



## **Town Council Regular Meeting**

**Green Level Municipal Building  
Thursday, February 20, 2014**

The regularly scheduled meeting of the Town of Green Level Council was held on Thursday February 20, 2014 at 7:00 PM in the Green Level Municipal Building located at 2510 Green Level Church Road. The February 13, 2014 meeting was canceled due to inclement weather.

**GOVERNING BODY MEMBERS PRESENT:** Mayor Larry McCollum, Mayor ProTem Michael Trollinger (**Late**), Council Member Carissa Graves-Henry, and Council Member Theodore Howard.

**GOVERNING BODY MEMBER ABSENT:** Council Woman Remonia Enoch.

**GREEN LEVEL OFFICIALS PRESENT:** Town Administrator Haywood Cloud and Town Clerk Sandra McCollum.

**GREEN LEVEL TOWN ATTORNEY PRESENT:** Marissa West (Vernon Law Firm).

Mayor McCollum presided and called the meeting to order at 7:00 p.m. Council Member Howard gave the invocation.

Mayor McCollum asked for a motion to approve the December 12, 2013 minutes. Council Woman Graves-Henry made the motion, Council Member Howard seconded the motion. The motion carried unanimously. (3-0)

### **Town Administrator Updates**

The Administrator advised the Council that every year, the Town should do a local water supply plan to be turn in to the State. A report was done in April 2013 for the year 2012 and a report will be done 2014 for the year 2013. He continued to say that on the 2012 report, there were typos that were different from the local water supply plan. The details shows each month how much water the Town brought from the City of Graham and the amount of sewer that passed through the Town of Haw River sewer lines. He stated that their numbers should match the Town's numbers, but they did not. He stated the numbers have been corrected and approved. The Administrator inform the Council that a resolution,

the “Town of Green Level Resolution for the 2012 Local Water Supply Plan” need to be adopted. The Administrator read the resolution. The Mayor asked what is needed from the Council. The Administrator answered there are questions that need to be answered, such as how many water and sewer connections. The Mayor asked the Council for questions. Council Member Howard asked what is the time frame to have the resolution approved. The Administrator replied, the time frame was when the resolution was sent to the Town.

The Mayor asked for a motion to approve the “Town of Green Level Resolution for the 2012 Local Water Supply Plan”. Council Woman Graves-Henry made the motion, Council Member Howard seconded the motion. The motion carried unanimously. (3-0)

The Administrator informed the Council that he has been working with Daniel Gerald again trying to locate some “Green Grants” for a new town hall building.

The Administrator stated that he sent all Council Members copies of the Otter Creek MHP agreement. He continued to say he and the Mayor was in a meeting with the new owners, Sheriff Johnson and the Town’s Attorney about the criminal activities in the MHP.

Town Attorney Marissa West responded that the agreement says that the owner will have to know who is living in his park. She continued to say the owner does not own the trailers, he rents the space to the trailer owners. There are two trailers the owner owns, but he is trying not to own them. The owner has to provide the leases to the Sheriff’s department and the Town. The owner will go out every three months door to door and see who is living in the trailers. The owner claims he does not know who lives in the trailers. The owner is to do a vehicle inspection verification and give each person a sticker and a visitor card so that he will be able to tow vehicles that does not belong in the MHP. She continued to say she has not sent this agreement to the owner and will be needing the Council approval. Sheriff Johnson was under the impression the MHP was still owned by William Royal the previous owner. It switched hands February 2012 to Personalized Village II, manager Charles W. Whitman. The Sheriff was in agreement at the meeting that the park should have a greater management and someone to check on a regular basic to see what is going on. She stated in the agreement that the Town will not file a nuisance or abatement action against the owner at this time but it does not bar the Town of Green Level from filing a nuisance or abatement action in the future if it becomes necessary for the safety of the Town and its residents. This will be the sole discretion of the Town.

