



Town of Green Level Public Hearing
Green Level Municipal Building
March 20, 2018

A Public Hearing of the Town of Green Level Council was held on Tuesday, March 20, 2018 at 7:00 PM in the Green Level Municipal Building located at 2510 Green Level Church Road.

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

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.

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

The Town Administrator stated that the purpose of the Public Hearing is see if the Town Council is in agreement to change the Zoning Ordinance in the Town of Green Level to accommodate family care homes. He said the Town's Ordinance reads:

Family Care Home. A domiciliary home licensed by the State of North Carolina pursuant to North Carolina General Statute 168-21, is to be interpreted as a home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six (6) resident handicapped persons. Handicapped person means a person with temporary or permanent physical, emotional or mental disability including but not limited retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in North Carolina General Status (122-58.21(1) b. **No such home may be established within a one-half mile radius of an existing "Family Care Home"**. (Amended on April on April 10, 2008; ZTA-4-10-08)

The Administrator stated that this hearing is to hear if the Council is in agreement to change the one-half mile radius of an existing "Family Care Home Ordinance". The Administrator continued to say that each person to speak should be a resident from Green Level and will have 3 minutes each.

The Administrator opened the Public Hearing.

Ms. Connie Gaudette, 2655 Anderson Rd., stated that she did not have a problem with the home. The Mayor corrected her stating that the Public Hearing is concerning the Zoning Ordinance.

Ms. Bonita Bigelow, 2817 Lot #9 Anderson Rd., said that she thinks the ordinance needs to be change to get people off the street so they will be able to get a job and take care of their children.

No one else spoke.

The Mayor asked for a motion to close the Public Hearing. Pro Tem Graves-Henry made the motion, seconded by Council Member Trollinger. The Mayor asked for a show of hands:

Mayor Enoch – yes Council Member Trollinger – yes
Pro Tem Graves-Henry - yes Council Member Howard - yes

The Mayor and Council Members had no discussion.

The Mayor asked for a motion to change the Zoning Ordinance. Council Member Howard stated that he has a comment to make. He said that in the regards to the statement he made at the other meeting about if the ordinance could be change, he said he was referring to if they had to have it change for their ministry. He said he had found out since then, the ordinance does not need to be change in order for them to have a ministry and does not have a vote to change the ordinance if they are not going to have a family care home.

The Mayor stated that the motion died, so there is not a motion to change the Zoning Ordinance and this is what the Public Hearing was for.

The Mayor asked for a motion to adjourn the regular meeting. The motion was made by Council Member Trollinger, seconded by Pro Tem Graves-Henry.

Mayor Enoch – yes Council Member Trollinger - yes
Pro Tem Graves-Henry - yes Council Member Howard - yes

The Mayor asked for a motion to go into closed session, G.S. 143-1318.11 (a) (6) confidential information.

The motion was made by Council Member Trollinger, seconded by Pro Tem Graves-Henry.

Mayor Enoch – yes Council Member Trollinger - yes
Pro Tem Graves-Henry - yes Council Member Howard - yes

The meeting reconvened.

The Town Attorney asked if the House of Rehab will go before the Planning Board. The Administrator stated that Mrs. Lea came to the meeting. The Attorney asked if an application was

presented. The Administrator replied no. The Attorney stated to the Council that they should get a final letter stating what happened in the meeting. The Administrator replied that he will do a letter immediately.

The Mayor asked Council Member Howard what he was saying about a ministry that they did not have to change the ordinance since they were not opening a family care home. Council Member Howard said did it involve housing? The Mayor replied yes it did, housing for six months. Council Member Howard said what he found out was at the last meeting is that they wanted to have a rehab ministry and he said then the ordinance could be change. He continued to say if they are going to have a ministry in a house, nonprofit, it will be coming under family home care. The Mayor said when there is six months that residents resides there and receive treatment. Council Member Howard asked if they sought from the Code Enforcer the ordinance. He heard that they never got the ordinance. The Administrator said Mr. Lea asked for the ordinance and copies of the ordinance and State Statue was left in the front office but were not pick-up. The Mayor stated that they never came to the Town prior to opening their business, if they had, they would have gotten the information. She continued to say that no one is saying that it is not a good idea, but it is in the wrong location. The ordinance does not allow it and if the Council does this for them, then this has to be done for everyone.

Pro Tem Graves-Henry asked the Attorney if the State law and the Town Ordinance says this about the mileage, can it be reduced? The Attorney answered that the State authorizes municipalities to have that.

The Mayor said to Council Member Howard that the Council is not saying that they cannot have a ministry. The Ordinance is saying they cannot have it as a residential and hope that is corrected.

Pro Tem Graves-Henry stated to the Administrator that Mr. Lea asked what is his next step. The Administrator said that he will do a letter immediately to Mr. Lea to let him know that the Council decided not to change the Ordinance and he is not authorized to open up a family care home at that address.

Council Member Trollinger asked what would happen if one of the homes closed near his address. The Attorney replied that he is located in between two family care homes.

There being no further business.

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

Remonia Enoch, Mayor

ATTEST: Sandra McCollum, Town Clerk