verbiage" in the publication that is a less practical application if the publication was adopted for Village Council meeting procedural guidelines. He advised that his recommendation would be to develop a Village specific set of Rules of Procedure. He concurs that there is a need to have and utilize Rules of Procedure for conducting meetings. Mayor Riemann suggested that the Centralina Council of Governments (CCOG) could assist the Village in developing a Village specific set of Rules of Procedure. Herron made the Motion to secure the CCOG to assist in developing a Village specific set of Rules of Procedure. Edquist seconded the Motion and it was approved by a vote of 5/0.

Council instructed Pam Humphrey, Administrator/Clerk, to contact CCOG to get additional information regarding this type of assistance engagement.

Discussion to Consider RFP Process for FY 2012/2013 Professional Services (Legal, Auditing, Benefits): Mayor Riemann advised that these professional services have been recommended to be scheduled for competitive bid as other municipal services have been bid (waste, recycling, insurance). Edquist commented that bidding brings fairness and competition in providing services to a municipality. M. Burrage made a Motion that the legal, audit, and benefit services should be bid out during the FY 12/13 fiscal year. Herron seconded the Motion and it was approved by a vote of 5/0.

Pam Humphrey, Administrator/Clerk, advised that the benefit services should be bid out first as they renew 3/1/13. She also recommended that the legal services should be subsequently bid followed by the audit services.

Status of Village Road Considerations: Mayor Riemann advised Council regarding the following Village road considerations:

- Merner Terrace Speed Humps: Mark Morgan, NCDOT, advised Mayor Riemann that the humps could be removed as NCDOT does not usually allow speed humps on NCDOT maintained roads. However, replacement with speed tables would be at the Village's expense. Mayor Riemann will secure NCDOT cost information regarding speed table construction.
- Wesley Chapel Road Asphalt Holes from recent Barringer Mine surveyors: Mark Morgan, NCDOT, advised Mayor Riemann that NCDOT would patch these holes before winter.
- J. Lefler Driveway/Sidewalk Repair: M. Burrage assisted this homeowner by scraping his driveway so that his vehicles' front ends would not scrape. The repair was need after the Powell Bill Sidewalk project was completed by NCDOT.

Gladstone Academy: Mayor Riemann advised Council regarding the following items:

- Southern Home Management is available to proceed with Phase 1B of the Gladstone Academy restoration which was approved in the FY 12/13 Budget upon approval of their contract. Edquist made a Motion to approve the Phase 1B contract with Southern Home Management. Herron seconded the Motion and it was approved by a vote of 5/0.
- Purchase of Lot Adjacent to the Gladstone Academy Property: Based upon the soil testing performed last month on the Gladstone Academy property and the lot adjacent to the Gladstone Academy property, it appears that there is sufficient area for septic service should it be required. Gulledge made the Motion to purchase the lot adjacent to the Gladstone Academy property for \$20,000.00 which would be taken from Fund Balance with the owners being responsible for surveying and closing costs. Herron seconded the Motion and it was approved by a vote of 5/0. Mayor Riemann will contact the owners to advise them of our offer to purchase their land.

Other Business: There was no Other Business to discuss.

Adjournment: The Council adjourned the meeting at 7:45 PM.

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J. Michael Riemann, Mayor	Date	Pam M. Humphrey, Administrator/Clerk	Date

The next Council Meeting is scheduled for Monday, September 10, 2012 at 6PM at the Community Building.