

WALKERTOWN TOWN COUNCIL MEETING

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TUESDAY MAY 25, 2004 7:00 P.M.

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MINUTES

PROCEDURAL ITEMS:

ITEM #1: CALL TO ORDER @ 7:05 p.m. By Mayor Kenneth Davis

(1) DETERMINATION OF QUORUM All Present

Present were: Doc Davis
Horace Warner
Sarah Welch
Wallace Larrimore
Dot Duggins
Toby Linville
Lynn McKinnie
Steve Garland

(2) INVOCATION By Former Mayor Enos Jumper

(3) PLEDGE OF ALLEGIANCE By Councilwoman Dot Duggins

ITEM #2: AGENDA ADDITIONS / CHANGES / APPROVAL

DISCUSSION:

Ms. Duggins: "I'd like to add Item #8 to the Agenda – Monetary Gift to the Little League at Wickenham Park....."

Mayor: "That would be Item #9 – We have two Item 1's under New Business."

Ms. Duggins: ".....Let's say Item #9 – for Discussion and Action tonight. We have someone here to discuss special needs."

Mayor: "Is there other changes, additions to the agenda?"

MOTION: TO APPROVE AGENDA AS AMENDED

BY: Horace Warner

SECOND: Wallace Larrimore

VOTE: MOTION PASSES - Unanimous

PUBLIC SESSION: Please limit your comments to three minutes.

Public Session was opened at 7:22 p.m. and closed at 7:25 p.m. with two speakers.

- 1) Lee Griffith
5135 Sullivantown Road
Walkertown
"I am a Board member of the Walkertown Little League. We, in the Walkertown Little

League, are very, very proud of what we have on Wickenham. For those that have not visited, I urge you to come. We have taken a piece of land and have put five beautiful baseball fields, with which one is one of the nicest fields I would put up against anybody of the eastern side of the United States – it's our T-Ball field! Absolutely immaculate! But, from recent understanding, there was consideration of giving a monetary disbursement to our Little League. We have completely taken care of our needs up to this point with the monies that we raised, both through the parents signing up their children, fund raisers that we have and, of course, our annual spook trail that we have that we sponsor, and has been very successful thus far. We have recently just put new dug-out covers on there, beautiful blue canvas dug-out covers – just really added some class to the place. But we have some needs. We are in the process of purchasing of a permanent facility for our concession stand, which, unfortunately someone called and had the Health Department visit us on Saturday and decided to shut down everything that we made that is warm, hot dogs, hamburgers – no longer available! And let me give you some numbers on that. On any given Saturday, we raise anywhere from \$1200 - \$2000 off the sale of that concession stand.... And it's gone! We are in the process, and thanks be to God, that we have the funds right now that we could pay for that building, but we still have other needs along with that. We have put down \$3,000 with an outstanding of \$8,000 due by the end of October, for this building, which will be big enough to both serve as our concession stand, but will also serve possibly as a meeting place for our Board and for storage of our equipment, along with a trailer that was donated. We also have outstanding needs for getting power, water, now that the Health Department has put such strict demands upon us. And we are still a young, fledgling place, but we have finished ---- this makes our second full season there! And I urge you, that if there is a possibility of disbursement of funds to that Little League, every dollar --- **every single penny** goes to the building of that facility. And if you have not seen it, I urge you, I urge you, please, to come and see it, and you will be proud. Most of you have children, grand-children, and great-grand-children that are playing there now. And there's nothing greater than to hear the sounds of those children playing baseball during the week and especially all day on Saturday. We are trying to expand. We have taken in a second big-league team because South Little League has disbanded their big-league team. There is a need there. I have spoken personally with our Vulcan representatives in our division to help me come in and place a safety plan for this facility and they have gladly accepted the challenge. So I will have some division reps, along with myself....I work with Vulcan, also. And if we can get that in place and can convince Williamsport on just how fine a facility we are - fingers crossed - we could earn a scholarship that would pay for lighting to that facility! Two hundred and something thousand plus dollars to light that entire facility!!! So we are taking the steps to move forward but along with what we raise and what we are to raise, we could always use the help and we will truly be thankful for it.”

- 2) Brenda Mabe
5155 Sullivantown Road
Walkertown

“Yes. I haven't been here since the last time I came and had a concern. And I thank you so much for listening, not just to me, but this council, and the mayor seems to be listening to the citizens and letting them have some input and with their worries and concerns, you are directing them. Now, I have a concern that I need to tell the council. Last week, I was working in my garden and observed the Town violating an EPA law. I called the town hall to inform the town manager – he was not there. I asked for the town clerk and she was on the phone so then I left a message for the receptionist to inform the town manager that they were violating the EPA law of chemical spraying. The manager came down a little while later and wondered what was the problem. And I explained that you cannot stand on private property and spray a chemical on your land and kill weeds.

You cannot spray on your property through a fence and that chemical come on somebody else's property and you're not supposed to spray when it's really windy. I was standing 500, 700, maybe a 1000-feet from him and I could smell the chemical. I expected a civil response. I expected him to say, "Thank you. We will look into it and get back with you." But, instead – the town manager goes into a tirade. He throws his arms up in the air and says, "Well, I'm just not going to do anything!!! I'm just not going to do anything!! I'm just going to leave it alone!!" And I didn't address that issue because I didn't think it was addressing the issue for an adult man, a town manager, to respond that way. This is not the first time we have had a problem. I called the town on several occasions and informed them that they were mowing private property. Now, I have no problem with that but when you mow grass on one person's property, you got to mow everybody's property! So the last time I called and told him and said, "You're mowing the private property again." He said, "Well, I'm sorry but we got a new crew!" And I said, "Well, that's your responsibility." He said, "Well, I just can't do everything!!" And I said, "You are the town manager! You are to carry out the laws and rules of the state of North Carolina, Forsyth County, and any resolution that this council passes. That is your job." Now, I would love to stay on but I've got to get home. I thought this was important enough for me to come up here and tell you this – I just came from the hospital. I took my daughter-in-law; we thought she was having heart attack. I left her with her dad and her husband. But I felt like this council needed to know that, as a citizen, I pay taxes, that the response that I got was not acceptable to me and I thought you needed to know. Thank you."

OLD BUSINESS:

ITEM #1: FOR DISCUSSION AND/OR ACTION:

Town Council Minutes for Regular Meeting of May 11, 2004

Budget Meeting Minutes of May 11, 2004

DISCUSSION:

Mr. Warner: "I want to bring to the public in the minutes of the meeting of the 11th, it states there, and if I may read: "The Planning Board did approve at their April meeting sidewalk amendment so that all new residential subdivisions have to put in curb, gutter and one side of the street – I believe, I was at the meeting, and it was said 'at least one side' – did you drop that 'at least'?" (Page 12 of minutes, #4)

"Now, if I recall, Ms. Wilson is the one that made the recommendation that it be at least one side of the street, which means you can have two, but at least one. Should that be added or not?"

Lynn: "This was typed as what the manager said – not the resolution....."

Mr. Garland: "....The resolution will be what the resolution is. These minutes don't affect....."

Mr. Warner: ".....That's what I say but as I was here when they voted on the resolution, that statement was made at least one side – being this, you can have two if where it's needed. In this case here, it says one and that would be tantamount....."

Lynn: "I'll verify....."

Mr. Warner: ".....Subject to you verifying that back, would you go ahead with that and then we could approve according to that."

Lynn: ".....Well, it's what they say, though...I don't put what the resolution says. It's what was said at the (council) meeting....."

Mr. Warner: ".....That's right and I was here and I heard her."

Ms. Duggins: "This is not verbatim is what she is saying....."

Mr. Garland: "This was Toby's summary of what they did and I think what Lynn is saying is as the

minutes – that’s what Toby said. Now, the fact that it’s a little bit different than what the Planning Board did, the Planning Board’s actions will control and so if it says ‘at least’ that’ll be what’s effective. Lynn, however, was really transcribing what Toby said and Toby didn’t say ‘at least’ but that’s what the law will be because this really doesn’t affect the laws.....”

