

Town of Walkertown, North Carolina  
Website: townofwalkertown.com  
Walkertown Town Council  
Walkertown Library



THURSDAY 7:00 P.M. AUGUST 25, 2005

## MINUTES

### 1. **MEETING CALLED TO ORDER**

Mayor Davis called the meeting to order at 7:01 p.m. Present were Mayor Davis, Councilmembers Horace Warner, Sarah Welch, Dot Duggins, and Wallace Larrimore. Also present were Town Clerk Lynn and Attorney Steve Garland.

### 2. **INVOCATION and PLEDGE OF ALLEGIANCE**

Councilman Larrimore said a short prayer and Councilwoman Duggins led us in the Pledge of Allegiance.

### 3. **APPROVAL OF AGENDA**

**MOTION:** TO APPROVE THE AGENDA AS PRESENTED  
**BY:** SARAH WELCH  
**SECOND:** DOT DUGGINS  
**VOTE:** MOTION PASSED UNANIMOUSLY

### 4. **APPROVAL OF MINUTES**

- July 28, 2005

**MOTION:** TO APPROVE THE MINUTES OF JULY 28, 2005 AS PRESENTED  
**BY:** DOT DUGGINS  
**SECOND:** SARA WELCH  
**VOTE:** MOTION PASSED UNANIMOUSLY

### 5. **PUBLIC SESSION**

THIS SESSION IS FOR ANYTHING OTHER THAN PUBLIC HEARINGS

Public Session was opened at 7:03 p.m. with two speakers:

- (1) Beverly Davis  
5370 Sullivantown Road

I've been a resident of Walkertown since 1967. I enjoy the community. I enjoy the town. I come to address you about the weed ordinance - 12 inches high. Sullivantown Road - by Walkertown First Baptist Church - across the street where the school system owns that land - the weeds are higher than I am! They've bush-hogged around the old home place but the land, the weeds look horrible. It has been kept up in the past by people that rented the land - it's not been mowed. There's other places in Walkertown that needs to be addressed with this ordinance but it does look bad. And if you're going to enforce it for the people to keep their weeds mowed, I think the school system needs to keep theirs mowed too.

- (2) Marilyn Martin  
2733 Martin St.

Just a couple of things on the agenda --- Number one, I wanted to address what was coming up about the hot dog cars. I'm in favor of supporting our Little League and I think it's a good idea but I would like for the Little League to get their act together first; go to the Health Department; get their application; do what they need to do and then let Walkertown -- if that's what ya'll decide to do -- make a commitment to them to buy the car or whatever you want to do. But I'd like for them to do what they need to do first. And then, on Item #9 for the town manager. I know we need a town manager; and I know Lynn would like for us to get one real quick --- but I would rather wait and let the incoming council pick the manager because they're the ones that are going to be working with him/her - not the ones that are on the council now.

Public Session was closed at 7:07 p.m.

6. **PUBLIC HEARING #1**

Advertised 07-19-05

ORDINANCE #05-017

WA-017a - Zoning Map Amendment for Cecil O. and Carolyn D. Anderson

From RS-20

To HB-S

Aaron King from City-County Planning spoke. "This is to rezone property from RS-20 (Residential, Single Family - with a minimum lot size of 20,000 square feet) to HB-S (Highway Business, Special Use - Multiple Business Uses listed). Subject property is located on southwest side of NC-66, west of Old 66 Circle, and is approximately .82 acre in size. It is located in Legacy's Growth Management Area 4 - Future Growth Areas. To the north is HB-S property. It's currently undeveloped both on the east and west sides of NC-66. To the east of this property you see some RS-20 property also undeveloped and to the south you see some Single Family homes, zoned RS-20. The site plan submitted with this request proposes a 4,200 square foot building; it also indicates that all existing structures will be removed from the property. It proposes one entrance on to NC-66. Twenty-one parking spaces are required by ordinance, they're providing 22 and those are located south of the building, and a Type 3 Buffer yard is required along that southern property line also. This request was originally brought before the Planning Board on September 21s, 2004, and was recommended for denial. When it got to the Council in December, the Council remanded the petition back to the Planning Board in order to explore Special Use zoning and that's what they're back with today. Some points that were discussed at the August 2<sup>nd</sup> Planning Board meeting, one is there was a question of the availability of public sewer to this site - our City-County Utility Staff still has some questions and concerns whether this property can be served by public sewer. I believe it would take a sewer easement across some of the Glenwood property to tie into the sewer in the Glenwood property. Another point was the traffic impact from this request- there's a lot of high traffic generating uses that they have asked for. The Planning Board also had some concern about the number of uses that were requested with this Special Use rezoning request. The Planning Board voted 5 to 0 in favor of denial of this request. Our staff certifies that the site plan meets the UDO requirements. I was informed by the petitioner that they've submitted a list of uses that they're willing to take off from their original list. And I'll go ahead and read those to you now.

The uses they're willing to **take out** are:

1. Arts and Crafts Studio
2. Convenience store
3. Food or drug store
4. General merchandise store
5. Motorcycle dealer
6. Restaurant without drive-through service
7. Wholesale Trade A
8. General funeral home
9. Veterinary services
10. Warehousing
11. Recreation services, indoor
12. Church or religious institution
13. Community Scale
14. College or University
15. Institutional Vocational training facility
16. Museum or Art gallery
17. School, vocational or professional
18. Banking and financial services

That's a lot to list but I'll tell you, if you weren't crossing them off, that effectively leaves you with:

1. Retail store, Specialty or Miscellaneous
2. Building contractors
3. Health Services, Miscellaneous
4. Medical or dental laboratory
5. Medical and surgical offices
6. Non-store retailer
7. Offices, miscellaneous
8. Professional offices
9. Services, Business A
10. Services, Personal
11. Testing and research lab
12. Church or religious institution, neighborhood
13. Club or lodge
14. Government offices
15. School, private
16. Broadcast studio

**(SEE OFFICIAL LIST IN MOTION BELOW!!!!)**

Those are the uses it would effectively leave this request as - HB-S - those uses that I just outlined to you there.

Ms. Duggins: Let's say, we take these off and we pass this; what's to keep it in the future from going back to anything, when it's sold again? With my understanding, that doesn't bind that forever.

Mr. King: It does -- unless you change it. If you approve it with this amended list of uses, these uses are the only things that property can be used for. Any change to those uses, or zoning, or the site plan that you are approving tonight would have to come back through the Town Council and you guys would have to approve it.

Ms. Duggins: So, at another time, for instance.....

Mr. King: .....Say, five years down the road, somebody buys it, and they want to do a restaurant, they would have to come back to you guys, do a site plan amendment, and ask for that use and you guys would have to approve it.

Mr. Warner: Would any SIDA allocation be required for this?

Mr. King: No, sir.

Mayor: How many total allowable that you have on your list?

Mr. King: Looks like 16 uses, if I counted right, that would be left.

Mayor: You took off *Church or Religious Institution, Community* but then you came back and said, okay - it was still for the *Neighborhood*?

Mr. King: Correct. The difference is the *Neighborhood* scale is a little bit smaller - it's based on the amount of seating and it's a smaller church than the *Community* scale.

Mr. Warner: If I heard you correctly, none of those changes would affect two of your findings; that is, location of the transitional zone would not be affected by the change nor would the incremental commercial development leading to sprawl be changed. It would still be .....

Mr. King: ...You're reading from our Staff Report and I believe those things would still be in place. You're right - I don't think it would change those. I certainly think that this does do a pretty good job of addressing the traffic concerns of this request. Petitioner has volunteered to exclude some of the really high traffic generators - restaurant, banking and financial services - those are two of your highest traffic generators. I think that's what they were aiming to do with this list, is to really

focus on those traffic impacts and they've done a pretty good job of eliminating most of the high traffic generators with this list.

Mayor:  
in your opinion?

Do you identify any that's left that would be a problem,

Mr. King:  
about maybe would be *Retail Store, Specialty or Miscellaneous* but based on the size of that building they're offering up, I don't think it would be too cumbersome as far as traffic goes.

