

Lewisville Town Council
Regular Meeting Minutes
September 10, 2015 - 7:30 p.m.
Town Hall - 6510 Shallowford Road - Room 110

I. Call to Order

- A. Mayor Pugh called the meeting to order at 7:35 p.m. Council Members present were Mike Horn, Sandra Mock, Ken Sadler, Ed Smith and Jeff Zenger. Council Member Robert Greene was out of town. Also present were Town Manager Hank Perkins, Assistant Town Manager/Finance Director Kathy Bruce, Attorney Bo Houff, Public Information Officer/Event Supervisor Lynn Hall, Planner Marty Myers and Town Clerk Joyce Walker.
- B. Invocation was led by Mayor Dan Pugh and the Pledge of Allegiance by Boy Scout Troop #719 chartered by Sharon United Methodist Church.
- C. Adoption of Agenda
 - 1. Council Member Horn moved to approve the agenda. The motion was seconded by Council Member Smith and approved unanimously.

II. Consent Agenda

- A. Consent Agenda Items for Action:
 - 1. [Resolution 2015056](#) - Acceptance and Approval of Monthly [Financials for July 2015](#)
 - 2. Approval of Council Briefing and Action [Minutes - August 6, 2015](#)
 - 3. Approval of Council Meeting [Minutes - August 13, 2015](#)
 - 4. Approval of Council Special Meeting [Minutes - August 26, 2015](#)
 - 5. Approval of Council Closed Session Minutes - August 13, 2015
 - 6. [Appointment Order 2015005](#) - appointing three (3) youth to Student Leadership Committee
- B. Council Member Mock moved to approve the Consent Agenda. The motion was seconded by Council Member Smith and approved unanimously. Resolution 2015056 and Appointment Order 2015005 are herein incorporated by reference into the minutes.

III. Introductions, Presentations and/or Proclamations

- A. **Introductions, Presentations and/or Proclamations**
 - 1. None

IV. Public Forum

- A. Mayor Pugh opened the Public Forum at 7:42 p.m.
 - 1. Fred Franklin, 1420 Conrad-Sawmill Road, Lewisville, asked that the public be informed why the items on the agenda are an issue.
- B. Having no other speakers, the Public Forum was closed at 7:44 p.m.

V. New Business

- A. [Resolution 2015059](#) - setting a public hearing to receive comments at the October 8, 2015 meeting on the Lewisville 2015 Comprehensive Plan Update
 - 1. Council Member Smith moved to approve Resolution 2015059. The motion was seconded by Council Member Mock and approved unanimously. Resolution 2015059 is herein incorporated by reference into the minutes.
 - a. Council members agreed to set a time to review the update before the Briefing. Council Member available dates will be provided to staff.

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- B. **Ordinance 2015078** - amending the Student Leadership Charter
 - 1. Ms. Bruce explained the amendments to the charter.
 - 2. Council Member Smith moved to approve Ordinance 2015078. The motion was seconded by Council Member Zenger and approved unanimously. Ordinance 2015078 is herein incorporated by reference into the minutes.
- C. **Resolution 2015060** - Adopting the proposed City-County Public Art **Plan**
 - 1. Mr. Perkins explained the County's proposal to create a commission to secure and finance public art for participating municipalities at no cost to the municipality.
 - 2. Council Member Horn moved to approve Resolution 2015060. The motion was seconded by Council Member Mock and approved unanimously.
- D. North Carolina League of Municipalities (NCLM) annual meeting will be held on October 10, 2015 thru October 13, 2015 in Winston-Salem.
 - 1. Mayor Pugh moved for Council Member Mike Horn to be the primary delegate and that he (Mayor Pugh) would be the alternate. The motion was seconded by Council Member Mock and approved unanimously.

