



## **Town of Green Level**

### **Regular Meeting**

### **Green Level Municipal Building**

**Thursday, October 12, 2017**

The regularly scheduled meeting of the Town of Green Level Council was held on Thursday, October 12, 2017 at 7:00 PM in the Green Level Municipal Building located at 2510 Green Level Church Road.

**GOVERNING BODY MEMBERS PRESENT:** Mayor Reмония Enoch, Mayor Pro Tem Carissa Graves-Henry, Council Member Michael Trollinger and Council Member Theodore Howard.

**GOVERNING BODY MEMBERS ABSENT:** Council Member Richard Woods.

**GREEN LEVEL STAFF PRESENT:** Town Administrator Michael Douglas and Town Clerk Sandra McCollum.

**GREEN LEVEL TOWN ATTORNEY PRESENT:** Marissa West Attorney at Law.

Mayor Enoch called the meeting to order, Council Member Trollinger gave the invocation.

The Mayor asked for a motion to approve the Consent Agenda, Pro Tem Graves-Henry made the motion to accept the Consent Agenda, seconded by Council Member Trollinger. The motion carried unanimously. (4-0)

Mayor Enoch asked for a motion to approve the August 10, 2017 minutes. Pro Tem Graves-Henry made the motion, seconded by Council Member Trollinger. The motion carried unanimously. (4-0)

### **Public Comment**

Mrs. Gloria Ross, 1037 Apple Blossom Lane, had a complaint about the smell coming from the Town's pump station next to her property.

Mrs. Doris Richmond, 2631 Evergreen Ave., had concerns and interest that at the last meeting she attended, it was mentioned to have a platform for the Hispanic population and the housing being constructed in Green Level. She asked what the demographics of the residents are, and are they professionals because Green Level is in a prime location. She continued to ask if the community is trying to improve with sidewalks and other things that makes the Town look nice. She continued to say that she feels the residents would be more engaged with the Council if they felt more welcome and appreciated if the Council would reach out to them. She asked the Administrator when the last time he rode over the Town. Mr. Douglas replied today. She said that she was glad to hear that. She concluded by saying that these are her concerns. The Mayor answered that Mr. Gunn would look at this problem at Apple Blossom and Mr. Douglas will contact them with these concerns. Ms. Richmond also showed the Council a Parade of Homes booklet with the surrounding towns included, not Green Level.

### **New Business:**

#### **Town Administrator Updates**

#### **Financing Resolution:**

The Administrator stated that this resolution is to be able to finance the New Town Hall. The Administrator stated that he is going to the exact resolution LGC is needing for the Town.

### **RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160-20.**

**WHEREAS**, the Town of Green Level, North Carolina desires to build a New Town Hall (The "Project") to better serve the citizens of Green Level; and

**WHEREAS**, the Town of Green Level, North Carolina desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160-A, Article 3, Section 20; and

**WHEREAS**, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Town of Green Level, North Carolina, and meeting in regular session on the 12<sup>th</sup> day of **October, 2017** make the following findings of fact:

1. The proposed contract is necessary or expedient because the state of the current Town Hall is inadequate in aiding the Town of Green Level to properly serve its residents. The current building was originally a school and was never intended for its current use which limits the capacity of its use. Within the current building, there are cracks above the windows that allow for air conditioning to escape, thus increasing the heating and cooling utility billings. There is structural damage to the floors that have caused cracks and slopes in the floors. Due to the fact that the facility was built in the 1930's, it was never brought up to meet the American with Disabilities Act requirements. There is no handicap accessible ramp at the main entrance, the bathrooms are handicap accessible, and additional work would have to be done on all doors and outside landings.
2. The proposed contract is preferable to a bond issue for the same purpose because the urgency of a new town hall does not allow for the time for public referendum.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the Town has secured financing through USDA and interim financing through BB&T. A repayment plan has also been put in place to ensure that the total debt is paid. The project has been sent out for BIDS and we will have open BIDS in November.
4. The Town of Green Level's debt management procedures and policies are good because we comply with State statues and we have not defaulted on any of our debts. A full debt repayment plan has been constructed with USDA.
5. The increase in taxes necessary to meet the sums to fall sue under the proposed contract will be 0 cents per \$100 valuation and is not deemed to be excessive.
6. The Town of Green Level is not in default in any of its debt service obligations.
7. The Attorney for the Town of Green Level has rendered an opinion that the proposed project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.
8. The probable net revenues of the project to be financed will be sufficient to meet the sums to fall due under the proposed contract.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Town Administrator is hereby authorized to act on behalf of the Town of Green Level in filing an application with the North Carolina Local Government Commission for approval of the project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon adoption this 12<sup>th</sup> day of October, 2017.

The motion to adopt this resolution was made by Mayor Pro Tem Carissa Graves-Henry, seconded by Council Member Michael Trollinger and passed by a vote of 3 to 1.