Mr. Warner:  
since the Planning Board acted?

Were these eliminations to our Planning Board or just

Mr. King:  
No, these were not presented to the Planning Board.

Mr. Warner:  
Would it be somewhat appropriate for us to return this to the Planning Board for further consideration with this change?

Mr. King:  
you do have. If the Council wishes, I believe, that's an option that

Public Hearing was opened at 7:17 p.m.

(1) John Wolfe  
Attorney for Cecil and Carolyn Anderson

We appeared before you last December with a General Use, Highway Business rezoning request and just to give you a little bit more background that you may have forgotten over those last several months: My original clients had purchased this property in 1992. They had a 4-year old son. When commercial started coming in, the Andersons gave Glenwood an option to purchase this property to go along with other Glenwood property. They allowed you all to annex the property and then Glenwood wound up not exercising that option. In December, I appeared before you and we felt very justified in asking at that time for rezoning of the property so it could be marketed. It's just not residential property and I hope that you would certainly see that. It couldn't be used for residential - particularly with a small child at that time - but we also heard your concerns in December about the traffic and the uncertainty of uses. And you were kind enough to let us withdraw that and remanded it back so that we could amend the petition, come back before you with a Special Use petition, which we have done. My original client's father stepped in and purchased the property so that the kids could get into a more suitable residential area for their child. We amended our petition to a Special Use; we employed the services of an engineer to draft the site plan - and that plan has received no negative marks that I know of from either the staff or NC-DOT. We narrowed the uses at that time to avoid what we thought would be potentially objectionable ones. When we appeared before the Planning Board some 3 ½ weeks ago, we heard concerns of neighbors and some of the members of the Planning Board - all directed, it seems, at the rapid growth in Walkertown and the increased traffic problems that you all have experience or will experience. We don't necessarily disagree with any of that. Although, quite candidly, it came as somewhat of a surprise to us that some of the folks that spoke out, we did not think had expressed any opposition previously when Glenwood and others had been in and you all had rezoned some tens of acres and this is a very small parcel of property. We find ourselves in a position that the property can't effectively, reasonably be used for residential. It just is not residential property, at least in our opinion! We need to be able to market the property in a reasonable fashion. We see the Legacy Plan that recommends commercial development occur in a planned pattern integrating retail, office and high-density residential. If you'll note, you have rezoned the property back to High-Density Residential. The property over on the north side - there'll be a street and that's all going to be commercial. The property all across the street you all have rezoned as Commercial. We just think that the 66-Circle is the logical place, with a road there, Old 66 Circle, is a logical place to draw the line. That it's not sprawl; that this is the place to avoid any sprawl in the future. There's no question, the folks that live on 66 Circle now have and will have in the future, problems with the traffic if they try to come out here. The rezoning of this property is not going to materially increase those problems. I daresay those folks who live down in that area are going to need to use, and probably do already, use the other end to get on to Old Hollow Road. I mean, it just makes sense - if you want to get out there within any reasonable length of time, I think they're going to have to use - if they're not already using - the other end of the property. All we're asking for is a reasonable use of the property in order to market it. And we took the additional step of cutting down even more uses since the Planning Board met and we heard those problems in regard to the traffic and we have tried to address that. We took another one out; frankly, I didn't realize that Staff felt like *Banking and Financial Services* was a high generator of traffic. We were not thinking that on this small a piece of property you could put any significant banking there. It would be just like a drive-through that was potentially there but we scratched that. We're certainly willing if there was anything left on there that could be considered as a medium to high-generator, the *Retail, Specialty, or Miscellaneous Retail Store* - if you all feel that way, we would scratch that one. But we are trying to narrow it down to where it's either an office use, something that is going to be a low generator of traffic. We feel like that's reasonable to ask of you; we feel like that's reasonable for the area. Again, we feel like this sets the tone for anything in the future. We think this is the cut-off. It is logically the cut-off with the road structure that you have there now. Again, we agree with the folks that there is and will continue to be problems with traffic; but certainly this piece will not materially add to that. It is such a small piece and the square footage of the footprint of the building that would go there would certainly not materially add to that. We'd ask that you rezone the property as petitioned with the additional change that we've submitted to Staff, which has been read into the record and which keeps those uses to low generation of uses. I appreciate your time and we would appreciate your favorable consideration.

Ms. Duggins:  
requesting to be left on there?

Would you read those again, the ones that you are

Mr. Wolfe: Certainly. The ones, and if you have any question about any of these as I go through them, I wish you would raise them. We had said the *Specialty or Miscellaneous Retail Store* because ----

Ms. Duggins: .....Now, that one I do have a problem with!

Mr. Wolfe: Okay. And if you have a problem with that, we have no problem with scratching that.

1. Retail store, Specialty or Miscellaneous
2. Building contractors
3. Health Services, Miscellaneous
4. Medical or dental laboratory
5. Medical and surgical offices
6. Non-store retailer (No traffic - like having internet in there)
7. Offices, miscellaneous
8. Professional offices
9. Services, Business A
10. Services, Personal
11. Testing and research lab
12. Church or religious institution, neighborhood (Small scale versus the Community, which we took out)
13. Club or lodge
14. Government offices
15. School, private
16. Broadcast studio

**(SEE OFFICIAL LIST IN MOTION BELOW!!!!)**

And if I could address again that the fact is by law, no other use could be made of the property unless somebody came back through the entire zoning process again because this is being done by Special Use.

Public Hearing was closed at 7:27 p.m.

Ms. Duggins: I'd like to make a motion that we approve this and here's the reason why. He just explained that it would have to come back before us to be anything else used in this spot and it is a piece of property that is definitely in a Commercial area and cannot be used as a Residential - not safely. And the biggest problem I had with it is that 66 Circle comes out there but since 66 Circle has another entrance/opening, I see no reason to cause these folks not to be able to use their property and be able to sell this property and it's sensible that it be Commercial use. So I recommend that we pass this.

Mayor: Are you recommending it with the exclusion of the Retail Store, Specialty or Miscellaneous?

Ms. Duggins: Yes. The list that Mr. Wolfe read, keeping the Retail Store, Specialty or Miscellaneous out.

Ms. Welch: Would you still deny this (asking Mr. King) under these conditions?

Mr. King: I certainly think our staff was concerned about that HB zoning coming down there. In our Staff Report, we had mentioned the NO (Neighborhood Office) District, we thought that that was more of a better fit for this location. It's for very low intensity office uses within converted single family dwellings, which you've got there, applied on the periphery of established residential areas along major and minor thoroughfares .convenient locations for offices, the size of which

require limited parking, which generate little traffic and serves as transitional land use between residential and commercial districts. It was kind of our staff's opinion we thought that was more in line with what was going on here. And I just want to clear up one thing on this list that Mr. Wolfe submitted --- one of the uses, *Building Contractors*, that he's got listed here --- let the record show, if the council approves this, that it should be ***Building Contractors, General***. There's two categories in the UDO - General and Heavy. Heavy is not even allowed in HB, but *Building Contractors, General* is and I'm assuming that was the intent there, so just let the record reflect that.

Mr. Warner: I would much prefer this be sent back to our Planning Board and also back through Staff Report and get all this finalized and then come back to us for final approval. I realize that's kind of like beating a dead horse to death but I still think that's the proper way to go.

Ms. Duggins: I believe that if the Planning Board had heard what we have heard that they would have recommended approval. They've addressed the traffic problem and that was my biggest concern, being where it is. We just approved on the other side, at 158, they addressed their traffic problem and we passed that. I see this as pretty much the same thing. They've already waited a long time. I don't see any reason to continue this.

Mr. Larrimore: We've got a first and we've got a second. We can vote. I just think it's beating a dead horse.

Mayor: We did ask petitioner to not use a broad brush, but to use a trim brush - to trim this out in December and it appears he did quite significantly.

