



Town of Walkertown, North Carolina
Website: townofwalkertown.com
Walkertown Town Council Meeting
Walkertown Library Auditorium
THURSDAY 7:00 P.M. MAY 26, 2005

MINUTES

1. MEETING CALLED TO ORDER at 7:00 p.m. by Mayor Doc Davis.
Present were Mayor Davis, Councilmembers Warner, Welch, Duggins, and Larrimore; and Attorney Bo Houff and Town Clerk Lynn McKinnie.
2. (a) INVOCATION By Pastor Jerry Goode
Faith of God Ministries Church

(b) PLEDGE OF ALLEGIANCE By Councilwoman Dot Duggins

3. MOTION FOR APPROVAL OF AGENDA
MOTION: TO APPROVE AGENDA AS PRESENTED
BY: WALLACE LARRIMORE
SECOND: HORACE WARNER
VOTE: MOTION PASSED UNANIMOUSLY

4. MOTION FOR APPROVAL OF MINUTES
 - APRIL 26, 2005 – SPECIAL CALLED MEETING
 - APRIL 28, 2005 – REGULAR COUNCIL MEETING**MOTION: TO APPROVE MINUTES OF**
APRIL 26, 2005 – SPECIAL CALLED MEETING
APRIL 28, 2005 – REGULAR COUNCIL MEETING
AS PRESENTED
BY: SARAH WELCH
SECOND: DOT DUGGINS
VOTE: MOTION PASSED UNANIMOUSLY

5. PUBLIC SESSION
Public Session was opened at 7:06 p.m. with two speakers:

- 1) Arlyn Wilson
4701 New Walkertown Road

I'm here to make councilmembers and the audience aware of the things that are happening with our Forsyth County Aging and Planning Committee – and, let's face it, all of us are getting there – and some of us are already there. Our Home and Community Grant money was cut this year from our state of North Carolina by \$45,728.00. That means that we as a budget committee took from Forsyth County Department of Social Services almost \$9,300.00; from Senior Services we took almost \$25,000 away; from our Trans-Aid, which we receive transportation services here in Walkertown we took almost \$8,800 away; and

from Senior Financial Care we took \$670; and from the Shepherd's Center we took almost \$500. We are living longer and as we get to the year 2010, individuals in Forsyth County over 65 will double. What are we going to do about it? Forsyth Seniors are now 13% of the population - think of that doubled by the year 2020. It's almost like our civic groups and we are in denial --- til you think about these figures, I think you have denied the problem. I am here as an advocate for the senior population of Forsyth County and especially for Walkertown. We need to look at this problem and we need housing; we need community centers; we need transportation. We need so many things. And we are living longer so the need is going to increase. But please, don't give us a tax increase!! Thank you.

2) Lori Norman
4655 Dillon St.

My concern is only for about ten homes and those homes are on Dillon Street. When the Dillon Street well was removed, I mentioned this to our former town manager – that our road was destroyed in several places, where the weights of the trucks – our road cannot handle this – so it crumbled. Now, we're at a place where who is going to pay to repair our road? Personally, I don't think the town should have to come up with this money because the town did not destroy it. We, as the citizens of Dillon Street don't think we should have to pay for it because we didn't destroy it. I would like to see someone from the town contact the movers of the well, the people who bought the well – whomever - to come up with a price to fix our road. Thank you.

Public Session was closed at 7:11 p.m.

6. PUBLIC HEARING #1
Advertised April 21, 2005
WA-019 – Zoning Map Amendment
James A. Zimmerman, Jr., and Fay F. Zimmerman for property owned
by Mary L. Zimmerman Heirs
From: HB (Highway Business) and RS-20 (Residential Single-family with a
20,000 square foot minimum lot size)
To: PB-S (Pedestrian Business for the purpose of Food or Drug Store)
Planning Board Recommendation: Approval

DISCUSSION:

Aaron King of the Planning Department: spoke:
Subject property is located at the northeast corner of Old Hollow Road and Darrow Road. It's approximately half an acre in size and it is located within Legacy's Growth Management Area III – Suburban Neighborhoods. Just to the west of it is a hair/nail salon zoned HB (Highway Business). Just to the southwest of it is a vacant portion of the shopping center. A little bit further southwest, zoned HB-S as you come down Darrow Road, there's Citgo Gas Station zoned HB at that corner and some other Single Family homes, zoned RS-9, further down Darrow Road as you go, just to the east and to the north of the subject property – you can see some single family homes zoned RS-20 and just a little bit further to the north of the site, you've got the Middle School located there. Site plan indicates they're proposing a 2,874 square foot building, only access coming

off of Darrow Road. They're proposing 12 parking spaces, 10 are required by ordinance, most of the parking _____ - got a few located beside – two parallel spots on the north and south ends of the building. Providing sidewalk, curb and gutter along both frontages – Darrow Road and Old Hollow Road. Also, along with this, they're required to put in a Type 2, 15-foot wide buffer adjacent to the RS-20 property. When this came before the Walkertown Planning Board, they recommended Approval of this request.

Mr. Warner: Do you have any estimate of traffic count or clientele? And what are the hours of operation?

Mr. King: In our staff report, I believe the estimate we came up with from our trip generation was 259 trips per day this would generate, approximately. We do not know the hours of operation.

Public Hearing was opened at 7:15 p.m. and closed at 7:16 p.m. with no speakers.

MOTION: **TO APPROVE ZONING REQUEST FOR WA-019 FROM HB TO PB-S**
BY: **DOT DUGGINS**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**

MOTION: **TO APPROVE SITE PLAN FOR WA-019**
BY: **HORACE WARNER**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**

Ms. Duggins said that this fits perfectly with Legacy Plans for Forsyth County – It's a walkable area and with the sidewalks, once we connect all the sidewalks, and eventually that will happen, people can walk rather than drive to where they want to go. This is perfect.

7. **PUBLIC HEARING #2**
PUBLIC HEARING WITHDRAWN !!!
REQUESTOR WISHES TO WITHDRAW THIS PUBLIC HEARING
UNTIL FURTHER NOTICE !!! (NEED MOTION TO APPROVE WITHDRAWAL)
Advertised April 21, 2005
WA-020 – Zoning Map Amendment
Centre Stage, Ltd.
From: HB-S
To: RM-18-S (Residential Building, Multifamily)
Planning Board Recommendation: Denial

DISCUSSION:

Mayor: This has been requested to be withdrawn but we need a motion to approve this withdrawal. This withdrawal will allow them to come back at a later date without any waiting period.

Mr. Houff: At this stage, they are not asking to remove their petition from consideration. It appears as though they may come forward with an

amendment to this petition to address some of the concerns that were raised at Planning Board, which recommended Denial.

MOTION: **TO ALLOW THE WITHDRAWAL OF THIS ZONING
REQUEST FROM TONIGHT'S PUBLIC HEARING
PENDING FURTHER ACTION**
BY: **DOT DUGGINS**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**

NOTE: THIS PUBLIC HEARING WILL NEED TO BE READVERTISED IF AND WHEN THE PETITIONER COMES BACK WITH HIS REQUEST.

8. PUBLIC SAFETY CONSIDERATION – SHERIFF DEPUTY
 SEE APRIL 26, 2005 MINUTES FOR EXHIBITS

DISCUSSION:

Mayor: This is concerning the consideration of additional of public safety needs in our community. We are pleased to have Sheriff Bill Schatzman come to speak to us.

Mr. Schatzman spoke:

Thank you for allowing me to be here tonight. It is my pleasure to be here to discuss public safety, to share with you some of my thoughts and then for you to share some of your thoughts with me. Public safety is, of course, the number one mission of government – it is in the first sentence of the government's mission statement to provide a safe and secure county. It comes before education! It comes before health. It comes before social services. Not that it's more important or not that we should not be considerate and fund and hold important public health and schools and social services, but a safe county is a mandatory thing! The Sheriff's Office in the last thirty (30) months has attempted to determine what the needs are and specifically in patrol – something that would be of concern to you out here in Walkertown. As way of background, there are eight (8) municipalities (8 mayors, 8 councils) in Forsyth County. Two of those municipalities are Winston-Salem and Kernersville and they have a stand-up law enforcement agency, separate and apart from the Sheriff's Office. The other six (6) do not. -Clemmons, Lewisville, Tobaccoville, Bethania, Rural Hall and Walkertown – no law enforcement except the Forsyth County Sheriff's Office. We provide all public safety for those six municipalities. Some of those municipalities, however, have chosen through the Community Oriented Policing Service to fund through their municipality funding additional law enforcement that is dedicated specifically to those areas. Clemmons has 8 officers, Lewisville now has 4 and Rural Hall has 1. (I'm hoping I'm saying all this right. I'm doing this from memory.) What we suggest for Walkertown is the consideration of funding deputy sheriffs solely and specifically dedicated to Walkertown because it is a fact that on any one moment in time, whether it's during the day or during the night, there is no law enforcement at all in Walkertown. There is no law enforcement in Zone I. The Sheriff's Office breaks down Forsyth County into four zones and we patrol those zones with a platoon consisting of thirteen (13) officers. That's a

