


Town of Walkertown, North Carolina
 Website: to  n.com
 Walkertown Meeting
 Walkertown Forum
 THURSDAY 7:00 p.m. NOVEMBER 23, 2004

MINUTES

PROCEDURAL ITEMSCALL TO ORDER @ 7:00 p.m.

Mayor Doc Davis

• DETERMINATION OF QUORUM

Clerk Lynn McKinnie

Present were: Mayor Davis, Councilmembers Duggins, Larrimore, Warner, Welch, Staff members Linville, McKinnie and attorney Bo Houff.

• INVOCATION

Mayor Doc Davis

• PLEDGE OF ALLEGIANCE

Councilwoman Dot Duggins

APPROVALS:AGENDA APPROVAL

The agenda was approved with the following changes:

- 1) Add discussion of showing recognition and appreciation to the various groups in town on their anniversary date by proclamation; and
- 2) Establish new committees.

MOTION:**TO APPROVE AGENDA WITH TWO ADDITIONS**

- 1) ADD DISCUSSION OF SHOWING RECOGNITION AND APPRECIATION TO THE VARIOUS GROUPS IN TOWN ON THEIR ANNIVERSARY DATE BY PROCLAMATION; AND**
- 2) ESTABLISH NEW COMMITTEES.**

BY:**DOT DUGGINS****SECOND:****SARAH WELCH****VOTE:****MOTION PASSED UNANIMOUSLY**APPROVAL OF MINUTESTown Council Special Meeting - November 12, 2004Town Council Regular Meeting - November 18, 2004

Both sets of minutes were approved with a minor change to November 18th – Page 5, change *Rule* and Advisory Committee to *Review* and Advisory.

MOTION:**TO APPROVE MINUTES OF NOVEMBER 12TH AND NOVEMBER 18TH WITH THE CORRECTION ABOVE****BY:****HORACE WARNER****SECOND:****DOT DUGGINS****VOTE:****MOTION PASSED UNANIMOUSLY**PUBLIC SESSION

PLEASE LIMIT COMMENTS TO 3-MINUTES OR LESS

Public Session was opened at 7:12 p.m. with one speaker:

1) Arlyn Wilson

4701 New Walkertown Road

Ms. Wilson spoke on being a member of a Forsyth County Aging group. They have received a \$25,000 grant. They are using this grant to implement an aging resource “network” phone. This would let an aged person or caretaker to make one phone call for connections to whatever help this person would need, rather than making several phone calls to different agencies.

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

AGENDA ITEMS

1. **PUBLIC HEARING #1 – WA-005-D – EXHIBIT #1**

Final Development Plan of Glenwood Development Company

For General Merchandise Store; Restaurant with drive through service on HB-S property; located at southeast corner of Old Hollow Road and Hwy 158.

ORDINANCE TO BE DONE UPON APPROVAL

DISCUSSION:

David Reed from City-County Planning Board Staff said this was a Final Development Plan, which is the second phase of a two-phase rezoning and the site plan met all the requirements of the ordinances. He said the Planning Board had asked that they design one additional sidewalk and some more parking to this site, which they've gone ahead and made that addition to the site plan. With that one request, they met all the requirements of the code and of the Planning Board and therefore, the Planning Board **recommends approval**, with that condition of the additional site plan showing the new sidewalks.

Public Hearing was opened at 7:12 p.m. with Patrick Hennigan speaking for the approval, and then closed at 7:14 p.m.

(1) Patrick Hennigan

Mooreville NC

"I couldn't say it any better than David said it."

Mr. Warner mentioned that there was some concern about the condensing of that quite a bit covered on that particular property but there was also some consideration at the Planning Board meeting about the traffic flow around the building, particularly the drive-in. Hopefully, in the future, we could give some relief to that concern.

MOTION:

TO RECOMMEND APPROVAL WA-005-D – EXHIBIT #1

FINAL DEVELOPMENT PLAN OF GLENWOOD DEVELOPMENT COMPANY FOR GENERAL MERCHANDISE STORE; RESTAURANT WITH DRIVE THROUGH SERVICE ON HB-S PROPERTY; LOCATED AT SOUTHEAST CORNER OF OLD HOLLOW ROAD AND HWY 158.

BY:

DOT DUGGINS

SECOND:

HORACE WARNER

VOTE:

MOTION PASSED UNANIMOUSLY

2. **PUBLIC HEARING #2 – WA-018 – EXHIBIT #2**

Zoning map amendment of William M. and Virginia G. Grubbs from HB-S to HB-S (Too many uses to list); property located southwest corner of NC-66 and Morris Street.

ORDINANCE TO BE DONE UPON APPROVAL

DISCUSSION:

David Reed said that this was a rezoning from HB-S to an HB-S with reduced uses. A number of intense uses were eliminated from this site. It was already HB-S and the new uses asked for are fine for this area. The site plan had a couple of unusual items on it. He said that originally bushes (streetyard) were planted in, and encroach upon, the public right-of-way and also a sign was placed in right-of-way, for which DOT has stated that an encroachment agreement will not be given. At the Planning Board meeting it was decided that those items should be taken care of your zoning enforcement staff and by NC-DOT. And if NC-DOT did not want that sign in the right-of-way, then they would have to move it out of the right-of-way. And if either NC-DOT did not want the buffer yard in their right-of-way or it could not meet the letter of the zoning ordinance to be allowed in the zoning ordinance to be allowed in the right-of-way, then they have room to relocate their buffer yard on their own property. The Planning Board recommends to you that you just let that enforcement people work that out and if it's fine for those items to be in the right-of-way, then it's fine with the Planning Board. So with those site plan considerations – the **zoning** changes, which takes away some of the more intense uses and adds some other ones, the Planning Board recommends **approval**.

Mr. Warner asked about the requirement of sidewalks on any new commercial development and the negative access easement. He asked, "Has the staff given consideration of the possibility of conditioning that on a given thing, such as the widening of Old Hollow Road and also the moving of the sign? I think the property owner is somewhat agreeable to doing what's needed, but at the time it's needed, rather than upfront?"

Mr. Reed: Actually, I did fail to mention that the Walkertown Planning Board recommended that we **not** put the condition for the sidewalk in. That would be taken out. They decided **not to include the sidewalk**.

