

WALKERTOWN TOWN COUNCIL MEETING

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THURSDAY JULY 22 2004 7:00 P.M.

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MINUTES

PROCEDURAL ITEMS:

ITEM #1: CALL TO ORDER @ 7:02 p.m. By Mayor Doc Davis

(1) DETERMINATION OF QUORUM

Present were: Mayor: Davis
Councilmembers: Duggins, Larrimore, Warner, and Welch
Staff: Linville and McKinnie
Attorney: Garland

(2) INVOCATION By Mayor Doc Davis

(3) PLEDGE OF ALLEGIANCE By Councilwoman Sarah Welch

ITEM #2: AGENDA ADDITIONS / CHANGES / APPROVAL

**MOTION: TO APPROVE AGENDA WITH THE ADDITION OF A CLOSED SESSION FOR
143-318.11 (8) EXECUTIVE SESSIONS**

To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of a public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge or grievance by or against a public officer or employee.

BY: Dot Duggins

SECOND: Horace Warner

VOTE: Unanimous

PUBLIC SESSION: Please limit your comments to three minutes.

Public Session was opened at 7:06 p.m.

1) Brenda Mabe

5880 Sullivantown Rd.
Walkertown NC

Because the tape malfunctioned, her comments were not captured by recorder. Ms. Mabe thanked the town profusely for returning to recycling and thanked the town manager for personal reasons. She also mentioned the traffic problems ongoing on Sullivantown Road.

2) Peggy Leight

5150 Sullivantown Rd.

Walkertown NC

"The Planning Board does not make an official recommendation when it is a change to the town code like we do for the UDO but we do have an informal recommendation or counsel for this Board. The way the amendment was worded and the way it was worded in the newspaper article, it has: "*Amendment requiring that all new commercial development must build sidewalks for interconnectivity and along their perimeter connect adjoining property.*" The Planning Board had a few issues with this, with the wording as it is. I know this isn't final. This is just a preliminary to get it out for public session but some of the things that we were concerned about is the terminology – for example, new commercial development. What is the trigger for new commercial development? I know we have spoken about this, we spoke with Toby, also with the town attorney, Steve, what would trigger this? Would it be a rezoning? Something from a residential to commercial or commercial to new commercial? Would it be issuing a building permit? Would it be the sidewalk permit? Or, not the sidewalk permit, but the driveway permit that the town does? Would it be a major renovation? Would it be changing of hands from one commercial property to another? That's going to be important because that's what sets off, what would initiate this piece of code. Also, interconnectivity is not very well defined, especially when you're looking at the various places in Walkertown; you have shopping centers as well as streets, you know, commercial properties right on the street; commercial properties in sort of very different areas. So that needs to be defined a little bit better. It also says, "*along their perimeter*" and I know we had discussed this with the town manager to changing that to "*street frontage*". Perimeter pretty much means you would have to have sidewalks on all four sides of the property and I know that's not what was meant by that. And, also, when it says "*to connect adjoining property*" you need to look at the property itself because if it is, say, a property inside a shopping center and then within the shopping center, is it already connected to other properties or is it going to be an out parcel? What would happen? What does this definition mean? There is no standard mentioned here as to what kind of standards they need to meet for the sidewalk. And there would be different kinds of sidewalks that would be approved. The sidewalk, for example that is in the new shopping center is very different than the sidewalk that is outside Eckerd's. You also may want to consider the various commercial zones specifically. I think there are 18 non-residential zones. I know it may be troublesome to list all of those but each one is very specific and it may require different amendments. It may require some difference in the wording. One, in particular, that we discussed was neighborhood business. It is a commercial zoning but it implies that it's sitting in the middle of a residential area. So you have a sidewalk built there in the middle of a residential area where there would be no other sidewalk. So there needs to be some explanation of that. Also, we might want to join with NC-DOT commercial property is one of the other things we had talked about adding into the wording. I know we had talked about this with Toby. The time frame is also not mentioned. This was something else --- once a commercial property has hit that trigger point, whatever it's going to be, the rezoning, the building code, how much time do they have to do before the sidewalk has to be completed --- "X" number of days or months after whatever point in time. And, also, there's no discussion of what the penalties may be if they don't meet this particular code. So these are some of the things.....also, another thing that we had mentioned was that it should be off the right-of-way – that the sidewalks should be built off of the right-of-way. But, again, there was some discussion because it depends on where the right-of-way is. For example, the one I just mentioned, the neighborhood business, for example the one down here, which was a hairdresser, if they had to build a sidewalk off the right-of-way, off of 66, it would be sitting in the middle of their yard. So there are some things to consider. Again, these are ideas that the Planning Board came up with and I would encourage you to, one, I know we want to develop this and make it good; don't leave any room for ambiguity but I think that one of the tasks that the Town Council can ask the Planning Board to do is to do these special case reviews; is to look at these and come up with a recommendation for you in terms of wording. And I think we would be glad to work with the town manager and the town attorney and the Planning Staff to come up with something that would meet the need. Thank you.

Public Session was closed at 7:14 p.m.

OLD BUSINESS:

ITEM #1: FOR DISCUSSION AND/OR ACTION:

A) Town Council Minutes for Regular Meeting of June 22, 2004

MOTION: TO ACCEPT MINUTES AS PRESENTED

BY: Sarah Welch

SECOND: Horace Warner

VOTE: Unanimous

Mr. Warner: "I'd like to make a statement. In the minutes I believe it says that one of our citizens spoke about a left turn lane up here at the 66, I don't want us to overlook that because that could be important. I saw them doing some work up there but I don't think they're putting in any turn signals there. And, also, the inside ditches --- so let's don't overlook those because I think those are two important things for the future and first of all, be sure whatever we can do to make this a safer intersection up here. And, second, then, for drainage problems, because we're coming up to a storm water situation which would also be a part of that. So it's just a matter of comment here; not asking for any change or anything. But I don't want us to leave that unnoticed."

Mayor: "Toby, do you know what they're doing? I noticed they put up turn signals up here. Does that have anything to do with a turn lane or not?"

Mr. Linville: "I don't know. I don't think so. Within the last year and a half, they've done a traffic study up there to see if that intersection warranted turn signals and they said that adding the extra length of the turning lane would back up traffic even worse than it already is. But if you want to request another one from D.O.T. --- maybe the traffic counts have improved. We can certainly get them back out here and see if -- ask another round, but it's been done fairly recently and they said no."

Mayor: "I don't know what they were doing -- they put up some new traffic lights and it may not have anything to do with it."

Mr. Warner: "What really caught my attention was the fact they stated about the school buses and they say if you can prevent an accident there, you're talking about something very important. Maybe the school system would help us. As far as backing up traffic, I appreciate the problem with that, too, but on the other hand, safety comes first."

Ms. Duggins: "That's probably the biggest need in the town of traffic lights right now is that one. Many, many people have mentioned that to me. People coming from Winston-Salem, Old Greensboro Road, Old Winston Road and then wanting to turn back."

Mr. Warner: "I didn't mean to take a lot of time but I just thought that was worthy of us keeping before us."

Mr. Linville: "If you want to make that request to D.O.T., just tell me. I'll call them."

Mr. Warner: "I would make a request that we consult with the school system and see if they won't join us as far as approaching the D.O.T. to see if they can make some solution to the problem. Not just to citizens but I'm talking about the school buses."

Ms. Duggins: "Or at least give us a reason why they feel that that will cause traffic problems rather than ease the traffic, because it looks like it would ease the traffic. It may take a little longer but at least more than one car will get through."

Mr. Linville: "Well, they had it written down in the explanation where the minimum light you can have is 7-second light and adding that turning lane would add an extra minute and half to the whole cycle....."

Ms. Duggins: ".....And you can't get more time than that on a light.....?"

Mr. Linville: ".....Oh, yeah.It addsmore time to the total....."

Ms. Duggins: ".....Right.....But that is bound to happen, and is happening at certain times of the day, anyway."

Mayor: "I see what they're saying by adding additional time because I don't like to sit either, but the safety of the people turning this way....."

Ms. Duggins: ".....Because only one car can get through there.....and they have to go through....."

Mayor: ".....That's right"

NEW BUSINESS:

PUBLIC HEARING

THIS PUBLIC HEARING IS TO REZONE
PROPERTY OWNED BY ROBERT AND ILENA DILLON AND LOCATED
ON WALKERTOWN-GUTHRIE ROAD
WA-011

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

FOR DISCUSSION AND/OR ACTION:

ORDINANCE #04-007

AN ORDINANCE TO REZONE PROPERTY OWNED BY ROBERT AND ILENA DILLON
LOCATED ON WALKERTOWN-GUTHRIE ROAD

- 1) Rezone from IP to RS-9
- 2) City-County Planning Board Staff recommends approval

DISCUSSION:

Mayor: "Suzy, would you like to give us some information?"

Suzy Gallaway: "This item is on the northwest side of Walkertown-Guthrie Road, south of Gospel Light Church Road. It's zoning docket WA-011. It's 2.0 acres and what happened in this situation is a little odd but in 1995, the UDO, as you have now, was adopted. Upon that adoption, zoning districts changed from, say, R-2 to RS-9. The way that they did that was that they would look at the use of the property as well as what was surrounding the property to try to determine what was the proper new zoning district. And, in this situation, the cause(?) that was located next to property owned by Gospel Light Church was inadvertently zoned IP rather than RS-9, as were the other properties on the northwest side of Walkertown-Guthrie Road. So the Dillons would like to have their property rezoned to RS-9 as all of the other residential properties on the northwest side of Walkertown-Guthrie Road are zoned. Both Staff and Planning Board recommended approval on this."

Public Hearing was then opened at 7:21 p.m. and closed at 7:21 p.m. with no speakers.