VI. **Public Hearings**

- A. Public hearing to receive comments on UDO L-076 rezoning request by Lewisville Baptist Church to rezone church properties from IP and RM8 to IP-S
 - 1. Staff Presentation (**Staff Report and site plan map attached**)
 - a. Mr. Myers reviewed the information for the church's request and the uses appropriate for the church. He also advised that the church will be adding a "tot lot" which will become a permanent part of the site plan.
 - (1) Council Member Zenger noted that the tot lot will be enclosed by a black chain link fence which is allowed under IP in the downtown. Since the fence is parallel to Shallowford Road, he suggested landscaping be placed as was done with the cemetery. This seemed agreeable with members of Council and will be addressed during the public hearing.
 - 2. Public Hearing
 - a. Mayor Pugh opened the Public Hearing at 8:04 p.m.
 - (1) Reverend Dr. George Smith, 194 Matt James Court, Lewisville, representing Lewisville Baptist Church, said he appreciated working with Mr. Myers on this rezoning. He said the church would be agreeable to the suggestion of placing landscaping along the portion of fence along Shallowford Road that is similar to the landscaping at the cemetery. He was also agreeable to the uses mentioned in the staff presentation. He thanked Council for the rezoning consideration.
 - b. Having no other speakers, the Public Hearing was closed at 8:06 p.m.
 - 3. Council Discussion
 - a. None
 - 4. Council Consideration - **Ordinance 2015076**

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- a. Mr. Zenger moved to approve Ordinance 2015076 including landscaping the fencing fronting Shallowford Road and making this a site plan condition as agreed to by the pastor. The motion was seconded by Council Member Horn and approved unanimously. Ordinance 2015076 and site plan are herein incorporated by reference into the minutes.
- B. Public hearing to receive comments on adding Chapter 15-1 Urban/Suburban Agriculture to the Lewisville Town Code regulating bees
1. Staff Presentation ([Report attached](#))
 - a. Mr. Myers stated that complaints about bees in close proximity to properties had been received by staff. The template used to write the draft ordinance was provided to another community by the NC Beekeepers Association and it was shared with Lewisville. A summary of the ordinance was provided and Mr. Myers read information on beekeeping as a hobby. Mr. Myers commented that the majority of beekeepers are certified, having taken courses from the State. He asked that Council consider all comments and that staff is open to any modification to the ordinance.
 - (1) Council Member Horn asked if staff would be willing to withdraw the ordinance at this time and to advance at a later date to which Mr. Myers was agreeable; however, Mr. Horn withdrew his suggestion when it was noted that a number of persons had signed the public hearing list to speak.
 - (2) There was discussion on whether there was a homeowners association in the areas where complaints were received as well as lot size.
 2. Public Hearing
 - a. Mayor Pugh opened the Public Hearing at 8:24 p.m.
 - (1) Proponents
 - (a) Donna Garner, 1420 Shangrila Drive, Lewisville, did not respond to her name.
 - (2) Opponents
 - (a) Buddy Marterre, 3218 Pennington Lane, Winston-Salem, 27106, Master Beekeeper with the North Carolina Beekeepers Association, author of apiary standards and immunology, offered himself as a resource and commented on a few items in the ordinance that are problematic. He suggested contacts before starting the keeping of bees and offered as an alternative that anyone interested in beekeeping take a course for certification.
 - (b) Mike Sloan, 205 Riverwood Drive, Lewisville, is a beekeeper and opposed the ordinance. He said he had made all the contacts suggested by Mr. Marterre, especially his neighbors, and did not have any negative comments regarding his keeping of bees. He did, however,

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note that there is a wild colony in the neighborhood. He also noted a few items in the ordinance that were of concern.

- (c) Roxanne DeJames, 341 Saddlebrook Circle, Lewisville, indicated she is a fairly new certified beekeeper and follows the rules identified earlier.
- (d) Hank Allen, 1730 Hauser Road, Lewisville, 11 years old, stated he has been a beekeeper since he was 5 years old and that he is against the ordinance. He learned from his mom about beekeeping and this ordinance will discourage people from keeping bees. He suggested that education is the best way to get people to understand beekeeping.

The Mayor suggested calling the names of those on the sign-in list who will have an opportunity to either speak or defer to the next person if there is nothing new to add to their opposition.