Public Hearing was opened at 7:17 p.m. with one speaker:

1) Bill Grubbs

“Since he’s recommended the zoning, I won’t go into that. I’ll accept that. But on the sign and the streetyard; now, first of all, I want to make it perfectly clear. I am not asking you to exempt me but I am asking you to delay that until the highway is widened – moving that sign and that streetyard. Now, I’ve got a reason for that. This very Board that’s asked me to move it told me to put it right where it is. So it probably would be counterproductive any way you go if you do something. That highway – I don’t know when it’s going to come through – it could be one year, five years, ten years. I go spend money and do that again, who’s to say that I’m not going to have to move it again? So, I hope you’ll consider that when you do your consideration of whatever you want to do. Now, if I leave that zoning like it is, if I say, okay, I’ll just drop it. I ain’t got to move it! So why should I have to move it just to add offices? Nothing is changed on that building – nothing – not one brick!! Nothing is going to change. All I’m asking is to let me put an office in that building. Nothing is to be changed. Now, I’m asking you to zone that offices but I’m also giving up something in return – some undesirable uses. So I hope that you’ll consider all these facts when you decide. But I do not want to move that sign and I do not want to move that streetyard ---- simply because that building is 2 ½ feet from the right-of-way. If I move that sign back, if any of you have ever seen that sign, you couldn’t see it! In other words, we had an awful discussion about when they made me put that building right there. It was the worst possible place I could’ve put it. Now, I’m about done doing stupid things. I don’t want to do that no more! I want to do it right. I’m not arguing about it. Whenever you say, put street sidewalks, whatever, I won’t argue about it. I’ll be the first to do it!When you make everybody do it! But if I move my sign and that streetyard, I’d be the only guy that’s got an existing building between Highway 158 and Stanleyville that had to do it. I think that’s just asking me to do something that’s unnecessary. It could also cause me to lose my tenant that I’ve got proposed for that building! I’ve put him off a long time; if I have to get into that, that’s going to be a lot more time. And if I lose him, I don’t even want the zoning! So that’s just where it stands. I appreciate your time.”

Ms. Duggins: Now, I understand that it will not be at your expense, am I right?

Mr. Grubbs: Oh, yeah! It will be at my expense!

Mr. Reed: Once the DOT decides they want it removed from their right-of –way, then he would have to remove it.

Ms. Duggins: Oh! DOT would tell you that. I thought DOT would be paying!

Mr. Grubbs: I hope ya’ll have a chance to look at the site plan and the zoning draft plan which would tell you the uses of what was and what it will be and be happy to entertain any other questions you have. But I definitely do not want to spend more time moving that. Because I can’t do it myself, I got to hire somebody to do it and this guy is ready to move and I got to do something to get on.

Mayor: Bill, you do understand that if DOT requires it, we don’t have any control over that, regardless of what this Board votes tonight, right?

Mr. Grubbs: Well, the point I was trying make is if I leave it like it is, I ain’t got to move it so I ain’t done nothing to the building.....

Mayor:My point, though, is that if DOT comes in the next week and says you got to move it, we wouldn’t have any control over that. I just want to make sure you understood that.....

Mr. Grubbs:Well, I ain’t got no problems with them telling me that if they’ll tell everybody else on the highway down through there to do that.....

Mayor:Well, I can’t promise..... I just wanted to make sure you understood, we don’t control DOT.

Mr. Grubbs:Well, I understand that. Yeah.

Ms. Duggins: And you understand that we can vote to approve this, and we can’t do anything about that. That’s something between you and DOT and it’s not anything we can do anything about. We can approve it but it is still going to be between you and DOT.

Mr. Larrimore: But he said he didn’t want to do this but one time!

Ms. Duggins: I know. But.....

Mr. Grubbs: Well, how can they ask me to do that.....I mean, I’m asking you.....How can they ask me to move my sign and everybody else on the highway don’t have to? And a lot of them are closer to mine.

Mr. Reed: Well, my understanding is that they issue a new driveway permit when there’s a change of use and when there’s a change of use, then they can ask for new things.

Mr. Grubbs: Well, the driveway is not being changed. It ain’t even on the highway!

Mr. Reed: Right. But it’s the change of use of property. I think what your Planning Board has done is basically set it up to your advantage as best as possible. They’re saying, *leave it alone unless DOT says you have to take it out.*

Mr. Grubbs: Okay. That’s cool. What about the streetyard?

Mr. Reed: The streetyard was put the same way. If it can be arranged that DOT allows you to have that in there as a streetyard easement and that meets the zoning requirements in your zoning ordinance, then that’s fine to leave it where it is. So the Planning Board just sort of said, *let it run its course. You change your zoning and see if they come after you about the sign or the streetyard, and want it out of their right-of way. There’s nothing that the town can do for you.* They set it up as the town’s not asking you to move those things and hopes that DOT doesn’t ask you to either.

Public Hearing was closed at 7:23 p.m.

MOTION: TO APPROVE WA-018 – EXHIBIT #2 AS RECOMMENDED BY THE PLANNING BOARD – THE ZONING MAP AMENDMENT OF WILLIAM M. AND VIRGINIA G. GRUBBS FROM HB-S TO HB-S (TOO MANY USES TO LIST); PROPERTY LOCATED SOUTHWEST CORNER OF NC-66 AND MORRIS STREET.

1) SIDEWALKS NOT REQUIRED UNTIL DECIDED BY COUNCIL

2) SIGN NOT TO BE REMOVED UNLESS REQUIRED BY DOT

3) STREETYARD NOT TO BE REMOVED UNLESS REQUIRED BY DOT

IF DOT REQUIRES REMOVAL OF EITHER, THAT'S BETWEEN GRUBBS AND DOT

BY: WALLACE LARRIMORE
SECOND: DOT DUGGINS
VOTE: MOTION PASSED UNANIMOUSLY

Mr. Houff: As recommended by the Planning Board? Primarily about the issue of the sidewalk..... Planning Board's different from the Staff. They had to _____ requirement of the sidewalk and the Planning Board recommended not to require that.... Okay.

Mr. Warner: Now, to understand what we're doing here, we're approving the Planning Board's recommendation that we rezone – but not requiring him to do the sidewalks or the sign until DOT ---- the sidewalks we can control. DOT has to control the other, is that right?

Ms. Welch: Right.

Lynn: Doc, let me repeat.... The sidewalks are **not** required?

Mayor: It's my understanding, Ms. McKinnie, that the motion is as outlined here, we're not requiring the sidewalks to be installed and we're not requiring the sign to be moved, or the streetyard be moved, unless DOT intervenes. And if DOT intervenes, it's between him and DOT and not this council. Is that what ya'll understand as a council?

Ms. Welch: It's what I understand.

Mr. Warner: Right.

Mr. Larrimore: That's true.

Ms. Duggins: Yes.

3. **PUBLIC HEARING #3 – WA-017 – EXHIBIT #3**

Zoning map amendment of Kevin T. and Paula M. Anderson from RS-20 to HB; property located on west side of Old Hollow Road southeast of Hwy-158 and north of Old 66 Circle.