Lieutenant, a couple of sergeants and then patrol officers. As you would certainly know and understand, that if you have a team of thirteen people, if you factor in vacation time, sick time, court time and training, you are lucky to put eight to ten cars on the street at any one time. No 13-unit platoon fields 13 units every shift. We work in 12-hour shifts. So what I'm saying is that when we field eight or nine or ten units in the county in the night shift or in the day shift, we are only allotted the opportunity to have a couple of cars in each zone – maybe two cars in each zone. That would be eight, maybe a roving car on the east side of the county and a roving car on the west side of the county. And we have sergeants that monitor, review cases, review paperwork and have to supervise ongoing incidents as they occur and then you have a Watch Commander, a lieutenant over all of that. For the number of calls that we receive in the county and the growing number of calls that we receive, we feel that we need more patrol in the more than half of the square miles of the county, not covered in municipalities and those six municipalities that do not have stand-up law enforcement agencies. Again, what I remind you – more than half of the county's square miles is still unincorporated. Then you have the municipalities and then, of course, you have the City of Winston-Salem and the City of Kernersville. So it's a large undertaking, with the development in the county – shopping centers, little strip malls accommodating the housing developments that are going on in Union Cross, Tobaccolville and Walkertown -- you have calls for service. Calls for service are up over 50% in the last five years. I will remind you also, statistically, we had 200 sworn deputy sheriffs in 1990 in the Forsyth County Sheriff's Office. We have 207 sworn deputy sheriffs in 2005 – that's an increase of less than 4%, or 7 bodies, over the last 15 years. It's not sufficient. If you have taken the time to look at the growth of the Sheriff's Office, you will see that our growth was in the Detention Center – where we went from the old detention center, which had about 70 personnel – to the new detention center which currently has about 260 personnel – and growing. We went from a jail populated by 300 to 400 people to a jail now populated between 850 and 900, with a maximum capacity of 1100. All of which to say to you, that we think it is not 2005 public safety to have at any one moment in time, no public safety coverage in Walkertown. If there is an incident of note in Tobaccolville or Union Cross or Lewisville, that's where all the deputy sheriffs will go. They must respond and service the need. So that at any one time, again, there is no one in Zone I (or Walkertown). If multiple occurrences occur in Zone I – in Belews Creek or in Walkertown or in the fringes of Kernersville, the 2 or 3 or 4 cars on the east side will go to that location and service that need. So, again, we are thinly staffed, with no relief and no elasticity of which to respond to multiple ----- so that means if you're in your home and you have someone break into you and you know it's a break and enter in progress and someone else ten miles away has a break and enter in progress, one of you is going to wait a pretty long time to get someone to show up. That means if you are the victim of a domestic violence situation, where you, as the victim, report that the assailant, the live-in partner, has a weapon, the deputy sheriff (we're talking now about officer safety) that deputy sheriff has to respond alone, without back-up, to a situation that is highly volatile and highly dangerous. So not only am I speaking about citizen safety, I'm speaking about the good men and women who put themselves in harm's way unnecessarily because of lack of staffing. So it's a danger for our personnel as well as a danger for you in the town

of Walkertown. So, where is the solution? You have, by forming a municipality and electing a body and submitting to paying additional revenue over and above your county tax to live in this municipality, you have funding authority that is capable of providing additional law enforcement services and you have the county commissioners who are available and responsible for providing public safety. So it is a governing body responsibility, I say it is the most important responsibility, to ensure everyone is safe and sound in their homes, in their workplace, in their schools, on the highways, in the courthouse and in the jail and it is a hard decision for the funding authority to make. It's a hard decision for the commissioners to make, to spend money – because it's your money they're spending. It's your tax dollars that they have to spend. I believe there needs to be a partnership between the municipalities and the commissioners and it needs to occur so that we are safe – you are safe in your homes and our personnel are safe when they help protect you. I'll answer any questions.