**MOTION:** **TO APPROVE ORDINANCE #05-017**  
**WA-017A - ZONING MAP AMENDMENT FOR CECIL O.**  
**AND CAROLYN D. ANDERSON**  
**INCLUDING THE SITE PLAN**  
**FROM RS-20**  
**TO HB-S**  
**AS PER LISTING AND EXCLUDING RETAIL STORE, SPECIALTY OR**  
**MISCELLANEOUS (SEE BELOW)**

1. **BUILDING CONTRACTORS, GENERAL**
2. **HEALTH SERVICES, MISCELLANEOUS**
3. **MEDICAL OR DENTAL LABORATORY**
4. **MEDICAL AND SURGICAL OFFICES**
5. **NON-STORE RETAILER**
6. **OFFICES, MISCELLANEOUS**
7. **PROFESSIONAL OFFICES**
8. **SERVICES, BUSINESS A**
9. **SERVICES, PERSONAL**
10. **TESTING AND RESEARCH LAB**
11. **CHURCH OR RELIGIOUS INSTITUTION,**  
**NEIGHBORHOOD**
12. **CLUB OR LODGE**
13. **GOVERNMENT OFFICES**
14. **SCHOOL, PRIVATE**
15. **BROADCAST STUDIO**

**BY:** DOT DUGGINS  
**SECOND:** SARAH WELCH  
**VOTE:** MOTION PASSED 3 TO 1  
YES - DUGGINS  
YES - WELCH  
YES - LARRIMORE

## NO - WARNER

### 7. **PUBLIC HEARING #2**

Advertised 07-19-05

ORDINANCE #05-018

WA-026 - Zoning Map Amendment for Norma Vaughn and Virginia H.

Vaughn with Dennis

Gallimore

From RS-9

To PB-S

Mr. King: This is to property owned by Norma Vaughn and Virginia H. Vaughn petitioned by Dennis Gallimore to be rezoned from RS-9 (Residential-Single Family 9,000 Square Feet Lot size) to PB-S (Pedestrian Business-Special Use) to be used as *Professional Office, Offices Miscellaneous* and *Building Contractor-General*. Property is located on east side of Darrow Road, south of Old Hollow Road and is approximately .41 acre. It is located within Legacy's Growth Management Area 3 - Suburban Neighborhoods. Just to the north is Citgo Gas Station, zoned HB; some undeveloped single family lots, zoned RS-9, both to the east and to the south of the subject property. Across the road is a shopping center, zoned HB-S. Site plan submitted with this request indicates that the existing 1,532 square foot single family home will be retained and up fitted for commercial use. One entrance off Darrow Road will serve property. Six parking spaces are located behind the house, not required by ordinance and they are providing sidewalk along the road front along the frontage of Darrow Road. They do have two existing storage buildings in the rear portion of the property that will be used for hand tool storage. There's some points that I presented to the Planning Board at the August 2<sup>nd</sup> meeting, that were the reasons our Staff felt that this was a good fit. This request does provide a good transition to the existing single family homes further south on Darrow Road and does provide a positive model for the future development along the east side of Darrow Road. The retention of the existing structure will remain in keeping with the surrounding single family homes that are currently out there. And the applicant's request does not include some of the more intense uses usually found in your commercial districts. Again, that's good as far as traffic generation goes. The use they requested is fairly low in terms of traffic generation. At the Planning Board meeting, no one spoke against this request. This petitioner did speak in favor of it. The Planning Board did vote 5 to 0 in favor of approval for this request. I would like to point out one thing brought up at the Planning Board, when the petitioner brought this in to us originally, we reviewed it and asked him to go back and change the parking layout because it didn't quite work with our requirements. They've done that and they've submitted a parking layout that does meet our requirements but it threw a couple of other things off. There's three ordinance requirements that have to be met that aren't reflected on this plan so rather than have the petitioner go back and have a new plan drawn up, I just read these in and they are part of the Planning Board's motion:

- 1. Prior to issuance of occupancy permits, the developer shall construct a handicapped parking area and handicap accessible route in accord with Volume 1-C of the North Carolina International Building Code.**
- 2. Prior to the issuance of any permits, developer shall provide the required streetyard plantings in accord with Section 3-4.3(b) of the UDO.**
- 3. Under Other Requirements - wheelstops shall be provided within the gravel parking area.**

Again, these are just minimum requirements. These are not anything additional that were asked for through Special Use zoning. They're minimum requirements and it was just part of that process when it was reviewed, they weren't addressed on the plan. Planning Board did recommend approval of the request with these conditions and the site plan does meet UDO requirements with these conditions attached.

Mr. Larrimore:  
building beside, to the left of it, is zoned?  
Mr. King:

Do you know off the top of your head what the brick  
I believe it is zoned HB - Highway Business.

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

(1) Dennis Gallimore  
4676 Katies Trail

I'm a licensed general contractor in the state of North Carolina. I saw a sign up here For Sale on this property and I stopped talked to Ms. Vaughn. I told her I'm presently operating my business out of a bedroom at my house. I have a computer in there, my printer, and several things, some files - and I've just outgrown my bedroom so I was looking for a place I could have a business and we live right down here off 158 in Morris Farms and I've seen the growth in Walkertown and I've been part of that growth as a builder and would like to continue to be part of that. This property, I think, fits well in what I'm wanting to do as far as having a contractor's office there to provide service for anybody in the area that wants to come and have a room addition done, remodeling done - not only just new housing but I do all kinds of remodeling, additions and things like that. Also, my wife's in real estate school. This classification would allow us to have kind of a combination construction office and small real estate company and we have seen a lot of growth in residential in this area and I think we would provide a good service as far as real estate service in this area and have personnel there that are familiar with this area. So I just ask that you give it some consideration.

Public Hearing was closed at 7:43 p.m.

**MOTION:** TO APPROVE ORDINANCE #05-018  
WA-026 - ZONING MAP AMENDMENT FOR NORMA  
VAUGHN AND VIRGINIA H. VAUGHN WITH DENNIS **GALLIMORE**  
FROM RS-9  
TO PB-S  
**WITH THE FOLLOWING CONDITIONS:**  
**1. Prior to issuance of occupancy permits, the**  
**developer shall construct a handicapped parking area** **and handicap**  
**accessible route in accord with Volume 1-** **C of the North Carolina**  
**International Building Code.**  
**2. Prior to the issuance of any permits, developer shall**  
**provide the required streetyard plantings in accord with** **Secion 3-4.3(b) of**  
**the UDO.**  
**3. Under Other Requirements - wheelstops shall be**  
**provided within the gravel parking area.**  
**BY: HORACE WARNER**  
**SECOND: WALLACE LARRIMORE**  
**VOTE: MOTION PASSED UNANIMOUSLY**

## 8. NUISANCE ISSUES

- Is Code Enforcer needed
- Discuss procedures for abandoned cars and going on resident's property to cut grass

Clerk Lynn: I have sent out probably about 15 nuisance letters in the last two weeks and I was just wondering how you want me to go about handling things such as abandoned cars or going on somebody's property and cutting the grass? Do you foresee any problems liability-wise if we went on somebody's property and cut their grass? Do you see any problems with doing that?

Mayor: All right, Council. What's your thoughts on these nuisance issues? Weeds...grass...

Ms. Duggins: It's a touchy subject - it is! Because we've been through this ever since I've been on council. With buildings that have been abandoned and falling down -

we've got those right there on Highway 66.....

Lynn:  
working on it....

Yep. I've got one of those going right now! I've been

Ms. Duggins:

The roof's caved in.....and numerous cars sitting around that are untagged. The County has an ordinance - we have an ordinance that states how many you can have without tags on them; such as that - it's unsightly. I hear lots and lots of people who are complaining. I think it's time we started making our town look better and we do have to have some kind of enforcement here. I don't have any problem with our Maintenance Man doing it but I think we have the money that we ought to be considering hiring a code enforcer who has no connection with Walkertown and with the residents here. It is hard to go out and police your neighbor and do it effectively and not cause hard feelings. But if we had someone hired to do this, either on a part-time basis - and I'm sure there are code enforcers out there who work for other towns, maybe on a part-time basis that we could partner with - or hire our own on a part-time basis.

