



Town of Walkertown, North Carolina

Website: townofwalkertown.com

Walkertown Town Council Meeting

Walkertown Library Auditorium

THURSDAY 7:00 P.M. MAY 25, 2006

MINUTES

The Town Council meeting was called to order by Mayor Doc Davis at 7:00 p.m. Present were Mayor Davis, Wayne Hester, Brenda Mabe, Ralph Landreth, Sarah Welch, Attorney Steve Garland, and Town Clerk Lynn McKinnie. Mayor Davis welcomed the new Town Manager, Ron Bell.

2. MOTION FOR CONSIDERATION OF AGENDA

Mr. Hester asked to change Item #7 for Closed Session to after Item #13 – making it Item #13a.

The amended agenda was unanimously approved as presented on a motion by Brenda Mabe and seconded by Ralph Landreth.

3. MOTION FOR CONSIDERATION OF COUNCIL MEETING MINUTES

- April 27, 2006 – Regular Meeting Minutes
- May 6, 2006 - Retreat Minutes
- May 15, 2006 – Closed Session Minutes

The minutes were unanimously approved on a motion by Brenda Mabe and seconded by Wayne Hester.

4. PUBLIC SESSION

THIS SESSION IS FOR NON-AGENDA ITEMS ONLY AND IS LIMITED TO 3 MINUTES PER SPEAKER WHEN SPEAKING TO ANY ITEM, PLEASE RESTRICT YOUR REMARKS TO THE SUBJECT AT HAND.

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

1. Steve O'Ferrell
4783 New Walkertown Rd.
First item I'd like to speak about – I was a member of the Land Use Committee and with the pending dump that we're going to have and all the Sowers' projects and all this going on, I think we really need to go slow and see how everything develops a little bit...until we jump into a lot of things. This was kind of thrown at us – we didn't consider this when we were in our committee. Another thing I'd like to speak about is the newspaper article in the Kernersville paper about ya'll going on your retreat. I thought it was very inappropriate. I heard ya'll carpooled. I think it was very biased comment that was made in there. Previous administrations have gone on retreat before and I just thought it was inappropriate. If ya'll are going to get criticized like that next time --- make it worth your while --- go to Hawaii or something!!!! The last thing I'd like to say is I'd like for you to pray for my father-in-law. He was rushed to the hospital this morning and he's got internal bleeding. I can't stay for the

meeting – I would love to see what ya'll are going to do for Horace but I'm sure I'll hear about it. Thank you.

2. Crystal Redding

4781 Beacon Park Lane

I am a resident of Walkertown for about 14 years. I'm the Director of Case Management at Forsyth Medical Center in Medical Park Hospital in Winston-Salem. On May 15th, Forsyth Medical Center announced plans to build a 50-bed acute care community hospital in Kernersville. It's going to be located down by the new 40 and 66. If the state gives us permission to build this hospital, there's going to be 46 acute care beds and 4 intensive care beds, along with in-patient, out-patient surgery, some diagnostic cardiac services, and a new place very close to home where residents of Walkertown can get emergency treatment. There are plans to be an emergency room with 14 beds available. As a resident of Walkertown, I am very excited about this. This is going to give access to healthcare much more easily for my personal family than it has been in the past. Walkertown Family Practice has been here in Walkertown for quite a while and I know that they give very good service and that they have become a vital part of our community. Walkertown Family Practice is part of the Forsyth Medical Center family. If the state allows us to build this hospital, I think it's going to be good for our community. Why I'm here is because we need your support. The state takes into consideration the communities and the people that live in those communities when they grant permission for such things as hospitals to be built. One of the factors that are considered in the approval process is actually not only support from the local community leaders, but also from the community residents. Forsyth Medical Center would like to ask the Walkertown Council members, as well as the community, for your support in our effort to seek permission to build this hospital. I have with me, some letters of support if anyone would be interested in helping us achieve this goal. We have many - please feel free to sign one; if you own a business, take several with you. We would really greatly appreciate that. I also have bookmarks that have a nice picture of what we intend the hospital to look like and it lists what services are going to be available to us. You can also go online at www.mykernersvillehospital.com - there's a letter on there that you can submit to the state saying that you support us. If there's any group in Walkertown, or if the council would like more information about the hospital, somebody can come and talk to you at your church group or any civic group that you have in mind or the council. Or you can call 718-0046 and that telephone line can give you information. Thank you very much.