MOTION: **TO APPROVE ORDINANCE #04-007**
AN ORDINANCE TO REZONE PROPERTY OWNED BY ROBERT AND ILENA
DILLON LOCATED ON WALKERTOWN-GUTHRIE ROAD

BY: Wallace Larrimore

SECOND: Dot Duggins

VOTE: Unanimous

PUBLIC HEARING

ITEM #2:

THIS PUBLIC HEARING IS TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF WALKERTOWN FROM FORSYTH COUNTY ZONING JURISDICTION TO WALKERTOWN ZONING JURISDICTION FOR ANNEXATION #7

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

FOR DISCUSSION AND/OR ACTION:

ORDINANCE #04-008

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF WALKERTOWN FROM FORSYTH COUNTY ZONING JURISDICTION TO WALKERTOWN ZONING JURISDICTION FOR ANNEXATION #7

DISCUSSION:

Mayor: "This is for Annexation #7 that was previously approved for annexation. It includes:

<u>Tax Block</u>	<u>Tax Lot(s)</u>	<u>Address:</u>	<u>Name</u>
3255A	101F	1034 WHIRL WIN DR	TODD YARBROUGH
3311	32	5120 LARGO DR.	DONALD RAY BROWN
3010C	32, 33, 34	2029 CHRIS DR.	LARRY/NANCY BOLDEN
3232	314	OLD BELEWS CREEK RD.	WS/FC BOARD OF EDUCATION

All this is doing is moving the jurisdiction on the official zoning map from Forsyth County to Walkertown."

Public Hearing was opened and closed at 7:23 p.m. with no speakers.

Mayor: "Is there a motion from the council on this?"

Mr. Warner: "Are you ready to entertain a motion to approve Ordinance 04-008? There, I move approval of that ordinance."

MOTION: **TO APPROVE ORDINANCE #04-008**
AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF WALKERTOWN FROM FORSYTH COUNTY ZONING JURISDICTION TO WALKERTOWN ZONING JURISDICTION FOR ANNEXATION #7

BY: Horace Warner

SECOND: Sarah Welch

VOTE: Unanimous

ITEM #3: ***** **PUBLIC HEARING**

THIS PUBLIC HEARING IS TO REQUIRE SIDEWALKS IN ALL NEW COMMERCIAL DEVELOPMENTS

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

FOR DISCUSSION AND/OR ACTION:

ORDINANCE #04-009

AN ORDINANCE TO REQUIRE SIDEWALKS IN ALL NEW COMMERCIAL DEVELOPMENTS

DISCUSSION:

- Mayor: "This is what Ms. Leight spoke to earlier – an ordinance to require sidewalks in all new commercial developments. I suppose we need some background on this."
- Mr. Linville: "I'd like to address that. This has been a difficult one to write. It's easy enough to say we want all new shopping centers to have sidewalks but every time we try to go with an ordinance, or whichever direction, we end up against the wall, because it's impossible to amend, whichever. City-County staff took it first and it's nearly impossible to amend the UDO enough to make it apply to each and every ---- you either tack each zoning district or each use and there's much more uses than districts. It's not as simple as with our subdivision ordinance that we did for residential because that addresses street standards but commercial does not because you typically don't have street dedications on commercial properties. So, what you've got is a shell – just enough to get it advertised so you could discuss it. Peggy addressed some of the problems that we need to address. We hear some suggestions from you all tonight and then Steve and I can work on some real language."
- Mr. Warner: "How much help will a site plan be to us in this situation? Where's Peggy? Because I know it says *'by creating town ordinance and using NC-DOT's driveway permit process, staff can make sure the site plan has sidewalks and the town does not have to sign off on a driveway permits and sidewalks are built'*. My question again is, how much control or input or help can the Planning Board be on that with a site plan?"
- Ms. Leight spoke from the audience but could not be heard.
- Ms. Duggins: "I think that would be like putting the cart before the horse. They got to have that before they can decide on site plan fits the plan."
- Mr. Garland: "There are actually probably two reasons when you have site plan, one will be as Ms. Leight mentioned, with respect to an "X" zoning would require a site plan; however, I believe site plan here is probably used less than in that context than in the context of D.O.T. before it will grant a driveway permit is going to require a site analysis how that driveway is going to work. So I don't think we're referring to the site plan that we're ordinarily thinking of with the Planning Board. We're referring to a site plan that the D.O.T. would look at with respect to the driveway but as already mentioned that may be now sometimes when you want to pass sidewalks and that's why, although the driveway permit may be one of the triggers you'd use, you may want to consider using other triggers, such as going out and getting a building permit; or having the use of the property change, even in a General Use zoning, to require sidewalks."
- Mr. Warner: "Having said that, then the Site Plan could not be used as a help to all these questions that she's raised....."
- Mr. Garland: ".....It may or may not, depending on which way it rides. If it's in a General Use zoning, it would not be a help to the Planning Board. If it's in Special Use zoning, it would be a help."
- Mr. Larrimore: "If the people doing this wanted a loan, they would have to have a site plan for the bank or lending institution that loaned the money."
- Mr. Linville: "But we might not have to look at it. Suzy, correct me if I'm wrong, a straight rezoning does not require a site plan – just a Special Use permit. Is that right?"

- Ms. Gallaway: "Right. But I do believe that in order to get a building permit, they are required to turn in _____"
- Mr. Linville: "But they would see it and we wouldn't. We may, as staff, but not any public body would see it."
- Mr. Larrimore: "You'd have set-back requirements and you'd have to coordinate with sewer and water and that sort of thing so that's why it's required."
- Mr. Linville: "You know, if we had all special use zoning, it wouldn't be a problem. We could just require each and everyone to do sidewalks just like Eckerd's did. They didn't have to do it; there's no ordinance saying that they did but they did it because it was a condition placed on them. But not all rezonings are like that. You can't just ask."
- Mr. Warner: "What do you recommend we do to handle this matter?"
- Mr. Linville: "We'll just have to keep working on this language. I've had some preliminary discussions with D.O.T. and they don't mind us using their permit as a trigger and it's enforceable to an extent if the developer was absolutely adamant about not putting in sidewalks. I don't know that D.O.T. could hold them off forever on their driveway....."
- Mr. Warner: ".....Can we go ahead and pass this ordinance tonight, subject to that.....we can't pass it there?"
- Mr. Garland: "I don't think I would, given tonight's comments and concerns. I think as we went through that hearing, before the Planning Board and as opposed to a normal situation where it come up to the Planning Board and they come up with ya'll here tonight. I think Immediately after, ordinarily there'd be a little gap in between. I think the Planning Board brought up some concerns that probably need to be addressed in the language. I would suggest having a public hearing but then having Toby come back to you after the next meeting, unless ya'll are concerned about it enough that you'd like to just pass something so that in case something would develop. I guess I was unaware of there being any specific instance that ya'll were pointing toward that you were concerned about having a _____. And if you're not, then it probably should wait a month until you have an ordinance that probably better addresses some of the concerns the Planning Board has."
- Ms. Duggins: "I would prefer us to wait because it sounds like, from what Ms. Leight said, that there are several issues here. If there was just one or two, I would say just go ahead with it and be a slight change in the language. But it sounds like there's going to be a lot of changes that are going to have to be ironed out. So we won't make a mistake....."
- Mr. Warner: ".....We would be protected during that time as far as ---- anyway, I don't know of anything pending that could say, prior to this, I was able(??)....."
- Mr. Garland: "The only thing you would not catch would be someone who was already zoned commercial who might have to get driveway permit that would not be required to do sidewalk. Someone coming in for a rezoning, they're probably going to do S(?) zoning _____"
- Mr. Warner: "We do have one property that's concern to me; that is, the intersection of Highway 311 or New Walkertown Road and 66, which is zoned now. There's no activity that I know of but I would like us to be protected if that should develop in a matter of days."
- Ms. Duggins: "That has to come back before us anyway because it's on a 2-phase zoning and has only passed for the first phase. So the second phase doesn't have a site plan ever submitted so that has to come back before our Planning Board before it can go any further."
- Mr. Warner: "So we would be protected in that case? That's good."
- Mayor: "With that in mind, let's go ahead and have the public hearing tonight while we're prepared to do that and anyone wishing to speak may do so."

Public Hearing was opened at 7:32 p.m. with one speaker:

- 1) Brenda Mabe
5880 Sullivantown Rd.
Walkertown NC
"Is a homeowner going to be responsible for the sidewalk if bad weather comes along. Are

they responsible to go out there and clean that off? If somebody accidentally falls and gets hurt on the sidewalk, is the homeowner responsible if the town has you put the sidewalk in?"

Mr. Garland: "It's always going to matter as what the facts are; but, yes, because it would be your sidewalk even though it's....."

Ms. Mabe: ".....Even if the town put it in....."

Mr. Garland: ".....It's like your house has to meet building codes; there are many things you have to do. And yet because you do them, they're yours, and you have to take care of them! So, yes."

Ms. Mabe: "A lot of people don't know this. I think they need to be informed that this will be their responsibility. I felt like this was a fact because I have friends that live in Winston and if someone walks across the property and she has not removed the snow, and they fell, she said she was responsible for any liability that person would have injury from that fall off her sidewalk. Even though, she didn't want the sidewalk to begin with! I just want to make sure that's clear."

Mayor: "There's one good thing about it.....the sidewalk is much flatter than the ditch in front of your house! Less likely to fall."

Ms. Mabe: "Anyway, I just wanted to make sure. We need to let the property owners know they're responsible for any debris or anything blocking the sidewalk. Some people don't know that and I feel it's important that this is brought out."

Ms. Duggins: "That's a good point that possibly we need to make sure we have a letter of that intent laid out so it can be passed out to people, into the new development to come in so they would know that."

Mayor: "Peggy, if you would, submit that list. I got many of them down – many of them we had answers for tonight but I don't see any reason to answer too many of them tonight. But if you would submit that....."