Ms. Welch:  
like to apply for an enforcer?

Have we had anyone that came forth to say they would

Ms. Duggins:  
advertise.

No. We have not advertised for that. We'd need to

Mr. Warner:

At one time, when there was a code enforcer here, and he discontinued his services, Kernersville said that they could supply that service. We haven't had any further communication with them. Maybe we would want to check with Kernersville, Rural Hall, some of those others who have that service and purchase time from them. Now, there's also a company that does this - that's their business and we could look into that possibility. I think right now, if we could spare just an extra minute, if Ms. McKinnie could explain, because a lot of people realize that the time element is a real thing when you send out the letter, you have to wait a period of time, then you have to send out a second letter and I hope our public can understand that this is being done but it just takes time. If we had the code enforcer, it may push it a little faster and follow up quicker.

Ms. Duggins:

There's another aspect to this problem that we might as well just address right now --- and that is, enforcement. We can put a lien on people's property - we never have done that but it's getting to the place that I think we're going to have to. When we go out year after year and cut people's grass that they don't cut and they don't pay us, then we're going to have to put some teeth into this and enforce it. This is the only way that we have of enforcing is to put a lien and then when they pay their taxes, they'd have to pay us!

Lynn:

And it's the same people, over and over. I've been here nine years and it's the same people every year that I deal with....using as their personal grass cutter. It's actually cheaper for them.

Mr. Warner:

Let me ask our attorney - any cost that we have in addition to the per hour rate, can we add to it, the cost of the lien process and all that?

Steve Garland:

Again, there's some specific provisions of your nuisance ordinance which allow you to recover certain costs.

Mr. Warner:

I agree, we're at the point now where something has to be done beyond our routine - it's been a good neighbor policy up to now. I don't think anything was done until there was a complaint and then the letter process started off. Ms. McKinnie has pointed out to us, some people just use us as a service. In fact, she increased the rate because it was cheaper for them to let the town do it than to go out and get someone to do it.

Ms. Duggins:

And by the way, it is not the town's responsibility nor the people who put in the sewer. That is the responsibility of the owner of the property and the owner of that property is the school system.

Mr. Warner:

We have one other little problem - sometimes it's not easy to find out who owns that property and we've had that happen.

Ms. Duggins:

I was in the office one day this week and someone called in about wanting to know when we were going to mow the easement, the sewer easement, which is

not our responsibility. It is the homeowner's responsibility.

Mr. Warner: Do the people understand this, that that's primarily City-County responsibility because they have that easement. We have no part of it.

Ms. Duggins: That's the school board of the county responsibility.

FROM THE AUDIENCE: You send the property owners a letter, send the school board a letter.

Ms. Duggins: Right. You are right about that.

Lynn: Yeah, if you'll call me when you have something like that, I will send a letter to the owner.

Mayor: Ms. McKinnie, do we know the rate that Kernersville has offered?

Lynn: No. The last time I talked with them was about five years ago but they told me then that they would be glad to work with me. They've done a few things for me several years ago, without even charging me.

Mayor; Randy indicated several months back that they would happy to entertain that again. Would the council want Ms. McKinnie to check into find out the rate and see where we stand on that?

Mr. Warner: I would like her to if she can spare the time.

Ms. Welch: Yes.

Mayor: Would you be willing to call them, Ms. McKinnie?

Lynn: Oh, of course. Yes. That would help me a lot!!

Mayor: Since they're close and see if that offer still stands. At one time, they said they would be willing to do some code enforcement for us. See what their rates would be. It would probably be cheaper to start into it in that fashion rather than having a person on payroll right now. Then we could do it as needed. That would take care of the weeds and the abandoned cars - or roofs falling in on the houses, like we have over here on Old Hollow Road.

Lynn: And I sent the owners a certified letter last week or two.

Mayor: And once you send a letter, you have to wait how many days?

Lynn: I gave them until September 12<sup>th</sup> to respond.

Mayor: And for everyone's knowledge, what will we do if you have no response on September 12<sup>th</sup>?

Lynn: Then I send another letter and then make plans to go through with cutting the grass or whatever the nuisance is.

Mayor: In this case, demolition - you and Barry are going to demolition!!

Lynn: Yeah!! We're going to demolite it!!

Mr. Warner: Under the best circumstances, sending the letter and the second letter, how long does it actually take to get the grass cut, approximately?

Lynn: It depends. Because most people, usually, they'll call me, if they've gotten letters from me in the last nine years, they'll call me - and I've not had any problems with anybody so far not cutting their grass. Usually I send a letter out giving them a couple of weeks and they .....

Mr. Warner: What I'm really asking is if the person just ignores a letter, and we have to go in on our own, how long does that take?

Lynn: If we have to go in on our own, that's why I put that on the agenda because we haven't done that with Barry and he feels a little bit uncomfortable going on somebody's property and cutting their grass. We haven't done that in like six years..... It takes quite a while to get to that process.....

Mr. Warner: .....But it takes quite a while to get through that process to get to that point.....

Mr. Garland: .....And there's even an appeals process where people can object.....

Lynn: .....Yep. That's right.....And that can take more time.....

Mr. Warner: .....I realize our citizens ask why don't you do something. But let's face, sometimes our hands are a little more tied than they realize.

Lynn: You saw how long it took me to get done for that one on Old Walkertown Road. And the one on Pine Hall was eventually done. Usually just talking to the owner in a courteous tone, they'll do something, but sometimes they just won't and you have to go through the steps.

Mr. Warner: I know in that case you worked very hard and for a long time to get something done.

Ms. Duggins: There's something else we might need to talk about, too, that's when we charge \$100 an hour to mow. But in a lot of these cases, there might be old equipment out there and we send Barry out there to do it then we are putting him subject to be at harm and the equipment to be at harm. So in some of these cases, we might ought to consider contracting.

Lynn: I don't send Barry out to places that you don't know what's out there in that grass so why should we tear up my equipment or hurt our guy? That's when I use contractors to cut the grass.

Mayor: You've been pretty fortunate to use a contractor on several, haven't you?

Lynn: Yes.

Ms. Duggins: So you've got a list?

Lynn: Exactly.

Mr. Warner: As has been mentioned, there's one structure here that's probably facing demolition and that's quite a process to go through and you notice how the city does theirs, it takes a long time.

Mr. Garland: That one takes even longer. And I think you've got to do a pretty good job of making sure that you've evidenced that it's a health hazard, health risk.

Mr. Warner: Now, I was under the opinion that once you had a potential health hazard, you could call the Health Department and they could come in. But, in one case, the Health Department was called in and they turned it over to Housing. Then Housing finally got it into the courts and when the court - they came - and no one showed up!! So what did they do? They dismissed it and you had to start all the way over again!

Mayor: This one may be a little more difficult from Public Health because it is fenced!

Ms. Duggins: Yeah. We may not be able to prove it is a hazard because it is fenced - unless somebody climbs the fence!

Lynn: Yes. But you don't know how many mosquitoes, rats, and snakes are breeding in there....

Ms. Duggins: That's true!

Mayor: But the roof has caved in.

Okay. So, we're going to leave Item 8 with Ms. McKinnie inquiring with Kernersville to see how the rates are, and let us know, before moving forward. Is everybody in agreement with that?

Consensus was yes.

9. **TOWN MANAGER - Dot Duggins**

Set Date for Interviewing Prospective Town Managers

Ms. Duggins: Lynn is quite bogged down. Since we did not hire an

interim manager, I think we need to start the process. And even with starting the process, it may be November before we find someone. We have quite a list of applicants already, resumes, and I think we need to start the process. Or, if there are those people who say, "Oh, Lynn is doing a good job. Let her keep her keep doing it." Well, then let's name Lynn as manager and hire her a clerk, then.

AS LYNN VIGOROUSLY SHAKES HER HEAD NO NO NO!!!

