



Town of Walkertown, North Carolina
Website: townofwalkertown.com
Walkertown Town Council Meeting
Walkertown Library Auditorium
THURSDAY 7:00 P.M. FEBRUARY 24, 2005
MINUTES

CALL TO ORDER @ 7:00 P.M.

Mayor Doc Davis

Present were Mayor Davis, Horace Warner, Sarah Welch, Dot Duggins, Wallace Larrimore, Lynn McKinnie, Toby Linville, and Steve Garland.

- INVOCATION
- PLEDGE OF ALLEGIANCE

Councilman Wallace Larrimore

AGENDA APPROVAL

MOTION: **TO APPROVE AGENDA AS PRESENTED**
BY: **HORACE WARNER**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**

MINUTES APPROVAL

- January 27, 2005 -- Town Council Regular Meeting

MOTION: **TO APPROVE MINUTES OF JANUARY 27, 2005**
WITH THE ADDITION OF TWO COMMITTEES NOT MENTIONED
PREVIOUSLY: LAND USE AND HOUSING CONSORTIUM
COMMITTEES
BY: **DOT DUGGINS**
SECOND: **HORACE WARNER**
VOTE: **MOTION PASSED UNANIMOUSLY**

MOTION: **TO APPROVE CLOSED SESSION MINUTES OF JANUARY 27,**
2005
BY: **WALLACE LARRIMORE**
SECOND: **DOT DUGGINS**
VOTE: **MOTION PASSED UNANIMOUSLY**

MOTION: **TO SEAL CLOSED SESSION MINUTES OF**
JANUARY 27, 2005 DUE TO PERSONNEL ISSUES
BY: **WALLACE LARRIMORE**
SECOND: **DOT DUGGINS**
VOTE: **MOTION PASSED UNANIMOUSLY**

PUBLIC SESSION

THIS SESSION IS FOR NON-AGENDA ITEMS ONLY

Public Session was opened at 7:05 p.m.

- 1) Peggy Leight
5150 Sullivantown Road
Walkertown NC

"I'd like to talk about the proposed landfill up on 311. I know that you all received a letter from CCUC in response to the letter from the Planning Board that we sent them with our concerns about the landfill. Reading through the letter, I found some interesting discrepancies at least from what was being said from David Saunders versus the January 29th Winston-Salem Journal article concerning the 311 landfill. And then also some information that I pulled from the CCUC 10-year plan that's on their website. From their letter, it says, "The facility is still years from being developed." And that's true. They're going to have to go through a long process. But they envision a lot of green space; more than half the habitat would be buffered. They say that they do know that a C&D facility will produce fewer vehicle trips in the same property if it were residential property. I don't see that as a reality. That area, according to the Legacy Plan, is designated as rural area. I don't think that the population would ever be that dense for residential that it would equal the number of trips in and out of the landfill. He had said in here that there are many misconceptions about the project and they'd like to avoid confusion, and I would too. I'm not saying I'm completely against this; I'm saying that this Board and the citizens of Walkertown need to be very aware of what's going on. That some of the things are already in the works; they're already proposing to purchase the land and then go through some studies and then rezone the land. He said '*until a new study is done, there's no way of knowing the traffic impact of the proposed facility*' – yet in the article from the Winston-Salem Journal, it is saying that '*the preliminary study has already been done and found that US 311 would better handle the heavier traffic. Grubbs Road could not handle that level of traffic.*' So there has to be some ideal of the amount of traffic that's going to be coming along the road. Our concern is that, yes, this area is outside Walkertown, but really if you know the roads, access to Grubbs Road and 311, the only way to get through it is **right** through Walkertown. The proposed 311 bypass is a long time coming – long after this landfill would come into effect. And, something else that was in the paper, it says that '*even though it's going to be a number of years before the old construction and demolition landfill gets filled up, that some debris could be taken to the landfill in the next few years.*' Now, to me, that says it's going to start being used. And then they're going to slowly increase that number again and again. Now I don't know the number of trucks that would be, but I know in 2003 there were 103,000 tons of construction and demolition waste that went to the Salisbury plant. That's got to be a lot of trucks coming in and going back out into the Winston-Salem area. From the 10-year plan, which you all can pull up on the CCUC website, it says, '*To secure property now for a landfill*' – which is what they're in the process of doing. '*Ensure that the secured property can be used either for a landfill or a sustainable waste management system. Ensure that the secured property can serve as a regional waste disposal system.*' So, in their long-range plan, they're saying if they want to purchase land for a landfill, it should be used for multi-purpose, which is **not** what the letter is saying, that it's just going to be construction/demolition. If they have this land and they start using it, it's going to expand and expand and expand, just like what's happening at the Hanes Mill landfill right now. I think my time is probably up. I just think that we should be careful....that, yes, it's in the beginning stages but that Walkertown needs to know exactly what's going on because I'm afraid we might be railroaded or just run right over unless we keep our eye on what's happening in progress with this. Thank you."

- 2) Robert Hairston
6673 Walnut Cove Road
Walkertown NC

"I'm here to speak on the landfill issue. She's already covered a lot of issues but I believe the one thing that everybody seems to be forgetting is everyone who lives in Northern Forsyth County, in that area, is on wells. This landfill is going to be dug deep into the earth where all of the trash and everything else seeps into the ground and gets into the ground water. We don't have county water. To my knowledge, there are no plans to bring county water out that direction. What we're going to have is a major environmental problem and those of us who live out there, unless there is a term for now, where they're going to actually bring county water out, that I believe right now, by the time they get this landfill in, and the landfill is actually being filled up, we're going to be in trouble. And, from where I live, it's going to cost a great deal of money to bring water from, say, Highway 311 back to my house. So, no matter which way I go, we're going to be stuck. So if this landfill goes through, property values – there's no need to even talk about that. All you have to do is go over to

Hanes Mill Landfill and see what their property values are like. Just in that general area, and just the odor and the trash, I don't know if anybody's ever been over to Hanes Mill Landfill or over by Sam's in that area.....you can stand in the parking lot and smell Hanes Mill Landfill. That's a good mile and half away. That's all I've got."

Public Session was closed at 7:13 p.m.