ORDINANCE TO BE DONE UPON APPROVAL

DISCUSSION:

David Reed spoke: "This is a zoning request that went before your Planning Board to rezone to HB-General, General Use zoning, without the site plan, that would allow the entire array of HB uses. This is the small piece of property that is sandwiched in with a lot of commercial zoning, Special Use and also some R and 18-S. Your location map is not completely up to date, there is actually more business zoning on both sides of Old Hollow Road, adjacent to this site and across the street. This piece at one time had a contract to make this a driveway in the R and 18-S and then when the other property was developed commercial next to it, that wasn't necessary anymore and that contract was dropped and this piece was left sitting. It's not a residentially located piece of land anymore. It's in a location that has very intense uses around it. The Staff recommended to the Planning Board that this would be incremental zoning, where it's one piece of zoning, not part of a larger plan, not with a consolidated driveway system. It would have to have another commercial driveway punched out of the highway next to the commercial driveway going into the larger development. It's also premature because of the plan that you're working on now when you determine how far you want business to go down this road, how you want it done. Those decisions haven't been made yet but now when General Use Commercial pieces come in, it's hard to approve one, saying no to the next one. So you sort of set up this domino potential by not doing your planning first and then approving zonings. It's a tough case because it's physically situated right next to this intense development that was approved. So the Staff recommended to the Planning Board that this was **premature** or perhaps it would be better that a **less intense** zoning be asked for – another non-residential zoning, such as neighborhood office, so the property could be used for non-residential use but not go to potential heavy commercial use as allowed in HB. So for that reason, **the Staff would recommend DENIAL** and the **Planning Board** had their public hearing on it in September, I guess, and they had **voted** four to one **DENIAL** and for what I understand is basically the same reason – that it might set a precedent. It's General Use – don't know exactly what's going to go there. Don't know how the driveway's going to work and to wait for a comp plan and start approving zonings based on the plan.

Ms. Duggins: Am I correct in the thought that you're stating the driveway is a big problem here ---

where it will go in to that property and with no site plan, I'm a firm believer in having a site plan so we know what's going there and how it's going to be developed, rather than okay a piece of property with no site plan and unless we do a two-phase zoning. Now, is this a two-phase zoning?

Mr. Reed: No. This would just be General Use so if it were approved, he could do any HB use on the list. There would be a site plan looked at by the Inspections Office, but just to meet the minimum requirements of the ordinance building setbacks, parking, but it wouldn't be reviewed by this Board or the Planning Board.

Ms. Duggins: We've done this before but we haven't done it many times. But we knew what was going in there. We also knew that the building would remain the same, the front of it – would still look like a residence. We don't know that with this, right?

Mr. Reed: Right. The General Use zoning – you cannot put any conditions on it so it's anything goes. HB, if it's approved, you just understand that it would be an HB use.

Public Hearing was opened at 7:32 p.m.

- (1) John Wolfe, Attorney
Kevin and Paula Anderson

"I practice law in Kernersville. The Andersons live at this property at the present time with their four year old. It was purchased in 1992 and, as you have already heard, tremendous changes have happened here. And they are almost surrounded by what is now commercial, high-density residential, retail and so forth. Glenwood originally came in some four years ago and got an option on this piece of property. They needed the access. This is access to the property. The Andersons felt that this is what Walkertown wanted; they entered into that option with Glenwood; Glenwood went forth; Glenwood even applied for the Andersons for annexation to you all. You all annexed them! Then, in the course of rezoning, some other access was obtained. Glenwood dropped the Andersons and you can imagine how they felt about it. Mr. Hennigan, of Glenwood, stated in meeting, "Well, I'm not sure how they felt. I've not spoken to them. I'm sure they're disappointed but that's the way the ball bounces." Now, is that the way to treat someone? You can imagine how they have felt, having put their lives on hold for the last three or four years in this case. But I'm not here out of sympathy; I'm here because I believe, that as a matter of fact, this property ought to be zoned as business if Walkertown is to follow what it intended in permitting the development of retail, office, high-density residential district in this particular area. You, then I understand in the development planning stages, and I have to assume that rezoning, that you all have done, and you've heard from Staff what you've done all around this area, that that plays in heavily into the development of that plan that you're working on. The Legacy Plan recommends commercial development occur in a planned pattern, integrating retail, office, and high-density residential – I think this fits into that. It makes good sense to do what ya'll have done to avoid further commercial strips cropping up in town so I think that that planning has been very wise. The question is where do you draw the boundary line? I suggest to you that the boundary line is appropriate with this property. It is at the Old 66 Circle Road. It also coincides with that property that you have rezoned across the street. The southern line of that property coincides, as closely as I can tell at least from the tax maps, with the southern line of this property. To me, it's logical that that's the place where it would end. I understand what David has said regarding, you know, you may invite others to come in but I don't think that's the case in this particular instance. I don't think that you invite sprawl; I don't think that you invite others to come forth that you can't say no to, when you have drawn a definite boundary line and it has reason to it. And I think that this boundary line would have reason to it because where it's situated. As to the questions of rezoning, the General Use rezoning being used rather than Special Use, I'll be honest with you, because of where this property is now, the size of the property --- there's no way for these people to adequately go out and then come forth with a site plan and then come back into you for Special Use zoning. It needs to be marketed as General Use and I suggest to you because of the small size of it – it's only 285-feet in the front, by 182 by 185 by 119 – it's almost kind of a circular pie – it's a small piece. Because of that, it's only logical and practical and possible that certain things would go on this property as a use whether or not the actual residence were still used or whether something else were built on it. The uses that I think you might not want on General Use zoning in that particular area simply just would not go on such a small piece of property. And I think it would be highly impractical, if not impossible, to do a Special Use zoning. I think the petition fits your development pattern. It affords the Andersons the opportunity to market their property. I understand in regard to the driveway, the question that was asked on the driveway, what I think, certainly NC-DOT is going to enter into that. It certainly appears to me that no one is going to want to live in this home and I don't know how anyone could ask someone to live in this home – whether it be the Andersons or anyone else. In the current situation with the high density, commercial, residential that is being put in there. The Planning Staff does a great job for you and I think that they set out the facts --- you've got to decide the density of Walkertown and I suggest to you that you have in part. This area is going to be developed in the means that you have set forth there and I am saying to you that you have annexed this piece of property. It's on the southern border of that which coincides with across the street that you have rezoned. It's next to all of this other and logically, development that's begun should include this property. And it simply is not fair to leave them hanging out there with a residential piece. I'll be glad to answer any questions."