3. Marilyn Martin

2733 Martin St.

I'm really just speaking tonight because Wes wanted me to. I wanted to share a few things from an article that I cut out of the paper "*At a Crossroads, Planning for Growth*" It was in a few months ago and I thought it might be of interest considering how we're growing here in Walkertown. "..... *Planning for growth is a way to save rural areas and*

we're now at a crossroads. We either put restrictions on how land is used and this is understandably not a popular idea. Yet it affects us beyond our property lines....." I think basically that's what we on the Comprehensive Land Use have tried to do – to give a plan that will help decide --- it may not all be perfect, but it's a good plan to put in place to help Walkertown grow in the surrounding areas. ".....Developers take the money and run. The taxpaying public pays the cost thereafter and rural land, once it is badly developed, is lost forever. You can't go back and rezone it. It's done. A 2004 study by Rand Corporation rated the Triad area as the second most sprawled area in the country, behind only Riverside, San Bernardino, California. This should be sufficient warning for all that live here that something has to change!....." I thought, you know, that's pretty bad – we're running right in there with California and here we are in Walkertown. ".....Developers and road builders have had their way for too long. And the public has been slow in challenging them – even when there's been an organized protest against unwise development....." And we saw this happen here when we had a petition by citizens against a development that was ignored, even though it had been denied by County Commissioners and our own Planning Board. ".....Too often, those whose neighborhoods are threatened get little support outside their own neighborhood. New roads and shopping centers spread like ringworm...." And we can certainly see this happening in Walkertown with what we have in place here. ".....Suburbanization destroys communities and isolates people. Neighbors aren't neighbors – they're just irritating traffic..." And I guess we've all felt that, too. ".....What can we do to preserve our quality of life? We can take an interest in what's going on in our town. When new roads and new developments are proposed, we should ask ourselves, What will this do to the community and to the health of the land, air, and water?....." And those are things that we have addressed in the Comprehensive Land Use. ".....What will it look like in 20 years? Who gets the profits and who will pay the cost? If we develop wisely, we should have areas for business, living space, agriculture, recreation, woodlands green belts, and unspoiled scenery and wildlife. We are laying the groundwork for our future generations. Let us help them to have happier, healthy lives."..... Thank you.

Public Session was closed at 7:15 p.m.

5. **PUBLIC HEARING**

WA-027 – Zoning Map Amendment – KA Walkertown Partners

From RS-20 To: HB-S

Restaurant with Drive-Thru and Food or Drug Store

(We have received written request to continue this item to another meeting)

Mr. Jay DeVaney spoke to this issue. He said, "I am an attorney from Greensboro. I represent Kelly/Austin Properties and we have been pursuing this for several weeks now and decided to ask to withdraw the matter because we believe it needs more study. We met week before last with the Department of Transportation and we're still scratching our heads about what to do about that.

They seem fairly inflexible. Mr. Hester was kind enough to attend that meeting with us and I know that traffic issues are a big concern for you. So we think we need to regroup, redeploy engineers and see what to do with this property. And so we have notified Ms. McKinnie that we'd like to withdraw this matter for now and determine what to do later. Any questions?"

The council had no questions for Mr. DeVaney.

MOTION: **TO HONOR THE REQUEST OF KA WALKERTOWN PARTNERS TO WITHDRAW THEIR PETITION FOR ZONING MAP AMENDMENT WA-027**
BY: **WAYNE HESTER**
SECOND: **BRENDA MABE**
VOTE: **MOTION PASSED UNANIMOUSLY**

PUBLIC HEARING WAS NOT HELD DUE TO WITHDRAWAL.