1. PUBLIC HEARING #1

- Annexation #9 - Annexing Petitions known as Annexation #9
- ORDINANCE #05-002
To Extend The Corporate Limits of the Town of Walkertown

Public Hearing was opened at 7:14 p.m. and closed at 7:14 p.m. with no speakers.

DISCUSSION:

Mr. Warner: "Based on the circumstances of this one, that's why we're waiving or going against our twice a year proposed that we've agreed to. I think this is a unique situation; hopefully it'll never happen again, so I don't think we're setting any precedence by doing this."

MOTION: **TO APPROVE ORDINANCE #05-002 – TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WALKERTOWN FOR ANNEXATION #9 EFFECTIVE MARCH 1, 2005**
BY: **WALLACE LARRIMORE**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**

2. PUBLIC HEARING #2

- Subdivision Ordinance Amendment To Section 4(B)(1) – Streets Or Roads
- RESOLUTION #PB-05-002
Planning Board Recommendation to Town Council that it deny the request by Wendy Albright to amend the residential sidewalk, curb and gutter ordinance exemption.
- RESOLUTION #PB-05-003
Planning Board Recommendation to Town Council to approve Wendy Albright's Site Plan with Staff Recommendations and to include adherence to Walkertown's Subdivision Ordinances.

Public Hearing was opened at 7:15 p.m.

- 1) Wendy Albright
329 N. Main St.
Kernersville NC

"I'm the developer of a proposed subdivision that will be called Wendy Knolls. We're here tonight – they've got down here that what they want to do is deny my request to amend the residential sidewalk curb and gutter ordinance. When a developer puts in a subdivision, one of the first things they have to do is find out what the rules and regulations are. First, you can call verbal – I called the Town Manager, was given, by phone, what he said I had to do. I wrote those down. Then I

contacted my engineer; she went and pulled up what she could on computer – online. And from there, we made our decision. Coming back a few weeks later, just prior to settling on this piece of land, interpretation was wrong. I was told I did not have to put in curb and gutter – I had the choice between curb and gutter – or ribbon paving – for the street; which means you could have vegetative ditches. Then it comes back and they said, ‘No, that’s not quite what we meant – that was misinterpretation.’ The Town Manager thought that ribbon paving was a type of paving in the ditch. Went back to the engineers; we hadn’t been able to get anything in writing, and at this time, she’ll come up and explain. She’s been online also and has spoken to Forsyth County trying to pull that ordinance. So what’s I’m asking tonight is for a variance under this situation. I know it went through April, 2004, was when it was adopted; but as far as we can see, it’s never been written in print, to where it can be pulled up by future developers, engineers ---- you’re going to keep running into this problem. Now, I’ll let Tori Small with Westcott Engineers speak.”

3) Tori Small
Westcott Engineering
4135 Mendenhall Oaks Pkwy
High Point NC

“I am working with Pegg Development as the engineer on the project for Wendy Knolls. We originally started working on this development like Wendy said, and at that time, we were told that we could use either curb and gutter or ribbon pavement and so we actually went ahead and did a design and submitted that in for staff review in September. The ordinance, it appears, was passed in April but when we got through staff review in September, the roads that were shown on staff review and that were approved at a staff level were actually shown as ribbon pavement road. Those are 20-foot wide roads. To meet D.O.T. standards, and go to a curb and gutter road, the road actually needs to widen out to 26-feet. So what we got through at the staff level did actually show just a 20-foot wide ribbon pavement road. When we getting ready to then, at that point, go to Planning Board for approval, Wendy actually read an article in the paper that mentioned something about curb and gutter so we started making some more calls because we were a little bit confused as to whether or not the new ordinance would actually apply to us. At that point, I called the City-County Planning Department, who does the staff review, and asked specifically if there was a new curb and gutter ordinance in Walkertown and they said that they weren’t sure and that we needed to actually talk to Walkertown about that. So we called Walkertown and at that time then had a more detailed discussion with the town manager and that’s when we got the clarification that ribbon pavement actually was understood to be paved ditches – not vegetative ditches – and, again, that would mean the road would need to widen out to 26-feet wide. So I guess we have several concerns with the ordinance the way that it is. I have received a copy over the past couple of days. I asked the town manager to go ahead and send me a copy of the ordinance and I’ve got a copy of what was actually adopted on the 20th of April; however, my concern is still that that ordinance is not actually been placed into the Unified Development Ordinance that Forsyth County and the individual municipalities use. Even though that ordinance itself was adopted as recently – was modified as recently as October, so there’ve been changes incorporated into the UDO and this particular piece has still not been incorporated into it as far as I can find. I’ve asked City-County Planning Staff to let me know if they can find it in there – they haven’t been able to do it. I haven’t been able to see it and even the Planning Board Staff recently said that they had a hard time finding it, too. So I think we just have a concern that there’s an ordinance that has apparently been passed but it’s not in a place where engineers and developers can readily get their hands on it and there seems to even be some confusion at the staff level as to whether or not this actually needs to be applied. And I think we just got caught in the middle of something that wasn’t clearly defined as to when this was going to start and it’s not easily out there for the developers and engineers to get their hands on. Just in general, I know one of the things we talked about at the Planning Board Review that not only does the curb and gutter requirement come in but again, it makes the roads wider; it makes stormwater move faster so it can lead to flooding problems down stream; you actually have higher sediment transport and pollutant transport with curb and gutter than you do with vegetative ditches so there can be some negative environmental impacts associated with that. And, of course, your wider roads make your neighborhoods a little less friendly sometimes as you get wider and further apart – it’s just harder for neighbors to meet each other across the street. So there’s some other intangibles, I guess, that are associated with that. But the biggest concern we have is just that the ordinance is really hard to get your hands on and obviously there was some questions that staff had, too, with even how to go ahead and interpret that and we’re getting caught at this late stage of the game and we were told earlier that we could use ribbon pavement.”

Public Hearing was closed at 7:24 p.m.

DISCUSSION:

Mayor: The recommendation from the Planning Board is that the request be denied.