Ms. Duggins: I'd like to make a statement to Mr. Wolfe. My problem with this is --- I have no problem with the idea that this piece of property is no doubt going to be business. No doubt. With it being encircled by behind and across the street. It is going to become business. I do have a problem, though, with it with no site plan. If we agreed to allow this to go into effect tonight, this is the last opportunity we have to say what goes there and how it's placed there and such as that. When I said the two-phase, if it were two-phase, then the second phase would come back to us, we would still have a say in that. As it stands now, what you're asking, we only have one chance with this and I would have to tell you that I am going to have to say I would deny it, under these circumstances. I really understand what these people want but I personally think this is not quite the right way to go about it. I think it needs to either do the two-phase or to do, coupled with other people who have property in the area, that you won't have to -- that you can come forward with a site plan or tell us what, in a little more detail, you want to put there.

Mayor: It seems like this is a tough situation when you are surrounded all around. I hear it in your voice that you feel - but at the same time, I hear your feeling that we need more control over what was going to go there. Is there anyone else wishing to speak?

Public Hearing was closed at 7:41 p.m.

Mr. Larrimore: It's hard to, unless they just arbitrarily draw something in without having..... They got drawn into this. If we wanted to just draw something up, or do it in two phases, we can turn down the second phase. I would go as far as giving them a chance to come up with a plan.

Ms. Duggins: I'm going to recommend a denial and you understand why. But I want you to go back and do some more work on it and come back to us.

Mr. Reed: If the council denies it, then the same request couldn't be resubmitted for a year, I mean, two years and a different request couldn't be resubmitted for one year. Another option, you may want to discuss with them, if they're agreeable, is to remand the case back to the Planning Board to be readvertised as two-phase zoning but that would require them to have the expense of having the first phase site plan drawn up, which doesn't have any detail in it but it's still done by a professional -- shows boundaries, establishes the access points. But I just wanted to make sure everybody understood that this means a delay as well.

Ms. Duggins: That's much better. You understand what he's proposing?

Mr. Wolfe: Yes, ma'am.

Mayor: What's some possible uses do you think that could be developed into?

Mr. Houff: Mayor! You can't ask that question with General Use zoning. What you have to do is you have to consider all possible uses. I'll be happy to take you through all the possible uses that are in HB, let you know what those are. You cannot ask him to, or he cannot agree to, restricted uses as General Use.

Mayor: I think that's where this council seems to be hung on -- General Use zoning, so we'll move forward.

Ms. Duggins: If you would withdraw..... and come back to us at a later date with a new proposal.....

Mr. Anderson: No! Just let it go.....let it go.....

Mayor: Let's take a brief recess. I call a recess.

Recess at 7:45 p.m.

Back from recess at 7:50 p.m.

Mr. Houff: Your action would either be to approve, deny, or in this case, consider remanding it back to the Planning Board for further consideration and possibly allowing them to amend their petition.

Ms. Duggins: I will make that motion that we remand it back to the Planning Board.....

MOTION: TO REMAND THIS PETITION BACK TO THE PLANNING BOARD
BY: DOT DUGGINS
SECOND: WALLACE LARRIMORE
VOTE: UNANIMOUSLY APPROVED

Mr. Warner: I'd just like to make a statement. I appreciate very much the Planning Board's hearing of this at their Public Hearing and their recommendation. While I know that we've opened up another situation here and we've avoided delay, I want the Planning Board to know that we appreciate the consideration they've given and the decisions they make. And I know they'll make the right one here. I don't think they're in the business, nor are we in the business, to make every individual hold -- I wish we could but it just doesn't happen anyway. Thank you.

4. PUBLIC HEARING #4 – WA-UDO-03 – EXHIBIT #4

Zoning Text Amendment proposed by the Walkertown Planning Staff to amend Chapter C “Environmental Ordinance” of the Unified Development Ordinance regarding Stream Buffers and Riparian Areas.

ORDINANCE TO BE DONE UPON APPROVAL

DISCUSSION:

David Reed spoke on this item. He said, “This is as close to a correction as we get to but any time any amendment is made to the zoning ordinance, it requires a public hearing process just like rezoning a piece of land. This is basically a text amendment – an amendment to your zoning ordinance. You passed the change to Section 40.7, Stream Buffers and what was presented to you was the section that pertained to Lewisville. And, of course, that was the actual papers that got adopted. This is to rectify that mistake by going through this process again – amending the ordinance to make sure that these state law requirements are correctly identified as Walkertown. So this text amendment is going through correcting a typographical error and it’s necessary to be in compliance with state law.”

Public Hearing was opened and closed at 7:49 p.m. with no speakers.

MOTION: TO APPROVE AMENDING CHAPTER C “ENVIRONMENTAL ORDINANCE” OF THE UNIFIED DEVELOPMENT ORDINANCE REGARDING STREAM BUFFERS AND RIPARIAN AREAS.

BY: HORACE WARNER

SECOND: SARAH WELCH

VOTE: MOTION PASSED UNANIMOUSLY

5. PUBLIC HEARING #5 – UDO-125 – EXHIBIT #5

Zoning Text Amendment related to Utility Service Area Screening Standards, changing height of utility service structure from 3 feet to 5 feet.

DISCUSSION:

David Reed spoke: “This has gone through the City and County and was requested by Bell South to amend a requirement for screening of their utility boxes. The requirement is that right now, you have to put either landscaping or a fence around anything that’s more than 3-feet high and their state of the art boxes are 4-foot, 10-inches high. Their policy is to put them in discreet locations when they have to use them but because of the expense of doing the screening, and they contend that there is a possibility that that would actually draw more attention to them when they put the fences and bushes around them. The recommendation of Staff and Planning Board is that this is reasonable to allow this change of the requirements and as technology changes, their boxes will probably get smaller. If they get any smaller there’s no reason to make them that big and so it is recommended to go ahead and make this change.”

Public Hearing was opened and closed at 7:59 p.m. with no speakers.

MOTION: TO APPROVE ZONING TEXT AMENDMENT RELATED TO UTILITY SERVICE AREA SCREENING STANDARDS, CHANGING HEIGHT OF UTILITY SERVICE STRUCTURE FROM 3 FEET TO 5 FEET.