Mayor Remonia Enoch -**yes**                      Council Member Michael Trollinger- **yes**  
Mayor Pro Tem Carissa Graves-Henry- **yes**      Council Member Theodore Howard- **no**

This is to certify that is a true and accurate copy of Resolution No. 160A-20 adopted by the Green Level Council on the 12<sup>th</sup> day of October, 2017

**Code of Ethics:**

The Administrator informed the Council that the General Statute 160A-86 says that each municipality in the State of North Carolina must adopt a Code of Ethics. He said the Attorney informed him that he does not have to read the entire Code of Ethics for the Council. The Council will have to adopt this resolution.

The Mayor asked for a motion to adopt the 160A-86 Code of Ethics, Pro Tem Graves-Henry made the motion, seconded by Council Member Trollinger. The motion carried unanimously. (4-0)

**Tethering Ordinance:**

The Administrator stated that the Tethering Ordinance has been reviewed by the Attorney. There have been two dog bites in the Town. This Ordinance will not be in effect until January 1, 2018 giving the citizens an opportunity to get things in place.

**Section 61.06 AN ORDINANCE TO ESTABLISH TETHERING GUIDELINES WITHIN THE TOWN OF GREEN LEVEL, NORTH CAROLINA**

**WHEREAS**, the Town of Green Level has the authority, pursuant to N.C.G.S. § 160A-186 to regulate the keeping of domestic animals; and

**WHEREAS**, the Town of Green Level has the authority, pursuant to N.C.G.S. § 160A-187 and N.C.G.S. § 67-4.5 to regulate animals which are dangerous to person and property; and

**WHEREAS**, the Town Council has determined that it is in the interest of the public health, safety and welfare to address animal matters;

**NOW THEREFORE, BE IT ORDAINED**, by the Town Council of the Town of Green Level, North Carolina:

### **Tethering Definition**

Tethering refers to restraining dogs using chains, ropes, wires or other such tethering device. It includes being fastened to a stationary object including, but not limited to, a tree, post, fence or dog house, but also includes overhead trolley systems. Walking a dog on a leash is not considered tethering.

### **Tethering is Prohibited**

Tethering a dog within the Town of Green Level Town limits is prohibited except for the specific exceptions listed within this ordinance. If tethering is allowed by this ordinance, tethering shall never for longer than seven (7) consecutive days and any tethering device shall be at least ten (10) feet in length with a swivel on one end, all collars and harnesses shall be a buckle-type collar made of nylon, leather or fabric, the weight of the tethering device cannot exceed ten (10) percent of the dog's body weight, and it shall be fastened in a way to prevent strangulation and entanglement with objects that could cause injury to the dog. The dog shall have access to adequate food, water and shelter. Tethering a sick, diseased and/or injured dog, or puppy (a dog that is one year of age or younger) is never permitted. No choke-type collars or pronged collars are permitted.

Exceptions - Tethering is permitted for the following specific reasons and only for fewer than seven (7) consecutive days:

- Lawful animal events and hunting activities
- Use in conjunction with an agriculture business
- To meet the requirements of a camping or recreational facility
- Law enforcement activities
- After taking possession of a stray and having notified animal control
- When a caretaker is outside and within eyesight of the tethered animal

### **Allowed Alternative**

- Have a fence installed
- Switch to a pen or kennel enclosure
- Alternative fencing
- House training your dog

### **Penalties for Ordinance Violations**

**1st Offense:**

- Written Warning

**2nd Offense:**

- \$100 civil penalty

**3rd Offense:**

- \$250 civil penalty

**4th + Offenses:**

- Violators can be found guilty of a class 3 misdemeanor and punished by a fine of up to \$500.

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- Civil penalties are to be paid to the town hall office within 10 days. Late payments are charged an additional \$25 fee. Each day of violation is counted as a separate offense, incurring additional civil penalties.
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- **Rules for Fenced Yards and Enclosures**

- Any dog confined within a fenced yard or enclosure must have adequate shelter, adequate space, and exercise. Enclosures must be structurally sound, in good repair, humanely clean, and provide adequate space. These provisions are defined as follows:

- Adequate Shelter: a clean, safe place for each animal where it will be protected from natural elements, pain, suffering, or impairment to health.

- Adequate Exercise: providing a dog with the opportunity to move in a manner to maintain sufficient muscle tone.

- Adequate Space: space sufficient for the animal to make all normal body movements (sit, stand, lie, etc.) in a comfortable and normal position.

- Humanely Clean Conditions: periodic cleaning of animal enclosures to maintain basic sanitation and health.

- It is the intention of the Town Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the Town of Green Level, North Carolina.

- Effective Date: January 1, 2018 through June 30, 2018 written warnings will be issued and full penalties as listed above are effective starting July 1, 2018.

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- **Information on New Tethering Ordinance**

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- Dogs are social animals and want to be a member of the family. Having your dog spayed or neutered and keeping him or her primarily indoors has many benefits for you, and your dog. Some alternatives to tethering are below:
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- Have a fence installed
- Switch to a pen or kennel enclosure
- Alternative fencing
- House training your dog
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- A community based non-profit, Friends of Mebane's Animals (FOMA) new program, "Freedom Fences" provides assistance to needy owners of tethered dogs in Alamance County. Visit their website for more information or if you would like to help by volunteering or donating.