MOTION:

RESOLUTION #05-006
TO DENY THE REQUEST BY WENDY ALBRIGHT TO
AMEND THE RESIDENTIAL SIDEWALK, CURB AND
GUTTER ORDINANCE EXEMPTION AS PER THE
PLANNING BOARD’S RECOMMENDATION ON
RESOLUTION #PB-05-002

BY: DOT DUGGINS
SECOND: HORACE WARNER
VOTE: MOTION PASSED 3 TO 1
YES – DUGGINS
YES – WARNER
YES – WELCH
NO - LARRIMORE

DISCUSSION ON RESOLUTION #PB-05-002

Ms. Duggins: My explanation for this motion is that the Planning Board came before the council and asked for guidance while they were working on their recommendation about curb and gutter and sidewalks. We discussed in the council meeting in depth as to why this and that. We discussed the paving, what you call “ribbon paving” – but ribbon paving was never mentioned at all. What was talked about was the road and then a little dip with the asphalt so that it would move the water. Never did we discuss grass ribbon moving of the water. What we did discuss in length was the two things I’m talking about was the curb and gutter and this. And this was how we planned for our town to look – we want the developments to look this way because we think it brings in better homes and looks better and this is our desire. Yours is the very first one that has become before the council since we made that judgment. Now, this council unanimously agreed to give them guidance ---- and the guidance was that we wanted curb and gutter and we wanted sidewalks at least on one side. And we unanimously passed that. So I do not see that we can make a difference now here with the very first one that comes to us when we’ve just asked our Planning Board and they asked us for guidance and we gave it to them. You understand?

Ms. Albright: I do. I know it was passed in April. We were coming in on the tail end of that. We were given wrong information from the town manager. Since that time there was nothing in writing and still today, it’s been nearly a year since April – and it’s not where a developer has access to it.

Ms. Duggins: When you call Walkertown, that’s where you get your guidance. That’s where you get your information.....

Ms. Albright:And I did.....

Ms. Duggins:And it’s not in --- we do not have our community plan ready yet – it’s not quite finished. It will be there then but it is not any less legal as to what we’ve done because we passed it as a council, unanimously. Unless we choose to do differently, and my motion is that we do not allow a difference here – that we go ahead with the denial at this point – unless you’re ready to put in exactly what we ask for.

Ms. Welch: I hope you don't think we're picking on you...since you're the first one that came along; but we did make the resolution, and we'd like to stick to it.

Ms. Albright: In this particular case, being the first one that comes through, but maybe we could be "grandfathered" in..... Everything I got was obtained verbally.

Mayor: That was probably a mistake!

Ms. Albright: But that's all we had to go by.

Mr. Wallace: I agree with you. We're very unprofessional, if you want my honest opinion. Because I'm an engineer and I don't go on these 'hope so' and 'whatnots', but, you know, it should be written out plainer and publicized and whatnot!

Mr. Warner: I appreciate what everyone has said and the misunderstanding – but if we start now waiving and doing favors, there will be no end because the next comes along – he's entitled to the same consideration so I think we better abide by our ordinance. It was thought out. In fact, it was mentioned back in October, 1999, that we should do this so it was a long time before we ever finalized it. But now that it's been finalized, I don't think we can start giving consideration or waiving because the next one comes along, they have their same reason for asking. And there's no point (harm???) in asking – there's no question about that.....

Mr. Larrimore:Let me speak.....Let me speak againwhile I'm at it because I don't really care what anybody thinks of me.....In this town, we got one sidewalk – runs down this street and right across there and then just stops. And this is Walkertown out here, for crying out loud! We got to do some downtown stuff before we make people way down here in the country do stuff. It just makes more sense to me. Ya'll can take it or leave it.....

Mr. Garland: If I could just point out one thing. I think the request might also more accurately be brought before your Board of Adjustment and, again, I'm not giving legal advice here, but the request here is for an exemption from a past UDO amendment and a request for varying the application of something like that is really more of a Board of Adjustment issue than it is a 'amend the law' issue. So I would think, for that reason, it also might be inappropriate for you to amend – you'd be amending the zoning, which is a general thing for a specific case. Those are the types of things that are intended to be taken up, I think, by the Board of Adjustment.

DISCUSSION ON PB-05-003

Mayor: The Planning Board recommendation to the Town Council is to *approve* Wendy Albright's site plan with staff recommendation and to include adherence to the Walkertown Subdivision Ordinances.

David Reed: As the Planning Board recommended to you that you approve the subdivision plan. The plan, when it was originally brought in, did not include the stub street to the adjoining property and the petitioners went ahead and designed in a stub street going to the southwest corner of the property so that can serve an extension into that adjoining property in the future. And they agreed to do that. That was really the only additional comment that staff had for them. The conditions were written up in a way that basically said that the

developer must build public streets to Town of Walkertown subdivision standards. And that left it open for ya'll to have this hearing tonight and decide which way you were going to go on this. So with that condition and the other conditions of approval, this does meet all the requirements of the ordinance and Staff does recommend approval and the Planning Board recommended approval of the subdivision.

Ms. Duggins: What kind of lighting – I understand there's a problem about the lighting. Did anyone know what kind of street lighting you're going to have there?

Ms. Albright: We're going to have decorative street lights.

Ms. Duggins: That you plan on paying for?

Ms. Albright: Correct.

Mr. Warner: I believe you said there would be lighting at the developer's expense, is that correct? Does that also include a Homeowner's Association requirement there, or is that direct contract with Duke Power, as far as that lighting?

Ms. Albright: It'll be a Homeowner's Association.

Mr. Warner: Homeowner's Association? Which, then, will govern that portion of it. Some other restrictions they have....okay. Let me ask, this might be a little premature....but I notice in our Petition for Annexation #10, there's also a property here, and I think that might be shown on this site plan here but it's not part of the site plan that we're discussing for approval at this time, correct? Does everyone understand that? What I'm saying is, there's also on Annexation #10, a request for certification for annexation, but that is not included in this site plan, but it may come back to us at a later date, I would presume. But, there again, it's not on this site plan so we don't want to confuse...

Mayor: So, it's separate, is that what you're saying?