Ms. Welch: She said she don't want to be the manager!!  
 Ms. Duggins: We need to get on. Lynn's going to be the main teacher for this person who comes in as manager.  
 Mr. Warner: You know I've repeatedly said, let's don't hurry into getting one.....  
 Ms. Duggins: .....I don't think we've been in a hurry.....  
 Mr. Warner: .....I was counting down and in the seven years that we've been here, there's been 6 managers, if you want to consider that one that said he would come and then he wouldn't.

NOTE: ACTUALLY THERE HAVE BEEN 9 MANAGERS SINCE THIS COUNCIL CAME ON BOARD....  
 SEE BOX BELOW:

NOTE: ACTUALLY THERE HAVE BEEN 9 MANAGERS		
TOBY LINVILLE	03/03	05/05
BILL ROBERTS	08/02	02/03
JOHN HATTLE	07/01	08/02
STEVE HAMILTON	06/00	04/01
JAKIE GRAY	01/00	02/00
SCOTT SHELTON	02/99	11/99
MIKE MYERS	HIRED BUT DID NOT SHOW UP	
LEE ROLLINS	01/99	01/99
GARY LOOPER	10/96	11/98
BEFORE 1996:		
DAMON SANDERS	03/96	09/96
JOHN HOLPE	00/91	00/94
STUART SMITH	12/90	00/91
ROB SHEPARD	08/87	07/90

Mr. Warner continued: I went through all the applicants and I really am not satisfied so I'm going to ask our clerk - we did advertise. Did we advertise more than in the Journal and in the Kernersville papers?  
 Lynn: No. I only advertised in the Kernersville News and the Winston-Salem Journal.  
 Mr. Warner: What would be involved if we put an ad in the NC

League Letter and also the Southern Cities? I see those ads in there constantly. That way we reach a lot of circulation there. Now, time is of importance, too, just as Ms. Duggins has said. But I would like to see us go ahead. I realize it takes time to get it in there; takes time to get it back in and then let's move along in that direction. Because I just don't see that we've gotten the response to our ads that I would have liked to have had. I realize that we can't afford the best, but we could afford next to the best, though.

Ms. Duggins: Of these, I've found two that I would like to interview.

Mr. Warner: I'm down to two.

Ms. Duggins: So, there you go. I expect it's going to be an ongoing thing.

Mr. Larrimore: Mr. Warner, do you read your mail that was laying here when you got here tonight? This guy's from Owen Mills, Maryland, that sent in - Charles - it was laying there at your place when you came in. It was in a letter.....

Mr. Warner: .....Um hmmm. A new one?

Mr. Larrimore: Yeah. Yeah. You was talking about out of state people and different ones haven't gotten the word. He must've got the word some way or another. His telephone home is area code 443....

Ms. Welch: He's the first one I've seen that says, 'I'm fluent in Spanish.' We might think about that!

Mr. Larrimore; Well, that ought to give him 25 points!

Mayor: How does this council want to proceed? I hear some saying further advertising; some saying we need to set some dates for interviews. What is the pleasure of this council?

Ms. Duggins: We can only interview one at a time!

Mr. Warner: If you want to interview and let them know that we are still in the process of receiving or advertising, if you want to do that. Be sure they understand it's not going to be an overnight thing because we would hope to get some response to those two ads. And I don't know, they just come out monthly, is that right? And we may not get any results from that but I think we need to try.

Mayor: There would be no harm in advertising but we could also begin. I don't know why we couldn't do both.

Mr. Larrimore: You ain't going to get many more than these!

Ms. Welch: Well, I haven't had time to look at the one we just got.

Mayor: How would this council feel about giving Ms. McKinnie, out of the ones we have, choose the ones that you would like to have an interview and begin setting up, once we see, if hopefully, there would be some liked candidate that we'd all agree on that we'd like to interview. I'm assuming out of about a dozen candidates here, surely we can agree on four or five of them that we would like to see interviewed.

Mr. Warner: You mean that we've already got the resumes on?

Mayor: That we've got the resumes on.

Mr. Warner: I'm like Ms. Duggins. I only find two in that group.....

Mayor: .....I'm not saying ... but everybody may not have the same two!!! That's my point. If you would, give Ms. McKinnie the names of the ones that you would like to see an interview with and let's compile a list within a reasonable time frame.....

Ms. Duggins: .....And it's going to take several interviews.....

Mayor: .....Sure.....

Mr. Warner: Well, let me ask this. Ms. McKinnie, do you have time to let's go forward and see if we could get the ads in the publications we talked about. I don't know what a reasonable cost is - I don't want to spend a fortune to get the ad in.

Lynn: Sure! Yes!

Mr. Warner; If it please the council then, can Ms. McKinnie go

ahead and check with those and get those ads in there? Then we can go ahead with the interviewing process.

Ms. Duggins:  
and we could do both.

Well, let's go ahead and get our names in there to her

Mr. Warner:  
deadline for receiving ads.....

As we put that ad in there, lots of people have a

Mr. Larrimore:  
It's just hiring somebody to do a job!!! They go to school - they have a special school curriculum for this and some of these people have went through the school and we need to talk to them. I mean, you can't just take that many people and say, 'Ain't nothing to them.' They already got a job and some of them don't even want us to ---- they want us to interview them on the "QT" because they might lose their job they got. And, you know, we could put out --- we could make them be Bible-thumping or whatever, but still we got enough to at least interview a few of them.

.....I don't understand! This is not rocket science.

Mayor;  
each council member and myself will give the names to Ms. McKinnie of those applicants that we would like to compile a list to interview.

We'll continue to advertise in the League Letter and

Ms. Duggins:

I'll make that motion.

**MOTION:**            **THAT EACH COUNCILMEMBER AND THE MAYOR WILL GIVE TO LYNN A LIST OF NAMES OF APPLICANTS FOR THE TOWN MANAGER POSITION THAT THEY WOULD LIKE TO INTERVIEW AND LYNN WILL COMPILE A LIST OF THOSE NAMES TO SET UP INTERVIEWS**

**BY:**                    **DOT DUGGINS**

**SECOND:**           **HORACE WARNER**

**VOTE:**                **MOTION PASSED UNANIMOUSLY**

Mr. Warner:  
open meeting process, or does it?

As far as the interview, that does not have to be an

Mr. Garland:  
qualifications of a specific candidate for a position - that's always been permitted as an exception to the open meetings law.

No, it doesn't. Because you would considering the

Mayor:  
running an ad in the League Letter, we would give a list of applicants to Ms. McKinnie of who you would like to have an interview with for manager. Is everybody clear?

Okay. While Ms. McKinnie is preparing an ad and

Mr. Garland:  
meeting and go into Closed Session. It's not as if you can just not tell people about the meeting.

Now, I will say, you still do have to announce that

10.    **TOWN HALL HOURS - Lynn**  
Can town hall close at 4:30 rather than 5:00?

Mayor:  
question. Ms. McKinnie is usually there before 7:00 so she's asking can it close at 4:30. Is that a problem with the council?

Can town hall close at 4:30 rather than 5:00? Is the

Ms. Welch:

No.

Ms. Duggins:

No problem with me.

Mr. Larrimore:

No. She can beat the 5:00 traffic.

Mr. Warner:

I would just like to ask a question. How much traffic...

or do we have much traffic after 4:00 / 4:30?

Lynn:

No.

Mr. Warner:

So the traffic wouldn't be -- I mean, the people coming

in wouldn't be a problem.

Lynn:

No. And I don't mind, wouldn't mind, staying if

anybody calls or comes in. But, like, over the last two or three weeks I have had a lot of people coming in around 10 til 5:00, 4:45, looking for the sheriff's office. They may be just getting off work but that's the only people that have been coming by at that time.

Ms. Welch: Maybe we can make a sign and point it to the sheriff's office.

Mr. Warner: I don't see any problem with closing at 4:30.

Ms. Welch: I don't either.

Ms. Duggins: Well, if they wanted to come - instead of coming at quarter til 5:00, they could come at quarter to 7:00 in the morning!!!!

Mr. Warner: They could call and make an appointment.....

Mayor: .....Let's just deal with this with a motion....Does

someone want to make a motion?

