



Town of Walkertown, North Carolina

Website: townofwalkertown.com

Walkertown Town Council Meeting

Walkertown Library Auditorium

THURSDAY

7:00 P.M. JANUARY 27, 2005

D-R-A-F-T

MINUTES

PROCEDURAL ITEMS

CALL TO ORDER @ 7:00 p.m. by Mayor Doc Davis.

Present were Mayor Davis, Council members Wallace Larrimore, Sarah Welch, and Horace Warner. Staff included Manager Toby Linville and Attorney Steve Garland.

Absent were Council member Dot Duggins due to vacation and Town Clerk Lynn McKinnie due to Clerk School in Raleigh.

DETERMINATION OF QUORUM

A quorum was present.

INVOCATION was by Rev. Phil Wagoner, Pastor, Walkertown First Baptist Church.

PLEDGE OF ALLEGIANCE was by Councilman Wallace Larrimore.

APPROVALS:

AGENDA APPROVAL

MOTION: **TO APPROVE ADDING A CLOSED SESSION PURSANT TO N.C.G.S. 143-318.11(A) (6) "TO CONSIDER THE QUALIFICATIONS, COMPETENCE, PERFORMANCE, CHARACTER, FITNESS, CONDITIONS OF APPOINTMENT, OR CONDITIONS OF INITIAL EMPLOYMENT OF AN INDIVIDUAL PUBLIC OFFICER OR EMPLOYEE OR PROSPECTIVE PUBLIC OFFICER OR EMPLOYEE;..."**

BY: SARAH WELCH

SECOND: WALLACE LARRIMORE

VOTE: MOTION PASSED UNANIMOUSLY
(WELCH, WARNER, LARRIMORE)

MOTION: **TO APPROVE THE AMENDED AGENDA**
BY: **Sarah Welch**
SECOND: **Horace Warner**
VOTE: **MOTION PASSED UNANIMOUSLY**
 (Welch, Warner, Larrimore)

APPROVAL OF MINUTES

- Town Council Regular Meeting – December 23, 2004

MOTION: **TO APPROVE THE MINUTES OF DECEMBER 23, 2004**
BY: **HORACE WARNER**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**
 (Welch, Warner, Larrimore)

PUBLIC SESSION

- PLEASE LIMIT COMMENTS TO 3-MINUTES OR LESS

Public Session was opened with one speaker.

- 1) Jerry Lineberry
5021 Wrangler Dr.
Winston-Salem

"I'm here speaking on behalf of my sister-in-law and her husband. She's a diabetic and is on dialysis three days a week so she wasn't able to be here but it was concerning the amendment for the annexations that were made back last year. They moved here in May and when they moved here, there was a time when the second round of annexations were offered to some people who missed it; that maybe had second thoughts. Well, they want to do that so I went to Town Hall myself and got them an application. They filled it out; she mailed it in. I wanted to bring it in but ---. She waited -- ten days later, it comes back, blank -- they didn't tell her what to do with it or anything else. She just got her envelope and application back -- nothing done to it whatsoever. Then I took it back to Lynn. Lynn said, "Well, Jerry she needs a signature" so I got the signature and carried it back and put it in Lynn's hands so she would have it. I said, "Now, is this going to take care of everything. She said, "Yeah." Well, I think it was in September -now, ya'll bear with me for just a minute -- my timing may be off just a little bit. When it first came up at council meeting, it was approved to investigate this and was quite an emphasis put on the word "*investigate*" because some people couldn't understand Investigate and Approved. I believe Mr. Warner brought that up on a couple of occasions, which Wallace and Dot reiterated several times -- investigate. Well, it came up again and it was approved -- now, this was my understanding -- it was approved at the October meeting, and at that time, Mr. Warner made a motion to put this off to make it official on December 31st. I think the council had voted to do this paperwork once every six months, which is a very good idea. But come the 31st, nothing had happened for them and I asked them had they received their garbage service and they said no. Well, I came back -- on January 5th, I called Town Hall and was told it would be June 5th, and I couldn't understand why that was going to be. Then I went again in another matter and spoke with Mr. Linville, concerning another problem with some street lights that another one of my relatives wanted to make sure that they got a light there, which I think that worked itself out. And I asked him why, while I was there, why the Wrights' were being put off to get the service that they were promised because they were promised the same thing that we were when I annexed in there and those four things were: lower tax rate, free garbage pick-up, fire taxes include the tax rate and street lights. And everybody was supposed to be treated the same. Well, they still don't have the service. Mr. Linville then told me that it was his fault that it wasn't advertised. Well, that's not the Wrights' fault. What I'm asking, Mr. Mayor, and Steve, can that not be retroed back and get them people the

service that they were promised? They were supposed to be put in January 31st. Mr. Linville is telling me June. That's not hardly fair to them. And then the last thing he said to me, my wife was with me, was that if they want to withdraw their petition, they'd be glad to do so. Well, that's not what I wanted to hear from ---- I don't think our citizens should be treated like that. Thank you."