MOTION: **RESOLUTION #05-007**
TO APPROVE WENDY ALBRIGHT'S SITE PLAN WITH
STAFF RECOMMENDATIONS WHICH INCLUDES
ADHERENCE TO WALKERTOWN'S SUBDIVISION
ORDINANCES AS PER THE PLANNING BOARD'S
RECOMMENDATION ON RESOLUTION #PB-05-003

BY: **DOT DUGGINS**

SECOND: **SARAH WELCH**

VOTE: **MOTION PASSED UNANIMOUSLY**

3. **DE-ANNEXATION OF THREE PROPERTIES IN K'VILLE TERRITORY**

○ **RESOLUTION #05-003**

Introduction Of Local Legislation Regarding the Town of Walkertown De-Annexation

○ Local Legislative Bill

DISCUSSION:

Mr. Garland: If I may..... this is the one that ya'll agreed in general that you would be willing to consider it and understood that due to the mistake that you would look on it favorably. I've worked with John Wolfe, the

town attorney for Kernersville and we've come up with the local bill. There's no way a town by itself can deannex property – it has to either, if there's an annexation agreement, go to court over that annexation agreement or you can ask the General Assembly to deannex a piece of property. Mr. Wolfe and I decided it would be more efficient to let the legislature to take care of this. The only thing we were most concerned about was that the property would not be subject to tax for this year so we had the effective date be June 30th. That would then mean that the taxes that would ordinarily be imposed as of July 1st but which date back to January 1st, would not apply to this property.

Mayor: The motion before us is to go forward to seek legislative action which our two legislators for 73 and 74 would draft legislation that would allow this to be deannexed, is that correct?

Mr. Garland: Actually, you're approving the draft legislation – the legislation is actually drafted and attached to the resolution.

MOTION: **RESOLUTION #05-003**
TO APPROVE INTRODUCTION OF LOCAL LEGISLATION
REGARDING THE TOWN OF WALKERTOWN DE-
ANNEXATION
BY: **HORACE WARNER**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**

Mr. Warner: I move that we approve this resolution because there is a March 9th deadline on local bills so we need to go ahead with this at this time.

4. **KERNERSVILLE REQUEST FOR WALKERTOWN'S SUPPORT OF ANOTHER ACCESS TO BELTWAY**
 - **RESOLUTION #05-005**
 To request another access to Eastern segment of Winston-Salem Beltway

DISCUSSION:

Mayor: This was withdrawn for the immediate timeframe. This was involving Kernersville's asked us to join them in support of an access, an interchange, for the Northern Beltway. It seems there's not an exchange plan between Business 40 and 158, which would actually be just west of Esther Lane. The TAC met on this last week and there's public comment already in the works; has been received on it, and TAC will be working with D.O.T. on getting some developments on this. So right now, we don't need to take any action on this item.

5. **U.S. 311 – LANDFILL**
 - Letter
 - Fact Sheet
 - Map

DISCUSSION:

Mayor: We have received, the Council has received, a letter from Dave Saunders today. Does the council have any comment?

Mr. Larrimore: I'd like to comment. Mine's in color here (the map of the landfill). The pink has already been used for the same thing we're voting on. He's had that approved. He's burying it down there, not tonight, but probably tomorrow. It's redundant to even --- it's coming. It might be years down the road to get the orange..... That's all I had to say about it.

Ms. Duggins: I'd like to comment on this. This is a large – it's expanding quite a bit. The existing landfill there is small, but what they're talking about is a very large area. It will affect Walkertown. All the traffic's going right through Walkertown – going on the roads that we already have heavily, heavily traveled. We need some kind of input from D.O.T. and from the (landfill) people who own this property. What are their plans? Do they plan to help us out with the roads? Do they plan to lobby D.O.T. to help Walkertown with the roads that they're going to be tearing up and traveling on? It's true – these are public roads and anyone has a right to ride on public roads, but we are responsible for what happens in Walkertown. And this will impact Walkertown. We already see heavy trucks going right through here that come from that landfill. So I know that there's a need for a landfill --- I'm not ignoring that fact, but we do have to address this problem and we do need to be kept abreast of what's happening.

Mr. Larrimore: I'd like to make one other comment about this. 311, as you know, 66 had our railroad crossing raised for tractor trailers because of our automobile transport place out here. The one at the other end – towards Walnut Cove – they spent probably \$20-million down there re-routing the road and fixing it so tractor trailers could go that way. So they're a little bit ahead of us on some of these traffic problems, because it is a US highway and that's all I had to say.

Mr. Warner: I appreciate what's been said; I certainly appreciate the letter from Mr. Saunders at CCUC. But I'd also like to thank Ms. Leight at this point for her research into this because there's so much that could happen even though Mr. Saunders tries to cover all bases. But it's one of those things that when you get into it, if you're in a hole with water up to your neck, you better learn how to swim or be able to get out of there one way or the other. And I think right now we should be cautious, admitting that we do not have jurisdiction over that land; but we do have, as Ms. Duggins has pointed out, much consideration of what happens down there because we are going to be impacted by it. There's no way to avoid that.

Ms. Welch: I appreciate all they've offered us but I don't think all the land has been purchased yet. My understanding that this one person that owns quite a bit is very sick and he's given no permission, no option, or anything. But I still think we need to watch our town as well as anybody else.

Mayor: There appears to be a lot of concerns, from environmental, from traffic, from the neighborhoods – we can list on and on. It was said at one of the meetings, 200 to 250 trucks a day? And most all of them are going to come out!!! So that is adding that many more trucks on the highway!

Although in my talks to Dave Saunders, and according to the letter also, and Peggy addressed this, traffic studies have not been done. They say they are willing to do traffic studies and to satisfy everybody's need to where they don't know what the traffic will be at this point is what his words to me was. I don't think they were looking at Grubbs Road being a viable option from the standpoint of traffic count other than just the size of the road. It's just a rural country road – a paved rural road is all Grubbs Road is so it doesn't meet near the standards that US 311 meets. But I don't think anything is set in concrete, from what I understand, they're doing the preliminaries at this point. We've asked to be included in the talks, in the plans, in the studies, and to be able to let the people in the surrounding communities of this town know what's taking place. And Dave Saunders, who is the Chairman of the City-County Utilities assured me that he would keep us informed. If this Board so chooses, we can send him a letter to that effect - if ya'll would like to do that from this meeting tonight. He was very responsive to the Planning Board's letter. He's concerned that we're concerned. Obviously, when people get concerned you do get their attention and numbers get attention.

Mr. Warner: I'm ready to consider let's write a letter as the Planning Board did, expressing our concerns, thanking him, of course, for his, and pointing out the fact of the impact. I think there's one paragraph in there on Page 2 that concerns me and he says this that if this were developed as a residential, there would be more traffic. But how long would it take to be developed as residential? Twenty years? Twenty five? I don't know. But the thing about it, once they open that landfill, that traffic's going to be flowing in there constantly, as of the moment.