Mr. Warner: “That being clarified then, we are now, did you have your public hearing and everything’s been finalized on that curb and guttering so that takes us. That has been finalized because we had said this, that any subdivision should, we should come under that. So, thank you.”

Mayor: “Horace, you may just want pull that mike over a little bit. It moves....”

Mr. Warner: “Okay. Can you hear me now???”

MOTION: TO APPROVE TOWN COUNCIL MINUTES FOR REGULAR MEETING OF MAY 11, 2004 AND BUDGET MEETING MINUTES OF MAY 11, 2004

BY: Dot Duggins

SECOND: Sarah Welch

VOTE: MOTION PASSES - Unanimous

NEW BUSINESS:

******* PUBLIC HEARING**

ITEM #1:

THIS PUBLIC HEARING IS TO PRESENT THE 2004-2005 BUDGET FOR APPROVAL

Each speaker will be allotted three (3) minutes to state their opinion.

(A) FOR DISCUSSION AND/OR ACTION:

ORDINANCE #04-005

AN ORDINANCE TO PROVIDE FOR THE REVENUE AND EXPENDITURES FOR THE TOWN OF WALKERTOWN FOR FISCAL YEAR JULY 1, 2004 THROUGH JUNE 30, 2005

(B) FOR DISCUSSION AND/OR ACTION:

RESOLUTION #04-012

TO ADOPT TOWN OF WALKERTOWN BUDGET ORDINANCE #04-005 AND BUDGET FOR FISCAL YEAR 2004-2005

DISCUSSION:

Mayor: “Are copies of the budget available, Ms. McKinnie, for anyone?”

Mr. Linville: “I don’t think we have any copies here but if anyone needs them, we can make copies.”

Lynn: “There are copies in the clerk’s office at town hall.”

The Public Hearing was opened for comments at 7:22 p.m. There was one speaker.

1) Arlyn Wilson

4701 New Walkertown Rd.

"I sat in a budget meeting this morning from 9:00 until quarter of one for the County Elder Population budgeting. The County Commissioners have taken \$2,704 away from our budget and I would like for, in the budget, as you folks prepare one, keep the senior population in mind. Because this is the most growing population. We had requests from Shepherd's Center and from the Senior Services for 80% and we had to take money away from them, instead of give it to them. So each person, each agency is really having a rough time. But our senior population in Walkertown is growing by leaps and bounds and let's remember that when you're preparing budgets, please remember the senior population. We need some help!"

Mayor: "Are there specific items, while you're speaking to that, that this council needs to be aware of?"

Ms. Wilson: "Yes. The Meals on Wheels program has asked for more money and we've had to take it away from them instead of give it to them."

Ms. Duggins: "That's the county or Walkertown....."

Ms. Wilson: ".....The whole.....Well, the county serves Walkertown. That Senior Services. We had to remove, well we've removed \$200 from every program that Senior Services have. Two hundred dollars. And they have Home Care 3 and Home Care 2 and the idea of the senior population is to keep them at home. It's much cheaper to keep the senior population at home than it is to put them in a nursing home. So that's what we're concerned about, is the amounts of money....and then the senior population, Forsyth Senior Services is raising by their own help, 10%. And we've had to cut the county's donation to them. Just keep those in mind, please."

The Public Hearing was closed at 7:25 p.m.

Mr. Warner: "Inasmuch as we have had the Public Hearing, then we do have the budget here, I would like to **table Items A and B** for further consideration **to be voted on at our June 22nd meeting**. Would that give the town clerk time enough to set up the budget? That way we have further time to study it, look it over, detail and all. There are a few questions there that I personally will take up with the town manager but that gives more time and there's a lot in there. For example, I'll just mention one thing at the outset here. We have reached a point where we're only getting \$520----- we budgeted \$520,000 revenue from ad valorem taxes. But then direct services, that we would pay contract, that is, fire, recycling, garbage and street lights, will total \$516,000 so we're getting in a very precarious situation. It means that then we're operating the town on intergovernmental revenue, sales tax distribution and various other things. So that's the reason I ask for more time to look into this to see. And of course, try to stay on sound ground. My point, and this goes right back to what Ms. Wilson is saying, is we want to be careful about our seniors. We don't want to have to raise our tax rate unless we have a just need and demand to do it. And we're kind of on dangerous ground right now. We've had a lot of annexation that's increased that direct cost. So my motion again, is to table Items A and B until the June 22nd meeting."

MOTION: TO TABLE ITEM #1, SECTIONS "A" AND "B" TO THE JUNE 22ND MEETING

(A) FOR DISCUSSION AND/OR ACTION:

ORDINANCE #04-005

AN ORDINANCE TO PROVIDE FOR THE REVENUE AND EXPENDITURES FOR THE TOWN OF WALKERTOWN FOR FISCAL YEAR JULY 1, 2004 THROUGH JUNE 30, 2005

(B) FOR DISCUSSION AND/OR ACTION:

RESOLUTION #04-012

**TO ADOPT TOWN OF WALKERTOWN BUDGET ORDINANCE #04-005 AND
BUDGET FOR FISCAL YEAR 2004-2005**

BY: Horace Warner
SECOND: Sarah Welch
VOTE: MOTION PASSES - Unanimous

DISCUSSION BEFORE THE FINAL VOTE:

Ms. Duggins: "Is this going to delay our budget on time?"
Lynn: "We have until June 30th to get it approved."
Mr. Linville: "We just have to approve it by June 30th. The budget ordinance has been advertised and by us delaying it in public session, I don't think we have to readvertise."
Mr. Garland: "No. You don't have to."
Mr. Warner: "That was the point in doing it this way so we wouldn't have to go through that process, true. Because this is not necessary – the public will still have access to this budget at any time. They can walk into the town hall and do that."
Mayor: "This wouldn't be on the website because this is just tentative, is that correct, Ms. McKinnie?"
Lynn: "Correct. I wouldn't send it to the website until it was approved due to the numbers maybe being changed....."
Mayor: "Yeah. It would be a little redundant to put it up now and then put the final one up later."
Mr. Larrimore: "We have discussed this a little bit, you know and we're not living from hand to mouth. The town is not broke by any means. Like, for example, the Powell Bill – that we do our paving with. At the end of April, we had \$711,459. Hotel Occupancy, we had \$266,045. 49. So we're not living from hand to mouth....."
Mr. Warner: ".....No. But they're restricted funds and cannot be used for other....."
Mr. Larrimore: ".....But we haven't used it but a little bit out of that one in the seven years I've been here....."
Mr. Warner: ".....As I say, they're restricted funds and can only be used for those specific instances....."
Mayor: ".....Mr. Warner, if you would let him finish....."
Mr. Warner: "Okay. Excuse me."
Mayor: "Go ahead. I'm sorry."
Mr. Larrimore: "Like the hotel occupancy, we used a little bit out of it in seven years I've been here so that shows it can be just laid there and just flop around."
Mayor: "Excuse me. Now, Mr. Warner, did you have some other comments?"
Mr. Warner: "All I had to say is I agree with Mr. Larrimore, there is money there. And we have updated on paving but those are restricted funds that can only be used for those specific purposes. I'm talking about general funds that are unrestricted and have to go to support us. For example, we take that for the contract services, which is direct ---- and I'm proud that the people get that direct service back for their money, but then we got to be careful of what we operate on and that's intergovernmental revenue, tax distribution and such. And that's unrestricted funds."

Voting then proceeded and motion carried.

ITEM #2: FOR DISCUSSION AND/OR ACTION:

RESOLUTION #04-009

TO AWARD FISCAL YEAR 2003-2004 AUDIT CONTRACT TO:

GIBSON & COMPANY, P.A.