Mr. Warner: You mentioned the name "*Wright*" – Is that Wright ?

W-R-I-G-H-T??? Okay. Thank you.

Mayor: We'll discuss that further, Jerry, when we get to Item #2.

Public Session was closed.

AGENDA ITEMS

1. DE-ANNEXATION / ANNEXATION AGREEMENT

Letter included from Kernersville Town Manager

DISCUSSION:

Mr. Linville: During Annexation #5, the Grimms' and the Wootens' petitioned for an Annexation Agreement that we have with Kernersville. When we started working on the Land Use Plan, Fred Luce had worked up an area map and had that annexation line on there and I looked at it and said we'd made a mistake. We are in violation of breaking that annexation agreement by having done this. It wasn't anyone's fault – wasn't any harm – just a mistake. The letter outlines the choices we have to get the property de-annexed. We can't de-annex property on our own. We have to have help either from the General Assembly or through the courts and the General Assembly seems to be the easier route.

Mayor: What we've got is for the council to decide which direction

Mr. Warner: How did you come upon this, Mr. Linville as far as that came up would be brought up then on November 11, 2003. Is that right? But my question really is this, how did we come upon this, that being over a year ago?

Mr. Linville: I don't remember the date that I found it but it's been probably

Mr. Warner: In just a routine check?

Mr. Linville: No. No. When I saw Fred Luce's Land Use map, I discovered

Mr. Warner: And if it hadn't been for his map, then, we wouldn't ever have

Mr. Linville: Right.

Mr. Warner: With that, excuse me. At that time, on Annexation #5, you

Mr. Larrimore:They're okay. They're okay.....

Mr. Warner:He is legitimate and you have him included. H

Mr. Larrimore:Brad and Deborah's all right.....

Mr. Warner:But, that's immaterial. The fact is we know

Mr. Larrimore:.....Brad and Deborah's all right. They're lot 733

.....and that's good.

Mayor: Is there a motion or is there direction that the council would

Mr. Warner: I think that would be the best way for all to handle it. Becau

Mr. Garland: I don't see any reason that this would not be approved.

Mayor: It's usually called "*courtesy legislation*".

Mr. Garland: If the delegation all agrees and I can't see that if the two m

MOTION: **TO DO A RESOLUTION TO DE-ANNEX THE PROPERTIES, AND PUT IT BACK INTO KERNERSVILLE JURISDICTION**
BY: **HORACE WARNER**
NO SECOND.....

Mayor: So you're saying.....?
Mr. Warner: Well, we'll need to prepare a resolution, as I understand it. Is that correct?
Mr. Garland: I think what probably will happen is that we probably just need the direction from you at this time that you want to proceed with the deannexation via the local bill and then I believe that we'll have time. I can't believe that the local bill deadline would be anytime before --- I think they're generally in March, I think. So, I would think we'd be able to come back to you with the bill that you would then approve and then the legislators would have the bill that you would approve and that Kernersville would approve. So I think that's the way to do it. The resolution tonight would be to move forward to prepare a local bill for deannexation of that piece of property.

MOTION: **TO BRING FORTH A RESOLUTION TO PREPARE THIS LOCAL BILL TO DEANNEX THESE PROPERTIES**
BY: **HORACE WARNER**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**
(Welch, Warner, Larrimore)

Mayor: Steve, if I hear you correctly, you prepare the bill then it comes back for a second time, is that correct?
Mr. Garland: Well, I was just thinking we probably would want to do that just because that will allow you to actually approve the bill. I think I'd like ya'll to know exactly what's going to happen so that we can move forward. If time doesn't permit, we might have to do something different but I'd like ya'll, if you're going to support a bill, to actually have a chance to look at it and approve.
Mayor: I'm just trying to think of what could happen to the bill if time does become of the essence.
Mr. Garland: Then we could move forward. It wouldn't be voted on until March and we could still go ahead and approve it even if they submit it.
Mayor: I'm assuming from the tone of council they want to get it disposed as quickly as possible.
Mr. Warner: I think this – that our action tonight, what I'm pushing for, is to let them know our intentions are good and if a mistake's been made, we're certainly willing to correct it. That's all I'm trying to do.
Mr. Larrimore: With them asking to come in, it's not like we're holding something over their head.