Mayor: I see what you're saying. It's not like building a subdivision – a house or two at a time where you gradually get a house or two.

Mr. Warner: It might be a longer time. And it could be that your infrastructure would change that as the highways and such enough to accommodate that over a period of time, but if you impact that immediately, with that, because they're going to start hauling in there. And when they start hauling it in, I think it was brought to our attention, and rightly so, that once they get it, things can happen quickly!

Mayor: I'm not going to open it for just an all-out session on it but is there any, before we leave this, is there anyone else here that needs to have a word that we have not addressed concerning this?

AUDIENCE MEMBER: Said he had talked with Dave Saunders himself and they could use the right of eminent domain to acquire property they need out there.

Mayor: Does this council want to send a letter to the CCCUC?

Mr. Warner: That's my suggestion.

MOTION: **TO SEND A LETTER TO DAVID SAUNDERS, THANKING HIM FOR HIS LETTER, BUT ASKING TO BE KEPT ADVISED AND EXPRESSING OUR CONCERN OVER THE INFRASTRUCTURE, THE TRAFFIC THAT THIS WOULD GENERATE**

BY: **HORACE WARNER**

SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

Mayor: And if there's specific concerns, we'll ask Councilmembers to be sure and drop by town hall with those concerns before Ms. McKinnie gets it worked up and be sure those concerns are addressed.
Mr. Larrimore: In that letter, we could include that we know that it's already been one out there and to make sure they monitor it.
Mayor: We'll include the list of concerns that we have. I know Peggy seemed a little dismayed at one of the meetings when I watched her observe that this is at the head of a watershed. We'll request to be kept informed.

6. PLANNING BOARD ALTERNATE APPOINTMENTS
RESOLUTION #PB-05-004

To recommend to the Walkertown Town Council approval of

1. Robert Lee Butler
2. Charona Turner Remillard
3. Wendy Tate Dudley

To fill the alternate positions now vacant

DISCUSSION:

(Mr. Butler and Ms. Remillard were at the meeting.)

Mr. Warner: An application from Roger Sharron came in after the Planning Board had made their decision. Another question, is one expressed their interest that they would have zoning to come up but that that would not be a concern. I understand that, because they could always excuse their self from consideration but I want to thank them for putting it on there.

Mayor: I think Mr. Warner is referring to the one from Ms. Dudley. She had answered question #5 that she would be having land coming up for rezoning. I don't know if that's next week, next year, or when – there's no time frame listed.

Mr. Warner: To conclude my comments, let me thank Ms. Leight for her insight in saying that attendance has been a problem with the alternates. Rather than go for the full three years, they said let's do it for one year and then evaluate and I think that was very, very wise. I appreciate that.

Ms. Duggins: Once they've got the year training behind them, they will know just exactly how much time this is going to take and whether they can give that time to this task. That's important.

Mr. Warner: I think any applicant is entitled to that.

Ms. Duggins: I think all three applicants are excellent and they would add a lot to the Planning Board. They know the town and care about the town quite a bit – all three of them do, and are very active with things in the town. I think they'd be excellent choices for alternates.

MOTION: RESOLUTION #05-008
TO APPROVE, WITH APPRECIATION AND
RECOGNITION TO OUR PLANNING BOARD,
RESOLUTION #PB-05-004 TO APPOINT FOR A ONE

YEAR TERM AS ALTERNATES TO THE PLANNING BOARD:

- **ROBERT LEE BUTLER**
- **CHARONA TURNER REMILLARD**
- **WENDY TATE DUDLEY**

BY: HORACE WARNER
SECOND: WALLACE LARRIMORE
VOTE: MOTION PASSED UNANIMOUSLY

7. **ALCOHOLIC BEVERAGE COMMISSION (ABC) REFERENDUM**

- Information Sheet for ABC

DISCUSSION:

Mayor: The people opening a Mexican restaurant have asked to be able to serve marguerites and liquor and in order to do that, there would have to be a referendum in the town since we do not allow this at this time.

Ms. Duggins: This is asking that it be put on the agenda for the November election and to allow the people of the town of Walkertown to make that decision. I think the town of Walkertown people need to make that decision. And they can vote it yes or they can vote it no.

Mr. Warner: I guess I have some reservations here in that we've had a successful festival; we've done what we can to unite the people of the community. I know that a general election divides people but I can't think anything that divides people more than an ABC referendum vote. What's that old saying, 'That's the time that the bootleggers and the people get together.' I have to express that concern as we go forward.

Ms. Duggins: Well, there's one thing it'll do, Horace --- it'll bring the people out to vote, for whichever persuasion they are! That can't be bad.

Ms. Welch: This is the only restaurant so far that's asked, correct?

Mayor: Yes.

Mr. Linville: If you all do want to place this on the ballot, we can't request Board of Elections to do that until about July, the way the state rules read – between 60 and 100 days of the election. If there's a motion to proceed, then it will be to proceed in investigation and you won't formally request this referendum until later. You won't formally request tonight. But if you're firmly against it, we'll stop right now and not think about it anymore. Save me some trouble.

Ms. Duggins: Well, I would like for us to investigate – to check all the angles that we need to check and then at the proper time bring it back before the council and make that decision at that time, whether to go forward or not.

MOTION: **RESOLUTION #05-002**
TO PROCEED WITH INVESTIGATING WHETHER OR NOT
TO HAVE AN ABC REFERENDUM AND IF FAVORABLE,

BROUGHT BACK TO COUNCIL AT A LATER TIME FOR A VOTE TO DECIDE FURTHER ACTION

BY: DOT DUGGINS
SECOND: WALLACE LARRIMORE
VOTE: MOTION PASSED 3 TO 1
YES – DUGGINS
YES – LARRIMORE
YES – WELCH
NO - WARNER

8. **ANNEXATION #10**
RESOLUTION #05-004

Directing Town Clerk to investigate voluntary annexation petitions received under G.S. 160A-31 to be known as Annexation #10

DISCUSSION:

Mayor: Is this where you said you were confused, Mr. Warner?