BY: WALLACE LARRIMORE

SECOND: HORACE WARNER

VOTE: MOTION PASSED UNANIMOUSLY

6. PRESENTATION OF 2003-04 AUDIT - EXHIBIT #6 (AUDIT BOOK)

Gibson & Company

.....Mr. Harold Gibson

.....Mr. Monty Pendry

DISCUSSION:

Mr. Harold Gibson, of Gibson & Company auditing firm, spoke on the recently completed audit of the Town of Walkertown. Some highlights included:

- Sixth year Gibson has served as Walkertown auditors;
- Big thing this year is GASB-34 which completely changes the way the town has to report financial statements;
- Three basic changes involve *governmental, or town-wide financial reporting*, introduces the concept of *capitalizing fixed assets and their structure and the depreciation of those*; and it also introduces a new document – *the MD & A, which is the Manager’s Discussion and Analysis*;
- Page 1 – says we have audited the books for the current year and we have found everything to be okay; in Paragraph 3, it says, “*In our opinion ... these financial statements.... present fairly ... the financial position of the Town of Walkertown for the current year... in conformity with accounting principles....*” This is what we call a “clean opinion” – “unqualified” opinion. It’s the best opinion we can give; it says everything is okay.
- Page 3 – Management’s Discussion and Analysis – this is new this year for the first time; required by GASB-34. It is not written by us, your auditors; it’s written by you and your management. It is to point out certain financial highlights and economic factors that occurred during the year.

The mayor asked about the great decrease – is it due to Toby’s calculations and not the auditor’s work? Mr. Gibson said, “Well, no. The \$4.2-million decrease is primarily because of the fact that you completed the sewer system this year and deeded it away to CCUC.”

Mayor Davis said, “Last year it would’ve been an asset to us and this year we deeded it away to where it belongs to someone else?” to which Mr. Gibson said “Yes.”

Mr. Warner: “Since we mentioned the sewer system, does your audit include full analysis of the sewer cost and the billing of that process or is that beyond your scope?”

Mr. Gibson: “We did include those numbers and we looked at those. CCUC maintains the records but those numbers are summarized and included in this report (page 8).”

Mr. Gibson proceeded to explain the various numbers in the audit, which are actually self-explanatory.

On Page 43 - The Compliance Section consists of seven reports and schedules and is required if a municipal has \$500,000 or more of federal/state expenditures and you did have about \$2-million this year, considering grants and everything. When this situation occurs, we, your auditors, look at the compliance with those grants and regulations and also the internal accounting control. You didn’t have any problems, which is a good thing!

All in all the Town of Walkertown is in good shape financially.”

Mayor: “My question is to Toby: I wasn’t aware that you did this, but you set the value on our assets, as far as our streets and our parks and the things that the town owns, is that correct?”

Mr. Linville: “Well, between their old notes and tax values.”

Mayor: “So we used the tax values? No wonder our vehicles are not worth anything, then! We didn’t have but \$2100 worth of vehicles – so that’s where it came from then!”

MOTION: TO APPROVE FISCAL YEAR 2003-04 AUDIT FOR TOWN OF WALKERTOWN
BY: WALLACE LARRIMORE
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

7. CONTINUATION OF TOWN (WELL) PROPERTY ISSUES – EXHIBIT #7

- Article 12 – Sale and Disposition of Property
- Forsyth County Dept. of Public Health Letter of 12/02/04

DISCUSSION:

There are about five methods of disposing of the well property. Mr. Linville said that since we have some folks interested in these lots, we can use 160A-269 – negotiated offer. That allows an upset bid, if someone else is interested that may not be contacted. So you can agree upon a price, advertise it, and then if someone upsets it you go back to the drawing board. But that’s the fairest way to negotiate a price and sell it.

Mayor asked if manager was recommending option #2 over #3? (#2-advertise for sealed bids; #3-negotiated offer, advertise offer, and upset bid).

Attorney Bo Houff said, “The inclination is to revisit, means you negotiate with one party – that’s not necessarily the case. You can negotiate with any number of them and have them present a bid with whatever amount they may want to present and then, as part of the negotiation.....”

Mayor said there are only one or two families that expressed an interest in specific properties and Mr. Houff said that you are covered ultimately by the upset bid process, if someone thinks that price is too low, the town’s not getting an appropriate consideration, they can step forward and say, ‘I’ll buy it myself, then, if it’s going to be sold at that low a price.’

Mr. Larrimore said that local people have donated the land.

Ms. Duggins: You recommend, Toby, that a sealed bid...?

Mr. Linville: No. Number 269 – Negotiated Offer, Advertisement and Upset Bids.

Mayor: 160A-269 – This would involve a negotiated offer; an advertisement and then 10 days for upset bid.

Mr. Linville: Make the offer; you advertise that it’s going to be sold at a set price and then, there are no upset bids, the sale is complete.

Mr. Houff: A new upset bid, then you re-advertise at the new price. And that could continue indefinitely as long as people are willing to increase it by at least **5%** and **make their cash deposit**, it can go forever. The 5% is set in stone – it cannot be raised. The purpose of that 5% is, in part, to cover the second advertisement that’s going to follow up and also to serve as a possible recovery in the event that that bidder fails to follow through on their bid. But now you’ve got that money held as a deposit, it covers the re-advertising. If they fail to honor the bid, you have to go back and re-advertise the previous bid again, and now you’ve got money to use as damages.

Mr. Warner: Then, how does the well situation enter into that?

Mr. Linville: The next letter that Mr. Warner is speaking about, from Minor Barnette from the Health Department and he looked at all four wells and gave you some options of what you need to do with those. It’s pretty much up to you. You can leave them alone --- There’s a little bit of work that needs to be done to completely cap them off but you can cap a few

things off to keep animals out of them up to removing the pump and properly condemn them at your cost. It's up to you.

Mayor: But our Option 1, we can sell it as far as they're concerned, as it is as far as the Department of Public Health is concerned, is that correct?

Mr. Houff: In your contract, you would indicate there is a well on the property – not on the deed. When it's sold, the town's liability would be gone. Any liabilities prior to the sale would be the town's responsibility.

Mr. Linville: The only concern I've heard about the wells is from John Tingen and he's afraid that the old pumps that have a certain type of oil in them – if it's leaked out into the water can produce – pcb – or something like that.

Mr. Wallace: The pump has always been down in the water.

Mayor: I feel like we have a fair opinion issued by the Department of Public Health and we have our options here. We should be able to look at this letter and choose one of these options.

Mr. Houff: This is just your option of what you can do with them. I think any contract, which you'll negotiate that contract, but one of the terms that you're likely to have in that contract is going to be there's not going to be any warranty or representation as to the condition of that well. You want to make sure that any potential purchaser understands that they are not being sold as working wells.

Mayor: With that in mind, Bo or Steve will have proper documentation when we get ready to sell these wells. Does this council want to go forward and authorize selling --- Fulp property, the one at Shirley Street, Aubrey Stoltz is interested in, and Dillon? By the way, tell us about the tank at the Dillon well, Toby.