- (e) Mindy Mock, 191 Oak Grove Avenue, Lewisville, deferred.
- (f) Rick and Patricia Weavil, 4805 Seward Road, Pfafftown, deferred.
- (g) June Watkinson, 341 Saddlebrook Circle, Lewisville, deferred.
- (h) Larry and Lisa Ray, 6519 Tom Street, Pfafftown, deferred.
- (i) Donald Moore, 1009 Arbor Run Drive, Lewisville, deferred.
- (j) Alicia McDuffee, 1410 Shangri La Drive, Lewisville, deferred.
- (k) Cecil Mock, 1631 Lewisville-Vienna Road, Pfafftown, deferred.
- (l) Doug Gerringer, 275 Fairhaven Road, Lewisville, deferred.
- (m) Dan Williams, 1590 Greenfield Estates Drive, Lewisville, opposed the ordinance and suggested making Lewisville the beekeeper's capital of North Carolina.
- (n) Abby Allen, 1730 Hauser Road, Lewisville, deferred.
- (o) Clayton Allen, 1730 Hauser Road, Lewisville, deferred.
- (p) Jason Felton, 1530 Marblehead Road, Lewisville, deferred.
- (q) Alan Temple, 1044 Lasley Road, Lewisville, deferred.
- (r) Randy Taylor, 4929 Styers Ferry Road, Lewisville, deferred.
- (s) Rob Treadaway, 483 Sunset Ridge Drive, Lewisville, deferred.
- (t) Antonina Whaples, 7211 Crenata Drive, Lewisville, stated that she is a certified beekeeper and clinical herbalist. She

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ordinance.

- (1) Council Member Zenger indicated that there was nothing illegal about having chickens. He suggested that homeowners associations could manage the situation.
- (2) There was discussion on whether there were concerns about health issues and some of the items listed in the ordinance.

2. Public Hearing

a. Mayor Pugh opened the public hearing at 9:27 p.m.

(1) Proponents

- (a) Donna Gardner, 1420 Shangri-la Drive, Lewisville, said she has chickens next door and the rooster “cockadoodle doos” all day and night. There is a smell of chicken poop and windows can’t be opened. Chickens have gotten loose and dug holes. Her real estate agent mentioned complaints from people who have looked to buy her house. She read information about bird flu. (See attached.)
- (b) Josie Ashelle, 1445 Shangri-la Drive, Lewisville, (*signed on the Opponents list*) complains about roosters. She did request that chickens need to be controlled and that **Council approve the ordinance**. She also mentioned that nothing has been said during either hearing about consideration of others.

(2) Opponents

- (a) Roxanne DeJames, 341 Saddlebrook Circle, Lewisville, deferred.
- (b) Mindy Mock, 191 Oak Grove Avenue, Lewisville, stated that she has chickens and that they are good for pest control and they are good for the local food movement. She addressed the bird flu and stated that the State of North Carolina is requiring all chickens be registered with the State.
- (c) Jayne Warbinton, 341 Saddlebrook Circle, Lewisville, deferred.
- (d) Patricia Weevil, 4805 Seward Road, Pfafftown, stated that she is a physician and consulted with the CDC on transmitting bird flu. She provided information on the difference between commercial locations vs. home locations as well as other information on the caring of chickens. She said she doesn’t like the noise of roosters as well as loud radios. She suggested looking at the ordinance again so that it is not so restrictive.
- (e) Alicia McDuffee, 1410 Shangri-la Drive, Lewisville, has chickens and found some items in the ordinance extreme.

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She explained how she maintains her chickens. Her rooster crows as an alarm. She is opposed to the ordinance but not opposed to some regulation.