6. **PUBLIC HEARING**

 Presentation of the Draft Walkertown Area Land Use Plan for approval
 Ms. Judy Hunt

Mr. Paul Norby spoke first:

I wanted to say good evening to the mayor and council and congratulations to Mr. Bell. I wanted to mention very briefly that this Plan has a lot of history behind it. As you know, the Board of County Commissioners in 2001, before they turned over jurisdiction to the Town of Walkertown, they asked us as their County Planning Staff to work through a process of preparing a plan for the greater Walkertown area that included both the town as well as the County jurisdiction that surrounds the town and as you know, it's been a --- I don't think anyone can accuse any of us of having rushed through a plan in this process! But I want to thank the council for its support of the process in helping us get the Land Use Committee appointed and put together and I really want to thank the Land Use Committee for all the many, many hours of work that they put in working with the Staff, City-County Planning Staff, in putting together this plan, and also the Planning Board for their time in looking at that together. And, as I mentioned, this is - although this covers everything within the town's jurisdiction, it also covers a pretty large area of county jurisdiction around that – so upon your action on this plan, we would then take this to the Board of County Commissioners for them to have their own Public Hearing because they would need to adopt it for their portion of the jurisdiction that's in the County zoning jurisdiction. Again, we thank you for your leadership in helping to get this plan into being and I will turn it over to Judy Hunt.

Ms. Hunt then spoke:

Marylin, I know she wished she could be here tonight. She had planned a vacation months ago – so we had to let her go! You heard the presentation by Marylin at the March 23rd meeting so I do not want to do the presentation over for you again. And we've made the changes as you know, as recommended to the text, particularly on the Crews property, for the Town Square, that is now a

general language stating that a location should be determined for that. And I think that was the biggest issue we had coming forward. So unless you have any questions of me, I think we can move forward.

There were no questions for either City-County Planning member.

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

MOTION: **TO ADOPT THE COMPREHENSIVE LAND USE PLAN**
WITH THE MOST CURRENT REVISIONS
BY: **BRENDA MABE**
SECOND: **RALPH LANDRETH**
VOTE: **MOTION PASSED UNANIMOUSLY**

7. **DISCUSSION AND/OR ACTION**
 MOTION TO GO INTO CLOSED SESSION 143-318.11 (A) (5)
 Gant Gift of Town Hall to Town of Walkertown
THIS ITEM WAS MOVED TO ITEM #13A.....

8. **FOR DISCUSSION AND/OR ACTION**
 UPDATE – Waste Management Recycling Contract
 UPDATE – Waste Industries Trash Contract

• **TRASH COLLECTION**

Manager Bell handed out a sheet and said after speaking with Waste Industries, this is the offer that they are agreement with and which is being proposed to the council. The contract ends in June so we should act on it tonight if we can. Waste Industries has offered to drop the base annual increase this year, if the Town of Walkertown will agree to the fuel price surcharge. The base price for fuel to determine the amount of increase will be based on U.S. Dept. of Energy’s weekly publication. These are prices for this region when the contract is signed. That will set the baseline to be used for the fuel surcharge. The fuel surcharge will not apply until the increase in the price of fuel hits 10%. In other words, they will absorb all up and until that point at which time, if it gets to 10%, then they will ask us to start paying a 10% fuel surcharge. Meanwhile, anything over 10% and 20%, they will continue to absorb. If it gets to 20%, then they would ask us to get up to that level of the surcharge. That’s a pretty fair proposal – they’re willing to absorb that intermediate increase but when it gets to a certain point, they’d like for us to stay above it. The next item shows the 10% steps. If the base price, for instance was \$2.90 and a 10% fuel charge is added, the increased costs would probably be less than 10-cents per household per month, or about 130 per month total – can’t come up with the exact amount til we have an estimate of the gallons used but that should be pretty close to the ballpark. So based on that, it appears to me, everybody knows the price of fuel is going up and

it's a shared risk and it seems to be reasonable to me so I'd like to present that to the council.

Mayor: Do they waive the increase that they normally get on the third year?

Mr. Bell: Yes.

Mayor: I guess we need to do these separately. I assume you recommend we do this?

Mr. Bell: Yes.

Mr. Hester: We had discussed a one-year contract with them. Did they agree on that?