Mayor: One comment, but we did invite the County Manager, Assistant County Manager, and the Commissioners. I just want to make sure everybody was aware of who was invited and who was here.

Sheriff Bill: We have the Assistant County Manager, Ron Graham, here and Ron is in charge over the Sheriff's Office.

Bill Roberts, in the audience asked: "You say Rural Hall has one deputy up there? What would it cost the Town of Walkertown to have one deputy assigned to Walkertown?"

Sheriff Bill: Our calculation is about \$90,000 the first year. That takes into consideration the fixed costs of equipping the deputy and then it's about half of that, a recurring cost, each year.

Marilyn Martin asked or stated something to the effect that that cost was per each deputy and Sheriff Bill agreed. He said it takes four people to provide patrol service 24/7 --- 365 --- that's a deputy sheriff on patrol in Walkertown 24 hours a day, seven days a week. Because there are four platoons, they work 12-hour shifts. Any type of public safety service is a factor of "4". They looked at and provided numbers to the council regarding the calls – investigative services, that is felonies and misdemeanors that they are called to investigate. That number which is significant just to the Walkertown municipality would support having one detective dedicated to investigating, just as Clemmons has one detective dedicated to investigating the Clemmons cases.

Mayor: I believe you said the number last year was 157 felonies in Walkertown that were needing the services of a detective – that's what you gave us.

Sheriff: That's right. I've only been sheriff a short time – about two and a half years – and it's been a real eye-opener and a lesson to me. My experience in law enforcement is 35 years but not as someone dealing with budgets or dealing with funding authorities and dealing with the citizens. My experience is with the government and government has a tendency to throw a lot of money at things. But when you get down to the local level, every dollar counts. Everyone is not wealthy. So the funding authorities have a real difficult, hard job

– the municipalities and the commissioners – having to allocate funds from a large landscape of request, of competing demands for money. The Public Health people advocate public health. You must have good schools – you can't have crowded classrooms. You must have educated teachers. You must have Social Services. The big hue and cry now is to have a downtown health center – to help folks who can't help themselves. All of those things are necessary. People want public safety – they demand public safety. When I tell you that it takes "x" number of minutes too long to respond to a felony, serious crime against a person – everyone that I've spoken to in the last couple of years says, 'That's outrageous. We can't have that! We must have a faster response to save me when something bad has happened!' Just like you ensure that you have a fire truck within three minutes of your house – you build fire stations and trucks so that when your house is burning, a truck can get to you and put the fire out. But all of that, unfortunately, comes at a cost and the cost is borne by each individual. But they say you must provide that service – but don't raise my taxes to provide the service!.....wherein lies the mystery because we are a public entity providing public service that is funded by the public. Dollars out of pockets. I say that government has a responsibility to educate the people and say to the people, 'this is what we're spending your money for. If you don't want more public safety, then tell us you don't want more public safety but don't tell us you need the public safety, demand more public safety, criticize and complain when we don't have the public safety regarding an incident that occurs and then criticize and complain when you don't want it funded. There's no other way to do it. It costs money to operate today more than it did yesterday. We used to have 300 people in jail, now we have 900. We all used to share the courthouse, now the courthouse has nothing but courtrooms in it and we had to build a new county government center. Pretty soon the Sheriff's Office will perhaps outgrow the building we're in - that's progress. We used to have 5 people in the school resource officer program, we have 26 now. We're opening two new high schools and a middle school next year – where are we going to get the staff? Where are we going to get the money? Unfortunately, it comes right out of our back pocket. That's the problem that your elected officials must govern and must take the heat and they must educate --- they must say 'These are the reasons'. Doing the right thing is always the right thing. Sometimes it's not popular and sometimes you get criticized an awful lot about it.

Enos Jumper from the audience asked something to the effect of what the actual cost of the deputy would be??? Sheriff Bill said that was an excellent question and said, "Because you pay county tax already, that would not be the actual cost. It would be less than that. It's a negotiated amount. You already pay a tax for public service. Again, if you were to go forward and adopt, this is to have public safety that is dedicated only to Walkertown. We're asking Rural Hall, Tobaccoville and Bethania to go into partnership on their budgets and perhaps add one or two or three patrol officers for that sector too as a way to supplement and help the county patrol officers.

Public Session for Public Safety Consideration was opened at 7:40 p.m.

- 1) Lori Norman

4655 Dillon St.

I understand the need that we have here in Walkertown. I had no idea we had so many felonies this past year. My question as the town, do we have money in our budget for this?