Mr. Linville: Before we proceed, while we're on the same topic....We approved our annexation agreement – anyway, after we approved our annexation agreement, I don't know what time span it was, we repealed our agreement with Kernersville and it will expire in 2007. Kernersville had asked that

we maybe reconsider that and see if we would be interested in opening that annexation agreement back up since there's been a change of council, a change of time. They were willing to - there was a certain area that we were interested in, and that's why we broke the agreement - they were willing to negotiate the - we all have agreements with everyone else in the county. Tan is what Kernersville can't annex and the periwinkle is what we cannot annex. They would like to open that agreement back up - I don't know if there's any interest or if there is a certain sticking point that was on the wrong side of the line that you all would like to change.....negotiate it out.....

Mr. Warner: I think before we make any quick moves, we ought to have a joint meeting with them - informal or otherwise - and see just what they ---- I was asked at the time this was rescinded, why? And I was never told. Apparently you know more than I knew. I had to answer Mayor Brown over there and tell him I didn't know why.

Mr. Larrimore: I think they just put a time limit on it to start with - and we're about to get there now.....

Mr. Warner:I don't mind saying publicly again. I am not in the favor of splitting the middle of one street!.....

Mr. Larrimore:No!.....

Mr. Warner:No way, that you can get me to agree with that.....

Mr. Larrimore:I'm not either, Horace.....

Mr. Warner:Now, if you want to take the property on one side or the other and let it be the full boundary of that property but not split a street.

Mr. Linville:Per statute, the most you can have an annexation agreement is twenty years..... If you repeal it, then it's five years.

Mayor: I have met with the incoming mayor briefly about it. We discussed it and he wants to sit down, and if the council will allow, I would love to go forward with a meeting with him and see what they got in mind and then come back with some ideas. Would ya'll be in favor of that?

Mr. Warner: As we come back, then, I think we ought to open this up to our citizens to see what their pleasure is. We still represent them, yes, but I would like to have that input.

Mayor: If ya'll are in agreement that I would meet - I have not met with Mayor Pro Tem Swisher at this time. I have just talked to him briefly at a meeting. Would this council be in favor of that? That I go forward with a meeting with soon-to-be Mayor Swisher?

Ms. Welch: I would.

Mr. Warner: I would agree, yes.

Mayor: Come to an agreement on setting a full meeting or setting some boundaries to bring back and discuss it further?

Mr. Larrimore: Sure!

Mr. Warner: Yeah. And then if we need to have a joint meeting, we can always go second to that.

MOTION: **TO APPROVE MAYOR DAVIS MEETING WITH KERNERSVILLE MAYOR CURTIS SWISHER TO WORK OUT DETAILS ON THE ANNEXATION AGREEMENT AND BRING BACK TO THE COUNCIL FOR CONSIDERATION**

BY: WALLACE LARRIMORE
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY
(Welch, Warner, Larrimore)

2. RESOLUTION #05-001

To Set Date of Public Hearing For Annexation #9 For February 24, 2005

DISCUSSION:

Mr. Linville: This is the annexation that Mr. Lineberry was talking about earlier. And this is the third time you've seen this same resolution because we keep forgetting to advertise it. We have to advertise a Public Hearing ten days prior to the meeting and by the time Lynn and I get around to starting on the agendas, we missed it. But we're going to do better this next month, I promise. This property was originally supposed to be annexed in December. There's nothing to say we can't approve it and make it effective some time before June. December's no different than any of the other months in that we'll have to pay the fire tax back to them. It's just a different calculation. So, if you want to move the date up on this to March 1st – that would be about as quickly as we can do it, you have that option.

Mayor: Right now, it's set for February 24th, I see here.

Mr. Linville: Well, that's when we can have the Public Hearing to actually approve it. But the effective date is what's in question because right now the effective date would be June 1st.

Mr. Garland: Actually it would be July 1st – or you could say June 30th. You were setting up for June 30th and December 31st – but that was based on your policy and I think that was the policy for convenience of determining taxes. If you feel like it would be best to go ahead and start them earlier because they should've been started earlier, then you can still do that. It's just a matter of the administration of it to make sure it works out right on taxes.

Mr. Larrimore: I think we ought to do it just as fast as we can because I'm holding a July 22, 2004, here in my hand. It was on the agenda then and it's been on the agenda here, and again there, and again here, and again here. So, we're wearing it out!

Mayor: I agree.

Mr. Larrimore: In fact, one of these people on here has already got water and sewer and she may not even want to come in town. I'd tell you what you could do with your town!

Mayor: Steve, what would be the procedure on setting a date? Would we need to change our..... we can, at any time, I assume, make an exception to our twice a year annexation?