DISCUSSION:

- Mr. Warner: "I just have to say this, and I'm sure you're tired of hearing it, I think we are paying through an arm and a leg for our audit. I realize there are other requirements this year but based on what other people ---- so next year, we will be getting bids in and such. This is the third year on the thing. And I'm very much interested in what they will produce for us in the way of an audit based on giving us recommendations. Now this time we've said that a lot of this comes in that they're going to have to inventory assets and such that they haven't had to before. But that'll be good."
- Mayor: "I don't think they are going to be doing the inventory. I think Toby and Ms. McKinnie will be preparing the inventory....."
- Mr. Warner: ".....But they'll have to audit that, won't they?"
- Mr. Linville: "That's right."
- Mayor: "But ya'll will do all the leg work, don't you?"
- Mr. Linville: "Yeah. There's several parts to the new General Accounting Standards Boards rules, but, yeah, the inventory Lynn and I will have to do or it was going to cost us another \$2,000-plus...."
- Mayor: "We all feel like this was, and I didn't mean to interrupt you, but we feel like this has been somewhat trumped up because it's been laid on GASB – the new GASB proposal and we can't do much about it. It's where they've got to value all the streets and all the assets of the town. This is a new state law. We don't have a choice on this one and whether it's a good price or not, we feel like we're kind of behind the 8-ball on it."
- Ms. Duggins: "I've said it before and I'll say it again that I like to put out bids when we finish one contract to put out bids so that we get some reasonable prices. This is the third year on this bid so - this contract – so next year would be time to take a real fresh look at some new companies."
- Mr. Larrimore: "And, Mr. Mayor, we need to do that early in the year so they can catch up for the June 30th deadline."
- Mayor: "When do you think's a good time to do that? When you say 'early', you talking about January?"
- Mr. Larrimore: "I would say when he finishes this audit, that'd be a good time to start."
- Mr. Warner: "And let me say by my statement there, we've gone from \$11,000 with them over the last four years, up to \$15,750. At that time, we did away with the water department, no audit required there and all. So my point is this, we're paying okay for it. For example, they're charging \$4,000 for final statements. That's right much money."
- Mayor: "Motion and second on the floor. Any further discussion?"
- Lynn: "I have one thing. The letter and the contract that I gave each of you guys to look at... .I need those back. I have to send those in. Those are the originals. The engagement letter and the contract."

MOTION: **TO AWARD FISCAL YEAR 2003-2004 AUDIT CONTRACT TO:**
GIBSON & COMPANY, P.A.

BY: Wallace Larrimore
SECOND: Dot Duggins
VOTE: MOTION PASSES - Unanimous

ITEM #3: **FOR DISCUSSION AND/OR ACTION:**
STATE EMPLOYEES CREDIT UNION TELLER MACHINE (ATM)
TO BE LOCATED AT WAREHOUSE SITE

DISCUSSION:

Mr. Linville: "Not much information. I finally heard back. They have submitted a proposal to their administrative office in Raleigh but they haven't heard a response. She said it's sort of a slow process, getting a yay or a nay back from them. She said as soon she knows something she'll let me know so as soon as I hear something, I'll let you all know."

Mayor: "So we don't need to take any action on this?"

Mr. Linville: "No, sir."

Mr. Larrimore: "We're going to let the clerk and the manager put this back on when we hear back?"

Mayor: "Yes. I think that would be appropriate. Whenever he has some information, him or Ms. McKinnie, either one. Do the rest of you council agree?"

Ms. Welch: "Yes. I agree."

TO BE PLACED ON AGENDA WHEN UPCOMING INFORMATION IS RECEIVED

ITEM #4: FOR DISCUSSION AND/OR ACTION:

CHANGE OF TOWN COUNCIL MEETING DAYS FROM
TWO TUESDAYS A MONTH TO ONE THURSDAY A MONTH

DISCUSSION:

Mayor: "Major change on the face of the meeting times. We had discussed having it, moving it to, for a little background for the record....We were trying to cooperate with the library, who asked us if we could to consider it, since they had full schedule on Tuesdays and the library is open but the library is closed on Thursdays. So they had asked if we would possibly consider it and that's what we're doing. That's the reason. They weren't throwing us out. They just asked us to consider and that's what we're doing tonight – to consider it. And I think we've talked on the fourth Thursdays, is that what we talked?"

Ms. Welch: "Right. The resolution has the dates in it."

Lynn: "That's not the right dates, though. That's just an example resolution!"

Ms. Duggins: "We will still be continuing to meet twice a month, one being a briefing session and agenda setting session plus the one the last, the fourth Thursday each month. So we will still be meeting the second Tuesday, will we not?"

Mayor: "Well, we hadn't decided that. We talked about continuing to have an agenda setting meeting but I don't think we've set that....."

Ms. Duggins: ".....We going to do away with the briefing?....."

Mayor: "Well, I don't think we've discussed fully what we would do with that other meeting, I don't think we have. At least, I don't recall. Do other Councilmembers recall what we've discussed?"

Mr. Warner: "I think from the minutes, it was said that we come together in these meetings and just rehash the same thing twice and such and the purpose of it was to cut it down to where we only have the one meeting. Now, according to the briefing session there it could be appropriate and it would be a matter of, let's say, briefing, call it an agenda meeting, whatever you want, and have that within a week or so before the regular meeting....."

Ms. Welch: ".....Right....."

Mr. Warner: ".....And then the agenda follow there, what, four days before or so...."

Mayor: "...Well, we need to plan the agenda meeting with plenty of time to get the agenda. Once it's finalized, which it should be finalized at the agenda meeting, then she could get it on the website with plenty of time without having to rush. When you got a whole month to do, we should be able to arrange that, don't you think, Ms. McKinnie, sometime by the second week? Is that.?"

Lynn: "It doesn't take me long to do the agenda. What takes me long is when you guys change it and I have to re-do it...."

Mayor: "We won't address that "you guys change it"....."

Ms. Duggins: "At any rate, the meetings we have will be open to the public and they will be here at the library."

Ms. Welch: "And they're already posted on the door when we have them."

Ms. Duggins: "So make sure to check – and the web site."

Mr. Warner: "One other thing let's not forget, in having the two meetings a month, we said the first meeting will be more or less an information meeting and we'd vote on the second. If we only go to one meeting a month, it means then that we may have to vote and in many cases, I think it could be carried forward to the next meeting, even though it's fully discussed and decided. But we wouldn't have to make a final vote on it til the next meeting. There will be some emergencies any way you go in some instances. But keep that in the back of our mind that we are giving up that first meeting where we said no vote, whatever, when we do that."

Mayor: "I had it in my mind that we said the, from looking at my notes, the fourth Thursday, and this says the last Thursday...."

Lynn: "That's just something I typed as an example...it is the fourth Thursday but you all weren't sure at the meeting – one of you said fourth, another said last. I wasn't sure which one you were going to end up with. So those dates are not correct – I just put them in to show you how the resolution will look...You just need to decide and let me know."

Mayor: "I think we decide which it will be – either the fourth or the last. Most of the time it's going to be the fourth, but on some occasions it will be some confusion so I think we need to decide."

Ms. Duggins: "Let's go with the fourth! That way it's always for sure it's the fourth....."

Mayor: ".....It's not a doubt, okay....."

Ms. Welch: ".....As it is now....."

Mayor: "Are you making that a motion, by the way?"

Ms. Duggins: "Yes, I am."

Mayor: "Okay. Motion is to change our two Tuesday meetings to one meeting, which will be held on the fourth Thursday of the month. And, of course, there may be some changes to that, I'm sure, that falls in November and December. That's the motion. Is there a second?"

Mr. Garland: "Before the second, you might want to make those changes because by announcing it here you'll have set your schedule and there's not going to be a requirement to specially announce it every month. So, you'd want, I think, to say fourth Thursday of the month, which is the motion, with the meetings, however, in November and December being the following dates --- and then the following dates ya'll agree to."

Mr. Linville: "If you all will look at your ordinance, we'll go ahead and set those. July 22nd, August 26th, September 23rd, October 28th, November 18th (change for Thanksgiving) and December 23rd, if you all are willing. Christmas is on a Saturday, that would be the Thursday before. We'll be at work that day and half a day Friday so it doesn't affect us."

Mayor: "So, really the only change that would depart from the fourth Thursday would be on November which would switch to the third, November 18th, then."

Mr. Garland: "So the motion would be the fourth Thursday except in November, which would be on the 18th."