- (f) Abby Allen, 1730 Hauser Road, Lewisville, left.
 - (g) Clayton Allen, 1730 Hauser Road, Lewisville, left.
 - (h) Hank Allen, 1730 Hauser Road, Lewisville, left.
 - (i) Dan Williams, 1590 Greenfield Estates Drive, Lewisville, opposed the ordinance.
 - (j) Doug Gerringer, 275 Fairhaven Road, Lewisville, did not respond to his name.
 - (k) Jason Felton, 1530 Marblehead Road, Lewisville, to strike down the ordinance.
 - (l) Shelby Smith, 1825 Conrad-Sawmill Road, Pfafftown, deferred.
 - (m) Josie Ashelle, 1445 Shangri-la Drive, Lewisville, signed on the Opponent list to complain about roosters but asked that Council approve the ordinance. (Comments moved to Proponent)
 - (n) Scott Gryder, 6159 Spring Forest Drive, Pfafftown, opposed the ordinance and said he did consider his neighbors.
 - (o) Ben Gryder, 6159 Spring Forest Drive, Pfafftown, deferred.
 - (p) Ronnie Bricklel, 3610 Brookbank Drive, Pfafftown, deferred.
 - (q) Antonina Whaples, 7211 Crenata Drive, Lewisville, left.
 - (r) Jay Pelot, 229 Lakeway Drive, Lewisville, said he doesn't have chickens but felt the ordinance was too restrictive.
 - (s) Gen Pelot, 229 Lakeway Drive, Lewisville, deferred.
 - (t) Peggy Coffey, 227 Lakeway Drive, Lewisville, deferred.
 - (u) Derek Lidbaum, 1141 Sequoia Drive, Lewisville, said he moved to Lewisville to do things like raise chickens.
- b. The Public Hearing was closed at 10:00 p.m.
3. Council Discussion
- a. None
4. Council Consideration - **Ordinance 2015072**
- a. Council Member Zenger moved to give this ordinance no consideration. The motion died for lack of a second.
 - b. Mayor Pugh indicated some relief needs to be provided to problem areas as noted by several members of the audience.
 - c. Council Member Smith suggested a professional group work with the town, especially educating the public.
 - d. Council Member Mock would like to incorporate information on the avian

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flu registration.

- e. Council Member Horn pointed out the noise issue and keeping chickens on their own property. He would like to focus on those two items.
- f. Mayor Pugh indicated there are components of the ordinance that need additional work and the need to be in compliance with State statutes. He then made a motion to defer consideration to a later date for additional work from staff and residents. The motion was seconded by Council Member Smith and approved with a 5-1 vote with Mayor Pugh and Council Members Mock, Horn, Sadler, Smith voting in the affirmative and Council Member Zenger voting against.
 - (1) There was additional discussion on how existing ordinances can be applied to some of the problems noted.

VII. **Unfinished Business**

- A. None

VIII. **Administrative Reports**

- A. Upcoming [Events at Shallowford Square](#) and Town Holidays were reviewed.
- B. **Approvals at the Briefing and Action Meeting on September 3, 2015**
 - 1. [Resolution 2015057](#) - awarding contract to Yadkin Valley Paving, Inc. for single surface treatment of Laurel Creek Lane, Wellesley Place Drive, Meadowgate Lane, Shadowridge Drive, Shadowridge Court, Wellesley Place Court, Courtney Glen Lane and Honeyridge Court in amount not to exceed \$170,952.42 (One hundred seventy thousand nine hundred fifty-two dollars and forty-two cents)
 - 2. Installation of lamp poles at the Williams Road Bridge
 - a. [Ordinance 2015065](#) - amending Budget Ordinance 2015045 in the amount of \$17,035.⁰⁰ to install four (4) street lighting poles at the new Williams Road Bridge
 - b. [Resolution 2015051](#) - approving the contract with Lewisville Electric for the installation of lamp poles on the Williams Road Bridge
 - 3. Addendum to contract with Yards by Us
 - a. [Ordinance 2015077](#) - amending Budget Ordinance 2015045 to add funds to the contract with Yards by Us in the amount of \$450.⁰⁰ to cover mowing at the Shallowford Road Roundabout for September 2015 thru June 2016
 - b. [Resolution 2015058](#) - accepting Change Order #1 with Yards by Us to include mowing for the Shallowford Road Roundabout from September 2015 thru June 2016

IX. **For the Good of the Order:**

- A. Public Comments
 - 1. Mayor Pugh opened Public Comments at 10:16 p.m.
 - a. Fred Franklin, 1420 Conrad-Sawmill Road, Lewisville, expressed his concern with establishing Town Code Chapter 15-1 and 15-2 and wanted

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1. Having no other business to discuss, Council Member Smith moved to adjourn the meeting at 10:40 p.m. The motion was seconded by Council Member Mock and approved unanimously.