Mr. Garland: It's just policy. When you actually, if you set this public hearing, and then have the actual hearing at the next meeting, you would then in that, when you take the action to annex the property you would include in that the date of the effectiveness of it, so you could do it then. One thing that was brought up, there really is no capability for you all to provide them services until they're in. I know that's not the answer I'd like to be able to tell you but unfortunately, ya'll just can't do that. Then the issue would be whether or not you coordinate it with whatever the quarter that the person has paid for garbage service – and you

might want to work with them to be sure that that dovetails with the annexation effectiveness so that they don't have any sort of double payment of that.

Mayor: If this council so desires to go ahead and set this date for February 24th and then let's, at the same time, set a date for as soon as possible afterwards – if it's approved, if everything is in order. Can we do that, Steve, at the same time?

Mr. Garland: Sure.

MOTION: **TO SET THE DATE FOR A PUBLIC HEARING ON**
FEBRUARY 24, 2005, FOR ANNEXATION #9
BY: **HORACE WARNER**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**
(Welch, Warner, Larrimore)

Mayor: I did not hear a date for annexation as quickly thereafter, did that motion want to entertain that as well, or not?

Mr. Warner: I would prefer that to be a separate motion. I'm going to speak to that issue after this.

Mayor: Any other discussion on setting the public hearing date for February 24th? Since we've dropped the ball a few times on it, we'll try to figure out a way to make sure that it gets advertised and it gets done for the 24th. That'll need to be done by Valentine's Day. So maybe we all can remember.

Mr. Warner: I think we need to set up some way so that this doesn't happen again; such as, it's the town clerk's responsibility and I know the manager contributes, but should we not leave that on her desk and her know? And then when they knows there's one there, that way it relieves you of having to come back and remember. As you came in with those four there, we could avoid that maybe, too. What do you think of that, Mr. Linville?

Mr. Linville: We'll do our best to get the process down.

Mr. Warner: But make it primarily her responsibility. If you recall, and I didn't want to bring this up, but I will. At one time, I asked her about certification and I had a motive behind that, I'll admit. But the thing was, I had a suspicion that she was being given papers to sign and you were doing the thing, and I'd like to avoid that if we could. Is that all right?

Mr. Linville: That charge the clerk to investigate is by title alone, I mean. When that statute was written, there may have just been – I mean, by law, each town had to have a town clerk so typically it would be a planner doing that kind of legwork.

Mr. Warner: But we can put a divide there where everybody knows what their responsibility is. It's up to them and work at that to avoid confusion. Then, if you remember, we earlier did a thing that we wanted to avoid anything being brought in and laid on the desk and being acted on that night. If you remember that. That comes back, and we're not going to talk about that tonight, but that comes under that "No Consideration" situation, which we'll get to next meeting. Not this one, we got enough!

Mayor: Now, while we're here, let's set the date for when this could be annexed. If we have the public hearing for what we've scheduled – for February 24th, when could we annex this?

Mr. Linville: I would like to be able to talk to the Wrights about when their quarter ends with Rural Garbage and we could set that date. If it's March 31st or March 1st - I don't know.

Jerry Lineberry: I think it's March 31st. I'll check for you – or you can call them.

Mr. Linville: We don't have to set the effective date tonight. That'll be on the ordinance that you approve next month.

Mayor: When I hear this council saying they want it acted upon as quickly as possible, is that correct? Is that what I hear you saying?

----Agreement all around.-----

Mr. Warner: May I make a statement to that? We set those two dates for a reason and I'm not for waiving any ordinance or anything else, unless there's a just reason. And, in the future, I don't want us to be negligent – that be the reason for it. So what I'd like to see, I don't think we'll ever have another situation like this --- and if we do have, I'm not going to be as nice about it!!

Mr. Garland: And I wouldn't suggest that you breach a policy like that, unless there were a distinguishing factor like there is here. And I can easily distinguish this from a run-of-the-mill situation.

Mr. Warner: So, having said that, I'm fully in agreement to let's do it as quickly as them.

Mayor: Just let the record show we plan to do it as quickly as possible. We've voted and it's unanimous. We'll have the hearing on February 24th.

3. CODE ENFORCEMENT

DISCUSSION:

Mr. Linville: This came up at the November meeting. We had just talked about – actually, this was Councilman Warner’s idea – talked about having possibly a part-time person. I’ve spoken with Forsyth County Inspections, who already does some code enforcement for us whenever we need them and they bill us for that accordingly. They have about a five-member code enforcement department. And their - depending on whether it’s one of the legal staff or one of the field personnel – their cost is about \$40.00 per hour to us. And they said, by all means, they could do more code enforcement – we just need to ask. A lot of the tall grass and the junk car ordinance, we can do that in-house with our own letters, but if it’s building code or abandoned buildings or buildings in disrepair, they can certainly help us, and already do. So if you want.....