Mr. Warner: Yes. But this has been cleared up. Ms. Albright has asked to annex some property that is not now in Walkertown which is not included in this site plan. But then, they are asking to petition that to be annexed in and maybe at some future date come back with an addition to their site plan, or maybe not. At any rate, they're just asking to be in Walkertown. Now, remember, this is just asking the Town Clerk to certify this and we'll come back for approval.

MOTION: **RESOLUTION #05-004**
TO APPROVE DIRECTING TOWN CLERK TO
INVESTIGATE VOLUNTARY ANNEXATION PETITIONS
RECEIVED UNDER G.S. 160A-31 TO BE KNOWN AS
ANNEXATION #10

BY: HORACE WARNER
SECOND: WALLACE LARRIMORE
VOTE: MOTION PASSED UNANIMOUSLY

9. **FINANCIAL STATEMENTS**

- JANUARY, 2005

DISCUSSION:

Mayor: This is for January, 2005. I guess our budget's going to pick up – the way the tax evaluation picked up.

Mr. Warner: Have we had an update on property values yet?

Mr. Linville: Just today.

Mr. Warner: What kind of increase can we expect?

Mr. Linville: Twelve percent.

Mr. Warner: The reason I am concerned is we are right at a break-even point on ad valorem taxes, with direct costs from/for services so if we

can stay a little bit above water, I'm happy. We don't need to make money but we need to put back into their service everything we get.

Mayor: Ms. McKinnie, was there sheets passed out?

Lynn: Oh! No! I forgot!!! Sorry....

Ms. Welch: She's been sick.

Mr. Larrimore: On the front page, the Cash Management Trust Fund is \$1,775,422.79 and for everybody's information, that one line is about \$700,000 more than our whole year's budget! Then we got checking account and that's \$35,058.70 and \$500 in Petty Cash. Unrestricted fund is \$1,810,981.49. The Powell Bill, this is for paving our streets which, right now, all of them should be paved, that was torn up by the sewer system and all going in, we got \$662,203.84 in that fund. In Hotel Occupancy fund, this is for things like YMCA, the Y down here playing ball, and whatnot, we got \$281,183.88 in that. The Restricted Funds, which this is, is \$943,387.72. So that's basically what we got on the front page. While I'm into that, I just want to brief the people sitting here – Wendy's gone – but she's over there – her property – they're going to build 42 houses on that property and she said the average price is going to \$250,000 houses. And that includes the roads, the water, the fire hydrants, the septic system and the lights. And it's a gift to Walkertown. And that amounts to \$10,500,000 in property tax, which just at our low rate, just adds to our bottom line on this front page that I just read off. I'm proud to know that we can have people come in and build nice houses like this and give them to Walkertown. And that's all I got to say.

MOTION: **TO ACCEPT FINANCIAL STATEMENTS FOR JANUARY, 2005**
BY: **WALLACE LARRIMORE**
SECOND: **DOT DUGGINS**
VOTE: **MOTION PASSED UNANIMOUSLY**

10. BUDGET / GENERAL TOPICS WORKSHOP

- FY 2005-06 Budget Preparatory Information Request
- Request to set up a Budget Workshop

DISCUSSION:

Mayor: We need to do a budget workshop right away and we thought it would be a good time for some of these general topics. We've got a number of them that we've been letting build up so let's come up with a workshop date. We need to determine the budget, we need to decide on an auditor right away, is that correct? We need to start, okay.

Ms. Duggins: Have you decided who you want other than who we have, that you want for an auditor?

Mr. Warner: I definitely think we should get some bids. I'm not familiar with everyone. There's Cannon and Company, and Dixon and Odom. We should look back to the clerk and let her make some suggestions too, because she has to work with them and provide for them.

Ms. Duggins: It's always good to get bids.

Mayor: We'll just pick March 15th at Town Hall at 2:00 p.m. And, we're not looking to set a firm agenda, give Ms. McKinnie - if you've got general topics you'd like to discuss – I know we've talked about town safety, is law enforcement adequate – that's a topic we need to address. We need to do, I'm not saying do a comprehensive road plan, but we do need to a review of our roads, if there are roads we need to discuss. If we're going to need any further action concerning schools, our committee for the school – if we need to help them with that task that they're facing trying to get a high school here – those are the kind of things that we want to address. We also said we would address some objectives for staff at that time and we do have some review sheets here, that we'll have copies made for you. Mr. Garland was able to procure them for us from some of the other towns around. We do need to set some goals for our staff at this time so if you would be working on those if you have some specific things that you would like to see improvised or brought on board. And other topics that you would want in a workshop type setting. If you have topics we need to discuss and formalize a direction that we're heading on, then that would be the time to do it, rather than trying to do it here. So we'll set that meeting on the 15th of March at 2:00 at Town Hall.

Mr. Warner: Just as a reminder, that will be an open meeting and any citizen is certainly invited.

11. Continued From January 27th Meeting:

A. COMMITTEES:

Rescinded Previously:

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

Still Set Up:

- Festival Committee
- Water Committee
- School Committee

DISCUSSION:

Mayor: Some of these committees have been rescinded; some are still in the works.

Mr. Warner: I had mentioned earlier that we need to restore these committees that had been rescinded. I don't think that with no one overly anxious to volunteer that we should push it too hard but I think we ought to set a timetable that we would like to receive applications from people to serve on these committees by maybe June 1st; and then we could approve them by our meeting in June, and then start off with the new fiscal year, July 1st. As far as Beautification and Appearance Committee, I'd rather we change that to Town Appearance and Beautification – just kind of reverse it. Then, if I may suggest you consider one thing, we've had a good water committee and they've served us well. There is still some property that needs to be addressed. But I'd like to marry that Water Committee and the Review and Advisory Committee, with their permission, of course, together, because I think they've been very responsive people. The Review and Advisory Committee, let's don't misunderstand, they're

not going to dominate or dictate anything. They're just going to be there for us and they did a terrific job on the study of the water system we had and when we did merge with City-County. So, with their permission, or if they agree to serve, I'd like to just marry those two together and let them still handle any remaining properties of the water system.

Mayor: You're recommending that the Water Committee function as a Review and Advisory Committee, is that what I understood you to say.....?

Mr. Warner:We would work those two committees together if that's agreeable and then just change the other to Town Appearance and Beautification.