Mr. Larrimore: ".....I want a copy of this when Lynn gets them typed."

Mayor: "All right. We'll declare the Public hearing closed and what action do you want to take on this item tonight?"

Mr. Larrimore: "I'd say hold off until we get some more input into it and all the 'where ifs' and 'what ifs' and everything."

Public Hearing was closed at 7:35 p.m.

**MOTION: TO TABLE ITEM #3 ORDINANCE #04-009
AN ORDINANCE TO REQUIRE SIDEWALKS IN ALL NEW COMMERCIAL
DEVELOPMENTS UNTIL WE GET MORE INFORMATION ON THIS SUBJECT**

BY: Wallace Larrimore

SECOND: Dot Duggins

VOTE: Unanimous

ITEM #4: *** PUBLIC HEARING**

**THIS PUBLIC HEARING IS TO CONVERT WALKERTOWN'S
SUBDIVISION REGULATIONS TO A SUBDIVISION ORDINANCE IN
THE UNITED DEVELOPMENT ORDINANCE AND TO GRANT**

FINAL AUTHORITY OF THE SUBDIVISION ORDINANCE TO THE TOWN COUNCIL AFTER RECOMMENDATION FROM THE PLANNING BOARD

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

FOR DISCUSSION AND/OR ACTION:

ORDINANCE #04-010

AN ORDINANCE TO

- 1) CONVERT WALKERTOWN SUBDIVISION REGULATIONS TO ORDINANCES AND
- 2) GRANT FINAL AUTHORITY OF SUBDIVISION ORDINANCE TO THE TOWN COUNCIL AFTER RECOMMENDATION FROM THE PLANNING BOARD
WA-UDO002

A) This is a UDO Text Amendment

B) City-County Planning Board Staff recommends Approval

DISCUSSION:

- Mr. Warner: "May I make a statement to this before we enter into the public hearing? I attended the Planning Board meeting and at that time this was discussed and brought forth. Ms. Arlyn Wilson made the motion that sidewalks be required on at least one side. Now, I've brought this matter to the attention before and at that time I was told that Mr. Linville did the minutes but that the ordinance would state that as such and it does not do that. So my problem before the hearing is I want the public to know that as far as the statement has been made to the one side and I think it should be in the ordinance so there will be no confusion."
- Mr. Garland: "I think what Mr. Warner would prefer is on Page 14 of the document is that in addition to adopting it the way it is right now, there's an underlined portion on Page 14 and right now it says, "*Sidewalks shall be required in all major residential subdivisions on one side of the street.....*" I think what he would like the word "**at least one side**" in connection with your going ahead and adopting this ordinance as opposed to a policy, which, assuming that you do that, then I think when the motion is made someone should make the motion that that language, as amended, be incorporated."
- Mr. Warner: "And I will make that motion. You said it was on Page 14 under Subtitle (I) and it would be under there?"
- Mr. Garland: "That's correct."
- Mr. Warner: "But I wanted to make that mention before we had the public hearing."
- Mr. Linville: "Let me ask Steve a question. There's several typographical errors in this document, as well. Can they make an approval if they approve it and accept that addition and also.....?"
- Mr. Garland: ".....Correct the errors?....."
- Mr. Linville: ".....Clean it up?....."
- Mr. Garland: "Yep."
- Mayor: "Do you have any material on this, Suzy?"
- Ms. Galloway: "Sure. Currently, the way that subdivisions are approved, they go to the Planning Board.....there is no public hearing. The Planning Board may choose to hear public comments but they're not required to do so. And they vote on it and approve or disapprove, depending on whether or not it meets the development ordinance guidelines. What this text amendment does, is it changes it from regulations to ordinance, in which it comes to the Planning Board as well as to the council – and it can be a public hearing item, if the Board so chooses. It's decided at the council level as opposed to the Planning Board level. As Mr. Warner stated, there is a provision here to have sidewalks on one side of the road and we will change that so that it says "*at least on one side of the road*". "
- Mr. Warner: "We may never need it but it would be there. For example, if I develop a piece of property here by the school, safety-wise, I need sidewalks on both sides, then I'd say, 'No. I

fulfilled your requirement on one side. I'm not going to do it.' This will give us at least the liberty of doing that."

Ms. Gallaway: "Basically, this ordinance – it makes it similar to what Lewisville, Kernersville, and Clemmons have done. It's only in Winston-Salem and Forsyth County that it stops at the Planning Board level so this would keep it sort of on the same basis as the other small towns in the area."

Mr. Warner: "The purpose of that was so any in the audience wants to speak at public hearing would have the benefit of that knowledge."

Public Hearing was opened at 7:41 p.m. and closed at 7:41 p.m. with no speakers.

Mr. Warner: "I move that we approve this with the corrections and changes that have been mentioned, plus one additional. We also have here on Page –1-, WA UDO-002, and we'll also include there at the last sentence on that first paragraph, '*at least one side*' where that states one side, as we're going to do also on Page –14- (I). And then one other, that I have another question. Maybe I should save that til later. Under *Standards for Approval* – I'm going to Page –6-, but then moving on to Page –7- under #5 it says, '*Sidewalks shall be provided in all residential subdivisions. The dedication of standard right-of-way and additional right-of-way for future road widening as indicated on the Transportation Plan may be required.*' That's Kernersville. '*Planning staff may require the dedication of standard right-of-way and additional right-of-way for future widening of roads as indicated on the Thoroughfare Plan.*' And that's Lewisville. Now, I may be bringing up a bad situation here but do we want to make any provision for future road widening as we do sidewalk in the ordinance? I know that's a big question. What I'm trying to say is that Kernersville and Lewisville have addressed this situation. We have not addressed it."

Ms. Duggins: "We have curb and gutter."

Mr. Warner: "I believe curb and gutter is in here too. Now, that we may also want to go with your recommendation that curb and gutter can either be standard or trenched(?), balley(?) whatever they call it. Back to my question, do we want to make any provision there in that road widening?"

Mayor: "What provisions did they use?"

Mr. Warner: "They don't have anything there. Well, they have the sidewalk....they said the dedication of standard right-of-way and additional right-of-way for future road widening... And that's Kernersville."

Mr. Garland: "I know that Lewisville has that.....I wouldn't see any problem with adding "WA" to where the "K" is there, for example, although I am little concerned that that "K" may actually be the first two sentences of that. In other words, it may be both the sidewalk there and the second one so I think you want to keep your sidewalk provision and then the question would be over there on [Page 14] you know, whether you would want to add yourselves to the re/ac/quired --- just to that sentence which is about the widening on the transportation plan. I don't know the transportation here well enough to know if that's something that would come up in connection with....."

Mr. Warner: ".....To my knowledge, we have no transportation plan or anything to relate with. The thing about it is I am concerned that years in the future, they may need right-of-way for widening streets as the town grows...."

Mr. Larrimore: ".....This is for like down 66 – major highways. You hardly ever run across this out in subdivisions where you widen streets."

Mr. Garland: "That's true. But I guess I was maybe focusing on the "K" and not the "L". Perhaps the better thing to do would be to put it to "L". The thoroughfare plan is, as ya'll say, what's the group working on that? TAC? I think if you would like to put a "WA" next to the "L" that would give you the same capabilities as Lewisville has to require dedication of that roadway but the only time it said you would do that is in connection with the thoroughfare plan, which is

the TAC group. And maybe if you do a plan within the town for a transportation plan, apparently like Kernersville's done, then you could eventually have that as well."

Mr. Warner: "I just wanted to bring that up as a question because I believe the UDO is constantly amended and we could bring that up at a later date, too. I don't see a need for it at this moment."

MOTION: **TO APPROVE ORDINANCE #04-010 WITH CORRECTION**
A) ADD THE WORDS AT LEAST ONE SIDE FOR THE SIDEWALKS
AN ORDINANCE TO
1) CONVERT WALKERTOWN SUBDIVISION REGULATIONS TO ORDINANCES
AND
2) GRANT FINAL AUTHORITY OF SUBDIVISION ORDINANCE TO THE TOWN
COUNCIL AFTER RECOMMENDATION FROM THE PLANNING BOARD
WA-UDO002

BY: Horace Warner
SECOND: Dot Duggins
VOTE: Unanimous

ITEM #5: FOR DISCUSSION AND/OR ACTION:
RESOLUTION #04-024
TO APPROVE COLLECTION OF YEAR 2004 TAXES BY FORSYTH COUNTY TAX COLLECTOR IN ACCORDANCE WITH G.S. 105-321

DISCUSSION:

Mr. Larrimore: "I don't see any reason for discussion."

Mr. Warner: "I do have a question. Do we get an individual listing of the payments, or is it just a lump sum?"

Mr. Linville: "Lump sum."

Mr. Warner: "How do we know we get paid the right amount and anything that's pro-rated?"

Mr. Linville: "We don't."

Mr. Warner: "Should we not? How do we know that we're being paid for the people that were annexed at a certain time? We'll be talking about annexation later. You want to hold it until then?"

Mr. Linville: "It's the same reason that we hope we're being for all the rest of them in town."

Mr. Warner: "So we don't know what we're due. We just take their figure as being okay. We don't verify or audit...."

Mr. Linville: "You have to trust them. It's your only option unless you want to collect your own taxes!"

Mr. Warner: "But we're the ones that do the annexing so shouldn't we be sure we get paid? I've raised this question before. I believe Mr. Garland was here at the time when I raised the question do we get pro-rated? At that time, we were not sure. But, then I also raised another thing, something about pro-rating and annexation at a certain time. Course, I'll bring this up later when we talk about annexation procedures and such. So my question still stands as this, how do we know we're getting paid for the people we've annexed in a timely manner? We don't --- and I think we should."