MOTION: TO APPROVE THE CHANGE FROM THE CURRENT TWO TUESDAY MEETINGS TO JUST ONE MEETING A MONTH -- WHICH WILL BE HELD ON THE FOURTH THURSDAY OF EACH MONTH EXCEPT FOR NOVEMBER, WHICH WILL BE HELD ON NOVEMBER 18TH.

BY: Dot Duggins
SECOND: Wallace Larrimore
VOTE: MOTION PASSES - Unanimous

DISCUSSION BEFORE FINAL VOTE:

Mr. Warner: "What about the briefing meeting? Are we going to address that now or later?"
Mayor: "We haven't addressed it yet. We can, but we haven't. We're just dealing with the...."
Mr. Warner: ".....We'll go through this and go back to that....."
Mr. Linville: ".....If we, with only one meeting, we'll be able maybe to get the agendas out earlier than we are now. Maybe we can try to go out without a briefing meeting – see if that's working out for us, you know, if there's any changes....."
Mayor: ".....I say, try it....."
Mr. Warner: ".....That'd be better. That way everything's done right here on the table....."
Mayor: ".....Right. I say, try it....."
Ms. Duggins: ".....Now, remember, Horace, everything's going to be done right here on the table anyway..... It's open to the public --- always!....."
Mr. Warner: ".....But we won't have the table here but once...."
Mayor: "So, we've got the dates of July 22nd, August 26th, September 23rd, October 28th, and November 18th and December 23rd. And then we'll start over in the first of the year with the fourth Thursday."
Mr. Linville: "One more item. Peggy, Steve, that and Mr. Jumper, several of our Land Use Committee members here.... That November 18th will actually be a scheduled land use committee meeting. Those are scheduled for the 1st and 3rd Thursdays. Is that....can we... you think we'll be able to cancel that one meeting, or should we look at an alternate day?"
Ms. Wilson(?): "I think when we get closer to it, we can decide."
Ms. Duggins: "Or an alternate time?"
Mayor: "All in favor? We didn't say when this would begin. We said July, originally we'd talked about August, but this says July, here. Are we willing to start that early?"
Ms. Welch: "I am."
Mr. Warner: "That will be our fiscal year....."
Ms. Duggins: "That's fine with me."
Mr. Warner: ".....Which doesn't matter, really."

**ITEM #5: FOR DISCUSSION AND/OR ACTION:
FARMERS MARKET UPDATE**

DISCUSSION:

Mayor: "Toby has some information for us – the school is willing --- to a degree...."
Mr. Linville: "Wish I had good news. All of Winston-Salem/Forsyth County schools will let anyone use their parking lots but if it's a commercial in nature, like they consider this, because it will be individuals selling to other individuals, they charge you \$130 a day. You can sign up for as many days as you like. They said if it were a town fund raiser they could waive the fees but not for something like that. So I've pretty much scratched that off the list. Did you happen to have a word with Reverend Webb?"
Mayor: "Yes. I checked with the pastor, my neighbor, Chip Webb, and he's going to contact the people at the church to see if we could use, Ms. Duggins had mentioned the Love's parking lot, between the Carmichael house and the church, which would be a good place also, with some shade trees there. He will give us some further information about that, hopefully in the next few days....."
Mr. Linville: ".....And the management group from the shopping center, and the people that make the decisions are in a conference through the rest of the week. I'm assuming by the first of next week I'll know something maybe from them."
Mayor: "We'll just keeping following up on this."
FOLLOW UP AS INFORMATION BECOMES AVAILABLE

ITEM #6: FOR DISCUSSION AND/OR ACTION:
RESOLUTION #04-010
DIRECTING CLERK TO INVESTIGATE VOLUNTARY ANNEXATION #8 PETITION
FOR ANNEXATION

DISCUSSION:

Mayor: "This is four separate petitions we have under Annexation 8 and we will look at the entire group and vote on each one separately. The first one is:

A. **CALMIT PROPERTIES - LES MITCHELL AND LARRY CALLAHAN**
BLOCK 3242, LOTS 7B AND 8B
REAL VALUE: \$101,500 18.85 ACRES

MOTION: TO APPROVE CLERK TO INVESTIGATE ANNEXATION PETITION OF
CALMIT PROPERTIES - LES MITCHELL AND LARRY CALLAHAN
BLOCK 3242, LOTS 7B AND 8B
REAL VALUE: \$101,500 18.85 ACRES

BY: Dot Duggins
SECOND: Wallace Larrimore
SEE BELOW FOR THIS MOTION

DISCUSSION:

Mr. Warner: "I'd like to make a substitute motion:

MOTION: TO DENY CLERK TO INVESTIGATE ANNEXATION PETITION OF
CALMIT PROPERTIES - LES MITCHELL AND LARRY CALLAHAN
BLOCK 3242, LOTS 7B AND 8B
REAL VALUE: \$101,500 18.85 ACRES

BY: Horace Warner

AT THIS POINT, THE TAPE MALFUNCTIONED AND I AM PICKING UP WHERE IT PICKED UP>>>>>

Mr. Garland: ".....Then you have procedural motion. You can only pick up one motion at a time, okay? You have certain procedural motions which are allowed. Those procedural motions are to adjourn, to take a brief recess, call to follow the agenda, to suspend the rules, to go into closed session, to leave a closed session, to divide a complex motion and consider it by paragraphs, _____ consideration, motion for previous or called question, to postpone to a certain time or day, to refer a motion to a committee and to amend the motion; to revive consideration, to reconsider, to rescind or repeal, or to prevent reintroduction. One of the motions, let's see ---- there is no substitute motion, procedural motion....."

Mr. Warner: ".....Are those our rules?"

Mr. Garland: "Yes. They're the rules....."

Mr. Warner: ".....What are they dated.....?"

Mr. Garland: ".....That ya'll adopted December 12, 2000....."

Mr. Warner: ".....Okay. I'll have to speak to that then. I'm not aware of what that motion says because at that time I had visited to our town attorney and it was brought to the attention of the council that I could not do that – that I had to get the permission of the town manager, which I refused to do. Then they set it up to get two members to....so then they came forth and purged the minutes – not purged the minutes – then they came forth and changed the rules at that point and that's why I make this motion now. And I'll have to abide by that, even though I don't like it."

Mr. Garland: "And, again, it's what I understand. You know, I wasn't here at the time so I have no

knowledge of what went in to it but when I came on board, though, I asked for the substantive motion; I asked for the procedural motion.....”

Mr. Warner: “.....There were two other Councilmembers here at that time and they remember this whole thing.....”

Ms. Duggins: “.....We voted and you lost.....”

Mr. Warner: “Pardon me?”

Ms. Duggins: “We voted and you were the person who did not.....”

Mr. Warner: “.....And then ya’ll went back and changed all the”

Ms. Duggins: “.....Because the majority voted for it.....And you were the one.....”

Mr. Warner: “.....They went in there and took out everything they could..... That’s immaterial.....”

MAYOR BANGED THE GAVEL:

Mayor: “Let’s get back to the issue here!! Steve?”

Mr. Garland: “Let me point out one thing, though, which is that they are based on the Institute of Government’s *‘Suggested Rules of Procedure For a Town’* --- the ones that ya’ll adopted.”

Mayor: “So give us the proper procedure.....”

Mr. Garland: “.....The short answer is that only one substantive motion is proper at a time. That the substantive motion is Councilman Duggins’ motion – the substitute motion is, in essence, another substantive motion – the exact opposite motion. So I think Councilwoman’s Duggins’ motion is the motion that’s on the table and the motion that would then need to be voted on, at which time, if the vote, you know, is against that motion, then you would take up a substitute motion.....”

Mr. Warner: “..... A substitute motion.....Okay, so we go back to that original motion, is that right?”

Mr. Garland: “You could then go back to --- yes, you go back to the ---- right now, we’re at the original motion, and then, depending upon the outcome of that, whether or not your motion would then be available.”

Mr. Warner: “Okay. Thank you. I stand corrected.”

Mayor: “All right. We’ve got a motion and a second on the floor to approve the Calmit Properties, this is the first item under the annexation 8 – this is just for the investigation – this is not approving it. I said that incorrectly.