**MOTION: TO APPROVE LYNN'S CLOSING THE TOWN HALL AT 4:30 P.M. RATHER THAN 5:00 P.M. DAILY**  
**BY: WALLACE LARRIMORE**  
**SECOND: HORACE WARNER**  
**VOTE: MOTION PASSED UNANIMOUSLY**

11. **HOT DOG CARTS - Wallace Larrimore**

See about getting one for sports organizations

- Walkertown Little League
- Walkertown Wolfpack
- Others?

Mr. Larrimore: Lynn has been talking to these people -----

Somebody's not going to let them cook hot dogs around here if you bring them home, or bring them from Mickey's. So I don't know --- what do you think, Lynn? How quick did he say we could get one because football starts Saturday? Reckon we could get one by Saturday?

Lynn: It takes a week to 3 weeks - depending on which one you order. They also have to be affiliated with a restaurant in order to have the hot dog cart. Dorez said he was affiliated with Mickey's.

Mayor: Did the council read the article that Ms. McKinnie included in our packets?

Ms. Welch: Yes, I did.

Mayor: While it didn't exactly apply to us -- it indicated that the food must be prepared - all they're doing is keeping it warm and serving it in the cart.

Lynn: Exactly.

Mayor: That's what I drew from this article. This is primarily addressing what we used to call "*roach coaches*" -- on the side of the street, that they use in the larger cities. Winston-Salem had some. But that's what this article is designed to address, but ... I assume. Do you know anything about that, Mr. King? You don't, do you?

Mr. King: Nope!

Mr. Garland: Do they have a concession stand that there's been a problem created, is that the deal? Because the one thing I noticed in the second question was, and I don't have a lot of experience with this, but it says, "*Push carts and concession stands*" so I guess my only question would be is if concession stands are treated the same as push carts, then is there a real need - I'm not trying to talk somebody away from a push cart - but, is there a real need for a push cart if you could do the same thing through a concession stand by the getting the affiliation with the restaurant?

Mayor: The concession stand had to have running water and

bathrooms.

Mr. Garland:

Oh, it does?

Lynn:

And, then, this is a good time to bring up the fact that I

called about the \$100,000 check for recreation that was left to us. They had just completely forgotten they owed us that money and so they did send me the check the other day. But she said it was to be spent for recreation only and they do not want us to hang on to the money - they want us to spend it. That's what Mr. Waggoner actually wanted - was to spend it on the kids, and that's what she said over the phone.

Ms. Duggins:

At the present time, the Little League and the football

group, they both, I understand, could use this. This is where we got this to start with, was from one of them.

Mayor:

I'm assuming these requests, these come from the

Little League, this one does? or is it football?

Ms. Duggins:

I thought it was the football.

Lynn:

This one in the packet is just the Pop Warner football,

Wolfpack. But I was trying to think of the other sports, too. Is there a girls' softball? Are they still around?

And would this apply to the schools, also, with their recreation/sports programs?

Mayor:

When you say apply, what do you mean?

Lynn:

The \$100,000 we received for recreation, kids; if we

use some of the money to buy hot dog carts, would we also spend any of that money on schools'

recreation?

Ms. Duggins:

The only thing about the schools is they're using school

grounds for the football - that's the only thing, so it's not connected with the schools except they're using

the grounds.

Lynn:

So we wouldn't need to give the schools any money

for recreation, to be fair to all?

Ms. Duggins:

Uh uh. No. This is simply given...

Mayor:

.....I think it would be specifically community - and

not schools.

Ms. Duggins:

And there's another thing. If the town itself could invest

in one and for rental purposes and for when we have our festivals, like we have street festivals. Instead of

doing this at the park, the cost has gone up so, you know, that it might be something that we could set out

when we had a festival or other things that the town might be .....

Ms. Welch:

Would we still have to have that permit of \$75.00

.....

Mayor:

.....I think that's true but this would be left up to the

Little League and to the Wolfpack.....

Ms. Duggins:

.....It would be their problem to get the permits.....

Mayor:

.....It appears the procedure would be, if they were

so inclined to do so, they would do this, get their permit, buy their cart, and we would, if this council wanted

to do it, then we would be willing and vote to reimburse them for this rather than.....

Mr. Warner:

Some time before, Ms. Duggins made a, I thought, a

very good recommendation and that is, when we are approached for a donation like this, make a pledge

and then when the thing is completed, we'll pay the bill or give the money.

Ms. Duggins:

.....Then we'll pay the bill at that time.....

Mr. Warner:

.....I feel that's an appropriate way to go.....

Ms. Duggins:

.....Because, remember we were asked to supply

money for a board, a scoreboard, and it never was bought.....

Ms. Welch:

.....But it is now.....

Ms. Duggins:

.....But we had given them the money and so I

feel like to be a good steward of that money, they should have put it into an account for, if they couldn't

afford the scoreboard at that time and needed more funds, it should've been put into an account and saved

for the time they had the funds.....or given back to us.

Ms. Welch: .....But hadn't the scoreboard been fixed?

Lynn: .....Yes. They told me it has.....

Ms. Welch: .....That's what I thought.

Mr. Warner: ....Now did I understand that the scoreboard is now operating, is that right? That's what I heard.

Ms. Welch: Right.

Mr. Warner: Before they said this, they bought the used part of the board, and then it failed and then they came back and said it did, so I am confused. I go along with Ms. Duggins on this - when we have a request, the best thing to do is just make them a pledge and then when it's completed --- in other words, we can't take the responsibility of getting the Health Department permit and all that -- .....

Mr. Larrimore: .....Well, they have asked for one of these carts.

So they've done some research on them.....

Mayor: .....It appears to be the \$1799 is what it runs, is that correct?

Mr. Larrimore: .....Well, we can get three and the price drops to \$1,699 - each.

Mayor: What's this council's pleasure on making this recommendation?

Mr. Larrimore: ....Well. This is the way I feel about it --- If they want one of these, why can't we buy it and give it to them, instead of giving them the money and let them buy it?

Ms. Duggins: No. No, that's not what Horace is saying --- he was saying to pledge the money.....let them get it together, order the cart - or give us the particulars and the paperwork that they've done this, got their permits and everything ready, and then we have pledged to them --- We will send them a letter stating that we have pledged to them that we would pay this amount of money and when they are ready and have all this ready, they can hand it to us, and if we need to mail it off, we can. But it'll have to be their getting it together and requesting it and then with our pledge, then we will pay the company that they're buying it from.

Mr. Larrimore: Well, what I'm saying, they furnished us these letters. They furnished us the price list. They also would like to have some uniforms - they've got the price in there for that.....

Ms. Duggins: .....That's a "*Christmas list*"..... That's their "*Christmas list*".....

Mr. Larrimore: .....I think we've got \$100,000 here that says - and it's highlighted - "shall be used only for recreational purposes" --- Now, can you dot that "t" and cross that "l"?

Ms. Duggins: Are you going to make a motion?

Mr. Larrimore: I make a motion that we get one of those - the people that signed this letter - up in the office and there's something faster than letters, and that's a telephone, and fax numbers. And it's not that much money to get some of this stuff they need because they start Saturday and I just make that motion we get it done.

Mayor: All right. There's a motion on the floor - any second?

Mr. Warner: Repeat the motion, please. I couldn't follow it.

Mayor: Mr. Larrimore motioned that we go forward and buy a cart and expedite it as quickly as possible, I think is what you're saying, right, Mr. Larrimore?

Mr. Larrimore: Yes. Yes. Yes.

Mr. Warner: Now - do you mean **buy** it or, back to Ms. Duggins, **pledge** the financing of it.....or what?

Mr. Larrimore: Well, we can get them up there in the office, these people that's done all this planning here - Sonya Cook, Vice-President, Public Relations Coordinator, Walkertown Wolfpack football. I'd call Sonya Cook and say, "we going to work together and we going to

call up, make the deal, and we not going to wait around and hand them the money".....

Mr. Warner: .....That's it! Can't we tell them we'll pledge the money for it.....?

Mr. Larrimore: .....Yeah.....Yeah.....Yeah...