Mr. Linville: "We don't."

Mr. Larrimore: "Everybody's getting audited! So, we could on the auditors, I guess. But we are up to 98% of what we're supposed to get this year."

Mr. Warner: "And that 98% is based on a 97% collection rate, is that right, Mr. Linville?"

Mr. Linville: "97.5."

Mr. Warner: "Did you not budget on 97%? And so we've only budgeted a 97% collection rate and

according to our financial statement, we've only collected a 98% of the 97% that we budgeted. You follow me, Mr. Linville?"

Mr. Larrimore: "All I know, it's 98% of what was listed for last year."

Mayor: "I thought it was 98% of the total."

Mr. Warner: "No. We budget 98% collection rate, is that correct?"

Mr. Linville: "97.5%."

Mr. Warner: "Then, according to our financial report, to date we have collected 98% of what we budgeted. So we've collected 98% of the 97% that's due."

Mr. Linville: "We're about three items ahead."

Mr. Warner: "Yep. It'll come up later."

MOTION: **TO APPROVE RESOLUTION #04-024**
TO APPROVE COLLECTION OF YEAR 2004 TAXES BY FORSYTH COUNTY TAX
COLLECTOR IN ACCORDANCE WITH G.S. 105-321

BY: Wallace Larrimore

SECOND: Horace Warner

VOTE: Unanimous

ITEM #6: **FOR DISCUSSION AND/OR ACTION:**
RESOLUTION #04-025

TO APPROVE COLLECTION OF PRIOR YEARS TAXES BY FORSYTH COUNTY
TAX COLLECTOR IN ACCORDANCE WITH G.S. 105-373, G.S. 105-321 AND G.S.
105-330.3

DISCUSSION:

None.

MOTION: **TO APPROVE RESOLUTION #04-025**
TO APPROVE COLLECTION OF PRIOR YEARS TAXES BY FORSYTH COUNTY
TAX COLLECTOR IN ACCORDANCE WITH G.S. 105-373, G.S. 105-321 AND G.S.
105-330.3

BY: Dot Duggins

SECOND: Horace Warner

VOTE: Unanimous

ITEM #7: **FOR DISCUSSION AND/OR ACTION:**
RESOLUTION #04-026

DIRECTING CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION
RECEIVED UNDER G.S. 160A-31 FOR ANNEXATION #9

DISCUSSION:

Mayor: "This property is listed as:

1) **CLARENCE D. AND ELLA HAMPTON, JR.**
BLOCK 3253 LOT 108
4180 ROCKY FORD LANE
WINSTON-SALEM NC 27101

2) **MELISSA T. CORVIN**

BLOCK 3252 LOT 17P
4949 REIDSVILLE ROAD
WALKERTOWN NC 27051

3) **DAVID M. AND CHRISTINE H. SMITH**

BLOCK 3031 LOT 2
1806 OLD HOLLOW ROAD
WALKERTOWN NC 27051

4) **VICTOR M. AND PATSY WRIGHT**

BLOCK 5430 LOT 068
923 CHALET DRIVE
WINSTON-SALEM NC 27101

MOTION: TO APPROVE RESOLUTION #04-026
DIRECTING CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION
RECEIVED UNDER G.S. 160A-31 FOR ANNEXATION #9

BY: Dot Duggins

SECOND: Wallace Larrimore

VOTE: Unanimous

DISCUSSION BEFORE FINAL VOTE:

Mr. Larrimore: "I'd like to make a comment. On this one, Melissa Corvin, if you'd look at our map up there, the big yellow thing --- she's the little white dot right in the middle of that big yellow. That closes up that do-nut hole."

Mr. Warner: "I notice the one there, Clarence D. and Ella Hampton, Jr. That's the one we had to remove because of the deceased parents. And this is the junior?"

Mr. Linville: "No. It was never the parents. It's always been --- we have beat this one to death!! They did want to be in; they were still alive; they are still alive. He called the other day, sort of shocked me!....."

Mr. Warner: ".....And his wife's named Ella?"

Mr. Linville: "Says, your wife name is Ella? He said 'Yeah'."

Mr. Warner: "According to the obituary, that lady was buried. They played a dirty trick on her, didn't they? But, alright, he did call? And does he live at the home place. I know they had the one son and I don't know his wife's name. That was the petition that had been in the town hall for some time that we processed before, is that correct?"

Mr. Linville: "Correct."

Mr. Warner: "I see no reason not move forward. Because even though they inherited the property, they could have left the title in that....."

Mr. Linville: ".....No! They had filled out the petition!"

Mr. Warner: "Pardon me?"

Mr. Linville: "Junior had filled out the petition!"

Mr. Warner: "What about the home place there?"

Mr. Linville: "I don't know what the home place was but Clarence, Junior, lives at 4180 Rocky Ford Lane. He had filled out that petition and he wanted to be annexed."

Mr. Warner: "Is he the one that filled out the original petition?"

Mr. Linville: "Yes."

Mr. Warner: "Well, then, why did we remove him?"

Mr. Linville: "Because you thought he was deceased!!!"

Mr. Warner: "No. I said that before you went ahead and annexed him. Then you came back and

said he was annexed in error.”

Mr. Linville: “I didn’t annex him --- that was a mistake on the recording. And we had to do that resolution so the tax office wouldn’t go ahead and bill them. It’s just a matter of good timing...”

Mr. Warner: “I think I’m as confused as he is!”

Mr. Larrimore: “Well, his daddy’s name is Ralph Hampton.”

Mr. Warner: “No. Ralph lived over on 158.”

THEY THEN VOTED.

ITEM #8 FOR DISCUSSION AND/OR ACTION:

RESOLUTION #04-027

DIRECTING CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION RECEIVED UNDER G.S. 160A-31 FOR ANNEXATION #10

DISCUSSION:

MOTION: TO APPROVE RESOLUTION #04-027 DIRECTING CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION RECEIVED UNDER G.S. 160A-31 FOR ANNEXATION #10

BY: Dot Duggins

SECOND: Wallace Larrimore

VOTE: MOTION FAILED

TIE VOTE:

**FOR APPROVAL: Duggins
Larrimore**
**FOR DENIAL: Warner
Welch**

**Mayor must vote:
MAYOR VOTED FOR DENIAL**

DISCUSSION BEFORE FINAL VOTE:

Mr. Warner: “Let me ask, why this, at this point, since we’ve got a motion and second, why is this back on? We’ve handled these two properties before. One was Calmit Properties, denied earlier; then Noble H. Vaughn, failed for want of a second at the last meeting. Why are they back on here? And if we do this, do we not open the door to go back and revisit all those that we annexed last fall? Maybe I should let you answer the question before I raise that one.”

Mr. Linville: “Councilwoman Duggins asked that it be put back on the agenda.”

Mr. Warner: “What would be the basis of that? Is there never a time limit on anything, once something is denied? You can bring it back each meeting, is that right?”

Mr. Garland: “Again, I looked at the procedures. There is a --- the procedures say basically, that any motion made and defeated can be re-brought up unless there is a motion to not bring it up again for six months and that passes by a three-quarters majority.”

Mr. Warner: “Having said that, then, we could go back and revisit all those that were annexed last fall.....cause it was no motion brought that said it couldn’t be.....”

Mr. Garland: “.....Well.....But, again.....Let..... In those situations, I don’t think you’re referring to ones that were brought up and then denied. You’re referring to.....
.....

Mr. Warner: ".....All of them that we approved.....That's right....."

Mr. Garland: ".....Them that were brought up and accepted. You don't have authority to de-annex people!! So you can't really bring that....."

Mr. Warner: ".....So..... As long as we deny these, they can bring it up each and every meeting from now on....."

Mr. Garland: ".....And, again, I've Looked at your....."

Mr. Warner: ".....Is there any change in the situation here, Mr. Linville, than what we had before....."

Mr. Linville: ".....You have another councilmember that's present....."

Mr. Warner: ".....I have this.....But there's no change in the property served....."

Mr. Linville: "No."

Ms. Duggins: "The difference in things in the property, about the property is this.... We had an intern that we paid last year during the summer to make an investigation of all the do-nut holes in the town. These are in a do-nut hole in the town, surrounded by the other residents of the town. Not sitting on the outside; not sitting on the side. It's within a large area that is surrounded by the town of Walkertown. Now, the thing about this that I find bothersome is that we sent out notices to these people and asked them to voluntarily annex because it would be less expensive to the town of Walkertown for them to volunteer to be annexed, rather than us, at some point --- And, at some point, these are surrounded by the town of Walkertown... They are --- we --- in the town of Walkertown, whoever's sitting up here, is going to want to involuntarily ask them to annex. And, at that point, when they've been sitting out there, and have asked to come in, and we have denied them to come in, then, whoever's sitting here has no -- I mean, they're sitting out there. They don't have to pay our taxes. They're paying only county taxes. But they're using our fire department -- our fire department will be required to go there and put out fires....."

Mr. Larrimore: ".....Our water and sewer....."

Ms. Duggins: ".....Their water and sewer is coming from Walkertown people that are paying. Even though they're paying also for that. But that's why that these people..... And I
..."

Mr. Warner: ".....They'll be paying the same fire tax that we'll be giving the fire department for that protection....."

Ms. Duggins: ".....Right.....It'll be coming....."

Mr. Warner: ".....So, it'd be the same....."

Ms. Duggins: ".....But, nevertheless, they are not in the town of Walkertown.....using our facilities....."

Mr. Warner: ".....Now, the reason Calmit's on here is because when we denied it, we didn't say it couldn't be brought back for six months period of time, right?"

Ms. Duggins: ".....Right....."

Mr. Warner: ".....And there's no change in the other property there that....."

Ms. Duggins: ".....But I just felt that any citizen who has property in the center of town that asks to become a resident of this town, in the past, we have been willing to take them in and I still stand by that standard....."