MOTION: TO APPROVE CLERK TO INVESTIGATE ANNEXATION PETITION OF CALMIT PROPERTIES - LES MITCHELL AND LARRY CALLAHAN

BLOCK 3242, LOTS 7B AND 8B

REAL VALUE: \$101,500 18.85 ACRES

BY: Dot Duggins

SECOND: Wallace Larrimore

VOTE: MOTION TIES – THEN FAILS

YES – (TO APPROVE)

Duggins

Larrimore

NO - (TO DENY)

Warner

Welch

TIE VOTE – MAYOR MUST VOTE:

MAYOR VOTES “NO”

THIS MOTION IS DENIED.

**B) WILLIE COBBLER 5110 CLOVER TRAIL CT.
BLOCK 3010 LOT 403
REAL VALUE: \$86,400 .83 ACRE**

DISCUSSION:

Mr. Warner: "May I ask the clerk a question? I was at the town hall today, and am I right that you showed me on the map that that is between properties that are now in the town of Walkertown?"

Lynn: "Yes, I showed you."

Mr. Warner: "That property, Willie Cobbler, on Clover Trail is in the town – nothing on one side of it....."

Lynn: "There are two other properties on the one side of it that are not in the town...."

Ms. Duggins: ".....Same situation....."

Mr. Warner: ".....So then we have one in.....one side in and the other side out....."

Lynn: "Right. And across the road, the property is "in"....."

Mr. Warner: ".....So that wouldn't, as I see it, that would not be a donut hole because there are not properties on both sides of it."

Ms. Duggins: ".....It's contiguous, just like we said before."

Mr. Warner: "Yeah. It's like that other there..."

Ms. Duggins: "I move to approve."

**MOTION: TO APPROVE CLERK TO INVESTIGATE ANNEXATION PETITION OF
WILLIE COBBLER 5110 CLOVER TRAIL CT.
BLOCK 3010 LOT 403 REAL VALUE: \$86,400 .83 ACRE**

BY: Dot Duggins
SECOND: Wallace Larrimore
VOTE: MOTION PASSES - Unanimous

DISCUSSION BEFORE FINAL VOTE:

Mayor: "Other discussion? We've established that it is contiguous to the town boundaries and I'm a little confused about what's on the other side....on the other side, I think you said there was not town property on the other side. Is that correct?"

Ms. Welch: "That's on the lower side of that house, right? I say two houses below it. There's three houses on Clover."

Lynn: "There's three out-of-town properties on Clover Trail. Cobbler backs up to a town property – on one side, it borders up to a property that is in-town. And he's next to the other two that are out of town on the other side. So I guess he could be considered not technically a donut hole – there are other lots outside town beside him - but he is contiguous. But, I think, if you look at the entire subdivision, I think he would be considered a do-nut hole....."

Mayor: ".....But he is contiguous, right?"

Lynn: ".....Yes. He is contiguous – across the road is in, and his side backs up to 2 ½ lots in-town. His other side is not in town."

Mr. Linville: "Do we have a motion?"

Ms. Welch: "Yes. We were just discussing."

Mayor: "Motion and second."

Mr. Warner: "We have determined that this is not a donut hole?"

Mr. Larrimore: "For the third time."

Mayor: "Well, we've determined it's contiguous....."

Mr. Warner: ".....Contiguous but not a donut hole....."

Mayor: ".....I don't think we've determined it was or was not....."

Mr. Linville: ".....I could argue that it is a donut hole. Everything across the road is in. Two houses that this lot wraps around is in. There are a couple vacant lots. And then the rest of this side of the street is in town....."

Mr. Warner: ".....Okay. Now, are you telling me that there would be two vacant lots that would also be donut holes?"

Mr. Linville: "Yes."

Mr. Warner: "Oh. Well, that makes a different story then, doesn't it?"

Mr. Linville: "I'd say they're all donut holes."

Lynn: "If you look at the subdivision itself, you could see that those three lots out of that subdivision are not included in the town, you would say that they were donut holes."

Mayor: "We have a drawing in our packet that would clarify it. It's the one you have highlighted in dark, is that correct, Ms. McKinnie?"

Lynn: "Yes."

Mr. Linville: "This is a six-sided lot – it borders the town on four sides."

Mr. Garland: "If I could say one thing, a little bit you're putting the cart before the horse because all you're doing right now is saying, 'We've got this petition. We're giving it to the clerk. And the clerk will come back and tell us whether it meets the requirements or not.' Then you would set a hearing and then you would vote whether to take it in or not."

Mr. Warner: "We did determine that with those two vacants which are not in, those three are all considered donut holes? Is that right?"

Ms. Welch: "Right."

Mayor: "It's what it appears. We'll get a full determination at the investigation."

Mr. Warner: "Okay. I think we ought to go ahead and investigate it and then determine if it is a donut hole."

Mayor: "All in favor of approving the Cobbler property which is the motion and a second on the floor, raise your hand...."

Mr. Warner: "You're talking about the investigation???"

Mayor: "Yeah. That's what we're doing."

Ms. Duggins: "That's what we're doing for all of them, Horace. We're investigating!"

Mr. Larrimore: "Look at what's in front of you."

C) NOBLE H. VAUGHN, JR. P. O. BOX 264
BLOCK 3241 LOT 12E
REAL VALUE: \$10,700 1.24 ACRES

DISCUSSION:

Ms. Duggins: "I move to approve."
 Ms. Welch: "Is there a road in to his property?"
 Ms. Duggins: "I move to approve!"
 Mayor: "Got a motion....."
 Ms. Welch: "Oh! I'm sorry."

MOTION: TO APPROVE CLERK TO INVESTIGATE ANNEXATION PETITION OF
NOBLE H. VAUGHN, JR. P. O. BOX 264
BLOCK 3241 LOT 12E
REAL VALUE: \$10,700 1.24 ACRES

BY: Dot Duggins
SECOND: Wallace Larrimore

VOTE: MOTION PASSES 3 TO 1
FOR: Duggins
Larrimore
Welch
AGAINST: Warner

DISCUSSION BEFORE FINAL VOTE:

Mayor: "Motion and a second. Now, your question? Is there a road?"
Ms. Welch: "Now, my question. Yes. Does he have a road into it?"
Mayor: "Didn't appear to be one on the map that I looked at, but I don't know."
Ms. Welch: "The one I'm looking at doesn't."
Mr. Linville: "I believe there's a deeded right-of-way into there."
Ms. Welch: "You believe, but you're not sure?"
Mr. Linville: "Right."
Ms. Duggins: "There's always – on the books – always a way in and out, generally."
Ms. Welch: "Generally? Okay."
Mr. Linville: "At this point of the process, the deeds haven't been pulled yet so we don't know what his point of access is."
Mr. Warner: "I was down there today and, I've known for years, there is a drive into that property. There's a house there. And this is not the house of course. But there's a chain across that, painted orange, with a big sign up there 'NO TRESPASSING'. It's signed by the fellow's name and I went back and looked it up in the book. He also has his address at his mailbox out on Rocky Branch. So apparently, that's a --- I don't know what you'd call it but it does not have a public street into that property."
Mayor: "Well, we could investigate and find out --- if you want to investigate it. That's what this vote is about. We got a motion and second to investigate if it's eligible for annexation. All we're doing is investigating."
Mr. Warner: "Let's ask Steve. You can annex property even though it doesn't have an access in there, is that right? You see what I'm trying to say?"
Mr. Garland: "Oh, sure. Again, it's not like they have a private access as opposed to a public road. There's nothing requiring you all to look to their access."
Mr. Warner: "And I don't know what agreement he might have with that man that's got that chain across the road."
Ms. Duggins: "Did you see the man's name? Was it Bob Garwood?"
Mr. Warner: "No. I'm trying to think of his name but he's got a big sign up there, 'NO TRESPASSING'. He's got his name, his address, and in the telephone book, he's got his wife's name. Then he also has his address on there --- it's 4709 or 4907 Rocky Branch. His mailbox is out on Rocky Branch. And this is on up there. I've never been up to this. I just know it's up there."