Council Woman Graves-Henry asked what is the time frame the owner has if something happens in the park. Attorney West replied the agreement is written not to give a time frame because no one knows when something may happen. Council Woman Graves-Henry continued to say the owner will have to have time to do these changes. Attorney West replied it is not like he is just finding out about the things need to be done, he has had two years. Council Member Howard agreed. The owner is now asked to get the reports from the Sheriff’s department each month on the calls made to the park. So you will be able to see if he is trying to do what he needs to do. She stated that she think that after six months, you would be able to see if he is doing this. Council Woman Graves-Henry stated to Attorney West that she said the residents own the homes and how much control the Town can have if someone owns the home? At least the owner can have some control if he/she owns the homes. Council Member Howard answered if the owner can vacate the spot and this is the reason for the agreement. Attorney West replied if a person sign a lease with Personalized Village II, then that person should be the one

living in the home.

Mayor McCollum asked if the trailers are being check when the owner brings one in because the park looks a mess. The Administrator replied, yes, but the owner said it is hard to enforce the cleanness when someone is living in the trailer. The Administrator said there are two trailers that belongs to the owner and he needs to remove them.

Rodney Gunn, Public Works Director, asked if this agreement would only apply to Otter Creek because there are 10 more trailer parks in the Town. The Administrator replied, yes. Council Member Howard said he spoke to another Council Member and he feels that this should apply to all MHPs because the others may eventually be in the same category and that the Council does not want to discriminate. The Mayor replied that the Council is trying to clean up this area. Council Member Howard said that he would be in agreement to send the agreement to all of the MHPs. The Administrator said this is about the crime in the Otter Creek Park. The Administrator stated that the Town does not want to go into the MHP business. Attorney West replied Alamance County has a MHP ordinance that can be used. She continued to say that this MHP is at the level where it can be a nuisance or abatement when there is drug trades, murder and kidnapping. This is rising to a higher level and this is also, giving the owner a chance to clean it up.

Council Woman Graves-Henry suggested having a meeting with all of the MHP owners to inform them of the agreement and if this happens in their park, then this will apply to all and then there will not be any discrimination. Mr. Earl Pickett, a resident, said he feels that if he was a MHP owner and was not having any problems, then leave him along because there is no need of grouping all the MHPs together.

Council Member Howard asked Attorney West what she meant in the agreement to curb crime in the MHP. Attorney West replied to reduce, but she can change it. Council Member Howard replied, it needs to say, to stop crime.

The Mayor asked for a motion to accept the agreement. Council Woman Graves-Henry made the motion, Council Member Howard seconded the motion. The motion carried unanimously. (3-0)

### **Mr. Mike Koser, withers & Ravenel**

Mr. Mike Koser, Withers & Ravenel, confessed to the Council that the last months he had been worrying a lot about the sewer project because he was having problems after problems. All this was around having everything in by the March 3<sup>rd</sup> deadline. The permits and making the design changes came up. By having to incorporate information associated with finishing the surveys, we had to get the soil information, then we learned about some of the things that could not be done with directional drilling under the Haw River. There were a lot of adjustments that had to be done. Mr. Koser continued to explain to the Council the different type of permits needed and other problems occurring but, he stated his main concern was getting the encroachment agreement from DOT. That is, getting a secondary road for Highway 49 work which is routine in getting DOT to agree to, but not routine getting them to do it quickly. They need to get an encroachment agreement to Highway 70 which is a control ascent road. He continued to say that he and Withers & Ravenel did not have a way to hurry this up, but Haywood (Administrator) called Chuck Evans, City of Burlington, and he worked and help get the encroachment agreement for both roads within two weeks. Mr. Koser said he will have the erosion control permit by Friday (2-21-14) or Monday (2-24-14). He will have the 401 permit by Friday (2-21-

14) or Monday (2-24-14) and will have the 404 permit approved by next week. He continued to say that the March 3<sup>rd</sup> deadline will be met and then they can go to the next milestone. The next milestone will be getting out the bids by the end of April. A contractor will be under contract by end of June or early July. Mr. Koser stated that things are coming together.