Mr. Linville: They are still pursuing it. They're going to get it. They're waiting on drawings now – waiting on their engineers to design how they're going to erect it once they get it, so, as far as we know they're taking that thing.

Mr. Warner: If we should sell that particular well, then, can we handle that and go forward?

Mayor: We probably need to let them clear the tank.....

Mr. Warner: I think there's a party interested in that property. I think there's two people together.....

Mayor:There's no date set on removal of the tank, is it?

Ms. Duggins: I think we need to go ahead and start the process.

Mayor: We know we got two that's eligible to be handled now – the Fulp property and the Shirley Street well. Are there any others that are interested at this time?

Mr. Linville: No interest in Friendly Road.

Mayor: How does the council want to handle this.....just the two that we know we've got interest in or do we authorize Toby to work with any and all of them, based on the guidelines of 160A-269?

Mr. Warner: Go ahead and work them all at the same time because people may come out that we're not aware of.

Mr. Larrimore: I think we ought to go ahead.

Mr. Linville: If we have one that there's absolutely no interest on, then we'll either do sealed bids or a public auction. Okay. In that then, you're not interested in doing any condemning of the wells – sell them as is?

MOTION: **TO SEEK BUYERS FOR THE WELL SITES BASED ON THE GUIDELINES OF OPTION #1 FROM LETTER LEAVE WELL AS IS. INSTALL A SOLID CAP ON EACH DISCONNECTED WATER LINE TO PREVENT ANYTHING FROM ENTERING THE WELL THROUGH AN OPEN PIPE. RESULTING STATUS: WELL APPROVED FOR USE OR POTENTIAL USE AND USE 160A-269 VERBAGE TO SELL NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BIDS. AND SELLING AS-IS, NOT INTERESTED IN REMOVING OR SPENDING ANY TOWN MONEY ON THE WELLS AND OUR LEGAL COUNSEL WILL DRAW UP NECESSARY PAPERWORK**

BY: **DOT DUGGINS**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**

8. **NO CONSIDERATION INFORMATION – EXHIBIT #8**

.....As provided by Atty Steve Garland

DISCUSSION:

Mr. Warner: This is one that has been brought forth and I think I was the one that made the suggestion to consider it or add it to our rules. It once was in our rules, back in the early days. I had told Attorney Garland the last time that I did not agree with this verbage, such as *Unanimous consent for first approval*. The point is this, I want us to make a clean-cut opportunity of No Consideration. For example, if anyone was absent, then this would protect their interest in their absence. On the other hand, I think it has to be used responsibly and I said this at the outset. We cannot include in any motion that requirement that would emphasize our desire, but the main thing is to have a situation here where, at any time, and I hope it would be used responsibly, that anyone started something that in the absence of one of the five of us, that someone else could say 'No Consideration' before any vote was entertained. And at that point, put it off until the next meeting. The second thing in that is that you don't use it just as a perpetual thing to continue on. You cannot use it a second time. I want to make this

clear: my intent was that you don't use it a second time unless there's new information brought into the picture because all you're doing is setting it off for thirty days. Then that way, whatever person might be absent or want further consideration – it gives everybody equal opportunity to that. That was my whole purpose. And I recall, I think we approved a motion of No Consideration and then we put it over to the counsel for verbiage for that. And it's my opinion, that we have No Consideration in effect today but not for the detail to it and I would like us to pursue it and get that done. We're just going back to some earlier date and putting back something that was moved out in February, 1995, I think.

Mayor: What is your final recommendation that --- you don't want this verbiage, is that what you're saying?

Mr. Warner: I would like to eliminate the first proposal.

Mayor: What you're looking at is the second proposal?

Mr. Warner: Well, no. Just eliminate the first proposal. It says that you can't call No Consideration except on the first proposal – I want it so you can do it on any proposal and put the emphasis on responsibility goes back to the person. As long as we have No Consideration opportunity, then, we may want to go forward one way or the other but then send this back to Steve, or Mr. Houff, and get the wording there and finalize it. I think the intent is understood.

Mr. Linville: I don't understand how that's different than the second one! It says, 'For no consideration upon first proposal'

Mr. Warner: Let's say that I brought a proposal to this council today and we table it. Then that would be the second time that I come back. Then I couldn't use 'No Consideration' that time or none of my colleagues here could either. They may want to ... and if they were sick and absent at that time, then they could always do 'No Consideration' when they return.

Mr. Linville: Then it would be the first proposal for them.

Mr. Warner: Well, why have the first proposal in there at all?

Mr. Linville: I'm just saying – it's in the second one too. You wanted to strike the first one because....."

Mr. Warner:See, what he did there, he took Rule 9 and put (a) and then put (b) and (c).....

Mayor:Toby, I think you are misunderstanding like I did. He's not talking about the two on the page; he's talking about the first time it's *brought* ---

Lynn:like something's *brought up*.....

Mayor: He's not talking about these two on this page. Let's go forward. What do we want to do with this Item 8?

Mr. Warner: Well, I'd like to propose and I make a motion that We put No Consideration into our rules, without any limit on first proposal; that is, to be used responsibly by any colleague or councilmember at any time. That way it protects anyone against their absence or illness or whatever cause.

Mr. Larrimore: Well, what's the difference in just voting something down?

Mr. Warner: For example, if it's a two to two situation, and one of the group happens to be absent, that other member could also --- and it has to be done before any vote is entertained --- could say 'No Consideration'. That protects the interest of that party that's not here.

Mayor: So, you're saying '*without restrictions*' is what you want to see....without restrictions, is that correct?

Mr. Warner: As long as we're responsible people, I don't think we need restrictions.

Ms. Duggins: Well-I-I-I-I-I now, Horace ----- let's wait a minute!! With responsible – yes! That's a whole.....you're opening a can of worms here!

Mr. Warner: As counselor says over here, you cannot legislate that into anything!!!

Ms. Duggins: If you don't put it into verbiage, you can say responsible actions all day long and maybe your responsible actions may not be my responsible actions!

Mr. Warner: Why don't we use the same wording that was in there prior to rescinding it in February, 1995? That would be satisfactory. I don't have that before me.

Mayor: Well, if we had a copy of it, but I don't have a copy. I think we need to see what you're talking about.

Mr. Warner: I just want a clean-cut privilege of motion of 'No Consideration' that anyone could entertain at any given time without limited to a first proposal.

Ms. Duggins: More than one time?

Mr. Warner: Oh....you don't do it more than one time unless there's additional information introduced into it. Then, you could come forth a second time. All you're doing is setting something aside for thirty days to give a person time to get well back to the table, or whatever. In my opinion, that's all I'm asking for. I don't see anything..... I guess I built a fear in everybody's mind but I don't see anything wrong with it.