D) THE NEAL FAMILY ET AL (SEE LIST OF OWNERS ON NEXT PAGE)
BLOCK 5422 LOTS 43A, 43B, 101A, 101B
REAL VALUE: \$241,000 31.11 ACRES

DISCUSSION:

Mayor: "The map along with names is in your packet. The property in question is on the northeast side of 158 and Old Hollow Road, or 66."

MOTION: TO APPROVE CLERK TO INVESTIGATE ANNEXATION PETITION OF
THE NEAL FAMILY ET AL (SEE LIST OF OWNERS ON NEXT PAGE)
BLOCK 5422 LOTS 43A, 43B, 101A, 101B

REAL VALUE: \$241,000 31.11 ACRES

BY: Dot Duggins
SECOND: Wallace Larrimore
VOTE: MOTION PASSES - Unanimous

DISCUSSION BEFORE FINAL VOTE:

Mr. Warner: "Let me ask, does that property come all the way to 158?"
Mayor: "Well, we got a man here to tell us. Troy, does it come all the way to 158?"
Mr. Troy Neal: "Yes."
Mr. Warner: "Is it bordered by 158 and also by 66?"
Mr. Neal: "Right."

ITEM #7: FOR DISCUSSION AND/OR ACTION:
FINANCIAL STATEMENTS FOR APRIL, 2004

DISCUSSION:

Mayor: "Wallace, you got any statements to make about those? The reason I ask Wallace is that he is the finance officer."
Mr. Larrimore: "Well, like I said before, the town is in good shape and we've done a lot of paving this year and I understand we got another request tonight to pave another street. Month of March, our paving, what we got left we can use for paving is \$711,459.42. So that tells you when you got most of your streets up to par except the one that was requested while ago, from 66 to Stoltz's Garage. And it was given to, you know. And so that's a short street and we can certainly afford it. Other than that, we're getting close to the end of the year and, June 30th is the last day that this --- we'll be working on another year. So if anybody's got any comments or whatever -- not much we can do about it now."
Mayor: "Any questions or comments concerning the financial statements as listed? We show Unrestricted Funds of \$1,692,251.69 and we've got Restricted Funds of \$977,504.91. Restricted funds meaning the Powell Bill, as Wallace mentioned, and also the Hotel Occupancy Fund. We've got a grand total of Restricted and Unrestricted of \$2,669,756.60. Any further questions?"
Ms. Welch: "Did you say that the paving had all been completed, now, Wallace?"
Mr. Larrimore: "Nope. The ones that our manager had listed and we paved except we had a request tonight came up about the street right where Webster sits..... I guess we just didn't realize they went across that twice with sewer lines."
Ms. Welch: "Okay. Right."
Mayor: "It's not actually been completed because the east end of Harley Drive -- not Harley Drive, Friendly Road and the west end of New Street have not been completed. That's the only two....."
Mr. Linville: "Those have been completed!"
Mayor: "Oh, have they?"
Mr. Linville: "Um hmmm. After I told you, the day that I told you that they weren't going to pave those yet, he called and said he was getting ready to pave those....."
Mayor: ".....But they didn't complete all the way out to Main Street; they'll do that when they do the other, I suppose."
Mr. Linville: "Right. Whoever does that widening will actually tie into that....."
Mayor: "They'll do the tie-in on it. So that's the only thing that's lacking in all the paving completion. But the roads have been completed but the ends have not been."
Mr. Warner: "But that's not been invoiced yet, right?"
Mayor: "Will that be in this fiscal year's funds or what?"
Mr. Linville: "I think it might but.....It looks like it might come in on this year's."

Lynn: "With D.O.T., it can take a while; it just depends on when they get around to invoicing us....."

Mayor: "Either way, we got the money to cover it."

MOTION: TO APPROVE FINANCIAL STATEMENTS FOR APRIL, 2004 AS PRESENTED
BY: Wallace Larrimore
SECOND: Dot Duggins
VOTE: MOTION PASSES - Unanimous

ITEM #8: FOR DISCUSSION AND/OR ACTION:

RESOLUTION #04-011

TO APPROVE BUDGET AMENDMENTS DATED MAY 19, 2004 TO FISCAL YEAR 2003-2004 BUDGET BY TOWN CLERK

DISCUSSION:

Mayor: "There's a little over one page of it - \$101,282.00 of budget amendments. Some of these, I guess, we've got two new committees that were not functioning to the level that they're functioning now so that obviously is going to take care of the increase in professional services. Is that correct, Toby and Ms. McKinnie?"

Mr. Linville: "No, that is City-County Planning and City-County Inspections, when we took over our own planning and zoning jurisdiction. That no longer was free."

Lynn: "We didn't budget for that last year."

Mr. Linville: "So that was just something that we totally didn't budget for last year. We have accounted for it for the coming year."

Mayor: "Is that from, where we have to pay them for the planning on zoning issues, is that correct?"

Mr. Linville: "Correct."

Mayor: "So, we're going to charge that to Peggy???" (LAUGHTER)

Mr. Warner: "I was thinking that was under streets, 10-560-0040, and was a payment to City-County for sewer services."

Mr. Linville: "No. I think that's what we paid Wooten – for our engineering fee. Because down below here is our Professional Services with Winston-Salem Planning."

Mayor: "Yeah. That's right. That was \$4,500 – that's what we paid that several months on the ---- I remember seeing that. We discussed that. The \$4,500 down below, that's the engineering firm. You're right – it's listed, Winston-Salem Planning. The dollar amount is correct for the engineering firm."

Mr. Linville: "Yeah. That \$38,000 went to the Wooten Company for sewer installation – for the sewer engineering, I'm sorry."

Mayor: "So, it did not go to Winston-Salem?"

Mr. Warner: "Well, now, according to the invoices I looked at today, back on December 5, 2003, we paid \$8,134.54 to Wooten Company. We also paid the City-County Utilities, \$33,881.25 – that's \$42,016 we show as the budget. Then we come on over to YTD and we show \$79,000, which is an excess or which is short by \$37,274. I'm pretty sure I found those invoices there that says that goes to CCUC."

Mr. Linville: "And it may have....."

Mr. Warner: ".....And not Wooten.... Now, these invoices were sent to you from John Grey and said "Pay these", I'm pretty sure. Can you look into that and be sure – I'm going by memory, and that's not good at my age! I also had a substitute motion while ago that I didn't remember either. But if you will look into that, I believe you'll find that to be a part of that ATS

sewer situation.”

Mr. Linville: “Could very well be. We paid CCUC for inspections, while the inspectors were out here watching a job.”

Mr. Warner: “In fact, I’d have to say out publicly here now, I’m very disappointed that we haven’t had a full audit and accountability of that sewer situation. Because I don’t think anybody knows what we owe, what we’ve spent, where we’re going, and why!”

Mr. Linville: “We haven’t had an audit yet. It’s coming!”

Mr. Warner: “They were paying sewer back when they audited last year and they didn’t have anything in the audit about it.”

Ms. Duggins: “It wasn’t finished.”

Mr. Warner: “Now, one other thing, while I’m ugly! I’ll put it that way. We should not go ahead and let these amendments pile up like this! They should be done at the time of obligation. That is, if we want to spend more than is in a budgeted item, we should have an amendment and it should come to this council and be approved beforehand. Right or wrong?”

Mr. Linville: “It’s up to you all.”

Mr. Warner: “All right. Now, you should also have a purchasing policy in effect whereas purchase orders are issued before purchases are made. And that I think I read somewhere and forgive me if I can’t tell you where, that you actually take a proposed purchase and you go to the budget and you determine that there’s money available for that. And if there’s not, then you do the amendment at that time before you move forward with the purchase. Now, having said that, I’m going to quit.”

Mayor: “Well, how was it left on these items? Were you asking for further checking……?”