Dan R. Pugh,
Mayor

ATTEST:

Joyce C. McWilliams Walker
Town Clerk

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Public Hearing 1

ZONING STAFF REPORT

DOCKET #

L-076

STAFF

J. Martin Myers, AICP

Petitioner(s):

Lewisville Baptist Church
Attn: Dr. George Smith, Pastor
125 Lewisville-Clemmons Road
Lewisville, North Carolina 27023

REQUEST

From:

IP and RM-8 to IP-S
125 Lewisville-Clemmons Road and 6426 Shallowford Rd.

List of Recommended Uses:

Government Offices, Recreation Services Indoor, Recreation Services Outdoor, Adult Day Care Center, Cemetery Licensed, Cemetery Unlicensed, Child Care (Drop-In), Child Care Institution, Child Day Care Center, Church or Religious Institution Community, Museum or Gallery, Neighborhood Organization and School Private or Charter.

Acreage:

5.60 acres

LOCATION

PIN# **5885-17-0002, 5885-16-1797, 5885-17-0340, 5885-17-1164** and **5885-07-8278**

Street:

125 Lewisville-Clemmons Road and 6426 Shallowford Rd.

Jurisdiction:

Town of Lewisville (Downtown Core)

Parking:

Provided parking meets the minimum parking requirements for this use as it is now constituted. Should plans be submitted that would create new uses and/or facilities on the site, a new site plan will be required and new parking calculations will be done to reflect those new uses or structures.

Bufferyard/Landscaping Standards:

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No additional landscaping is required at this time. This review is to determine the appropriateness of certain land uses as chosen by the applicant for this parcel under Special Use zoning. No major siteplan changes are being requested as part of this zoning application.

PROPERTY SITE/IMMEDIATE AREA

Adjacent Uses: North: Commercial Bank and Utility (telecom) Substation
 East: Service/Retail Business Site
 South: Multi-family Apartments
 West: Commercial Bank and Convenience Store w/ gas pumps and carwash

GENERAL AREA

Character/Maintenance: The site lies within an area of Shallowford Road (running east/west) which is predominately institutional containing governmental offices, an elementary school, public library and Post Office.

PHYSICAL FEATURES

Topography: The site is relatively level from its frontage on Shallowford Road then sloping gently toward the rear of the site along Lewisville-Clemmons Road.

Impact on Existing Features: The inclusion of a proposed ‘tot-lot’ play yard (accessory use) is not anticipated to have any impact on the use of the existing facilities on this campus.

TRANSPORTATION

Direct Access to Site: There are no proposed changes to the access drives for this site.

Street Classification: Shallowford Road – Major thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service (LOS) C
Shallowford Road at Lewisville-Clemmons Road – 16,700+/- VPD

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Sight Distance: Sight distance onto Shallowford from the driveway on Shallowford Road is good. Streetscape plantings and decorative lighting along the roadway do not impact visibility of oncoming traffic.

CONFORMITY TO PLANS

Lewisville Comprehensive Plan Update 2010

The site lies within an area designated as the “Downtown Core Area;” a diverse mix of uses in the downtown is recommended. Specific recommendations include encouraging the creation of diverse uses such as; independently owned retail businesses, schools, churches and government offices. All new projects should advance the aesthetic of the downtown district by the implementation of new design guidelines and other corridor improvements.

Legacy Development Guide

GMA 3 – City/Town Centers

Recommendations: The promotion of successful town center development in smaller towns of Forsyth County, including development of design guidelines for buildings, parking, sidewalks, and public spaces to create viable town centers.

ANALYSIS

The *Lewisville Comprehensive Plan Update 2010* designates the site as “Downtown Core Area”, in which a variety of uses are encouraged. The uses selected for the site meet the intent of the aforementioned plan and are also permitted by the Town’s UDO. Finally, any suggestion to re-purpose the existing residential structure for another church related use is consistent with the goals of the overlay and downtown core district.

The proposed uses have been reviewed and are allowed within the IP-S district. They are thought to be compatible with nearby residential areas as well as adjoining commercial properties. With these findings, staff feels that the proposed rezoning complies with the Town’s objectives as contained in the *Comprehensive Plan Update 2010* and its downtown development ordinances.