Mr. Warner: If we followed what Sheriff Schatzman recommended, we would have to increase our tax rate of \$.20 on \$100 by 15 ½ cents the first year. So we'd have to go from 20-cents to 35 ½-cents the first year! Subsequent years after that, we'd have to increase from 20-cents on the hundred to 29 and 1/10 cents just to support, based on the figures he's given us to police Walkertown.

Mayor: Anyone wishing to speak – this is the time to speak. We want to hear from the citizens concerning public safety and your thoughts.

2) Enos Jumper
5028 Klondike Rd.

I appreciate all your time. I've been involved sometime before and I know I'm going to make some people unhappy tonight. I question the tax rate that's needed. Our Finance Officer told us many times that we have money pretty much in the account now that we could take care of this situation. It's an ongoing situation. We will have our own police department some day. But until then, we still need protection. Whatever it takes and I don't think it's going to take a 50% increase in taxes. I just don't think that at all. This is not an unending cost – we won't be signing a contract for life to support this the rest of our lives. Someday we will have our own police department, then we will support them. When we had deputy in times past, we had maybe not the very best – may not have been the most elite. I'm going to say this as polite as I know how. I'm not saying we had poor detective but let's say we had the most inefficient one on the whole Sheriff's Dept. out her working for us, and we didn't, but we had more protection when he was here than we had when he was not here. We had some protection; we had a lot of help. We had people who knew him, who would go to him and talk to him. They see a strange uniform?? They will talk to a face quicker than they will a uniform. They knew them. And I would ask all of ya'll to consider this. That 2 years, 3 years, 4 years, whatever time we need to get them. We need to put these men out here. We have, in my neighborhood, things going on that were not going on three or four years ago and it's getting worse. And the only answer is that we can get some help from these people. They can do only what their strength allows him to do unless he has the numbers, he can't do any more than what he is doing now. I'm sure he's doing all he can possibly do. I would like to ask ya'll to think in a positive sense about this. If you had a dire need, would you consider, 'Oh, I wish I hadn't paid that ten cents on the hundred?' Would that even enter your mind? I don't think it would. Thank you.

Mayor: Anyone wishing to speak, pro or con on Public Safety? Any comments on Public Safety?

Public Session was closed at 7:44 p.m.

Ms. Duggins: Sheriff Schatzman, thank you for being here tonight. We specifically asked you to come so that our citizens could have their input and to hear this situation that we're in. The reason for that was because taxes will have to be raised if we do this. We do have a good fund balance. There are other things that we have to keep that for. This will be an ongoing thing and we have no idea how long this will be ongoing. To put in a police force for the Town of Walkertown would cost much more than what he is offering to us. But I still have some questions. Walkertown is made up mainly of blue-collar and retired people. Lower income than Lewisville and Clemmons as an example. We have just put in sewer. We've asked our citizens, some that did not want or need sewer because we all pretty much had to get on the same wagon to pay their fair share. Now, we'll be hitting them again but I want them to understand exactly what they'll be getting. Correct me if I am wrong here – if we have these deputies – if we hire four – and according to your print-out that you gave us, to hire one and supply him with his equipment and a car, will be \$99,077.66 first year. And that will be multiplied by four times.

Sheriff: I think the municipality would be charged – and, again, you'd have to talk with Joe Bartell, the budget guy downtown and others that are more wise on the accounting side than I am – but you pay a percentage, maybe 70% or 80% of that. Because citizens already pay a tax so you would not have to bear the 100% of the cost.

Ms. Duggins: Now, here's my problem. We supply the car and the equipment. Let's say you reassign, or they ask for a reassignment, one of those deputies – they go somewhere else. And they take the car and their equipment with them. Is that right?

Sheriff: Yes.

Ms. Duggins: And then we have to then turn around and supply another car, other equipment?

Sheriff: No, ma'am. You would always have, in the patrol side, four officers, fully equipped here. If one particular patrol officer (use the example) got promoted and we assigned him in another area as a sergeant, you would have a patrol deputy take his place here. But you would always have four personnel and four cars, four notebook laptop computers, four radios, four guns, four uniforms, etc. etc. You fully fund that four-person unit.

Ms. Duggins: Okay. Next – in the surrounding area, when there is a crime out in the area, now, keep in mind, citizens of Walkertown, you are paying already a county tax for this protection – and you will be paying again, twice, for this protection when we levy that tax to supply this to you.

