

TOWN OF WALKERTOWN

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KENNETH R. DAVIS, Mayor

*Lynn McKinnie, Town Clerk
Scott Snow, Town Manager*



TOWN COUNCIL:

*Wayne Hester
Marilyn Martine
Sarah Welch
Randy Mendenhall*

MINUTES REGULAR MEETING OF THE TOWN OF WALKERTOWN COUNCIL NOVEMBER 20, 2008

The meeting was called to order at 7:00 p.m. by Mayor Doc Davis. In attendance was Mayor Davis and Council members Hester, Martin, Mendenhall, and Welch. Also present were McKinnie and Snow.

Invocation was said by Council Member Wayne Hester

Pledge of Allegiance was led by Council Member Marilyn Martin

The Agenda was revised to remove Item #11 for further consideration and put on the December meeting; and to add a Closed Session after the Public Session. The amended agenda was approved on a motion by Ms. Martin and seconded by Mr. Mendenhall (and Mr. Hester).

Approval of Minutes

- OCTOBER 23, 2008
- NOVEMBER 6, 2008 WORKSHOP MEETING
- NOVEMBER 6, 2008 WORKSHOP CLOSED SESSION

The following minutes were approved as grouped together on a motion by Mr. Mendenhall and seconded by Mr. Hester:

- **OCTOBER 23, 2008**
- **NOVEMBER 6, 2008 WORKSHOP MEETING**
- **NOVEMBER 6, 2008 WORKSHOP CLOSED SESSION**

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 and closed at 7:05 p.m. with no speakers.

BUSINESS

1. CONTINUED FROM OCTOBER 23, 2008 MEETING
GRANT REQUEST - WALKERTOWN WOLFPACK CHEERLEADERS
RESOLUTION

This request was discussed in length at the workshop meeting of November 6th. The Wolfpack cheerleaders have asked for money to help with expenses for their trip to compete in the National Cheerleading Competition. The Council agreed to a donation with the requirement that the team first of all be selected to compete, and then that the money be used for that purpose only. Once verification is furnished to the Town Clerk that the team has been selected, she will issue a check in the amount of \$500.00.

08-033

MOTION: TO APPROVE DONATION OF \$500 TO WALKERTOWN WOLFPACK CHEERLEADERS WITH THE STIPULATION THAT MONEY IS TO BE USED FOR EXPENSES BY THE TEAM FOR THE NATIONAL CHEERLEADING COMPETITION

BY: MARILYN MARTIN

SECOND: SARAH WELCH

VOTE: MOTION PASSED UNANIMOUSLY

2. CONTINUED FROM OCTOBER 23, 2008 MEETING
GRANT REQUEST - WALKERTOWN ELEMENTARY SCHOOL
RESOLUTION

This issue was discussed at the November 6th workshop meeting with the results being that \$5,000 will be donated to the Walkertown Elementary School to be allocated for only this specific structure. Money will be paid upon receipt of statement from the school that the covered walkway shelter has been completed and invoiced for the amount due. At that time, the Town Clerk will issue a check to the school in the amount of \$5,000.00.

08-034

MOTION: TO APPROVE DONATION OF \$5000 TO WALKERTOWN ELEMENTARY SCHOOL WITH THE STIPULATION THAT MONEY IS TO BE USED ONLY FOR COVERED WALKWAY SHELTER AT ELEMENTARY SCHOOL

BY: RANDY MENDENHALL

SECOND: MARILYN MARTIN

VOTE: MOTION PASSED UNANIMOUSLY

3. CONTINUED FROM OCTOBER 23, 2008 MEETING
ORDINANCE - TO PROHIBIT GRAFFITI.....

Mayor Davis discussed the reason behind this ordinance at the November 6th workshop meeting, stating he wasn't sure it could be enforced right away but it will be on the books for the future. Ms. Martin agreed that it would be a good ordinance to have in place and said she thought it was a good ordinance, and

even though Walkertown does not have the police department to back it up, it would be a good idea to go forward with it. Mayor Davis also said that he had attended a conference at which Kernersville Police Chief, Neal Stockton, had given a “gang” presentation that was very informative.

08-014

MOTION: TO APPROVE AND ADOPT THE ORDINANCE TO PROHIBIT GRAFFITI AND CERTAIN POSSESSION OF GRAFFITI IMPLEMENTS

BY: MARILYN MARTIN

SECOND: WAYNE HESTER

VOTE: MOTION PASSED UNANIMOUSLY

4. ORDINANCE ORIGINALLY ADOPTED OCTOBER 22, 2002 ESTABLISHING THE WALKERTOWN PLANNING BOARD REVISED BY THE WALKERTOWN PLANNING BOARD PLANNING BOARD AND UP FOR COUNCIL APPROVAL AT TODAY’S MEETING

This ordinance was the original ordinance establishing the Walkertown Planning Board back in 2002. The Planning Board has spent several meetings updating the ordinance to reflect the needs of the Board. Major changes include the meeting attendance requirements, duties of the chair and vice-chair, and alternates information.