Ms. Welch: ...Right.....Right.....

Mr. Warner: .....once they get the final approval for it, and then, like Ms. Duggins said.....

Mr. Larrimore: .....Yeah...In the office together, with them, to get the thing on the road.....

Mr. Warner: .....You go ahead and do it and we'll pledge whatever amount of money is for it and when you have it all completed and everything, we'll give the money or pay the invoice, whatever you want to do.....

Mayor: I think I hear both of you saying in this motion, and I don't know if you're seconding it or not - I didn't hear that yet - that we will provide the funds if they'll get the cart, we'll provide the funds as quickly as they get the cart, we'll provide the funds to pay for it. Is that what I hear you say? Is that what you're hearing?.....

Mr. Warner: .....And being their responsibility to be sure everything.....

Mr. Garland and Lynn: .....Up to how much.....?

Mayor: .....Up to the.....appears to be the \$1799.....

Mr. Garland: .....So, up to \$2,000?

Mr. Larrimore: .....To the quoted price here.....

Ms. Welch: .....Yeah, I'd go \$2,000.

Mr. Warner: I... 'd go to \$2,000....

Mayor: ....Okay. Mr. Larrimore has made this motion, is there a second?...

Ms. Duggins: ....Now....Okay, go ahead and get the second.....and then we'll discuss....

Ms. Welch: .....Wait a minute.....

Mr. Warner: .....I'll second it, based on the conditions.....

Mayor: .....Okay. We got a motion and a second.....

Mr. Warner: .....conditions we said, pledge that.....

Ms. Welch: .....Pledge of \$2,000.....

Mr. Warner: .....Pledge of \$2,000 to be used for this. Then take responsibility for getting all permits required approval of use.

Ms. Duggins: ....Now, my discussion is, are we doing this for the Little League and the football? So we're buying two, not just one?

Mayor: .....I think it's just one is all I've heard we was talking so far.....and on this particular motion....wasn't it?

Mr. Larrimore: .....Well, .....

Ms. Welch: .....We need two.....

Mr. Larrimore: .....Well, we've got time to do the baseball. It's going out and the football's coming in. If you want to buy two now, it's fine with me. But, we're going.....

Mr. Garland: .....This motion was for one --

And was up to \$2,000.

Mr. Warner: .....And I think it'd be fair to say this, we would treat everybody the same, if the Little League sees fit to use the same way.....

Mayor: .....But we want to be sure that they would use one of these. I don't think it would be appropriate to buy if they haven't even requested it.

Ms. Duggins: Right. Well, they've mentioned it but.....

Mayor: .....We know the football is asking for one right here; you can see the request.  
Ms. Duggins: But, possibly, we could send a letter to the Little League and let them know that whenever they're ready to start their season again, that to give themselves ample time and us ample time to get this in order - that it's available to.....  
Ms. Welch: .....To get the same amount..

**MOTION:**            **THE TOWN OF WALKERTOWN PLEDGES THE AMOUNT OF UP TO \$2,000 TO PURCHASE A HOT DOG CART FOR THE WALKERTOWN WOLFPACK FOOTBALL GROUP**  
**BY:**                   **WALLACE LARRIMORE**  
**SECOND:**           **HORACE WARNER**  
**VOTE:**               **UNANIMOUS**

Lynn:                    What if it goes over --- what if shipping and handling is included and it goes over \$2,000?  
Mayor:                   It's up to \$2,000 is what the motion was....  
Lynn:                    ...Okay....  
Mayor:                   \$1799 is what the motion was - \$1799 and then the other amount would be up to \$2,000 - which you got \$200 bucks for taxes.  
Mr. Warner:            But then that also includes the provision that they have the proper approval for use of it....  
Mayor:                   Wait a minute --- wait a minute --- hold it! That wasn't in the motion, Mr. Warner!.....  
Mr. Warner:            .....I think we better put it in there! Like he said, he bought one.....  
Mayor:                   .....Well, that's --- are you amending the motion?  
That wasn't the motion....  
Mr. Warner:            .....I would ask the person who made the motion would they want to include that; if not, I'll be glad to amend it.  
Mayor:                   We've got a motion and a second on the floor.....  
Mr. Warner:            .....We pledged the support of the cart, once they get all the approvals and they can use it, then we will pay for it. Because we don't want ---- like they had the used cart. They bought it and turn around and couldn't use it.....I'm not a .....  
Mr. Larrimore:        .....I don't think it was one of these fancy stainless steel jobs.....  
Mr. Garland:            .....I had understood, frankly, the motion .....  
Mr. Warner:            .....Would include that.....  
Mr. Garland:            .....there being the by talk to include the understanding that it came as a package deal. That they had everything they needed to be able to use the cart; that they purchase it. So that would include what Horace just said because that was everything needed to use the cart.....  
Mayor:                   .....Was that what you were intending?.....  
Mr. Warner:            .....That's right. I don't want them to come back later and say, "Well, we went ahead and ordered it. We want your money but we can't use it because the Health Department says no."  
Mayor:                   .....He's speaking of the Health Department issue now, Steve.  
Mr. Garland:            ....Right. But I guess what I was saying was I understood that to be a part of the original motion; at least, I thought it was part of the plan - In other words, I understood that the motion was to provide the funds for the cart when someone got to the town the

information that it was ready to be purchased and be able to be used. I understood that to be the motion.  
Lynn: That's what ya'll said - that after they got their act together, then they come and .....

Mr. Warner: .....What we did, we pledged to give them \$2,000 for the use to buy that cart, once they have full approval of the use of it and all from the Health Department.

Mr. Larrimore: Well, Sonya Cook's letter says, "We could use your help. We are in desperate need of a scoreboard (which you said they fixed that one.) and a hot dog cart in lieu of the more expensive concession stand. The small outdated building that did not pass inspection for the hot dog stand (that's another problem they had) and we would love to announce that our new hot dog cart was on the way!"

Mayor: Okay. So based on what Steve has indicated that that is understood, contemplated in this motion, that it would be approved by the Health Department to be used. So we got a motion and second on the floor that we pledged the funds to purchase the cart; they will purchase the cart, we will give them the funds. Is that everybody's understanding?  
(THE VOTE FOR THIS MOTION WAS THEN TAKEN - AND IT WAS UNANIMOUS.)

12. **FINANCIAL STATEMENTS**

- JULY, 2005

Mr. Larrimore: Well, as all of you know, we got that \$100,000 to add to Hotel Occupancy funds which can only be used for recreation or some town functions. And we've got \$295,221 in it and add \$100,000 - that's \$395 and then adds what's coming in for the year so far already, that puts us over \$413,221 that can only be spent for kids!! Now, has everybody heard that?? It can **only** be spent for the kids - and we got.....

Mayor: .....I beg your pardon. It actually can be spent for any recreation. I mean, any recreation.....

Mr. Larrimore: .....What I am saying -- economic development and recreation for kids - that's what that's for and we've got enough to build them a stadium like's out here. What I'd like for all of you to see is total unrestricted funds is \$1,911,579.21 and our yearly budget is \$1,216,060 so in that one fund we've got more than the whole year's budget and you come down to the next one. So what I'm trying to say is the town is in great shape and that's the way I want to leave it ---- in good shape! Even with the comments from our balcony..... I won't have to listen to that anymore or even look at his face.....

Mayor: ..... All right. Is there any further discussion on the financial? Is there a motion?

Mr. Larrimore: ..I make a motion we accept it. Lynn and I worked together on it and that's one thing I want to talk about Lynn -- She is up-to-date on this stuff. The Hotel Occupancy fund, I thought came in once a year but we've already got a good portion of it already. I don't see any problems. Has anybody else looked it over and seen.....?

**MOTION:** **TO ACCEPT THE FINANCIAL STATEMENTS AS PRESENTED BY THE TOWN CLERK**  
**BY:** **WALLACE LARRIMORE**  
**SECOND:** **HORACE WARNER**  
**VOTE:** **MOTION PASSED UNANIMOUSLY**

13. **OTHER BUSINESS**

1. Easement in front of Warehouse for Sprint?

Mayor: Sprint is in the process of moving or updating their facilities and to do the proposed road widening project on Highway 66 and Old Hollow Road, they're going to be moving cable and they're wanting an easement. They've already started on Main Street.