The Mayor and Council thanked Mr. Koser.

### **Town Attorney Updates**

Ms. West updated the Council on the deed for the Town Hall building and property. She continued saying the deed is from the Green Level Community Development Organization, a NC non-profit corporation. The deed is not just deeded the 3.2 acres but also put some restrictions on the deed. The two restrictions are, the building has to be used for public use purposes, but it did not say it had to be used for a Town Hall, and if the Town no longer exist or be un-incorporated, then it would automated revert back to the granter. She stated with the two restrictions, there is nothing that says it has to be used for a town hall, just has to be used for a public use. She said that Council Woman Enoch suggested using the building for a recreation facility and this will not be a problem.

Ms. West reported the annexation that passed at the last meeting, the map and the ordinance has been recorded with the Register of Deeds and the Secretary of State.

### **Public Comments**

No one spoke.

### **Council Discussion**

Council Member Howard stated that he has notes concerning problems on Greenway Street. He continued to say that people are parking their cars on the side of the street and residents are complaining they cannot pass on the street because the people are standing outside the cars talking and will not move their cars. The problem is also on Pinebrook Dr. He continued to say that monitor cameras could be installed. He talked to an employee from the City of Burlington and he said the cameras can be leased. He stated if the cameras are leased for 90 days, the people causing the problems will be known and this will help the problems. The Administrator responded that he and Attorney West discussed maybe putting No Parking Signs on one side of the street. The Mayor said the Council need to research this because residents have cook outs or there may be a funeral with family members at the resident.

Council Woman Graves-Henry stated the Fun Day at the Park needed to have more activities such as a science fair and this event would be working with Derek Steed, Vision for Public Education. She said the event should maybe include a baking contest or other things to get the community involved. The Mayor emphasized, the concession building cannot be used for recreation purposes, only for concessions. The Town's insurance informed the staff of this information. He continued to say the activities will have to take place outside at one of the shelters. The Administrator replied to the Council

to consider closing in one of the shelters.

The Mayor showed the Council pictures of the business located on Hwy. 49/Anderson Rd. with trash in the back of the building. He continued to say people pass by and see this trash. The Administrator said the Code Enforcer has talked to the owner and sent him a letter. The Mayor said the Code Enforcer need to monitor this and make sure the owner cleans it up.

Pro Tem Trollinger stated that ordinances should not be made for every situation such as Otter Creek MHP. Mayor McCollum informed him that the Council has voted on that issue. Pro Tem Trollinger apologized for being late. Pro Tem Trollinger stated that the loitering is still occurring at Piccadilly and it is now on the other side of Greenway Street. Council Member Howard responded that he had brought the problem to the Council's attention. The Administrator replied the property owners may not have a problem with them on their property since no one has complained.

Sgt. Cubino replied that when the people that are standing around Piccadilly and Greenway St. see him approaching, they will leave, but he will tell the other officers to patrol the area when he is not working. He said he have letters of no trespassing from the owners of both of those locations and they can be arrested for trespassing. The Sgt. continued to say that if someone is just walking down the street, there is not much he can do, unless they are impeding traffic or causing a disturbance. He suggested calling 911 first because if he is working the Sheriff department will notify him and if he is not working, they will take a report so he will be aware what is happening in Green Level.

The Mayor and Council thanked Rodney Gunn and the Public Works Department for clearing the Town's streets when the snow came.

There being no further business.

The Mayor ask for a motion to go into closed session (G.S.143-318.11(a) (1), confidential information that is not considered a public record. Council Woman Graves-Henry made the motion, seconded by Pro Tem Trollinger. The motion carried unanimously. (4-0)

The Mayor adjourn the closed session and reconvened the regular meeting.

The Mayor ask for a motion to adjourn the regular meeting. Council Woman Graves-Henry made the motion, seconded by Pro Tem Trollinger. The motion carried unanimously. (4-0)

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Larry McCollum, Mayor

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ATEST: Sandra McCollum, Town Clerk