Mr. Warner: ".....I understand....."

Ms. Welch: ".....Well, is Calmit willing to put sidewalks, guttering.....?"

Ms. Duggins: ".....And they don't have to simply because ---- Suzy, would you address that, please?"

Ms. Galloway: "When that property was rezoned, it was a county zoning docket and sidewalks were not required as part of the approval for that. So that property was approved without the requirement of sidewalks."

Ms. Duggins: "Now, possibly, we could appeal to the developer and ask him if he would consider putting in sidewalks but we cannot force him to put in sidewalks. That was before we had a

Planning Board.....”

Mr. Warner: “.....I believe he made a statement to the media the last time we addressed it. Mr. Mayor, I don’t see any change here so I move that we deny annexation to both of these and also include that they not be brought before this council again for six months.”

Mayor: “We have a motion already on the floor and a second for approval of these.”

Mr. Warner: “For approval? Okay, go ahead and vote. I’m sorry.”

Mayor: “I’ll break the tie and deny at this time until something changes.”

Mr. Garland: “Excuse me. Just to make sure it’s clear. Councilman Warner, the only time you can bring a motion to prevent reintroduction for six months is immediately after a vote to deny. So if you wanted to bring that motion, you could bring it now; the only thing I’ll mention is that it requires a three-fourths (3/4) vote **not including** the mayor so, again, I didn’t want time to pass and then you try and bring it up later and you think that there was.....”

Mr. Warner: “.....Well, thank you. I think what was said was sufficient.”

ITEM #9 FOR DISCUSSION AND/OR ACTION:

Financial Statements for JUNE, 2004

Discussion:

Mayor: “Is there anything we need to address on this item?”

Mr. Larrimore: “Yes. We’ve got back taxes from last year – page 12 – I got several comments to make. On our Hotel Occupancy tax, we gave the Little League \$5,000; we gave the --- no, the Little League \$1,000 and the baseball team – that’s our park – I’m on page 7 right now... ..”

Mayor: “.....You’re reviewing the notes that’s on page 7.”

Mr. Larrimore: “Yeah. I’m on page 7 – we paid, like it says there, the Hotel Occupancy paid \$5,000 and \$1,000. Well, we’ve still got in this fund, \$266,552.54 that can only be spent for something like this and we gave \$6,000 – we got back interest and other stuff and we only spent \$1,497 of our money and so we need to keep our kids in mind and our park down there in mind. They’re needing restrooms. They’re needing ----- you know what they’re needing down there, Mayor. With that in thought, I want us to ----- for seven years I’ve been on this board, we’ve not done our share of this money. It don’t do anybody any good to lay here. That can only be spent for the kids and it ought to be spent for them.”

Mayor: “I appreciate your concern there but I really think that would be another item we need to discuss it as and let’s just deal with financial”

Mr. Larrimore: “.....Well, as the Financial OfficerI’m going to talk about it..... ..tonight.....”

Mayor: “.....Okay.....Right.....I understand.....”

Mr. Larrimore: “.....Tonight!!! If you get my drift”

Mayor: “.....Yes, sir. I do.....”

Mr. Larrimore: “.....And I want to bring up another”

Ms. Duggins: “.....What page?.....”

Mr. Larrimore: “.....Page 13..... Look down there at our garbage collection. Year-to-date, we’ve paid them \$177,628 and then you have to count the recycle as garbage, too, because the garbage men picks it up. That gets us up to \$220,628 for trash removal from our little town. And I just want our citizens to know that, you know, where their tax dollars are going. And I’m all for them picking up our trash and our boxes but with the \$43,000 we’re going to pay them, they’re picking them up every other week.”

Mayor: “Right.”

Mr. Larrimore: “We paid them, last deal that we had, was \$38,000 – they picked it up every week. I just thought our citizens might want to know something like that. And, whatever, I think the rest of it is self-explanatory and I am pretty sure Mr. Warner’s got some comments.”

Mayor: "Any other comments concerning the financial statements?"

Mr. Warner: "Could I ask some questions? Mr. Linville, and Mr. Larrimore, I notice on Miscellaneous Revenue this month, we received \$3,979....."

Mayor: ".....What page are you on, please, Mr. Warner?....."

Mr. Warner: ".....On page 12 – Miscellaneous Revenue. We received this month \$3,979.85. What does that represent? It puts us well over our budgeted amount?"

Ms. Duggins: "Which line are you talking about?"

Mayor: "I don't see where you're....."

Mr. Warner: "It's the account 10-335-0000 – Miscellaneous Revenues. And under the month, this month - \$3,979.85."

Lynn: "That was the pay-back for that road widening....."

Mr. Linville: ".....That was a pass-through. You remember the road widening at Esther Lane, Highway 158 that we didn't pay for? The developers – well, let me back up. Duke Power billed us....."

Mr. Warner: ".....Why would they do that? Why didn't they bill the developers?"

Mr. Linville: "Because they had to give us quotes so I would know what to tell them it would cost."

Mr. Warner: "Had to do what?"

Mr. Linville: "Duke Power sent me a quote of what the job would cost so the developers could pay it, but they can't give the developers the same quote that they give us."

Mr. Warner: "Why didn't the developer pay the bill, then?"

Mr. Linville: "He did."

Mr. Warner: "But they paid us."

Mr. Linville: "Yeah. The developer paid us....."

Mr. Warner: ".....Because I look over here, this raises the other question..... I see"

Mr. Linville: ".....We paid the bill....."

Mr. Warner: ".....Where we paid Duke Power four different times - \$6,950, \$2,200, excuse me, \$17.87, \$548.05 and then \$6,461.14. So, apparently, that's part of this bill. We paid Duke Power and then..... Did they pay us?"

Mr. Larrimore: "What page is he on now?"

Ms. Duggins: "What page? Have you changed pages?"

Mr. Warner: "This time I'm on page 24 – where the checks are listed. But, let's cut across the discussion here if you don't mind. When we discussed this, we said that Walkertown did not have any interest or part in that. That would be totally between the developers and D.O.T. and I think we left it at that. The last statement that you made, Mr. Linville, was that the developer and D.O.T. were getting together on it. And I haven't heard anything since then."

Mr. Linville: ".....What's your discrepancy there? What check number was that.....Check #2323, for \$3,529.85....."

Mr. Warner: "That's Miscellaneous Income, yes."

Mr. Linville: "No! Check number on page 24 --- check number 2323."

Mr. Warner: "Um hmm. On June 15th, okay?"

Mr. Linville: "\$3,529.85 --- Now, we picked up another \$400 in Miscellaneous Revenue in this month somewhere. Because they paid us the \$3,500 and then we picked up an extra \$430, it looks like."

Mr. Warner: "Well, now, based on the Miscellaneous Revenue, then, the developer gave us – paid us, is that correct?"

Mr. Linville: "I'm sorry?"

Mr. Warner: "I said, based on the Miscellaneous Revenue, then, the developer paid us. Allright... .. What..... would have happened had we gone ahead with that and the developer said, '*The heck with you*', what would we have done then?"

Mr. Linville: ".....They paid us..... We didn't pay it beforehand!...
....."

Mr. Warner: ".....Pardon me?"

Mr. Linville: "We didn't pay it until we got the money in the bank."

Mr. Warner: "From them?"

Mr. Linville: "Right."

Mr. Warner: "I think this goes back to a time when we were talking cutting trees down on Swain Lane at one time, and you made arrangements with a man to cut the trees and then he sent his check and then, that went direct to the man. Walkertown didn't get involved in it at all.....
...."

Mr. Linville: ".....Right....."

Mr. Warner: "I'd rather we do that in the future that way. I think that would be the better way."

Mr. Linville: "I would have loved to do it this time but Duke Power had already done the work and billed us by accident. They just misunderstood. It's just a pass-through on our account."

Mr. Warner: "Well, thank you. The fact that Mr. Larrimore's statement on the fund balance on the Hotel Occupancy, let me again just remind us that that fund balance can be used for both economic development as well as recreation. And we don't know what economic development might come our way....."

Mr. Larrimore: ".....My point, Mr. Warner, was – we're not using it for nobody! That's my point."

Mr. Warner: "But we don't know what might come in the future, you see."

Mr. Larrimore: "Well, you'll get penalized. They won't give it to you if you don't use it some time or other."

Mr. Warner: "I think you're talking about the Powell Bill, now, aren't you?....."

Mr. Larrimore: "Well. Hotel Occupancy also."

Mr. Warner: "I haven't seen that document."

Mayor: "Any other questions on this subject?"

MOTION: TO APPROVE FINANCIAL STATEMENTS FOR JUNE, 2004
BY: Dot Duggins
SECOND: Wallace Larrimore
VOTE: Unanimous

ITEM #10 **FOR DISCUSSION:**
Annexation Procedures

DISCUSSION:

Mayor: "Ever whose item this is, do they want to speak to this?"

Mr. Warner: "I asked for that to be put on, Mr. Mayor, and may I just speak to it? There's also a sheet in the back from the Mechanics of Annexation book in the clerk's office. This also relates back to where I asked about the pro-rating part of the collection of the taxes and such. Now, to give a little bit of background on this, the council – most of this council has been here for six years plus – and there were petitions in the town hall for many, many years that were never acted on until late last year, late last summer and such. And then we went into quite a mode of doing it. But, there again, we have no annexation fee – no nothing. So I'm thinking we should consider the fact of maybe saying that we will annex at a certain time and then, of course, make that service at a certain time so that it will somewhat coincide with the revenue received. Now, looking back on the financial report, we paid this year, \$4,572.36 – that's on page 14 in the financial – we paid four thousand. So we also, I think, might consider maybe some kind of annexation fee. Because this does not, most of the time, benefit anyone more than the individual property owners. So, having said that, I just want to kick this out for the thought of our people and then bring it back sometime and maybe we can come up with a

procedure for that. I would ask our attorney, if we annex at a given time, then how much time do we have before we provide the services we're providing to other citizens? I know if you're talking about sewer and water, that's a different proposition."