Mr. Larrimore: It says here.....*unless a member announces prior to a vote for approval or disapproval*..... If you don't do that, you can go ahead and carry on business like we always do – have each member on it, up or down.

Mr. Warner: All (e) says it points out you waive your right to 'No Consideration' if you don't speak forward before vote is processed.

Ms. Duggins: I still think we ought to go back to our Rules of Procedures – the entire Rules of Procedures – and sit down, as a council, and go over all those Rules of Procedures and re-work any or all of those that we feel necessary instead of doing one then one.

Mayor: I feel like if we're going to consider this, we need to have written what we're going to consider.

Mr. Warner: Well, I'll just make a motion this that we'll put in there a provision of No Consideration on the introduction of an item of any councilmember prior to a vote for one time only and the second time only for additional

information is provided to it. Would that be a motion for you?

Ms. Welch: In other words, it's too much verbiage in there?....

Mr. Warner:That way, as of tonight, we can wash our hands of this and go back. Now, as far as revising the other, I agree with everyone that they just need to be updated. Let's go ahead and put this in tonight and then we can revise it as we revise the rest of them.

Ms. Duggins: You want to put it in and then turn around and, say next week, sit down and work on it to revise it again?

Mr. Warner: We did this two months ago and we've done nothing since. Right? It was two months ago that we put this in there and nothing's been happening since. In fact, I called it to Mr. Garland's attention last meeting and then he came back, and I don't know, this is the same verbiage we had before.

Ms. Duggins: I don't think it's hurt us either way – having it in or having it out. I don't see that it's a high priority to do it, hurry up tonight, instead of – we need to think about it.

Mr. Warner: I don't think it requires much thought, does it? It just protects your interest if you're not here.

Mr. Houff: I'd be loathe, personally, to draft the additional language that you want to put in there for fear – you can always change things – for fear of possible abuse of that. I think I kind of understand what you're wanting to do here and I'm not confident in my ability to draft appropriate language for you to consider here tonight that would be sure to protect the council by someone, not to suggest someone here, not suggesting in the future there might be anyone, but counsel's job is always to advise you of risks that you could run, where you could have something in there and someone could say.....I could sit here and say, 'You know what? I'm going to add a little bit of additional information here.' Now, there's some more information, I'm going to do a 'No Consideration'. Next time it comes back, guess what, I got a little bit more additional information I'd like to put in and now I'm going to 'No Consideration' it again. Then the next month it comes back and I can always come up with something that I'm going ---- then you're going to have a fight over whether that's additional information or not. And I think we can probably get where you want to be; I'm just concerned that I can prepare the language that would do that the way you want it to have done and it protect everybody as we sit here tonight.

Mr. Warner: Let me suggest this, and I'll speak with the counsel after this meeting, and anyone can join us there; then we'll table this to the next meeting. Back to the question, let's review all the procedures. We said we were going to do that – we haven't done that either. Maybe we can also move that forward at the next meeting. In the meantime, I would like to have the Rules of Procedures prior to February, 1995, be produced if possible. And then we can see what was in there at that time. I was not present at that meeting.

Mayor: If everyone is in agreement, let's put this off until we have something, what we're going to consider, in writing. I think we need to understand what we're looking at.

Mr. Warner: Now. As a matter of history, I think the City of Winston-Salem is the only one that has the No Consideration proposal in their rule. I don't know whether any municipality does. Used responsibly, it's a good procedure to have.

Mr. Linville: I'm pretty sure these are the City of Winston-Salem's rules.

MOTION: TO TABLE THE 'NO CONSIDERATION' TOPIC UNTIL THE JANUARY MEETING
BY: HORACE WARNER
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

9. FINANCIAL STATEMENTS – EXHIBIT #9
 NOVEMBER, 2004

DISCUSSION:

The mayor explained that the audit took care of most of the finances so a motion was made:

MOTION: TO APPROVE FINANCIAL STATEMENTS FOR NOVEMBER, 2004
BY: WALLACE LARRIMORE
SECOND: DOT DUGGINS
VOTE: MOTION PASSED UNANIMOUSLY

10. TAX REFUND – RESOLUTION 04-040 – EXHIBIT #10
 Vehicle Double-Charge in amount of \$8.52

MOTION: TO APPROVE TAX REFUND IN THE AMOUNT OF \$8.52 TO LARRY LAWSON
BY: WALLACE LARRIMORE
SECOND: HORACE WARNER
VOTE: MOTION PASSED UNANIMOUSLY

11. SET DATE FOR PUBLIC HEARING FOR ANNEXATION #9
EXHIBIT #11
RESOLUTION #04-041

DISCUSSION:

- Mr. Linville: We were supposed to have heard this tonight but I forgot to advertise it so we get to set a Public Hearing again.
- Mr. Warner: I asked counsel if there's any way, since these people should come in, since the Public Hearing has not been held, but maybe exempt them from that June/December restriction. These people wanted to come into Walkertown. It isn't their fault we didn't take them in.
- Mr. Houff: I think what you asked is whether we could make the annexation effective as of this month, even we passed to next month?
- Mr. Larrimore: Is there anyway we could get them in before our January meeting?
- Mr. Linville: We can make it effective any time, from the time we have our meeting, forward. In January of '05, we can't make it effective for December of 04!
- Mayor: Were you aiming at the two times a year, Horace, that we annex, December and June?
- Mr. Warner: Yes. We passed a motion to that effect.
- Mayor: What I'm hearing is that we can change that if we so desire, is that correct?
- Mr. Linville: Were it effective December 31st, we're still going to have to pay them back taxes for six months, fire tax. They're going to pay that twice. The only way to get out of the tax reimbursement is to make it effective in June so there were some times that messes with the tax department.
- Mr. Houff: This wouldn't do that. It would be an issue of a refund and you would just have to determine whether that's something that you are comfortable with under these circumstances. This one was submitted prior to the time that you established that policy about June and December so you've got a little bit of some lag there. That would make some potential logical sense – it wouldn't look like you were just being arbitrary about agreeing to do it for these. You're saying these are amongst the last ones who submitted their petitions for annexation prior to you establishing that policy of only doing it effective June or December. So I think you would be within your rights to do that, if you were so inclined. Now it just comes down to whether council is willing to deal with that fire tax refund issue.
- Mr. Linville: We can make it effective January 31st.