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- **Tethering Ordinance FAQ's**

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- What is the timeline for implementation of the new ordinance?
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- **Phase I: Public Information/ Outreach**
- October 1, 2017 - December 31, 2017: Residents will be informed of the new ordinance and provided with information to assist with the transition away from tethering as a method of confinement.
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- **Phase II: Warning Period**
- January 1, 2018 - June 30, 2018: During this timeframe written warnings will be issued to dog owners that are not in compliance with the ordinance and will be given thirty days to comply.
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- **Phase III: Transition Period Ends**
- On and after July 1, 2018: Full enforcement begins and a formal citation will be issued to owners who previously received a written warning and are not in compliance.
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- What are the penalties for ordinance violations after full enforcement begins on July 1, 2018?
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- **1st Offense:**
- Written Warning
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- **2nd Offense:**
- \$100 civil penalty
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- **3rd Offense:**
- \$250 civil penalty
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- **4th + Offenses:**
- Violators can be found guilty of a class 3 misdemeanor and punished by a fine of up to \$500.

- Civil penalties are to be paid to the Town Hall office within 10 days. Late payments are charged an additional \$25 fee. Each day of violation is counted as a separate offense, incurring additional civil penalties.

- Approved this 12<sup>th</sup> day of October, 2017.

- The Mayor asked for a motion to approve the ordinance. Pro Tem Graves-Henry made the motion to approve the Tethering Ordinance, seconded by Council Member Howard. The motion carried unanimously. (4-0)

- **City/County Meeting/Dinner:**

- The Administrator reminded the Council that the Town will be hosting the meeting at Best Western on October 19, 2017 at 5:30 PM. The speaker will be Judge April Smith, Cumberland County. The topic that she will speak on will be “Building Tomorrow Leaders for Today”. The Administrator asked the Mayor to present a plaque to the Judge.

- **First Business Meeting Standards:**

- The Administrator stated that he e-mailed a copy to each Council Member concerning the post-election guidelines. He continued to read the memorandum.

- This document is to reaffirm council members of the procedures of the post-election process as defined in NC General Statutes 160A-68 and 163-279.
- General Statute 160A-68 states that the council may fix the date and time of its organizational meeting. The organizational meeting may be held at any time after the results of the municipal election have been officially determined and published pursuant to Subchapter IX of Chapter 163 of the General Statutes but not later than the date and time of the first regular meeting of the Council in December after the results of the municipal election have been certified pursuant to that Subchapter. If the council fails to fix the date and time of its organizational meeting, then the meeting shall be held on the date and at the time of the first regular meeting in December after the results of the municipal election have been certified pursuant to Subchapter IX of Chapter 163 of the General Statutes. At the organizational meeting, the newly elected mayor and councilmen shall qualify by taking the oath of office prescribed in Article VI, Section 7 of the Constitution. The organization of the council shall take place notwithstanding the absence, death, refusal to serve, failure to qualify, or nonelection of one or more members, but at least a significant number of the members must be present.
- It is critical that we adhere to North Carolina General Statute 160A-68 for it sets the guidelines in seating a new council.

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• **Town Administrator Comments**

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• The Administrator informed the Council that Summits Development is asking to increase the number of homes in Bedford Hills. They are purchasing the land that is immediately in front of Bedford Hill located on Mebane Rogers Road. They are wanting to build 24 houses. Sewer lines are in, and the water lines will have to be installed. The Administrator stated that he will present this proposal to the Planning Board next month and bring it to the Council. This is just for information.

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• The Administrator stated that he received a telephone call from Tasha Dawson, and she is asking the Town to purchase her lot located on E. Simpson Rd. He continued to say that the property will not have any use for Town. It backs up to the Park, but it will not benefit the Park.

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• The Administrator announced that the Breast Cancer Awareness will take place at the Park on Saturday 28, 2017 at 4:00 PM.

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• **Town Attorney Updates**

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• Attorney West stated that she is working on the USDA information.

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• **Council Discussion**

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• Council Member Howard had no comments.

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• Council Member Trollinger stated that it has been a pleasure to serve the residents and is asking for their votes on Tuesday, November 7, 2017.

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• Pro Tem Graves-Henry said she is running again and asking everyone to vote.

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• The Mayor asked why the lights are not working at the horseshoe pit. The Administrator that the lights are up, but waiting on Duke Energy to put up the meter.

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• The Mayor said there had been a discussion about a concession at the horseshoe pit, and she asked if anything happen with that. The Administrator said he will bring an idea to the Council in December after the Town Hall has started. The Mayor said that Mrs. McCollum (Town Clerk) had mentioned to her about the shelter that is already there. We could close off half of the shelter to sell concessions and be able to sit down and eat. The Mayor asked the Clerk to give a report for the cost at the next meeting

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• The Mayor asked about the overgrowth on the property on Greenway Street. The Administrator replied that it has been cleared. The Mayor said it has not been cleared and the owner has been instructed to clean the overgrowth on the fence on the property. The Administrator said that he and the Code Enforcer will go out and look at the property.