Mr. Warner: “……No. Actually, we have no choice on these. They are already committed. They have already been paid. We have to abide…… Is that not right, Mr. Larrimore? We are committed to going ahead and making these amendments; that the budget will have to balance. But, in the future what I’m saying is, we go out, we don’t go in and do this. We have to amendment….we’ve determined that we don’t have the money in the budget; we bring it before the council, the council approves it and that way we fulfill our responsibility. Now the one exception to that I’ll say is this, that we did talk about in the spring, we talked about the paving. We said to go ahead before and get on the list, we would go ahead. That was tentative given approval at that point.”

DURING MR. WARNER’S TALKING, SEVERAL COMMENTS WERE MADE AS FOLLOWS:

Mayor: “……Well, I just wanted to be sure what you were asking…….”

Mr. Larrimore: “……It’s got to balance, just like your checkbook…….”

“……Well, when they audit that sewer…….”

“……Thought he was through talking…….”

Mayor: “……Yes, we did on the paving, we did. You’re right. Excuse me, Mr. Larrimore, were you saying something to him?”

Mr. Larrimore: “The sewer thing was run through Winston-Salem to CCUC and everybody else and seem like we paid them some and then we paid direct to the other firm and the audit’s going to be good to clear up some of those questions. Because the way it was billed and the way it was handled through -- Winston-Salem did the --- selected who was going to do the first --- you know, to start with. I guess they went out for bids and whatever but I know that our manager comes on and Lynn and they try to separate this stuff and some of it’s billed from this source and this source and it’s all got a picture of sewer. I think they’ve done a good job just to keep it half-way in line because anybody can follow Winston-Salem ought to get a blue ribbon!”

Mayor: “All right. Let’s go back to these…….”

Mr. Warner: “……One thing that I might say now, because it’s no secret. I did ask Mr. Linville today to get us information, or to get me information regarding the proposed increase in the sewer and water rates for the CCUC. They also had a 12% rate increase last year. These are

all after our agreements. My point in doing this is that we're on a two – multiple of two – meaning this, that that surcharge goes to retire the debt service. Okay. What I'm trying to say is this, if they're going to increase their rates like that, that increases the amount of money that our citizens are paying in, that much more money is put against the debt service and the debt should be paid off in less than they proposed at twenty years. So he's working on that for me. Thank you."

MOTION: **TO APPROVE RESOLUTION #04-011**
TO APPROVE BUDGET AMENDMENTS DATED MAY 19, 2004 TO FISCAL YEAR
2003-2004 BUDGET BY TOWN CLERK

BY: **Horace Warner**

SECOND: **Wallace Larrimore**

VOTE: **MOTION PASSES - Unanimous**

ITEM #9: **FOR DISCUSSION AND/OR ACTION:**
SPECIAL GIFT TO WALKERTOWN LITTLE LEAGUE/WALKERTOWN PARK
PROPERTY

DISCUSSION:

Ms. Duggins: "I suggest that we give the Walkertown Little League the same amount of money that we gave to the Fire Department for the imaging camera and that was \$5,000."

Mayor: "Okay. And this was to get ya'll ---- Lee, if you don't mind me asking you some questions for the council's benefit. This was to bring ya'll back up to speed to where you can get back to operating. Is that what it's going to do?"

MR. GRIFFITH'S ANSWERS, DUE TO HIM NOT USING MICROPHONE, HE WAS IN AUDIENCE - COULD NOT BE TOTALLY HEARD SO MAY NOT BE TYPED TO THE EXACT WORDING.

Mr. Griffith: "No. What we will do to use that money is to further along our facility. You know there are a lot of outstanding things that we need to do. Thank goodness, Walter is one of the hardest working Little League presidents that you'll know. To start with, Duke Power wanted \$17,000 to go from the old Sacrinty property just to cross the parking lot to run power in there. And he talked them down to \$5,000! Which we had got that drug in. There are just lots of expenses that are still there to be taken care of. You know, we have never asked for anything before. We've got a wonderful group of volunteers, parents, you name it. And I'm proud to be a part of that board. But, we kind of got our legs knocked out from under us Saturday. And I don't know what exactly, I can't say, on behalf of the board, nothing has been discussed but I can assure you that you will definitely see an improvement whenever, wherever we have the money to do something with."

Ms. Duggins: "Can I comment on them? They have been extremely good stewards of their money. I've never seen a group of people who could go as far on as little money as they have done and with such a nice facility as you're coming through with down there – in a matter of two years. It was a good decision!"

Mayor: "I try to make it a practice to go at least once a week. And that facility amazes me as to what they've done. I agree. If anyone thinks they haven't done a lot of work – go look!!!"

Mr. Larrimore: "Mr. Mayor, I'm looking at one of their annual income statements here. I'd just like to read something for the public. Utilities, like Rent-a-john \$2114; dumpster \$508; Duke Power \$306; Water \$549 – I mean we're not talking about small change! And I got the whole page of the budget and it's \$93,487. I'd say that's a pretty good budget for our kids."

Mr. Griffith: "And may I add, please. There is not a child that is ever turned away. We make it a special point that if a child wants to play baseball, they play. We don't worry about where the money comes from because it's been there. And we're very proud of that fact; whether it be – and we make sure that that child is outfitted properly, with gloves, shoes – whatever that child needs. They will play baseball!!!"

Mayor: "We have a motion and second on the floor to give \$5,000 was the designated amount to the Walkertown Little League."

Mr. Garland: "Can I just say one thing? You all, when you make these – you know, buying the imaging machine. There is a little bit of a process that you're going through here. When you do these things, you need to do them with the eye that there's a public purpose. And so, again, with the imaging machine, it was clear there was a public purpose. You all can do fire on your own and so you can do it through another agency. Here, of course, recreation is the purpose and you can do that through an agency. Generally, they like to see that there's a specification of what the money will be used for. It doesn't have to be so specific as to say it's going to be used for the imaging but it probably would be best to say it would be used for improvements to the facilities....."

Mr. Larrimore: ".....Well, in this case, food service. See, they got shut off from food....."

Mr. Garland: ".....Sure, and again, I'm not telling you what to do. I'm just saying it's generally good to say....."

Mayor: ".....We want you to....."

Mr. Garland: ".....To give a specific idea of what it's going to be used for. And, again, in a general way, it's going to be used for facilities – it could be used for improving the food facility. The other thing is that they generally like to see that you get an accounting back, just like you have to account for the money that you spend. It doesn't need to be specifically audited or anything like that but generally they need to, the cases that I understand apply in this area, ask that you get an accounting back of how that money is spent. So, again, I'm not speaking to --- it sounds like a wonderful thing to do. But I would say that you probably want to make sure that the motion says it's for improvements to the facilities and that after the money's been spent, that you'll get an accounting of how that money was spent."

Mayor: "We can ask Ms. Duggins to amend her motion...."

Ms. Duggins: "Yes. We'll word that to, \$5,000 to the Little League for improvements to their facilities and to give an accounting back to the board forthcoming."

Mayor: "Actually, the technical term for that is improvement of the town's facility....."

Mr. Garland: ".....And they are....That's right.....And, again, I have no problem with either of the issues, I just....."

Mayor: ".....And, also, on the accounting, we do get an annual statement, the financial statement each year from them now. We do receive that. We are already receiving that. But you are actually saying an accounting for the funds for our records..."

Mr. Garland: ".....It would be good for them to break it out and say the expenditure of the \$5,000 went for food facility or something....."

Mayor: ".....I'm sure we can get that, can't we, Lee? Do you think you'll be able to iron that motion out, Ms. McKinnie??"

Lynn: "Sure 'nuff! But I do need to know that you want to take that \$5,000 out of the Hotel Occupancy fund for this year or.....?"

Mr. Linville: ".....And do we want that as a current year or next fiscal year?"

Mayor: "That's current."

Ms. Duggins: "We have it current. Make it current."

Mayor: "I would say current, wouldn't ya'll? Everybody agrees, current?"

Ms. Duggins: "Yes."

Ms. Welch: "We have it, yes."

Mr. Warner: "Whatever they ask for. I think in some cases it's appropriate to make a pledge but in this case I think you've got some urgent, or current situation."

Mr. Griffith: "There's always something....."

Mr. Warner: "Now, we did cover this rather thoroughly last time in our meeting as far as our original agreement with the Little League and such, that we could then treat everybody the same. I think Ms. Duggins has made a good motion here – something we can certainly live with, if

others come to us in similar situations, we can afford that.”