02-004-revised

MOTION: TO APPROVE THE CHANGES TO ORDINANCE #02-004 WHICH ESTABLISHED THE ORIGINAL WALKERTOWN PLANNING BOARD CONCERNING UPDATES AND REVISIONS

BY: WAYNE HESTER

SECOND: RANDY MENDENHALL

VOTE: MOTION PASSED UNANIMOUSLY

5. RESOLUTION – TO APPOINT REGULAR PLANNING BOARD MEMBER TO THREE-YEAR TERM WHICH EXPIRES DECEMBER 31, 2011

With the expiration on December 31, 2008 of the term of one regular Planning Board member, the Council has been requested to either re-appoint the member or appoint the replacement for this member. No new applications have been received for regular or alternate membership.

MOTION: TO RE-APPOINT DON WHITAKER TO A 3-YEAR REGULAR TERM ON THE PLANNING BOARD

BY: MARILYN MARTIN

SECOND: RANDY MENDENHALL

Mr. Hester felt we should hold off on appointing Mr. Whitaker and check with him to see if he is interested in continuing to serve on the Board. He said that this item should be moved to the December meeting and if Mr. Whitaker is not interested in continuing, check with the alternates and appoint one of them. Mr. Mendenhall thought the motion should continue as moved with the additional

wording that if he is willing and able to continue, go ahead and appoint. If not, bring it back up at the next meeting.
Mayor Davis asked if the council wanted to go forward and vote on it, contingent upon Mr. Whitaker being willing to serve . . . or contact him first?
Upon further discussion,

SUBSTITUTE MOTION:

MOTION: TO CHECK WITH DON WHITAKER AND VERIFY THAT HE IS WILLING TO SERVE A 3-YEAR REGULAR TERM ON THE PLANNING BOARD AND BRING IT BACK UP AT THE DECEMBER MEETING
BY: WAYNE HESTER
SECOND: SARAH WELCH
VOTE: SUBSTITUTE MOTION PASSED UNANIMOUSLY

Mayor Davis designated Ms. Martin to check with Mr. Whitaker and see if he is willing to serve a three-year term. She said she would be glad to but that Al Slater, as upcoming chairperson of the Planning Board, would be better. Mr. Slater agreed to accept the designated position of checking with Mr. Whitaker and Ms. Martin said she would check as well.

6. RESOLUTION – TO APPOINT THREE PLANNING BOARD ALTERNATE MEMBERS TO A ONE-YEAR TERM EACH BEGINNING DECEMBER, 2008 AND ENDING DECEMBER, 2009

Mayor Davis reminded the council that included in their packet were the names of the current three alternates. Ms. Martin said it might be best to wait and see what Mr. Whitaker’s answer would be because one of the alternates may have to be chosen for regular member.

The level of participation of the current alternate members varies – from one that is regular, one that attends pretty regularly, one that is less than regular. Mayor asked that this be advertised on the website – which Lynn says it already is – and not in the newspaper – and let the Planning Board come up with some names and by December, maybe have some to choose from. Mr. Slater suggested younger people should be more involved.

MOTION: TO TABLE APPOINTING THREE ALTERNATE PLANNING BOARD MEMBERS UNTIL THE DECEMBER MEETING
BY: MARILYN MARTIN
SECOND: RANDY MENDENHALL
VOTE: MOTION PASSED UNANIMOUSLY

7. 5028 WRANGLER DRIVE
(A) CERTIFICATE OF SUFFICIENCY
(B) RESOLUTION TO SET DATE OF PUBLIC HEARING FOR ANNEXATION

The Certificate of Sufficiency tells the council that Lynn has investigated this property and is contiguous to property lines. She has checked to ensure the owners are still wanting to come into town.

The resolution to set the date of the Public Hearing is just that – to set a date to annex the property into town, which, in this case, would be December 31st, 2008.

08-035
MOTION: TO ACCEPT THE CERTIFICATE OF SUFFICIENCY AS PROVIDED BY THE TOWN CLERK
BY: SARAH WELCH
SECOND: MARILYN MARTIN
VOTE: MOTION PASSED UNANIMOUSLY

08-036
MOTION: TO SET THE DATE OF THE PUBLIC HEARING FOR ANNEXATION OF 5028 WRANGLER DRIVE FOR DECEMBER 18, 2008 WITH EFFECTIVENESS BEING DECEMBER 31, 2008
BY: SARAH WELCH
SECOND: MARILYN MARTIN
VOTE: MOTION PASSED UNANIMOUSLY

Ms. Martin stated that she wanted to be sure that anybody taken into town, like this, does not create any do-nut holes. Lynn said she is trying to “close” do-nut holes – one at a time.