Mr. Warner:And we would only pay them for the time used, is that right?

Mr. Linville: Right.

Mr. Warner: For example, you’re talking about the minimal code enforcement, which comes under your jurisdiction, with the letter and all. The thing about it is I didn’t want to get into a long-term thing. If it’s something that needs to be done now, we need to get it done now. And there are times when an outsider, I think, can be more effective and certainly be not misunderstood, I guess, is what I’m trying to say, than if you had to try and go out there and try to lower the hammer.

Mayor: Whose code would the people from Forsyth County be enforcing?

Mr. Linville: Forsyth County Building Code.

Mr. Warner: And the UDO.

Mayor: So why aren’t they enforcing that now?

Mr. Linville: Well, they will, if they receive a complaint. They don’t actively seek them. And they will not do that because I asked, and they said no.

Mayor: I’m a little fuzzy here, then. Why would we want to hire them if they’ll do it now?

Mr. Linville: Well, they charge us. I’m not suggesting that we hire them. We already have an arrangement with them.

Mr. Warner: But what you’re saying is, an arrangement with them when they provide the service, then they also charge us for their time. We go back to the time when there was an independent person who did this and I believe they cost us \$5,000 a year like a retainer? And then he handled all this code enforcement; like, if we saw parked automobiles that were not supposed to be there – untagged, and whatever, he took it over. When he decided to go into other work, then it was just left alone and then since then, it’s been our own way to send out the letter and then you have to wait two weeks or whatever time. Let me give you a good example of what can happen. We had an unfortunate situation in this town where if they had left it on the normal procedure, this doesn’t go to code enforcement, where you go down and file a complaint, you couldn’t get action for several days. As it was, the fire marshal came out; he inspected the property and he immediately locked the door. So my point is this, let’s try to get the outside person when we need them rather than putting the burden on our manager. That was my point.

Mayor: Right. I follow that but I'm trying to see the difference where we need to purchase services and where we've got them provided for us already. That's my question.

Mr. Warner: You still have to pay for services provided, if it's in the municipal limits, you follow me? We're talking about code enforcement. What has been happening is they've been sending out the letters and then they've been following up on it. There may be a point where they need more than what we would want to put them in to. And then you have to wait for the cycle. I just think an outsider, when needed, can be more effective.

Mr. Warner: I would suggest that we just forward this one – in the back of our mind, there may be the need, and if we see the need, then sometime later, we can go. Because we also are going to talk about committees and things like that.

NO ACTION OTHER THAN FORWARDING THIS TOPIC TO A FUTURE MEETING WHENEVER IT IS DECIDED TO TAKE IT UP AGAIN.

4. FINANCIAL STATEMENTS

- DECEMBER, 2004

DISCUSSION:

Mr. Larrimore: Most everybody has a copy of the front page, don't you? If you look at that first line, NC Cash Management Trust Fund, is \$1,729,363.65. That's just one line item there and our budget is \$1,093,390 so that first line is more than our yearly budget. So that'll give you an idea about what shape we're in. We've collected 57% of our yearly budget. We've still got \$457,151.52 yet to come in, for the year. So, you can tell that first line, and all the lines rest of the way down is gravy. Anybody got any questions?

Mr. Warner: I appreciate the financial report, but this will be to the manager. We've paid to the City of Greensboro, \$1,500, and that's for stormwater work, is that correct?

Mr. Linville: That's for the stormwater education – printed materials, and TV commercials that will air in the spring.

Mr. Warner: Ok. As part of that, I remember that schedule. And you'll give an update later, maybe? The other thing is we spent \$1,923.64 to Caudill Electric for the Christmas lights. I certainly agree with the Christmas lights but I wonder if in the future, we couldn't consider getting out for a little less cost. I remember we used to have volunteer labor – we don't have that anymore. This may be the minimal.

Mr. Linville: That's Duke Power's fault. They had changed the way that they energized those Christmas lights. Each fault has to have its own separate ground fault interrupt and circuit breaker so that's where that cost came in.

Mr. Warner: Did they do that, because I know you told me that we had to leave the whole things on 24-hours a day, other than to put the individual and I didn't know we put the individual on?

Mr. Linville: Right.

Mr. Warner: But my point is this, and just to mention it, and say by this time next year, we do all we can to keep it as reasonable, but we definitely want lights.

Mayor: Was that the nonrecurring expense?That part.....

Mr. Linville:Right.....Right.....But, next year, we've done about a third of them and we have until the end of 2006 to get those done. So next year, we'll have to do a section and then the following year.....we'll finish them.....