Mr. Bell: I apologize. We did. I discussed that with them and they said they would consider it if we really wanted them to. They're reluctant to – even pointing out that Tobaccoville recently bid theirs out and the low bid was fifteen dollars and some odd cents, which is well above ours. I feel like in reviewing the previous bid that they have given us a pretty fair deal. He said he would, however, consider that but based on what he said about Tobaccoville, we could be exposing ourselves if we bid it out. The idea was maybe we bid it out next year and make sure we get a good price. I feel comfortable that he gave me the accurate figures on Tobaccoville so given that, I'm not sure that what we talked about would be a good solution.

Mayor: In the past, I think we've done a 3-year contract. If this is a 3-year, we assume that there would not be a base increase over the next three years or not?

Mr. Bell: No. That would be this year only – that's their carrot for the fuel.

Mr. Hester: I talked to the gentleman up there, too, and he told me what some of the other towns were being charged and I think this sounds very fair to me.

MOTION: **TO ACCEPT THE TRASH CONTRACT WITH WASTE INDUSTRIES AS DESCRIBED BY MR. BELL AS SHOWN ON SHEET – NO INCREASE THIS FIRST YEAR IN THE BASE AND THERE WOULD BE A FUEL SURCHARGE BASED ON THE INCREASE FROM THE U.S. DEPT. OF ENERGY STATISTICS**

BY: **RALPH LANDRETH**

SECOND: **SARAH WELCH**

VOTE: **MOTION PASSED UNANIMOUSLY**

Before the vote, Ms. Mabe asked: What if the price of gas comes back down, would it be adjusted again?

Mr. Bell: No. Actually the base line would be the same – we were due to have an increase in the base anyway, so they're actually sort of lowering the base. It's a long term but you're looking at something cheap – the price went down.

Ms. Mabe: Three years – that's a long time.....

Mr. Hester: I think that's what he said – didn't he say that? That if it went back down, it would go back to the regular.....

Mr. Bell:Right.....If it drops down.....right....it would..... I misunderstood your question. It drops back down to no lower than the base.

Ms. Mabe:I was wondering.....I know it goes back down to the same baseline --- but it ---- fluctuating. But, rarely, does it really come down that much but if it could, and should, it would happen.

- **RECYCLING COLLECTION**

Mr. Bell: This is with Waste Management – and don't feel badly – I've been sorting through all my notes making sure I didn't get them mixed up. This contract expires on the 30th of June. They've proposed an annual increase as provided for the contract of 3.47% on the current \$2.00 per household per pickup which would increase the base to \$2.14 per household per pickup. That's within the range of the contract would allow and appears to be reasonable, based on the current cost of living increase. They gave us two options for the fuel surcharge. One, with an adjustment for every cent – every penny change in price, so you end up with two pages of charts and the other one – a 1% increase for every 20-cent increase in the price of fuel, which is easier to figure. So, both options would use the same price index reference in the Waste Industries comments. The base fuel price for both options would be \$2.70 per gallon. Based on this, the cost for several increases are shown below and as you can see, starting out at \$2.70 – we would, at \$2.70, we would hit the first 1% bump so Option 1 shows the 1% per 20-cent increase. I'm sorry, I didn't label these very well. Option 2 is the one based on the chart that has the penny increments all the way through. As you can see, Option 1 is considerably less -- for \$2.70 the Option 1 is \$2.17, and for Option 2 it's \$2.33. With Option 1, even if fuel goes up to \$3.30, the cost per household peaks at \$2.23, which is about 9-cents more per household, which is probably desirable – it seems within reason, given that they have 60-cent increase in cost of fuel. Based on this, I would recommend to the council that they consider Option 1 and approve the contract with Waste Management for recycling.

Mayor Davis: Is this contract for 3.7% increase or is it for \$2.14 a household?

Mr. Bell: It's 3.7% on top of \$2.00.....

Mayor: That's \$2.07 – way I figure it.

Mr. Bell: Yep. Well, I picked up the 3.75 and the \$2.14 from somewhere and I didn't bump them together....

Mayor:Appears to me... that should be \$2.07point 4 cents, is that about right?