FINDINGS

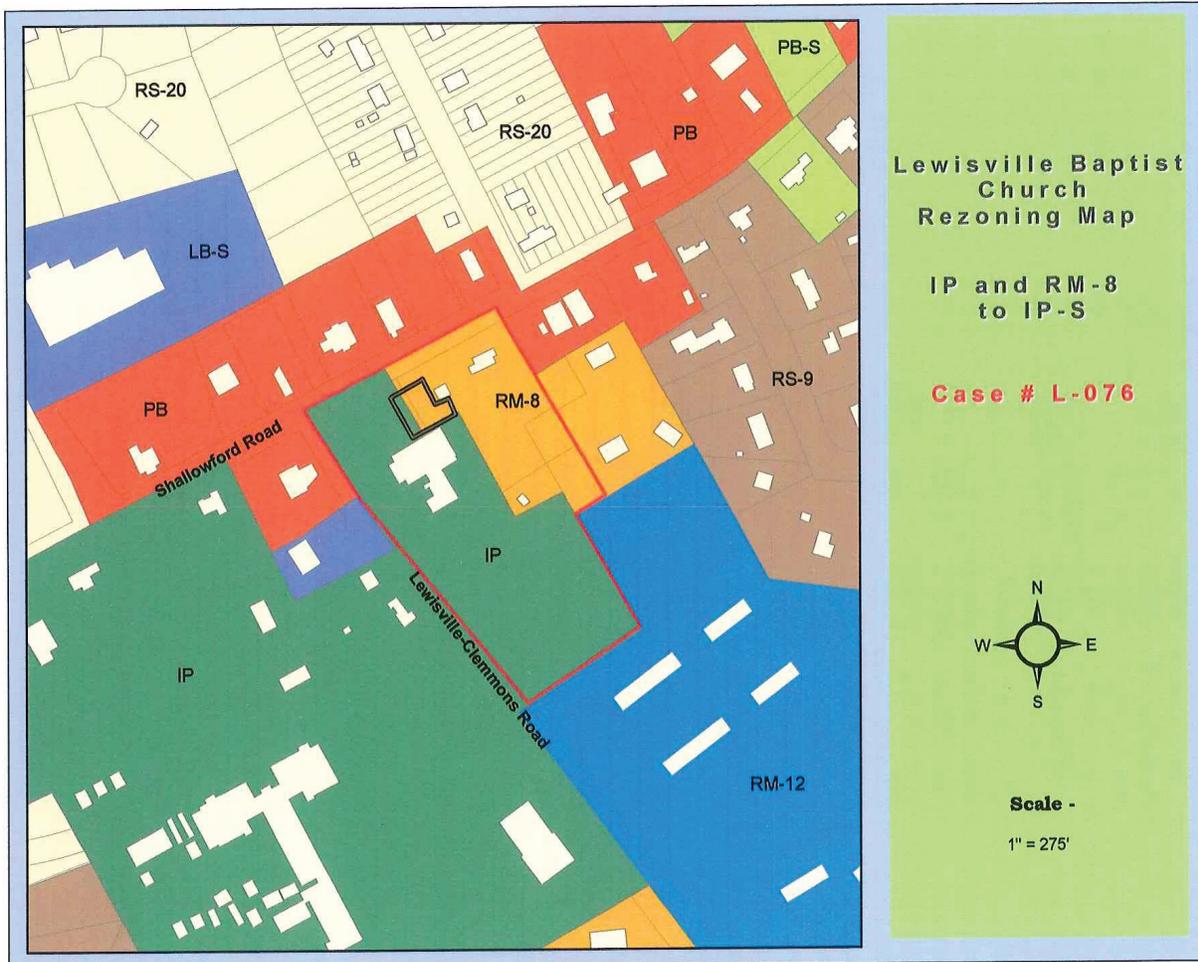
1. The request complies with the land use and design recommendations contained in the Town’s *Comprehensive Plan Update 2010*.
2. The site plan meets the intent of the IP-S Zoning District and the uses are sensitive to the concerns for compatibility with surrounding neighborhoods and business uses.