Mr. Warner:And probably.....be more expensive.....ok.

Mr. Linville:So, it'll be hopefully.....about the same expenseit's there.....but.....

MOTION: **TO APPROVE THE DECEMBER 2004 FINANCIAL STATEMENTS AS PRESENTED BY THE TOWN CLERK**
BY: **WALLACE LARRIMORE**
SECOND: **HORACE WARNER**
VOTE: **MOTION PASSED UNANIMOUSLY**
(Welch, Warner, Larrimore)

5. COMMITTEES

(A) Discussion:

- Public Safety Committee
- Public Works Committee
- Beautification / Appearance Committee
- Review and Advisory Committee

DISCUSSION:

Mayor: We were going to deal with the committees. These are just some listed here – just some suggestions – they're not all-inclusive by no means. Any comments in particular?

Mr. Warner: I went back and checked some records and all committees were rescinded on **December 7, 1999**. (And that would be the Public Safety, Public Works and what...) Since then, we've actually set up a **Water Committee**, which is **still in existence**. Then, also, we've got the **Festival Committee** and the **School Committee**. So those three are the only three that exist at this time. So, as far as this, I would say, first of all, we need to find people who are willing to serve, so let's don't hurry into anything. We're not worse off than we were but I would like us to move forward and maybe sometime come forth with three to five people that are willing to serve – maybe the Beautification or Appearance and let that come into some of this other thing – and then the Review and Advisory Committee. That's just one that can assist us many ways, as the Water Committee did at that time. Having said that, I'm going to suggest that we just move this forward and everyone be thinking about it could come forth to the table some time and then, hopefully, let the people know that we're interested in establishing those committees, if they so want them, and if they will contribute to the better of our community.

Mr. Larrimore: Couldn't have said it any better myself!!

Ms. Welch: I agree!

Mayor: So, we'll keep adding to the list. If there's other committees that people in the town feel we need additional committees. Of course, with the need, we need volunteers to go with it. Is that what I heard you say?

Mr. Warner: We always need input from the citizens on everything!

Mayor: Right. But I say, if you got a committee – we need some volunteers to help fill it, then, right?

Mr. Warner: Right!

Mayor: Our School Committee should be getting a little more active in the near future, I might mention that, since I know most people have seen some articles in the paper recently on schools and what's going with the schools and the money. I think Tuesday's paper had an article concerning replacing the Middle School here – not building a high school – didn't mention that! Also, today's paper, I think you reported that, didn't you, Wesley, on the Glenn High? Was that you? Well, anyway, I took it to be you and thought it was accurate! They were talking about spending some serious bucks on the Glenn School so I don't know. We're going to have to run hard. I tried to get a few licks in today on the County Commissioners – Walkertown still needs a high school. So we're going to need to make ourselves known if we plan to get a high school. We're not going to get one sitting out here wishing for a high school. It's not going to happen! So, we need to probably meet with the School Committee and ante that up a little bit, I would imagine. Are people, is the Council, still in favor of a high school?

-- Agreement all around --

Mr. Warner: If you remember, in that same article I think you are referring to, they did say that this Walkertown High School would be included in the 2nd bond issue that they're talking about. Well, I think promises are good but I believe Steve called my hand one time and said you can't legislate responsibility. So I want more than just a thing there, before I put my vote in there, I want to know what they're going to do. Last time, if you'll remember, after the vote, they went through and did a lot of rearranging and I don't think I'm going to live for that!

Mayor: The bond referendum of 2001 included renovating or updating Glenn High School, which has not been done yet. So, if they're that far behind, if they had a bond referendum two referendums from now, toward a high school here, we won't live to see it. We won't live that long, most of us won't. My point is if we want a high school, the community's going to have to get involved.

Mr. Warner: If you go back – and I can't tell you which bond issue it was – but anyway, Atkins High was supposed to be renovated. Well, they spent all the money and didn't get Atkins. Then they came in Atkins in the next one! So nothing is cut in stone, really. So like you say, we're going to have to really stand up and say, *"Listen, folks. That's IT! We have the just reason for it out here. We've got the population that would service it."*

Mayor: The land was bought, was it the last one? Or the one before that?

Mr. Warner: The one before..... See, they were going to have that bond vote and then they went ahead and bought this land. And then it wasn't included in that. Because you had that Greensboro and Reynolds Road.....

Mayor:I was a little shocked to see that the Middle School, and maybe some people can give me some input on this.....that the Middle School was scheduled to be replaced.

Mr. Larrimore: See...they're going to have to tear it down but meanwhile they've got to have one for all the kids to go to while they're tearing down to rebuild it!

Mayor: That school's not that old.....

Ms. Welch:Why are they tearing it down?