Ms. Welch: “Yes.”

Mayor: “The long-range projection, which I talked to Walter this week. They need more parking. We’re all aware they need more parking. They’re hesitant to take the parking that they have now and do much with it because they’re kind of reserving that for a septic line field. However, if the sewer line would ever get close enough, which is about 2200-feet, around ½ mile or something like that from the nearest pumping station on the end of Avalee Street, cross the hollows – would be about 2200-feet, which would be cost prohibitive right at this point but that would eliminate having to reserve two to four acres for septic lines and they could use that two to four acres for parking instead. –If the sewer line ever got over there eventually. So that’s the kind of thing we’re trying to look down the road because the sewer line would not necessarily be any particular person’s benefit other than the town’s property because the whole park would benefit from having the sewer line there eventually. That’s just looking ahead.”

Mr. Larrimore: “From an engineering standpoint, you can run solid line across a parking lot and then go into a septic type system and that’s what they may have to do. There’s all kind of ways to get around it.”

MOTION: **TO APPROVE FY 2003-04 DONATION OF \$5,000 TO THE WALKERTOWN LITTLE LEAGUE OUT OF HOTEL OCCUPANCY/RECREATION FUND TO BE USED FOR IMPROVEMENTS TO TOWN PARK PROPERTY FACILITIES WITH STIPULATION THAT ACCOUNTING PROCESS WILL BE PROVIDED TO THE TOWN OF WALKERTOWN UPON MONEY BEING EXPENDED**

BY: Dot Duggins

SECOND: Horace Warner

VOTE: MOTION PASSED - Unanimous

OTHER BUSINESS:

Manager Update:

THIS IS SUMMARIZED:

- 1) Town Hall heating and air-conditioning units are shot. Air handlers have been there since building was built. Compressor on our side is shorted out – a \$2000-\$3000 repair cost. Roger Brewster, President of Gant, (Gant still owns building) said if we replace both systems, we would both pay half the cost. System is currently 3 and also 3 ½ ton systems so quotes were based on different tonnages and different seer ratings (12-seer and 13-seer). Need council to approve spending certain amount. Don’t have to choose lowest bid; Gant will pay and then bill us. Upper limit for largest system – our half would be \$8,500. May or may not go with 13-seer. It’s ultimately Gant’s decision – their building. Lowest bid on 12-seer system is \$9,700 – our half would be \$4,850 (estimated). Highest bid is \$22,000. Lease does not address this item.

MOTION: **TO APPROVE PAYING FOR REPLACING HEAT PUMP/AIR CONDITIONING UNIT UP TO \$9,000, WHICH WOULD BE TOWN’S HALF OF COST**

BY: Dot Duggins

SECOND: Wallace Larrimore

VOTE: MOTION PASSED - Unanimous

MOTION: **TO PAY FOR REPLACING HEAT PUMP/AIR CONDITIONING UNIT OUT OF**

CONTINGENCY ACCOUNT WITH NECESSARY BUDGET AMENDMENT

BY: Horace Warner
SECOND: Sarah Welch/Dot Duggins
VOTE: MOTION PASSED - Unanimous

- 2) Original paving on roads off Darrow Road, Dillon, Swain, Rock Lane, manholes were never raised. Bid winner was HP Structures at \$2,200 out of Powell Bill.
- 3) There will be no trash collection on Monday due to landfill closing for Memorial Day. All trash collection days will be moved one day – if your original pick-up day is Monday, they'll pick up Tuesday.
- 4) There is a public session at the Library on June 10th for the Land Use Committee to gather all the public input about what everyone wants to see what Walkertown look like in the future. Everyone is invited. There's going to be flyers around town – stories will be in paper. Time is 6:30 p.m.

PUBLIC SESSION: Please limit your comments to three minutes.
Public Session was opened at 8:50 p.m. with two speakers.

- 1) Peggy Leight
5150 Sullivantown Road
Walkertown

"I have two different items to discuss. Toby stole my thunder to talk about the June 10th public visioning meeting. The Land Use Committee, in working with the City-County Planning Staff, this is the first real opportunity for the public to come and give their opinions before any planning has been decided for Walkertown. The objective of this community workshop is to create a long-term vision for the Walkertown area. We want to hear how the community thinks the area can be improved. And the plan is to do a preliminary slide show of neighborhoods and growth and planning, in general. And then break into small groups and the City-County Planning Staff will provide facilitators for each of those small groups and they will come up with ideas. And then each group will present those ideas so that the Land Use Committee can get an idea to get feelings for what they want to see in Walkertown.

Also, the accounting person in me just couldn't resist trying to analyze some of the discussions you were having about whether to annex property in or not. I just did some calculations, based on expenditures that I guess Toby had put on here; for garbage, for recycling and for a single street light. It comes out to about \$219, according to these figures here. That's saying that's the average cost for one house in Walkertown. Well, if you figure out with the revenue at 14-cents, that's asking every single house to be worth over \$150. Not many houses at this point in time meet that goal so I think there has to be a balance between, when you're talking about annexing property, what is the purpose of it? Is it really to say that every single person, or every single piece of property coming in, has to be able to fund their budget? Their revenues versus expenditures. Because one of the big studies that we learned with the Land Use Committee was that in Wake County, a study that was done there, they found that to provide services for their communities, residential communities did not pay their way, in terms of the tax money that was brought in. And that Wake County is full of cul de sac communities, and these huge houses. And

one of the things that the Planning Board and Land Use Committee were looking at is the potential for additional services being required. If we have a curb and guttering and a sidewalk rule, are we going to have to provide street cleaning? Are we going to have to provide police protection, as I know some of the public have asked for? Those are going to be increased services and so I think there is going to be a balance unless we've got empty lots coming in where we don't have to provide any services, not many of the places coming in are going to have revenues that can meet the expenditures going out. Just my opinion, thank you."

2) Steve O'Ferrell
4783 New Walkertown Road
Walkertown

"Just got a couple of questions. On Item #3, on the agenda, it was talking about the State Employees Credit Union teller machine, ATM, to be located at the warehouse site? I thought it was going to be located at town hall."

Mayor: "The proposal is to be next door to town hall. It's more accessible and that's where we agreed it would be the most accessible for everyone there rather than be in the shadows of town hall."

Mr. O'Ferrell: "And the other thing is the heat and air conditioning questioning. I think Ms. Duggins said it's cold in the winter and hot in the summer. Is this going to be heat pump, or is this going to be just air conditioning?"

Mr. Linville: "Heat pump."

Mr. O'Ferrell: "So it would take care of the winter, too. Okay. I was under the impression it was just air conditioning."

Public Session was closed at 8:52 p.m.

ANNOUNCEMENTS:

TOWN COUNCIL AGENDA SETTING MEETING:

06-01-04	1:00 p.m.	Town Hall
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TOWN COUNCIL MEETINGS:

06-08-04	7:00 p.m.	Library Auditorium
06-22-04	7:00 p.m.	Library Auditorium

PLANNING BOARD MEETINGS:

06-14-04	4:00 p.m.	Town Hall – Pre-Meeting Session
06-15-04	3:00 p.m.	Library (Actual Meeting)

LAND USE COMMITTEE:

06-03-04	7:00 p.m.	Library
06-17-04	7:00 p.m.	Library

FESTIVAL COMMITTEE:

06-02-04	4:30 p.m.	Town Hall
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SCHOOL COMMITTEE:

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MISCELLANEOUS OTHER:

05-31-04	Holiday	Memorial Day Holiday for Town Hall
06-09-04		Town Hall Day in Raleigh
06-08 thru 06-12		Mayor Davis out of town
08-28-04	10:00 a.m.	Walkertown Community Day in the Park Festival

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 9:00 P.M.
BY: Wallace Larrimore
SECOND: Sarah West
VOTE: Unanimous

ATTEST:

TOWN OF WALKERTOWN:

By: _____
Lynn McKinnie
Town Clerk

By: _____
Kenneth R. Davis
Mayor