Mr. Garland: "Correct....."

Mr. Larrimore: ".....That's all we're doing....."

Mr. Garland: ".....Again, you're supposed to provide the services as soon as you can reasonably provide them so I believe most towns on voluntary annexations, in particular, are providing them upon the date that the annexationbecomes..... effective....."

Mr. Warner: ".....Which is what we've done in the past....."

Mr. Garland: ".....Which is what you've done in the past....."

Mr. Warner: "But I think this also says this, if you don't mind, and this is the supplement back, I guess it's the last page we have ---- It says, '*Keep in mind that undesirable cash flow consequences can occur if the effective date is set after September 1 and before the following June 1.*' Well, does that say that we cannot set everybody(?) to be annexed like on September 1 or something like that?"

Mr. Garland: "Yes, you could."

Mr. Warner: "Then, can we be sure that we are pro-rated because any pro-rate's not(???) If not, then they would not list"

Mr. Garland: ".....Sure....."

Mr. Warner: ".....Til the January, and then we wouldn't collect until the following September, October, November, December."

Mr. Garland: "Everyone agrees that June 30th is the best day. And that's because, if you remember, your fiscal year is not January 1st through December 31st ---- it's July 1st to June 30th. So if you were to annex people on June 30th, they would be paying that fall when they get their bill, assuming that the tax people keep up with it quickly enough to get it out at that time. They would be paying for their full year's worth of service – from July 1st through June 30th, which is the town's year. Okay? And, again, I think that's what it says on the back there, doesn't it, that June 30th is the optimal date _____?"

Mr. Warner: ".....I.....believe it does say that..... And I think this would....."

Mr. Garland: ".....But anyway, if I were suggesting and you were wanting to do that.....I think that Tobaccoville, for example, set theirs up – you could still pick it up now or next month, but have the effective date the June 30th, or December 31st. If it was December 31st, what would happen is, in the fall of the next year, let's use a year so it would make some sense --- If it were December 31st of this year – 2004 – then the tax bill for 2005, which comes out in the fall, would be for a year and a half of taxes. It would be for the half of year of taxes from January 1st through June 30th and then it would be for the full year of taxes from July 1st through the end; so one way to do it and one way some towns do it and I know you're looking for some – you know, a recommendation for the future – would be to have, no matter when they ---- in ones that occur before June 30th, that you approve, you would have them effective June 30th. In ones which occur after June 30th, you would have them effective December 31st. That makes it easy for the tax people and would also make it probably easier to get a report from the tax people that would show they were probably billed for their year's worth, or half a year's worth of service."

Ms. Duggins: "Keep in mind, we are not going to lose any money here period. It's just going to be pro-rated and paid at a different time, but I wouldn't want us to hold off and only do annexations at a certain --- at one particular time. I go along with Steve there, that if we do it and make it effective on these dates. We could do it all year long but stating that it's effective on these dates."

Mr. Warner: "Maybe do it twice a year like he said?"

Mr. Garland: "The only point there is, and I would want to make recommendations(???) as much as just putting out that you could do it that way; but one reason to do it on a timely basis in doing them is that if someone were to die, put in a petition, and then six months later, they had

moved, then they fall out and you'd have to do a new petition. You know what I'm saying? So there is some benefit to actually on a timely basis, doing the approvals, but then just delaying the date of the actual coming into the town."

Mr. Warner: "I just wanted to kick that out for the council to be thinking about the fact of how we could handle it so we wouldn't be handling it every month. We could do it, like you said, twice a year – whatever. Then, on the other hand, let's also consider what we should do about an annexation fee, just to cover the cost of annexation of property – that is, research is done, the permits that are required, if any, or whatever filing and such. Because, at any rate, we spent \$4,572 here. Really, the people benefited by that individually not the whole town as such. My point in asking for this to be put on is just so we could give it some thought."

Ms. Duggins: "I agree.....'excuse me, go ahead, Steve....."

Mr. Garland: ".....No, the only thing I was going to say was that I have not asked anyone; I'm unaware that any of the other towns might deal with imposing a fee. My initial explanation would be that you may not be able to charge one, simply because I don't think the statute, as I recollect, says that when you get a voluntary petition, then these steps follow. Okay? So I don't believe it says that you are allowed to impose it and as you all know, if the statutes don't give you that authority, then generally you don't have that capability. We'll certainly research it. I just thought....."

Mayor: ".....Would you do that?"

Mr. Garland: "Yeah. I just thought I'd let you know my initial thought."

Mr. Warner: "Just for the sake of consideration, if you force annexation, are you entitled to a fee then?"

Mr. Garland: "In a forced annexation, no."

Mr. Warner: "So in either case, so.... I don't know why I even thought of annexation fee(?) because I think it has been done in some places."

Mr. Garland: "And, again, please understand. I have not done the research. It was just an initial reaction because having looked at the statute, I didn't see where it was permitted."

Ms. Duggins: "Either way, we're going to run into problems here if we – we are overburdening the people, in my estimation, simply because when they come into this town and they're buying a house in the development, that they're required to pay for their sidewalk in front of their house. They're required to pay for the sewer. They're required to pay for the water. That's all added cost, added on to this homeowner who's buying and then if we say, 'Please annex into our town – but, by the way, we're going to send you a bill for \$400 for the legwork we have to do.' "

Mayor: "Excuse me for interrupting. What does it normally cost? What does that \$4500 --- what would that run for annexation?"

Mr. Linville: "Let me address that first. It's not \$4,572.36. We spent \$472.64.....He's looking at the variance.....instead of the 'Actual'."

Mr. Warner: ".....Did I read it wrong?....."

Mr. Linville: ".....It's on page 14....."

Mr. Warner: "I beg your pardon and I stand corrected. We budgeted \$5,000 and we've only spent \$427.64."

Mr. Linville: "I let it go the first time but the second time I had to stop you."

Mr. Warner: "Thank you, sir."

Mr. Linville: "Dot, to answer the question....."

Mayor: ".....I think you already have....."

Mr. Linville: ".....No.... The costs are for advertising and the recording and the recording – it's \$12.00 plus \$3.00 a page – so that's.....what, \$22.00???"

Mr. Warner: "Let's repeat that correction because that is so good. The \$4,572 is what we haven't spent. Thank you, Mr. Linville, because that puts it back into perspective. But, then, again, on that, now having said that, as we move on to the next one, we're not going to like it any better either."

ITEM #11 **FOR DISCUSSION:**
Impact Fee for Developments

DISCUSSION:

Mr. Warner: “I asked for this to be put on and I’ll speak to that. When you have a development, it’s not totally unheard of to process an impact fee. In fact, I was talking to a fellow who was in town, from out of town, just recently, and we talked about the infrastructure problems, things like that and he said, ‘*Well, what about your impact fee? Doesn’t that help you with the provision on that?*’ And I said, ‘*Well, no, we don’t have an impact fee.*’ And I brought this up before and I believe Mr. Garland at that time said he didn’t think that was legal.”

Mr. Garland: “And, as a matter of fact, I actually called David Lawrence at the Institute of Government today, just to sort of double check. With respect to Enterprises, like water and sewer, you know, there are impact fees which are allowed although that generally takes care of itself in a subdivision because it’s so desirable to go ahead and pay for all that _____ to do that. Otherwise, in North Carolina, he told me that the only places that he’s aware of that are charging impact fees for other things, you know, like roadways and things like that, schools, are areas where they’ve gotten local acts. Cary and Raleigh both have local acts which allow them to charge impact fees. Durham, I’m told, Durham County put in an impact fee where they thought they had some authority under the general County authority/statutes, which are not available to the cities, and that’s being challenged. So they’re actually in court right now with folks challenging that. And I do know from having looked at the issue and having talked with David, that the Board of Realtors and the Homebuilders each are active each legislative session to try and be sure, frankly, that there are no more local bills passed that authorize impact fees. So that’s the way I understand to be the lay of the land right now and he said their advice generally is that a local act would be the way to go if we wanted to impose impact fees.”

Mr. Warner: “And the reason I raise that question ---- we are in debt on our sewer installation and even though the subdivision would be required to put their own collector lines in, we paid for the interceptors and such and I thought the impact fee would be some way to help pay.....
.....”

Mr. Garland: “.....And that may be something that we could look at because he did say that water and sewer may be areas where impact fees might be permitted and it could certainly be worth exploring.”

Mr. Warner: “And the reason I bring it up now, what’s been done is done! But anything for the future, there, and we sit in a right position where everybody’s attracted by our tax rate and all that and they would like to take advantage of this. And as far as the garbage service, and all that, I’m very proud that we can do it. But, let’s say that we’ve reached that point now where actually I believe we budgeted \$520,000-maybe- this year for contract services and --- about \$526,000 – and, anyway, it’s just slightly more than the ad valorem tax that we’re giving people. So if we go beyond this, we got to be concerned of what we’re doing. Thank you.”

ITEM #12 **FOR DISCUSSION:**
Credit from Landfill to Apply to Recycling

DISCUSSION:

Mr. Warner: “All right. Let me just make a statement there. I would like us, and I don’t think it would be a big problem, to get a report from, and I don’t want to speak to the confusion we’ve had on recycling.....but can we get some kind of report, I know it was available before, for the amount of recycling that’s being put into the landfill by Waste Management? And then, also, approach Waste Industries to say, ‘*Well, at least we know that this much is not coming into your truck.*’ See, this is a long-range thing that will take time to come up with some data on

that. I believe you've said this, and it's been said very loudly, that there's such a small portion there that they would not necessarily benefit anything by a lower cost at the landfill. But I know they pay so much per ton in there and maybe their rate is based on the quantity or volume, and if they reduced the volume then it may cost a higher per tonnage rate, I don't know all the details....."