Mayor: Well, for my input, what's everyone's thoughts of a Review and Advisory Committee? I don't know what their intent is. So, somebody bring me up to speed on that.

Mr. Warner: Let's say, we had a situation and using the water as an example, they checked into the details of that, made a study of it and came back – they could only come back with a recommendation. As far as if there's any controversial matter, and hopefully there never will be, then this will be a group that we could turn it over to and ask them to look into it and make an independent investigation. There will be no prejudice from the council on there; then they could come back with a report to that. As far as any big work, I don't propose they have to meet every week – it's just a matter of what's referred to them for them to make a review of, then come back with a recommendation, or for that matter, if they have no recommendation.

Mayor: What's the other council's feelings?

Ms. Welch: Well, does the Water Committee remember who they are.

Mayor: They met just recently concerning the wells. They gave us the input and worked with us. That's still in the works with the tank on Dillon Street. The people in Georgia still plan on getting the tank.

Ms. Duggins: Now, when you're talking about the Advisory Committee, you're not talking about the Personnel Committee?

Mr. Warner: No. The Personnel Committee has to be this council. This council functions as the Personnel Committee.

Mayor: What do we do with these committees? Does this council see we need a Public Safety Committee, or Public Works, or any of these others?

Ms. Duggins: I just have a thing about committees. If you're going to have a working committee, that's great. If you're going to have a committee just in name only, lot of time churches do this – committees in name only that do nothing. I see absolutely no reason for a committee like that.

Mr. Warner: We used to have a monthly report from the maintenance supervisor – there's an opportunity for things like that – not to take up a bunch of time. Like, there's nothing to report from, say, the Safety Committee – we met or we didn't. I don't want to dictate to them too much....if we establish something and if people are willing to serve, let them come forth and say we want to meet quarterly, monthly, or whatever. I think we have a lot of resources in this town; we should tap some of them if we can.

Ms. Duggins: When we name a committee, we ought to be ready to tell that committee what we want them to come back to us with. If we're not sure of what we want them to do, then I think we need to wait and do the committee when we are sure.

Mayor: We need to have an objective --- there's no doubt about that!

Ms. Duggins: Why don't we discuss this in our workshop?

Mr. Warner: That's good. That's the reason I said let's don't hurry into anything because we want to do what we do right.

Mayor: Just for general information, I did receive a letter from Sheriff Schatzman. He's wanting to have a meeting from the various towns that do not have a police force, which would be everyone except Kernersville and Winston-Salem, and to review the needs of security and the public safety. And this should be some time this month, but I have not received a date. I assume we'll be getting that soon. I know he's looking at various programs but I don't know exactly what he's got in mind but that will probably be coming up soon. So do ya'll want to keep what committees we have, the festival, the water and the school and the housing consortium, in force just as we leave those alone and just hold off on any action on the other committees. I don't want to drag it out but we -- just discuss this at our workshop?

Mr. Warner: Right. I think those that you mentioned are still functioning committees and certainly should keep them -- Let them continue.

Mayor: So, if you would, mark those -- we'll discuss those top ones that have been rescinded at our workshop --- and any others. I think it would be good to have a Beautification Committee to help spruce up our town a little bit. For ya'll that didn't hear it earlier, as Ms. Duggins reminded us, we do have that Housing Consortium -- it is an active committee.

So be sure and add that to your list so we don't overlook it. We'll review these at the workshop, add to, and ----- remember, if we add a committee, I think it's a good idea, let's come with objectives for that committee. Let's just don't have a committee. If we don't have objectives for committees, I think we've answered our question of a need.

B. FESTIVAL COMMITTEE

Set date for 2005 Festival - August 27, 2005???

- August 20th -- Booked
- August 27th -- Available (But there is Fire Captain's Shindig)
- September 3rd -- Holiday weekend
- September 10th -- Fish Fry
- September 17th -- Kernersville's Honeybee Festival
- September 24th -- Getting Ready for Dixie Classic Fair

Per Julia Moore, the first four Saturdays in October are open and available for the Festival.

- October 1st -- Apple Festival in North Wilkesboro
- October 8th -- Autumn Leaves Festival in Mt. Airy
- October 9th -- Antique Festival in Reidsville

Mayor: There's a letter in your packet. The Festival Committee met to try to find a date and they came up with a tentative date, which, really, wasn't the date they were seeking, but most all the dates they were looking at to have a festival in the park was pretty booked up. This is a letter we received in response to contacting the park and as you can see, this changes the picture considerably because the **cost** has been driven up quite a bit from where we were last year. It is my understanding from talking to several of the Festival Committee members, they would recommend to the Council to go back to the streets to have the festival in the streets as opposed to going back to the park. So the Council can hash that over and come up with a decision on if you want to do this. Ms. McKinnie has listed for you the dates of surrounding festivals on the page of your agenda. When it says 'Booked' that means the park is booked; it's not that the town could not have it in the streets at that day. This is regarding park dates that are booked. Course Labor Day weekend is a key weekend; the Civic Club/Fire Department Fish Fry is the 10th – that would not be a good day. The 27th is the N.C. Fire Conference so the Fire Dept. would not be able to participate that date.

Discussion centered around other dates which could or could not be used and location to be used.

ACTION: It was finally decided that October 8th and October 15th should be checked out for festival dates.

Mayor: Would you let us know when the Festival Committee could get together so we can have a meeting right away? We need to move on this, pretty quickly. As a matter of fact, we need to try to let them have a meeting prior to our meeting on the 15th, so if there's anything we need to work in the workshop – additional people to serve – whatever – to serve. It's a much larger undertaking in the streets than it is at the park. We had it pretty easy for our *maiden voyage*.

Ms. Duggins: If we go to the streets, we may have to expand our committee!!

Mayor: There's no question about that ! Yes!!

OTHER BUSINESS

- Manager's Update

Mr. Linville: I think we've discussed enough tonight.

- Northwest Piedmont Council Of Governments' Meeting

Mr. Horace Warner: From the meeting of Feb. 15th.

They approved the huge fees for the year and of course Walkertown pays on the basis of population - \$.18 per capita and our cost this year will be \$748. And, of course, that comes to this Council for their approval. Then the other thing, as far as Senior Housing, there have been funds cut – this doesn't directly affect us, but just be aware of it. Ms. Dean Burgess gave a report. But the

funds cut will require them in the 5-county area to discontinue services to 40 people, and they have waiting lists already. We don't have anyone in our municipal area that's involved in this, to my knowledge. Money is not very plentiful this year. This COG dues – a very small part of their money comes from the dues –most of it comes from grants. That's really their whole function is the management of those grants.