Mr. Landreth: Yep.

Mr. Bell: That is.....

Mayor: Two oh seven four..... is that seven and a half percent? It's not a fixed \$2.14 – it's a three and three point seven increase, is that correct?

Mr. Bell: I'm not sure because I can't remember. I saw the two different numbers so at this point I'm not sure if it's the 3.7 that's accurate or the other..... I'm looking for the letter from.....here it is....one year.....3.7...I beg your pardon. The incorrect number is the \$2.00 ---- I misread it. The base number is \$2.06. I apologize for that. And hopefully, 3.7% will give you \$2.14.

Mayor: Yep. Two thirteen six. All right. Any questions on the recycling contract proposal? I assume you recommend this, right, Mr. Bell:

Mr. Bell: Yes.
Mr. Landreth: It sounds like it's a fair increase.

MOTION: **TO ACCEPT THE RECYCLING CONTRACT WITH WASTE MANAGEMENT WHICH WOULD INCLUDE A 3.7% INCREASE ON THE BASE AND A FUEL SURCHARGE AS OUTLINED IN OPTION #1 (1% PER 20-CENT FUEL INCREASE)**

BY: WAYNE HESTER

SECOND: SARAH WELCH

VOTE: MOTION PASSED UNANIMOUSLY

9. **FOR DISCUSSION AND/OR ACTION**

- Street Committee Update

Ms. Mabe said: With a town manager on board, they, along with Ralph Landreth would soon meet and look at our streets and investigate and see what our streets look like and we're going to make a list of priority streets that need to be upgraded and see if there's any other needs that need to be looked into, like a traffic flow study, and then, hopefully, we'll report back to the council.

- Housing Committee Update

Ms. Mabe said: The Housing Committee, I understand, has been kept up with by Lynn and I'm thankful she's kept it up and I'm going to work with her and continue this. This is a service to our community. We put \$2,000 – we match the gifts with the County and it helps people in this community that otherwise could not repair their homes. And we're so thankful to have this. I was on this when I first served the town and I was so thankful that we had that because we had so many people who needed it – and one was Mr. Gaither Martin – his home. He wanted repair – it was so far repairable, we tore it down and rebuilt it! So this is a wonderful program for the community to have and of course we do not make the choice who we serve. We submit all the names to the local authorities and they are the ones who make the final decisions. But this is a good program and we're fortunate to continue having this. In the future, we'll be getting back with you and giving you updates on it.

10. **FOR DISCUSSION AND/OR ACTION**
FINANCIAL STATEMENTS

- APRIL 2006

Mr. Hester said there was not really anything different from last time and he recommends acceptance of the financial statements as they are presented by the Town Clerk.

He then read off the figures of each account.

MOTION: **TO RECOMMEND APPROVAL OF THE FINANCIAL STATEMENTS AS PRESENTED**

BY: RALPH LANDRETH
SECOND: BRENDA MABE
VOTE: MOTION PASSED UNANIMOUSLY

11. **OTHER BUSINESS TO BE DISCUSSED AND/OR ACTED UPON:**

- UPDATE - Horace Warner's Memorial – June 22, 2006

Lynn said we were moving along with the plans for this. The family of Mr. Warner was told that the memorial will be June 22, 2006.

Mayor: We do plan some special honors for Councilman Warner in his memory. We have several things we'd like to do. We encourage the community to be involved and be here on the 22nd of June. We couldn't quite get it all ready for tonight so we're going to make a special effort to get his family members here. We would hope many of you will be here as well at that time for the 22nd when we will pay our tribute and honor in memory of Councilman Horace Warner.

Mayor: Before we go to the final Public Session, I wanted to go back to one segment if the council will allow me to. And since Ms. Redding was here, I think it would be appropriate if council wanted to insert this, we don't have to do it at this time. We can do it in a few minutes, but I think we should, if council feels it appropriate, make a resolution in favor of this hospital in Kernersville but I'd like to hear from council on this. We should've given time earlier and I had it laid out her to address. Is there any comment from council?