Mayor: ".....It actually is a negative impact --- to them --- it's a negative. They do that to pay, they commit to, I believe Waste Industries told me so many hundred tons and they get a lower rate, due to their committing to that much tonnage, going. And if they don't meet it, then they end up having to pay a higher rate so....."

Mr. Warner: ".....Well, I could understand that, ----- but on the other hand"

Mayor: ".....It's kind of negative on the impact....."

Mr. Warner: ".....So they would know we didn't do recycling even though our people wanted it... .."

Mayor: ".....Yeah. Well, I'm not saying"

Mr. Warner: ".....That's kind of a facetious way of saying it....."

Mayor: ".....They get a better rate the more they put in it because that's what they're contracted to do."

Mr. Warner: "Now, if I'm not mistaken, Waste Industries does their trash in the Winston-Salem landfill, is that correct?"

Mr. Linville: "Yes."

Mr. Warner: "And Waste Management had their own and so then there was not rebate or refund of that. Now, if I am not mistaken, by Waste Management ---- the City of Winston-Salem independently dumped in the landfill, they also get a refund there, that pays for their recycling program, is that right?"

Mr. Linville: "That's correct."

Mr. Warner: "So, my question or my statement is all around this, I don't want us to miss out on anything we can get!!"

Mr. Larrimore: "We take this up next time we do a contract with them."

Mr. Warner: "Pardon me?"

Mr. Larrimore: "We do this the next time we do a contract"

Mr. Warner: ".....Well, we could bring it up any time and say, '*Please, will you consider us there?*'"

Mr. Larrimore: "Yeah. They're going up from \$9.20 to \$9.47, starting July 1st."

Mr. Warner: "And that's provided in their contract, CPI."

Mr. Larrimore: "Yeah. That's why I'm saying, you have to do this at contract time. You don't beg them during the year."

Ms. Duggins: "And, too, regardless of what our contract states, that we make a contract for a certain price. The contract always favors the Waste Industries, or Waste Management, whoever's doing it. They can change and I would bet you, in any contract that they sign, they will make sure that the phrase is in there that they can go up on their charges at any time; we still have to pay the same price – the price that they charge us, even though we've got a contract that says we pay the price, they can go up and we pay it."

Mr. Warner: "I guess my thinking is very elementary in that, when we negotiated that, or entered into that contract with them a year ago, at that time we were not recycling – we didn't have plans to recycle; nothing was said about recycling, so we now have. So, let's say, I don't mind asking. All they can say is no."

Mr. Linville: "Well. What Doc has said is correct. The garbage companies get a rebate the more they landfill, not less. Their cut-off for the, they have a tiered fee schedule, and you get the best rate, the companies that can landfill 700-tons a month. And we land filled about 900-tons last year so we're just a little bit off – we're too low. Waste Industries, if they took Walkertown, Oak Ridge, and Summerfield, they couldn't get 700-tons a month because they

tried.”

Mr. Warner: “Are we going to cost them more by recycling.....?”

Mr. Linville: “.....No.....”

Mr. Warner: “.....In that they will be putting less in and have to be paying up(?????)”

Mr. Linville: “I don’t think we’re going to cost them more or save them anything. They’re still picking up the same containers, whether it’s full or partially full. I don’t think they’re going to see a change in.....”

Mr. Warner: “.....I’m talking about.....”

Mayor: “.....You’re talking about.....”

Mr. Warner: “.....the cost at the landfill.....”

Mayor: “.....in the procedures at the landfill.....”

Mr. Warner: “.....at the landfill, we’re talking about the landfill.....”

Mr. Linville: “.....No. I don’t think it’s going to change their rate. They’re locked in at the lowest tonnage, highest rate.”

Mr. Larrimore: “I make a motion we move this \$5,000 recycle fund to the – it’s listed here as ‘Recycle Fund - \$5,000’ ---- I make a motion we move that to the fund as, knock it down \$5,000, what we’re --- we’ve already got that set aside as a line item there on page 13.”

MOTION: TO MOVE THE \$5,000 IN THE RECYCLING FUND

BY: Wallace Larrimore

SECOND:

VOTE:

Mr. Linville: “That’s last year’s, though.”

Mr. Larrimore: “Well, what are you asking for, then?”

Mr. Linville: “We can’t move last year’s money to this year’s.”

Mr. Larrimore: “Well, what are you asking for here? You’re crediting last year’s fund.”

Mr. Linville: “No!! No!!”

Mr. Larrimore: “What are you going to.....?”

Mr. Linville: “.....Councilman Warner wanted the companies to give us a rebate because we’re recycling....”

Mr. Larrimore: “.....That isn’t what it says here ‘Credit from landfill to apply to recycling’. And she’s got a note here beside that.....Disregard all that.”

Mayor: “All right. Are there other discussion items on this landfill?”

Mr. Larrimore: “No. We’d have to ---- Forget it.”

Mayor: “Okay.”

ITEM #13 FOR DISCUSSION:

Walkertown Entrance Signs

A) Should we move or keep at 158 & 66 location?

B) Upkeep for sign at 311 & 66?

DISCUSSION:

Ms. Welch: “Keith Grubbs, in the Civic Club, offered to re-do our signs. We looked at them. They need trimming around there on 311 – I don’t know whether we are responsible for the clearing, that’s what he wants to know.....”

Mr. Linville: “.....Yes.....”

Ms. Welch: “.....The one on 311 north of the town, he said that was okay. Then the one over on 158 – there’s so much work goes on there, and you can’t hardly see it. Course nobody knows, from what I understand, asking, how we got permission to put the signs up – or if the land

was donated – or can we move them? He was thinking maybe up at the 158, we could move that across, maybe ask Mr. Hennigan if he would donate the land?? Would it be feasible?”

Mayor: “Okay. You’re talking about moving it further east?”

Ms. Welch: “Yes. Right. Or how much can we cut around there? If it stays where it’s presently located, which is not seen very well, if you’ll look at it. They’re always doing work there on that corner, of some kind.”

Mayor: “Originally, we were talking about, I think Keith was talking about replacing the sign, was he not?”

Ms. Welch: “Re-painting them. That’s the way I understood it, not replacing, re-painting.”

Mayor: “Oh. Okay. Is there any other comments concerning the signage? Do you want to consider to study this further? Seems like we’re a little premature on making any decision on moving any signs or changing at this time.”

Ms. Welch: “Yes. Right.”

Mr. Linville: “If we wanted to move one, what we’d have to do is D.O.T. has an encroachment agreement if you put something on their right-of-way, like that, that we’d have to get. Their big concern would be site around it – as long as it was far enough off the road that it didn’t impede traffic.”

Mayor: “We’ve mentioned right-of-way several times tonight. I guess we’re still using 30-foot from the center.”

Mr. Linville: “It just depends on where you are. If it’s 66 or 158, 158 has 150-feet of right-of-way. On a residential street, or secondary street, just assume 30-feet from center.”

Mayor: “Thirty feet – so it’s hard not to get close to the highway and not be on the right-of-way....”

Mr. Linville: “....That’s assuming that the road actually lies in the right-of-way.”

OTHER BUSINESS:

1) CITIZEN REQUEST:

A citizen has requested that the Council consider closing Darrow Road to through **truck** traffic.

A) Darrow Road is a State-maintained road.

B) Subject to Powell Bill rules.

DISCUSSION:

Mayor: “This is a state road. Toby, do you want to comment on that first?”

Mr. Linville: “Yeah, John Dillon brought this up. J.P. Couch, NC-D.O.T. said they don’t typically close public streets to through traffic unless it’s tearing up the road. He said there has to be proof that the traffic is tearing up the road. He said he’d be willing to do a field visit and make sure, see if there’s damage, if it looks like it’s truck traffic. Some of his concerns were that that’s a hard turn, he said it’s hard to make a right on 158 from 66 as well, so. You know, if you’re coming, going towards 158.....”

Mayor: “Tractor-trailers on Darrow Road at 50 miles an hour, with as many residents, and a park, is pretty hazardous, too!”

Ms. Welch: “The speed limit is 45!!”

Mayor: “I’m well aware of the speed limit!!! But that is a heavily traveled road with tractor-trailers. What would be the procedure? Would we, could we, ask D.O.T. to lower the speed limit, maybe?”

Mr. Linville: “Yeah. We could either ask them to see if the road has been damaged by the through traffic, and maybe they’ll close it but it’s their decision.”

Mayor: “I would think they’d see very little evidence of damage since it’s just been re-paved

in the last year or so.... So I would think that would be.... Damage would be nominal.”

Ms. Duggins: “.....They could do a study of how many trucks do use that road....”

Mr. Linville: “Then, if we ask them to lower the speed limit, that’s another request that has to go to them and they have to analyze everything, punch it on the computer.....”

Mayor: “What’s the feelings from council? Any feeling at all? Any comment?”

Ms. Duggins: “I think that’s going to change quite a bit in the next few years. That is a very heavily traveled road, and I don’t see any way to alleviate that at this time, other than widening 66, which we hope that that will be done. If 66 is widened, and 158 will widen, I think it will make a lot more sense to work on getting both those widened.”

Mr. Larrimore: “Been 40 years!”

Mr. Warner: “Whatever you do, it seems like enforcement is going to be the biggest problem. You can do anything you want to but if you can’t enforce it.....”

Ms. Duggins: “.....Sure.....How many people go the speed limit now?.....And you can change the speed limit to 5, how many people you think is going to go 5 miles per hour?”

Mr. Larrimore: “.....Well.....When you.....”

Mr. Warner: “.....It’s a good idea, I think.....But.....”