STAFF RECOMMENDATION

Zoning: APPROVAL

Site Plan:

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Public Hearing 2

Staff Report - Addition of Chapter 15-1 on beekeeping

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Summary of Information:

Beekeeping (or apiculture, from Latin: *apis* "bee") is the maintenance of [honey bee](#) colonies, commonly in [hives](#), by humans. A [beekeeper](#) (or apiarist) keeps bees in order to collect their [honey](#) and other products that the hive produces (including [beeswax](#), [propolis](#), [pollen](#), and [royal jelly](#)), to [pollinate](#) crops, or to produce bees for sale to other beekeepers. A location where bees are kept is called an [apiary](#) or "bee yard".

Urban beekeeping is the practice of keeping bee colonies in urban areas. It may also be referred to as hobby beekeeping or backyard beekeeping. Bees from city [apiaries](#) are said to be "healthier and more productive than their country cousins". Their presence also provides cities with environmental and economic benefits. Bees pollinate [a wide variety of plants](#), and the honey they produce is often sold to local restaurants and in local shops. Most cities in North America at one time prohibited the keeping of bees, but in recent years beekeepers have had success in overturning bee bans. Many urban areas now regulate beekeeping.

The popularity of urban beekeeping is growing rapidly, perhaps due to its inclusion in the [local foods movement](#). Between 1999 and 2012 the U.S. saw a 220% increase in beekeepers. The number of urban beehives varies greatly from city to city and official counts may be inaccurate as hives are often not registered.

Beekeepers may harvest honey from July until October, according to the honey flows in their area. Good management requires keeping the hive free of [pests](#) and [disease](#), and ensuring that the bee colony has room in the [hive](#) to expand. Chemical treatments, if used for parasite control, must be done in the off-season to avoid any honey contamination. Exterminators therefore often offer bee-safe and honey-safe treatment methods targeted towards beekeepers. Success for the hobbyist also depends on locating the apiary so bees have a good [nectar source](#) and [pollen source](#) throughout the year.

The intention of the draft bee ordinance, as proposed, is to promote the use of accepted best management practices that have been adopted by the North Carolina Bee Keepers Association and shall be retroactive to all apiaries that are located within the Town. The implementation of these standards should bring standardization to those existing and future locations throughout Town. This ordinance shall not apply to acreage tracts in Town that are two (2) acres or greater in size.

Public Hearing 2

From: mike&sally sloan

Sent: Thursday, August 27, 2015 8:48 AM

To: Mike Horn

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Subject: Proposed Bee Ordinance

Councilman Horn,

Thank you for your reply. When you have such a passion for the hobby of beekeeping as I do it is extremely hard to briefly describe my feelings relative to the subject matter. I have several major concerns and will list them as indicated in the ordinance.

Section B, No. 2 - Bees forage 3-5 miles from the hive to obtain food necessary to survive. They collect pollen and nectar to house in their hive to ensure they have food to survive the winter. I am feeding sugar water and medicating my bees hard now so as to make sure they have ample food and the medication needed for the up coming winter. No matter how much I feed they are still going to forage where ever they need to obtain food. I feed the humming birds sugar water and they both compete for that food, especially this time of the year. Can't control where the bees forage.

Section C, No. 1 - Hive Registration Hard to manage. Hives change annually. To my knowledge the state does not mandate hive registration but you can register your hives with the state to be notified when pesticides are being sprayed in your area. (spraying of orchards is a good example). Pesticide applicators are registered with thee state and have to notify when they are spraying large areas.

Section C, No 3 - Fencing Flyways When bees leave the hive they automatically fly upward to a height of greater that 6' not low to the ground.

Section C, No. 5 - General Maintenance You leave removed comb in your apiary after removal from the hive so the bees will clean it up, which they do. When honey supers are removed from the hive and the honey extracted, you place that empty hive super in your apiary so the bees will clean that up also. This is a standard beekeeping practices.

Section C, No. 6 - Queens I typically do not mark my queens. After years of beekeeping you develop a eye for locating the queen. Ifa queen is not performing to the hives satisfaction they will make another queen and dispose of the old one, which would not be marked. I can't imagine who on the town staff is going to make sure all queens are marked.