8. 3799 PINE HALL ROAD (2% OF LOTS NOT ANNEXED)
RESOLUTION DIRECTING CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION

This resolution is asking Lynn to investigate 3799 Pine Hall Road to ensure that this property is contiguous to town property and that the owners who have requested being annexed are, in fact, the actual owners of the property and do, in fact, wish to be annexed into Walkertown.

This property, if applicable, will be annexed in June, 2009.

08-037
MOTION: TO APPROVE RESOLUTION DIRECTING TOWN CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION RECEIVED UNDER G.S. 160A-31 FOR 3799 PINE HALL ROAD
BY: RANDY MENDENHALL
SECOND: WAYNE HESTER
VOTE: MOTION PASSED UNANIMOUSLY

9. 1943 OLD HOLLOW ROAD

RESOLUTION DIRECTING CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION

This resolution is asking Lynn to investigate 1943 Old Hollow Road to ensure that this property is contiguous to town property and that the owners who have requested being annexed are, in fact, the actual owners of the property and do, in fact, wish to be annexed into Walkertown.

This property, if applicable, will be annexed in June, 2009.

08-038

MOTION: TO APPROVE RESOLUTION DIRECTING TOWN CLERK TO INVESTIGATE VOLUNTARY ANNEXATION PETITION RECEIVED UNDER G.S. 160A-31 FOR 1943 OLD HOLLOW ROAD

BY: RANDY MENDENHALL

SECOND: WAYNE HESTER

VOTE: MOTION PASSED UNANIMOUSLY

10. RESOLUTION – TO ESTABLISH TOWN COUNCIL MEETING DATES FOR YEAR 2009

The Clerk examined all the State and Federal holidays, and any other day which would affect our town council meetings (such as Election Day) to come up with the dates listed on this resolution.

08-039

MOTION: TO APPROVE RESOLUTION TO ESTABLISH WALKERTOWN TOWN COUNCIL REGULAR MEETING DATES FOR CALENDAR YEAR 2009

BY: WAYNE HESTER

SECOND: RANDY MENDENHALL

VOTE: MOTION PASSED UNANIMOUSLY

11. DISCUSSION OF ORDINANCE REQUIRING FENCING AROUND RETENTION PONDS

THIS ITEM HAS BEEN TABLED TO THE DECEMBER MEETING.

12. FINANCIAL STATEMENTS FOR OCTOBER, 2008

The financial statements reflect the bank balances as of the end of October. Mayor Davis said the Powell Bill money would be depleting shortly as the manager explained that the TAC approved for funding for sidewalks on Main Street from New Street to Depot Street. The funding would be \$100,000 from the TAC with the Town matching \$25,000. Our engineers, AWCK group, are ready to send out bid packets soon. Friendly Road, Morris Street, and Ruxton are fairly close to being ready for AWCK to send out bids. Contract for Darrow Road has not been signed as yet. The engineers want to finish out the other contracts first. Completion of construction for sidewalks will depend on the weather.

**MOTION: TO APPROVE FINANCIAL STATEMENTS FOR
OCTOBER, 2008**
BY: MARILYN MARTIN
SECOND: WAYNE HESTER
VOTE: MOTION PASSED UNANIMOUSLY

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 7:43 p.m. with no speakers.

MOTION: TO GO INTO CLOSED SESSION AT 7:41 P.M.
BY: MARILYN MARTIN
SECOND: RANDY MENDENHALL
VOTE: MOTION PASSED UNANIMOUSLY

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:

- (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; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

MOTION: TO RETURN TO OPEN SESSION AT 7:57 P.M.
BY: WAYNE HESTER
SECOND: MARILYN MARTIN
VOTE: MOTION PASSED UNANIMOUSLY

MOTION: TO ADJOURN MEETING AT 7:58 P.M.
BY: RANDY MENDENHALL

SECOND: WAYNE HESTER
VOTE: MOTION PASSED UNANIMOUSLY

ANNOUNCEMENTS

Recycling – every other week Monday

Town Council meetings:

Fourth Thursday @ 7:00 p.m.

DECEMBER 18 – CHANGED DUE TO CHRISTMAS HOLIDAY

Planning Board meetings:

Walkertown Library @ 3:00 on 1st Tuesday

Submitted by:

Lynn McKinnie, CMC
Town Clerk