Mayor:I don't know. It was just in the paper.....I'm just telling you what I read in the paper. It's where I got my news.....

Mr. Warner:It's less than 50 years old. I know the class of 1958 donated the flag pole for it and I think that was the year after it was built. Then they enlarged it in about the early '60's.....

Mayor:After '65, it was enlarged. Okay. That was just for information. If we want to concentrate – if we want to see a school, we're going to have to be involved.

Mr. Warner: We'd like any input from the public on this, I'm sure, if anyone certainly volunteers!

Mayor: And we'll put it down for February and discuss them again.

NO ACTION OTHER THAN FORWARDING THIS TOPIC TO FEBRUARY 24TH MEETING.

- (B) Update
 - o Festival

DISCUSSION:

Mr. Linville: We still haven't gotten the Festival Committee together – shooting for the next couple of weeks, getting all together to decide whether or not.....

Mayor:Some people had indicated if we maybe could move the date back ---- back, meaning Does anybody have any thoughts toward if you move back toward September? Last year, we did it in August for the 20th Anniversary. If they wanted to have it, which the Council has not voted to have one as of yet, we have not dealt with that issue – whether to have it and then to set a date. Do you want to have a festival again, or do you wish not to?

Ms. Welch: I thought we'd already discussed that!

Mayor: I don't think we have.

Mr. Warner: The Committee was supposed to bring forth a date.

Mayor: We did discuss it but we did not decide whether to have it again, and, if so, a date. Do you want to have the festival?

Mr. Warner: I think it was good. I do want it to be cooler weather.

Ms. Welch: Think September's cooler???

Mayor: Okay. Let's deal with the first issue, **do you want to have it?**

Mr. Warner: Yes.

Ms. Welch: Yes. (That's two of us!)

Mr. Larrimore: Yes.

Mayor: Okay. It sounds like the Council **wants** to have the **Festival**.

Ms. Welch: I think I've heard Ms. Duggins say the same thing.

Mayor: I feel like she did, too. I think we're all in agreement, probably we should.
Mr. Larrimore: She's probably the only one that sells anything!!
Mayor: That's true! Why don't we go ahead and have a motion to have it, then, and let's formally set it.

MOTION: **TO APPROVE HAVING THE FESTIVAL**
BY: **SARAH WELCH**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**
(Welch, Warner, Larrimore)

Mayor: Okay. We've decide to have a festival. Now, let's set a pro towns that have them and we want to avoid Kernersville, Walnut Cove, and Winston – the special events that's going on then.....
Ms. Welch:And we don't want Labor Day!....
Mr. Linville: Let's get the group together and do a little research on wh
Mayor: I don't think we're definitely set on September. It's just tha in the area, that's going on in September and October, whatever, and then we would set a date. Whether it be in September or October – whichever date.... We need to avoid King, Mt. Airy, and Clemmons, and Winston-Salem and Walnut Cove and Danbury – they have the stomp, don't they? And Kernersville. So that's in agreement – we'll set the date at the February meeting.

NO ACTION – WILL SET A PROPOSED DATE TO HAVE THE FESTIVAL AT THE FEBRUARY 24TH MEETING.

6. OTHER BUSINESS

- Manager's Update

Mr. Linville: Steve and I are still working on the old well properties. I'm looking for a site plan and Steve's going through the deeds and they don't make much sense. I gave him a big pile of papers that I don't understand and he is working his way through them. But I've talked with most of the family of the previous owners. We have everybody, parties that are interested, we have them straightened out – we're still nailing down who paid what for which lot and all that.

Mayor: Only two you have interest in so far, is that correct?

Mr. Linville: Right.

Mayor: And you've got multiple parties interested in one and only one in the other or something like that?

Mr. Linville: Correct.

Mayor: And ya'll are working out a reasonable way for everybody so everyone will be happy at the end, when it's all finished? Right?

Mr. Linville: Hope. Councilman Warner had asked for an update on our Stormwater application. I don't have much of one. We made application for waiver back in October or November and at that time the state had said, "We will let you know something in the spring." And I doubt that they meet that date – looking more for summer or might take a year from time of application. Folks that

made their regular application a year ago still haven't heard whether or not they passed so they're just that backlogged. As of right now, til we hear something, we are in good shape – we're legal and we're eligible for that waiver.

Mr. Warner: I think our citizens became concerned when they read the article about Clemmons and they're talking about fees for certain things, and such.

Mr. Linville: A stormwater utility is what you make it – it can be a very expensive venture or it can be a fairly limited venture. I think if we have to make application, ours will be sort of limited.