Mr. Larrimore: “.....When they load cars up over there on the car hauler, bring back down 311, turn right on 66, come down that way and turn down --- that shows they’re going around the world to get to Darrow Road --- but they still do it!! Course, they got to go by Mickey’s!”

Ms. Welch: “That’s a point!!”

Mr. Larrimore: “I didn’t say that!!”

Mayor: “Is there any desire to get Toby to do any further checking on Darrow Road or to work with D.O.T. on this at all or do you want to just....?”

Mr. Warner: “I see no reason why, if Toby has a minute that he can do, that he approach D.O.T. and ask them do they have any recommendations, that we’ve got a problem here. You’ve got the same problem over on Williston Road, as far as the traffic. It’s awful over there. I don’t know what’ll happen when they get that school opened but that’s going to be a problem someone has to address.”

Ms. Duggins: “I think we need to just ask D.O.T. to do a ----- if we’re going to ask them to do a study, ask them to do a study of the traffic problems in Walkertown – not just one street, because it’s not just one street that’s involved here. We’ve got several streets! Martin Street is another one.....”

Mr. Warner: “.....Um hmmm.....And make what recommendations they can, that we may be able to deal with.....”

Mr. Linville: “.....Yeah.... These D.O.T. engineers that have been working on this paving job have been asking why we don’t close Main Street to through traffic – you know, try to make them turn up 311. Course they can’t make that turn at Harley Drive, either, at the Post Office, but.... I think they’re just tired of dodging traffic!”

Ms. Duggins: “Well, we are tired, but nevertheless – it’s Walkertown!”

Mayor: “Do you want to follow through on that, Toby?”

Mr. Linville: “Yeah. I can see what they can do.”

Mayor: “Bring us some word back. We don’t have a definite answer that we’re looking for. We’re just looking to see if we can get some relief on Darrow Road? I agree with John Dillon. That is a.....”

Ms. Duggins: “.....I want us to ask for the entire Walkertown area – several roads.”

Mayor: “Okay.”

Mr. Warner: “If we’re going to do Walkertown, let’s ask about the Ruxton Drive entry to Main Street – that’s very hazardous there – because you still have a turn on right, and it’s very hard.”

Mayor: “Why! You want a turn lane too?”

Mr. Warner: “No. I’m just going to the stop light and be safe!!!”

2) DAY IN THE PARK FESTIVAL UPDATE.....Lynn McKinnie

- Mayor: "Item 2 – Day in the Park Festival Update, it says Ms. McKinnie....."
- Ms. Duggins: "What about -----? You have something here on the Powell Bill."
- Mayor: "I assume, I'm sorry, this was items put on here – the follow-up items to the Darrow Road – that Darrow Road was a state maintained --- "
- Lynn: "I just put that on there so ya'll would know....."
- Mayor: ".....Subject to Powell Bill rules, I think she was reminding us. Okay, festival. We have one of the co-chairmen here if you need...."
- Lynn: ".....I have given ya'll a typed detail update but I just wanted to let you know there's going to be a Walkertown Community Day in the Park, sponsored by the Town of Walkertown and the Forsyth County Parks and Rec. That's going to be Saturday, August 28th from 10:00 til 7:00 at the Walkertown Park on Darrow Road. There'll be parking at Morris Chapel and all the little roads around there. There'll be arts and crafts --- she's got shuttle service, but we did away with shuttle service at the last meeting ---- But we're going to have arts and crafts, food, games, music and lots of fun. We're going to have live entertainment and kids' Care ID, medical screenings and children's booths. The Town of Walkertown is going to sponsor a hot dog meal – with a hot dog being a dollar! We need help! And everybody come, and tell everybody that we're going to have that. That's my update."
- Mayor: "Okay. Beverly, did you have anything to add, since you're one of the co-chairmen of this event. I didn't mean to put you on the spot because I'm sure I'll pay for it later....."
- Ms. Davis: "Uh. No. If anybody's got any arts and crafts, like a hobby, if you'd like a form to fill out....we just want everybody to come. Tell your neighbors, friends, - it's going to be a fun day. Try to get our community pulled back together and have a good time."
- Mayor: "Any you're handling the craft applications and Tom Lane's handling the food vendors, and other vendors? And John Dillon's handling the entertainment, so they're the ones that does the....."
- Ms. Davis: **COULD NOT BE HEARD**
- Mayor: "Good. And Ms. Church is heading up the food group for the town – hot dogs! Ms. McKinnie did mention the kid ID – we did have a business in town to sponsor the kid ID – Great Clips sponsored it. This is a program, the Fire Department will be doing it – they make a picture, fingerprint, and it's a national registry of kid ID program. They've done it before and it's quite effective. This will be taking place there also."

3) MANAGER UPDATE:

- Mr. Linville: "I have nothing.....Oh! Two weeks after our Fall Festival on September 11th, the Fire Department and the Civics Club are going to start the fish fry again."
- Mayor: "That date is 9-1-1."
- Mr. Linville: "Advance tickets are \$10.00 apiece and Doc and I have some and we need to get rid of them. It's at the Fire Department."

Mayor: "I guess we're ready for a -- does someone have a motion for a Closed Session?"

CLOSED SESSION MOTION:

MOTION: TO RECESS INTO CLOSED SESSION AT 8:49 P.M.
BY: **Dot Duggins**

**SECOND:
VOTE:**

143-318.11 EXECUTIVE SESSION

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of a public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge or grievance by or against a public officer or employee.

Mayor: "Before we go into that, I got a little ahead of myself, we'll have the closing Public Session first. We'll have a recess before the Closed Session."

PUBLIC SESSION:

Public Session was opened at 8:45 p.m. and had two speakers.

▪ Ms. Brenda Mabe

"I agree with Ms. Duggins about street problems. And there are a lot of street problems on one of our streets. Sullivantown Road is a problem. Our traffic is so congested, in the morning, you cannot get out. I don't know if a stop light in the street will be a help but with a new school coming in that area, I think the town needs to be looking at the street problems that we have before rezoning goes and business move in because it is getting congested. In the morning, I cannot get out of my driveway – so it's my concern. And this is a state-supported street because I know. And if you got a state-supported street, D.O.T. sort of frowns on because I tried to get the speed limit lowered to 25 on our street because we have jet airplanes going up our street. And it's not a thru-way. And, yes, I would love to keep trucks off my street, too. But I know that's impossible. And enforce the law --- I tell you how you do it. You stand at the end of the street in front of the speed limit sign and you have a video camera and you watch the people slow down. That's what I did! And you'll see the people slow up. Our street is very congested and in the morning I would like the town to be discussing and looking at the street problem in Walkertown – the congestion is so bad in the morning, you cannot get through. What the alternatives do we have? Would a stop light help slow down traffic? That's one possibility. D.O.T. frowns upon stop lights but I think if you push it, in certain situations, with the school coming in, I think that is a problem that the council is going to have to look at because it's going to be very congested. Secondly, when they have the park down there, and they're meeting, it is bad in the afternoon, you cannot get out! I have seen people parked up all the way to the Baptist Church – just trying to get through in the afternoon. So I think the town needs to look at the situations of the streets and the town when congestion is coming more _____ than we can sort of handle. Let's not be like Kernersville – and wait til we can't do anything about it."

▪ Ms. Beverly Davis asked for an update on the Farmers Market being held each Saturday morning at Love's Church.

Mayor Davis said the Farmers' Market has picked up in the last few weeks. "We've got a little more room now that we moved up to the Loves' parking lot and that's done very nicely. Dry weather is going to kill the Farmers' Market, it looks like, in another few weeks. But it's done very good. We've had a lot of participation since we moved to the Love's parking lot from both the vendors and the town.....course Love's having a yard sale on their church lot helped a lot."

Public Session was closed at 8:49 p.m.

CLOSED SESSION MOTION:

MOTION: **TO RECESS INTO CLOSED SESSION AT 9:00 P.M.**
BY: **Dot Duggins**

SECOND: Wallace Larrimore
VOTE: Unanimous

143-318.11 EXECUTIVE SESSION

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of a public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge or grievance by or against a public officer or employee.

MOTION: TO RETURN TO REGULAR SESSION AT 9:50 P.M.
BY: Dot Duggins
SECOND: Wallace Larrimore
VOTE: Unanimous

ANNOUNCEMENTS:

TOWN COUNCIL MEETINGS: (4TH THURSDAYS)

08-26-04 7:00 p.m. Library Auditorium
09-23-04
10-28-04
11-18-04* CHANGE DUE TO THANKSGIVING HOLIDAY
12-23-04

PLANNING BOARD MEETINGS: (3RD TUESDAYS)

08-16-04 4:00 p.m. Town Hall – Pre-Meeting Session
08-17-04 3:00 p.m. Library (Actual Meeting)

LAND USE COMMITTEE: (1ST AND 3RD THURSDAYS)

08-05-04 7:00 p.m. Library
08-19-04 7:00 p.m. Library

FESTIVAL COMMITTEE:

07- -04 4:30 p.m. Town Hall
(NOT SCHEDULED AT TIME OF AGENDA PREPARATION)

SCHOOL COMMITTEE:

???

(NOTHING SCHEDULED AT TIME OF AGENDA PREPARATION)

MISCELLANEOUS OTHER:

FARMERS' MARKET On Saturdays til further notice starting at 7:30 a.m.
at Love's United Methodist Church

08-28-04 10:00 a.m. Walkertown Community Day in the Park Festival

ADJOURNMENT

MOTION: **TO ADJOURN**

BY: **Dot Duggins**

SECOND: **Wallace Larrimore**

VOTE: **Unanimous**

ATTEST:

TOWN OF WALKERTOWN:

By: _____
Lynn McKinnie
Town Clerk

By: _____
Tom Southern
Mayor