Lynn: Yes. They need our easement in front of our warehouse. Gant has given their okay in front of our town hall.

Mayor: I assume they will put the asphalt back .....

Lynn: .....Yes.....

Mayor: .....in a broken, I mean, a perfect condition!!!

They're just replacing the lines and they want to run them across in front of the warehouse.

**MOTION: TO APPROVE ALLOWING SPRINT THE EASEMENT IN FRONT OF THE TOWN WAREHOUSE ON MAIN STREET**

**BY: SARAH WELCH**

**SECOND: DOT DUGGINS**

**VOTE: MOTION PASSED UNANIMOUSLY**

2. Consideration of request for resignation by Daren Ziglar from the Land Use Committee (Resignation Attached)

Mayor: Daren Ziglar is now working a different type job - he was an EMS Training Officer and now he's working with the Air Care - they've got a new concentrated unit at Baptist and he's working a 12-hour shift, 12 on, 12 off at Baptist and you'll see a letter asking for us to accept his resignation, effective immediately, in your packet.....

Mr. Warner: .....Just a formality, I move with appreciation that we accept this and be thankful to the co-chairman we have that has continued right on with that committee. We're on the stretch-hold (??) of completion now.....

Ms. Duggins: .....I think we ought to send a letter of thanks for.....

Mr. Warner: .....of appreciation, sure.....

Ms. Duggins: .....of appreciation for what he's done.....

Mayor: Okay. I'm assuming that's in that motion that you've made to accept, with the letter of thanks.

**MOTION: TO ACCEPT DAREN ZIGLAR'S RESIGNATION LETTER OF AUGUST 17, 2005 AS CO-CHAIR OF THE LAND USE COMMITTEE AND TO AUTHORIZE SENDING DAREN A LETTER OF APPRECIATION FOR CO-CHAIRING THE LAND USE COMMITTEE**

**BY: HORACE WARNER**

**SECOND: DOT DUGGINS**

**VOTE: MOTION PASSED UNANIMOUSLY**

14. **PUBLIC SESSION**  
THIS SESSION IS FOR ANY TOPIC

Public Session was opened at 8:32 p.m. and with no speakers, was closed at 8:32 p.m.

15. **ANNOUNCEMENTS:**
- Recycling in Walkertown continues every two weeks. SEPTEMBER 5<sup>TH</sup> AND 19<sup>TH</sup>

Lynn said the recycling and trash might not be picked up on September 5<sup>th</sup> because it is Labor Day holiday - but she has not heard back from her numerous emails to Waste Industries and Waste Management. As soon as she hears, she will put it on the town's website and on town hall answering machine.

**NOTE: FOR LABOR DAY HOLIDAY:  
RECYCLING WILL BE PICKED UP  
TRASH WILL NOT BE PICKED UP.**

Mayor Davis said the website continues to be a valuable source of information so please continue to use it! He also said the annual Walkertown Fish Fry will be held September 10<sup>th</sup> at the Fire Department from 4:00 til 8:00 p.m. - \$10.00 for adults; children 6 to 12 is \$5.00 and under six years old is free.

- TOWN COUNCIL MEETINGS: (4<sup>TH</sup> THURSDAYS)  
7:00 p.m. at the Library Auditorium on:  
09-22-05  
10-27-05  
11-17-05  
12-15-05
- PLANNING BOARD MEETINGS: (1<sup>ST</sup> TUESDAY)  
PRE-MEETINGS ON MONDAY HAVE BEEN CANCELED.  
09-13-05 3:00 p.m. Library (Actual Meeting)  
POST-MEETING IMMEDIATELY FOLLOWING REGULAR MEETING
- LAND USE COMMITTEE:  
To Be Determined
- SCHOOL COMMITTEE:  
As Needed

Mr. Larrimore: I'd like to bring out one more point about - I don't know how -- I guess after property's sold, then it comes into, if it's in Walkertown, a new-built home. We've got at least 12 new homes over there in that development on 158 that we took in Walkertown. We've got 12 more, like, \$250,000 houses over there down in front of Mickey's that's anywhere from 80% done to 100% done. Then there's something like 20, I think, that's almost close on Joyce's dad's farm - and all that's going to --- what I was saying while ago, about impacting our bottom line. It's going to really impact our bottom line, for the good. They're paving the streets, they're putting in the water, they're putting in natural gas, they're doing the whole smear and it's going to be turned over to us.

Mr. Warner: I wonder about that. Does that go on the tax roll as construction or do they wait until after it's sold and then goes on the tax roll as of January 1<sup>st</sup> next year -- then we don't collect the revenue til the fall of that year.....

Mr. Larrimore: .....I think, Horace, I think it depends on when it's.....

Mr. Garland: .....It is January 1<sup>st</sup> - January 1<sup>st</sup> is the day that everything is valued so, actually, I believe there's supposed to even indicate how far along it is. As I remember, I think the League has been following a bill in the General Assembly where the builders were contending that while it's in inventory, it should only be taxed at the lot rate not at the finished construction rate. So until it's complete, it's not 100% on, I believe they're supposed to on the first of January tell folks how far it's completed so that you're actually supposed to \_\_\_\_\_ more but once it's actually completed and built you don't get a pro-rated portion of that full thing for the rest of the year, it's just back to January 1.

Mr. Larrimore: We need to go back and rethink taking that in on the left side, in behind there. There's 32 units going to be there and 32 units is nice because they've already got the paving and the sidewalks and the water and the sewer. We need to rethink that one and see if we

can talk them into coming back with us. Because we got everything they got on the right hand side of the road.

Mr. Warner: While we're talking about that --- that other church project where they have the request for funding - were they not supposed to hear something in August? The Ohio minister, the church group.

Mayor: Is that true, Ms. McKinnie? Do you know?

Lynn: I haven't heard from Frank.

Mr. Warner: So that was the one - when they were talking about the apartments there - that was also in the picture.

Mayor: That has been the last two years and they have not received funding.

Mr. Warner: I would like to hope that we would get something there because it was always brought up about our seniors.

Mr. Larrimore: He's got excited with us twice and then he just kind of drifted away.

Mr. Warner: It's still open but I understand that the funding .....  
.....No funding....

Mr. Larrimore: .....and he would not know until August.....

Mr. Warner: ..And then Frank came back and said it wouldn't be until September that he heard. So it could be even later.

NOTE: LYNN SPOKE WITH TOM HERLIHY AND FRANK VINSON WITH THIS GROUP. THEY HAVE APPLIED TO HUD FOR FUNDING HOWEVER, HUD HAS CHANGED TO ELECTRONIC APPLICATIONS AND THEY HAVE HAD MANY PROBLEMS IN DOING SO. HUD CHANGED THE APPLICATION DEADLINE TO SEPTEMBER 6<sup>TH</sup> AND TOM WAS TOLD HE WOULD HEAR SOMETHING BACK BY THE END OF THIS YEAR (DECEMBER). BUT, HE DOESN'T THINK WE WILL HEAR ANYTHING UNTIL LATE JANUARY OR SOME TIME IN FEBRUARY. HE WILL CALL ME WHEN HE HEARS SOMETHING ON THIS ISSUE..  
08-26-05 - LYNN

**16. ADJOURNMENT**

**MOTION: TO ADJOURN AT 8:40 P.M.**  
**BY: SARAH WELCH**  
**SECOND: WALLACE LARRIMORE**  
**VOTE: MOTION PASSED UNANIMOUSLY**

**ATTACHED AS INFORMATION:**

- Planning Board Meeting Minutes - 08-02-05
- Land Use Meeting Minutes - 07-21-05

**ATTEST: TOWN OF WALKERTOWN:**

\_\_\_\_\_  
**Lynn McKinnie, Town Clerk**

\_\_\_\_\_  
**Kenneth R. Davis, Mayor**