Mr. Warner: Am I right? In any development, I'm talking about business, property, residential, whatever, that now most of that is included the stormwater control – and appropriate is already in there. Is it a matter of fully contained, or to channel it to discharge, like an enclosed pipe or something to where when they turn it loose, then somebody else has to take responsibility.....They have to be fully responsible??.....

Mr. Linville:No. No.....The intent for these rules Is for all the rain water to be treated on site. And our shopping center down here is a prime example for that. There's a retention pond behind the strip center there and it has held so far – there hasn't been any trouble – so it's there to catch all the water, let it soak in and not turn any water off on anyone else. That's the whole intent of all these rules is to not channel your water off of every paved surface to collect all that oil and dump it into a stream.

Mr. Warner: Okay. Let me be specific. In my case, I live close by, and my neighbor's here and we have a good flow in – it flows into a stream and then goes into West Belews Creek. Now, is the town eventually – are we going to have to do something about the control of that sediment, or what?

Mr. Linville: That's a different case because it's been there so long. The stormwater rules mainly address new construction. And then if you have leaking septic tanks, then you would look at which house was contributing and helping them resolve that so that you aren't dumping those biologicals into the stream directly.

- PUBLIC SESSION
 - PLEASE LIMIT COMMENTS TO 3-MINUTES OR LESS.

Public Session was opened.

- 1) Fred Martin
2733 Martin Street
Walkertown NC 27051

"I sort of got some suggestions for Toby and Lynn. I believe if you'd buy a calendar and put it on your desk and put some notes on it, these errors wouldn't happen. If you'd stay there and look at it."

Mr. Linville: Problem is, I've had so many papers on it, I can't see it!
Every time I dig it out, it's too late!

Mr. Martin Continued:

Well, you need to turn your calendar over every day and look at it. And, as far as this stormwater at the new shopping center, I've had the environmental people out. All the

water is not going into that pond. A lot of it is coming over on me – the mud! It is. So your pond is not the answer for everything! Thank you.

Public Session was closed.

• ANNOUNCEMENTS:

- Recycling in Walkertown continues every two weeks.
02-07, 02-21

- TOWN COUNCIL MEETINGS: (4TH THURSDAYS)
7:00 p.m. at the Library Auditorium on:
01-27-05 04-28-05 07-28-05 10-27-05
02-24-05 05-26-05 08-25-05 11-17-05
03-24-05 06-23-05 09-22-05 12-15-05

- PLANNING BOARD MEETINGS: (1ST TUESDAY)
01-31-05 4:00 p.m. Town Hall – Pre-Meeting Session
02-01-05 3:00 p.m. Library (Actual Meeting)

- LAND USE COMMITTEE: (1ST AND 3RD THURSDAYS)
02-03-05 7:00 p.m. Library
02-17-05 7:00 p.m. Library

- SCHOOL COMMITTEE:
None scheduled

N.C.G.S. 143-318.11(A) (6)

MOTION: TO MOVE THAT COUNCIL GO INTO CLOSED SESSION @ 8:17 P.M. PURSUANT TO N.C.G.S. 143-318.11(A) (6) “TO CONSIDER THE QUALIFICATIONS, COMPETENCE, PERFORMANCE, CHARACTER, FITNESS, CONDITIONS OF APPOINTMENT, OR CONDITIONS OF INITIAL EMPLOYMENT OF AN INDIVIDUAL PUBLIC OFFICER OR EMPLOYEE OR PROSPECTIVE PUBLIC OFFICER OR EMPLOYEE;...”

BY: HORACE WARNER
SECOND: SARAH WELCH
VOTE: Unanimous
(Welch, Warner, Larrimore)

Mr. Warner: Toby, in this, and, of course, I guess I’m taking leave here, if you don’t mind, let’s excuse you and then we can be more free to talk. You will be able to hear the recording so that way--- And everyone’s been told this is totally confidential. So, anything that is recorded here can only be shared with this group here.

Steve will take minutes.

PRESENT FOR PUBLIC SESSION:

Mayor Doc Davis
Attorney Steve Garland
Councilmembers:
Sarah Welch
Horace Warner
Wallace Larrimore

MOTION: **TO SEAL THESE MINUTES FOR NON-PUBLIC VIEWING**
BY:
SECOND:
VOTE:

MOTION: **TO ADJOURN CLOSED SESSION AND RETURN TO**
REGULAR SESSION
BY:
SECOND:
VOTE:

14. **ADJOURNMENT**

MOTION: **TO ADJOURN THE MEETING**
BY:
SECOND:
VOTE: **MOTION PASSED UNANIMOUSLY**

ATTEST:

TOWN OF WALKERTOWN:

By: _____
Lynn McKinnie
Town Clerk

By: _____
Kenneth R. Davis
Mayor