Mayor: Thank you, Mr. Warner. So when does that come before the council for approval?

Mr. Warner: We usually get an invoice in the spring. We may want to go ahead – say, should we continue our membership or shouldn't we? I think we should.

Mayor: Why don't we hold that until we get an invoice.

PUBLIC SESSION

THIS SESSION IS FOR ANY TOPIC

Public Session opened at 8:33 p.m.

- 1) Fred Martin
2733 Martin St.
Walkertown NC

"I believe, after the way ya'll voted tonight on this alcoholic beverage referendum, to investigate – I know how ya'll feel about the people of Walkertown. And I really appreciate it. It's money!"

Ms. Duggins: We're letting the people of Walkertown make the decision of whether they want it or don't want. And so money has nothing to do with it.

Mr. Martin: That's all the world it is!

- 1) E. A. Jumper
5028 Klondike Rd.
Walkertown NC

"The organization John Glenn Homes started over a year ago – it pushed through to get our endorsement..... What has happened to them? Have they just faded away into the sunset? I have people who have heard a little bit about it, are asking questions. I say, "I'm not in the realm. I'm not in the horseshoe anymore. I don't know." There's elderly people interested in having a place to live. Have they just faded away or do we know anything about where they stand? Down behind Winn Dixie – they were going to build it. They were in a big hurry to get through."

Mayor:That was not approved.

Mr. Larrimore:We voted for them, two different years.....

Ms. Duggins:That was low-income and that was not approved.....

Mr. Jumper:They did not get funded?.....

Is there any hope of getting any homes, cluster homes, any type of home, in Walkertown, in the near distant future?

Mayor: Well, there's some on the drawing board that may be coming in the near future. But I can't say there's a date. But that particular one you're talking about on Rocky Branch was not funded this year, just like last year. We went through all the process with them, made the recommendation, wrote the letters – did all we could do – but it was not funded, which was two years in a row that it was not funded.

Mr. Jumper continued his Public Session speech:

I want to ride this horse again about this landfill. I was sitting here thinking. The school zone. They're going to put it through. I'm convinced they're going to ram it down our throats. I don't know how far down the road. But picture – 300 trucks a day going through our school zone. Make it a no-truck, make it off-the truck route. I'm an ex-truck driver. I know what I'm saying. And I know it won't make them happy but anyway, it's something. We need to consider our children – not the trucks and trash. And, then again, picture a constant row of trucks lined up at the post office trying to get out in traffic because nobody's going to let them out unless there's not a traffic light put there, I mean, you can't visualize – they're not visualizing the nightmare they're generating for us. And I hope in that letter ya'll can touch on something like this. Maybe get their attention; they'll show us a little more consideration than what I'm thinking we're getting there.

Mr. Warner: He mentioned something about traffic – the trucks and all. And I'd like to bring to the attention of this council and town, you've got that intersection at the Post Office (Harley Drive and Main St.) and you get into there at rush hour and you don't get out at that intersection. One other option that we may have is that D.O.T. would look at the possibility of routing that Harley Drive traffic on Sullivantown Road and maybe even to the extent of coming to a stop light there at Sullivantown and 311 – that would help relieve some of the tension there. It wouldn't take away the numbers but you've got a situation there if that traffic comes in at the Post Office, you just sit there and wait. There's no courtesy shown at all.

3) Marilyn Martin
2733 Martin St.
Walkertown NC

"On Annexation #10 and I believe that is the Sowers property that Mr. Sowers wants to develop. I still have some concerns about it. I've heard ya'll have talk about traffic from the trucks – a lot of concern about that. But no concern about 240 houses going in and the traffic that's going to come out on 66 and run right directly by a school. I'm not directly affected but I will live close to it and I can't get out on 66 now. The commissioners denied this unanimously when it was brought before them. They came out on site and looked at the schools and that was one of their main considerations. We don't have the infrastructure in place to take care of this development and there are no plans in place to widen 66. There's no funding available. I'm on the Land Use Committee. This is what they've told us. So I still have concerns about this. These are the same ones I've had all the time. I also saw in the paper where Mr. Sowers was in favor of impact fees. That might be a good way to go and Horace has brought this up for a year now – that that might be possible. So those are my concerns about this. I don't want to keep the people from developing their property. I would just like to see less housing go in – instead of three houses on an acre – or whatever he's proposing. He could still build a nice development with less housing. It'll still put a lot of traffic but say not as much as 240 houses.

Public Session was closed at 8:40 p.m.

ANNOUNCEMENTS:

- Recycling in Walkertown continues every two weeks.
MARCH 07 AND 21
- TOWN COUNCIL MEETINGS: (4TH THURSDAYS)
7:00 p.m. at the Library Auditorium on:
01-27-05 04-28-05 07-28-05 10-27-05
02-24-05 05-26-05 08-25-05 11-17-05
03-24-05 06-23-05 09-22-05 12-15-05
- PLANNING BOARD MEETINGS: (1ST TUESDAY)
02-28-05 4:00 p.m. Town Hall – Pre-Meeting Session
03-01-05 3:00 p.m. Library (Actual Meeting)
- LAND USE COMMITTEE:
On hiatus until further notice
- SCHOOL COMMITTEE:
To be scheduled very soon

Ms. Duggins added the Housing Consortium Committee Meeting on March 7th at 4:00 p.m. at Town Hall and the Legacy Update will be presented on the March meeting.

ADJOURNMENT @ 8:45 p.m.

MOTION: TO ADJOURN
BY: WALLACE LARRIMORE
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

ATTACHED AS INFORMATION:

- FEBRUARY 1, 2005 - Planning Board Minutes
- FEBRUARY 10, 2005 - Festival Committee Minutes
- Application for Alternate Planning Board position from Roger Sharron
- FEBRUARY 10, 2005 - Newspaper article on new Walkertown area high school

ATTEST:

TOWN OF WALKERTOWN:

By: _____
Lynn McKinnie
Town Clerk

By: _____
Kenneth R. Davis
Mayor