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Section C, No. 7 - Location of Apiary Ideal situation is to place your apiary along a property line facing southeast to receive the first rays of the sun and also backed up to a woods line or some sort of dense vegetation to protect the apiary from the elements of the weather. You don't place it 30' out in your yard. As the ordinance is now written i would have to relocate my apiary on my property which is not impossible but not a easy process. General rule of thumb when moving hives is if moving 2' or more then you need to temporarily move it 2 miles to another location. If moved more that 2' on your property the field bees will return to the old site and not its new location. Lost forever. Best to move the hives just before dark when the most of the bees are in the hive thus keeping them oriented to their home. Can move back to your property in a few days and in the same manner as moving them off.

These are just a few of my concerns relative to the ordinance. Please let me know if you have any questions.

Michael Sloan

Public Hearing 3

Summary of Information:

Over the last several years the act of keeping and raising Urban Chickens has become a popular hobby of young suburbanites wishing to have farm fresh eggs without the inconvenience of having to go to an actual farm or other outlet. In the absence of an ordinance governing this activity, Town staff contacted other municipalities within the region to determine how other local governments were addressing this trend. The UNC Planner's List Serve and the internet were also searched for available information. This information enabled staff to create special guidelines for the Town to help manage future requests should they arise.

The goal was to provide sufficient information and guidance for applicants wanting to keep chickens or other fowl on their property and as a safeguard for neighboring residents that may be impacted by the location of a chicken coop or pen. As a result, the Town received approximately 9 to 10 requests for the construction of new chicken coops and chicken runs. The majority of these locations are ongoing and are being maintained in an appropriate fashion with no adverse effects to adjoining properties. There are several instances around Town where persons have erected coops without contacting the Town or receiving some guidance regarding the keeping of chickens on their property. These sites have been somewhat problematic and have been the source of most complaints that include the presence of a rooster, letting hens run at large around the property and improper disposal (odor) of animal waste.

At their June 2015 meeting, the Planning Board reviewed the draft ordinance governing the keeping and

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raising of chickens and resolved that the ordinance should be placed into the Lewisville Town Code. Several minor changes were suggested that have been made a part of the draft being forwarded to the Town Council. The ordinance, as proposed, is to be retroactive to all chicken coops or pens that have located within the Town. The implementation of these standards should bring standardization to those existing and future locations throughout Town. This ordinance shall not apply to acreage tracts in Town that are two (2) acres or greater in size.

Public Hearing 3

Avian Flu or H5N1 or Bird Flu.

Each Counties officials have been contacted by USDA, HOMELAND SECURITY, and North Carolina Department of Agriculture about the serious or imminent threat of Bird Flu.

Every county Fire Marshall has contacted each Fire Department for compiling a list of foaming capabilities for use in depopulation. Including Lewisville FD.

Millions of Chickens and Turkeys were euthanized this spring due to Bird Flu in the mid-west.

The birds are ready to migrate back north towards Canada and over to Siberia. East of the Mississippi is most likely the route they will take. September and October is the projected migration time.

North Carolina Department of Agriculture is the most well trained, prepared, and has the most equipment ready of all the states in the US.

There is talk that there will be restrictions on poultry displays and contact at the State Fair in NC this year. Steve Troxler, of NCDA, will issue the final decision.

If contracted Bird Flu and eating chickens or eggs by family and children, does this pose a threat? How long would it take to decide Bird Flu is present? Are local poultry or "back yard birds" inspected or checked on a regular basis?

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Are there any cases of other pets contacting the Bird Flu such as cats, dogs, or personal parakeets or such birds? Does it affect humans?

A local company has been designing and building depopulation units for Bird Flu for the last eight years and is building them as fast as they can right at this moment. They also have units for "back yard birds", so does this pose a risk to neighbors and such? Every chicken farm has signs up that state NO ADMITTANCE, and no one is allowed in unless prepared and the cleanliness and sterilization solution is present. Can a roaming cat, squirrel, dog, bird, skunk, opossum, or loose chickens spread this to our pets.