MOTION: **TO APPROVE SETTING DATE OF JANUARY 25, 2005 FOR PUBLIC HEARING FOR ANNEXATION #9**
RESOLUTION #04-041

BY: **HORACE WARNER**
SECOND: **DOT DUGGINS**
VOTE: **MOTION PASSED UNANIMOUSLY**

12. FESTIVAL UPDATE – EXHIBIT #12

- Bank Statement showing balance of \$450.82
 - o No bill rec'd for stage rental
- Set date for Festival-2005?

DISCUSSION:

Mayor: Ms. McKinnie is ready to close this out. She has asked whether we want to set a date for next year's festival if you so desire to have one? A lot of people complained about the heat so I don't know if August is a good time to have it or not. I know we looked at trying to stay close to our anniversary date of August but we did have a lot of complaints about the heat.

Ms. Duggins: Why not let the committee make a recommendation for the date?

Ms. Welch: That's a good idea.

Mayor: Let Ms. McKinnie contact the committee and get their recommendation.

MOTION: **TO HAVE THE DAY IN THE PARK COMMITTEE RECOMMEND FESTIVAL DATE FOR 2005**

BY: **DOT DUGGINS**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**

13. OTHER BUSINESS

- Recognition on Volunteer Organizations

Mr. Warner said to let the organizations know how much they mean to Walkertown and express our

appreciation, honor them. He said the civic organizations needed to be honored for their volunteerism, but over the years the town has not gotten around to it. We need to get information, such as their anniversary and at least get a Proclamation – have a week of their honor.

(ie, Fire Department – October, 1953)

The Mayor asked if Mr. Warner was going to ask Ms. McKinnie to get the dates so the council can decide how to honor them? Mr. Warner said if anyone has any information on any organizations to give the information to Lynn.

Mayor asked if the council was okay with letting Ms. McKinnie get the dates and give those back to council – set a calendar for all the dates.

· Set up Committees

Mr. Warner wanted to say that committees are a good way to get people to help the town in many different ways – get input from citizens. Council will have final responsibility and there should be no way to try to avoid that responsibility.

Mayor asked the council to list any areas that they could see that we need a committee of citizens' input and we'll discuss at the January meeting. This will be put on the agenda on the January meeting.

· Manager's Update

Mr. Linville had nothing to update.

· Mr. Warner said that we've asked for various things at various times but we've never gotten around to coming back and putting it all down. But he will be more responsible in the future to follow up on the things that he mentions and that way they won't just float on out in the air. We don't want to leave something for somebody else.

· Planning Board Meeting Dates for 2005 – Exhibit #13

Information Only - No voting on this resolution – Planning Board approves their own calendar

PUBLIC SESSION

· PLEASE LIMIT COMMENTS TO 3-MINUTES OR LESS.

Public Session was opened at 9:00 p.m.

There was one speaker:

1) Peggy Leight

Could the 2003-04 audit be put on the website and a copy be on file for review?

(NOTE: A COPY IS ON FILE FOR REVIEW IN THE TOWN CLERK'S OFFICE .)

(NOTE: ACCORDING TO MONTY AT GIBSON & CO., THEY ARE NOT CAPABLE OF PUTTING THE AUDIT ELECTRONICALLY. PART OF AUDIT IS IN WORD, PART IN EXCEL, PART IS DOWNLOADED, AND IT CANNOT BE IN BOOK FORM.LYNN 12/29/04)

Public Session was closed at 9:02 p.m.

Mr. Warner: Can I ask Peggy a question? Will the Planning Board bring forth to the council a final appointment of member – you've got a replacement there – the term expires December 31st and you've brought forth...but will you have permanent recommendation for us to address, and also any alternates?

Ms. Leight: We have no alternates. There's been no applications.

Lynn: And I brought some blank applications so if anybody knows anyone that's interested, please take one! We do have Robert Butler.

Mr. Warner: Then we have that one that you moved over from an alternate. Did that ever come to us for a final?

Ms. Leight: You approved to have him replace the remainder of Sleepy's term – December 31st, 2004.

Mr. Warner: So, at the next meeting, we need to go forward on that, as far as permanent, don't we?

Mr. Linville: You all recommended extending his term.

Ms. Leight: The *Planning Board* recommended that he go for the three years but it's never been officially brought before the council.

Mr. Warner: And that would be appropriate with the original charter, would it not?At that one year, and then the next replacement would be a 3-year cycle.

Mr. Larrimore: Were you satisfied with him (Chuck Trivette)?

Ms. Leight: Yes.

Mr. Warner: Would it be appropriate to put that on the agenda for the next meeting?

Mr. Linville: It would be appropriate for you to make a motion right now if you want to beat the deadline because he's going to be expired before you can hear it.

Mr. Warner: I realize that so it's going to have to be another time, I don't know. What's the pleasure of the group?

Mayor: Well, he would be expired and would not be serving after December 31st so if you want to keep him active, we would need to do it tonight.
 Mr. Warner: I would go on the recommendation of the Planning Board.
 Ms. Leight: Yes. The Planning Board recommended that he had his term extended for a 3-year period. Only the first appointments were a 1-year cycle, then it goes on a 3-year basis.

MOTION: **TO APPROVE CHUCK TRIVETTE AS A 3-YEAR MEMBER OF THE PLANNING BOARD, EFFECTIVE JANUARY 1ST, 2005, AS PER RECOMMENDATION OF THE PLANNING BOARD**
BY: **HORACE WARNER**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**

ANNOUNCEMENTS:

- Recycling in Walkertown continues every two weeks.
01-10, 01-24
- 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)

01-03-05	4:00 p.m.	Town Hall – Pre-Meeting Session
01-04-05	3:00 p.m.	Library (Actual Meeting)
- LAND USE COMMITTEE: (1ST AND 3RD THURSDAYS)

01-06-05	7:00 p.m.	Library
01-20-05	7:00 p.m.	Library
- SCHOOL COMMITTEE:
None scheduled

TOWN HALL WILL BE CLOSED:

- o **DECEMBER:** Friday, the 24th – Closing at 11:00
 Monday, the 27th
 Tuesday, the 28th
 Friday, the 31st

14. ADJOURNMENT

MOTION: **TO ADJOURN MEETING @ 9:10 P.M.**
BY: **WALLACE LARRIMORE**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**

Town Hall will close at 11:00 a.m. on Friday, December 24th and will remain closed on Monday, December 27th and Tuesday, December 28th for the Christmas Holidays.

Town Hall will close on Friday, December 31st for the New Year's Holiday.

IN EMERGENCY, PLEASE CALL 595-4212 AND LEAVE MESSAGE.
PHONE MESSAGES WILL BE CHECKED DAILY....

Happy Holidays !!!



ATTEST:

TOWN OF WALKERTOWN:

By: _____
Lynn McKinnie
Town Clerk

By: _____
Kenneth R. Davis
Mayor