Mr. Hester: I agree with it – I was thinking when she was speaking, we should make a resolution that we are supporting the hospital in Kernersville and that we should make the resolution tonight.

Ms. Welch: I think it's great.

Ms. Mabe: I read the article but I think it's wonderful because it would not only serve Kernersville, it would serve all the people who live around this area. And to drive thirty minutes to Winston and you drive ten minutes here – and some of us with jet airplanes go a little faster to get there! But I am thankful that there is any way we can support and make sure they will come to this area, we will be glad to help.

Mayor: What's the site that's been targeted?

Ms. Redding: The site is the property located south of new 40 and 66 in Kernersville.

Mr. Hester: It's sort of close to Bishop McGuinness. I saw the drawings and it looks very nice.

MOTION: TO PASS A RESOLUTION IN SUPPORTING THE NEW HOSPITAL IN THE KERNERSVILLE AREA AT THE LOCATION WHEREVER THEY'RE GOING TO PUT IT

BY: BREBDA MABE
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

Lynn will type up a resolution and Ms. Redding said she would come by Town Hall and pick it up.

12. **PUBLIC SESSION**

THIS SESSION IS FOR ANY TOPIC AND IS LIMITED TO 3 MINUTES PER SPEAKER
WHEN SPEAKING TO ANY ITEM, PLEASE RESTRICT YOUR REMARKS TO THE SUBJECT AT HAND.

Public Session was opened and closed at 7:45 p.m. with no speakers.

13. **ANNOUNCEMENTS:**

- Recycling in Walkertown continues every two weeks.
JUNE 12TH AND 26TH

- TOWN COUNCIL MEETINGS: (4TH THURSDAYS)
7:00 p.m. at the Walkertown Library Auditorium on:
FOURTH THURSDAY
@ 7:00 P.M.

JUNE	22
JULY	27
AUGUST	24
SEPTEMBER	28
OCTOBER	26
NOVEMBER	16 – CHANGED THANKSGIVING HOLIDAY
NOVEMBER	MAY NEED TO BE CHANGED AGAIN – PER LIBRARY
DECEMBER	21– CHANGED CHRISTMAS HOLIDAY

- PLANNING BOARD MEETINGS: (1ST TUESDAY)
LIBRARY @ 3:00 P.M.
July 11th *Changed due to July 4th holiday
August 1st
September 12th *Changed due to Labor Day holiday
October 3rd
November 7th
December 5th

Mr. Hester spoke: We do have a Recreation Committee, which I was made chairman of, and we are in the process of trying to figure out a way that we can spend the money – or what good use we can put the money to that was left by Mr. Wagoner. And since we have Mr. Bell on board, we're hoping that we're going to be able to get a grant that will match the money that Mr. Waggoner Bequeathed to the town – or at least get some more money to go with it. And we are looking at several different ways that we can use the money and hopefully, it will be for the best of the town. Thank you.

Before going into closed session, the mayor called for a five minute break.

ITEM #13A

MOTION: TO GO INTO CLOSED SESSION 143-318.11(A)(5)

143-318.11. Closed sessions.

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public

interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

BY: SARAH WELCH
SECOND: WAYNE HESTER
VOTE: MOTION PASSED UNANIMOUSLY

MOTION: TO RETURN FROM CLOSED SESSION AND GO BACK INTO OPEN SESSION

BY: WAYNE HESTER
SECOND: BRENDA MABE
VOTE: MOTION PASSED UNANIMOUSLY

14. **ADJOURNMENT**

MOTION: TO ADJOURN AT 8:25 P.M.
BY: BRENDA MABE
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

INFORMATION:

NOTE: THERE WILL BE NO TRASH PICK-UP ON MEMORIAL DAY, MONDAY, MAY 29TH ---- ALL TRASH PICK UP DAYS WILL BE DELAYED BY ONE DAY. RECYCLING REMAINS THE SAME.

MISCELLANEOUS MINUTES ATTACHED:

- Planning Board Meeting Minutes –
May 2, 2006

ATTEST:

TOWN OF WALKERTOWN:

Lynn McKinnie
Town Clerk

Kenneth R. Davis
Mayor