Sheriff: That's right.

Ms. Duggins: Now. Let's say, a crime occurs in Belews Creek and, of course, the deputies that are going to be called out are the ones closest and that's going to be here in Walkertown, possibly other areas, but here in Walkertown. And they're going to go out and be taking care of part of the county that is only paying one time – that we will be paying twice!

Sheriff: Yes, ma'am. Are you asking the question or

.....

Ms. Duggins:If I am incorrect, then correct me.

Sheriff: Yes. You are incorrect. The deputy sheriff on duty would not leave Walkertown. The extra cost is to guarantee a dedicated

person in Walkertown that would not be taken away from Walkertown. The commissioners pay for deputies to travel all over the county. They can't stay in one area – they must go where the action is because there is not enough of them. Again, if something happened in Union Cross, the Walkertown deputy would not go to Union Cross, would not go anywhere – he or she would stay in Walkertown.

Ms. Duggins: So you're saying if a crime was committed on Pine Hall Road which is right outside of Walkertown, the deputy in Walkertown is not going? When he is less than five minutes away?

Sheriff: Yes, ma'am. That is what we would say, is that the deputy sheriff would stay in Walkertown and then the other deputies would go to that scene. I'm certainly not going to stand here and say to you that if someone is getting shot and they're half a mile outside the city limits of Walkertown and everybody is going that way, that that deputy sheriff who's closest is not going to try to save that life; but the point of the deal is he/she will stay in Walkertown to handle Walkertown calls. When a 10-18 traffic comes on, if somebody is getting hurt, we might have to violate that rule at that time. But, again, the deputy would not be handling routine calls in Belews Creek or in Tobaccoville as they do now. I think it would be wise and prudent and no one here would suggest that if you put up iron gates around the municipality of Walkertown, never to penetrate – What we're suggesting is that you might want to have dedicated officers to the municipality of Walkertown and for that, it just costs more money. But "dedicated" now – not handling routine matters out around.

Ms. Duggins: Okay. Now, I want to make a statement. We pay here in this town a fire tax – comes out of what we tax the citizens and the local one gets 6% (6-cents out of a dollar). Have you considered levying a tax, which I think would be more equitable to everyone, and all eight municipalities that surround Winston-Salem, a tax for public or police protection and we would not have to raise the taxes as much as a start-up. As Mr. Warner has stated how much we would have to raise the taxes to cover four deputies and one detective. If we had it on a percentage basis and everyone bought into this, that money would always be there to pay for those deputies. I'm not picking on incentives but there would be money there to give to the sheriff's department if we had not put so much from the county coffers into Dell and I hate to put that because we need the jobs. You know, we're darned if we do and we're darned if we don't. If we were assured that this percentage, like we are assured that we get fire protection that we're going to get public safety protection and it wouldn't be touched, then we would be much more interested in going this route.

Sheriff: I'm not a good person to talk to regarding the financing and how you publicly finance anything. The Dell issue is money over time. That might be some way to finance public safety but from my speaking to, what I'm hearing is, comment statement, the people in Clemmons don't want to pay for services given in Walkertown and Walkertown doesn't want to pay for services that are given in Lewisville. Because you formed a town and you're a small group, you want to know that your money is going to serve the community as opposed to serving some other place.

Ms. Duggins: Well, my theory is if, for instance, Lewisville and Clemmons are much more populated than Walkertown, and it would be

levied according similar to the amount of people that you're serving. Just what you're saying about the fire departments having their own fire stations and closer to them, a precinct in Walkertown would be wonderful for the area.

Sheriff: Yes, ma'am. We've talked about that; we've talked about precincts – little mini police stations – you'd have a patrol function; you'd have a detective function; a crime scene function; a school resource function; a civil function – little mini sheriff offices....but then, again, with each one of those, you have to have a physical location – you have to have a building and that costs money! We're just trying to tell you what we think your needs are; how to finance it and service it is another issue.

Ms. Duggins: And I'm only telling the people what to expect if we choose to do this.

Ron Graham: You bring up a good point. The fire district was created because an area wanted an increase in level of service – additional fire services. If a town wants an increase in the level of service of public safety, you can do two things: create a service district, but the town is already a service district and all the service district is, is an ability to level a tax. You already have the ability to levy a tax so there's no need to do that.

Mr. Warner: You were saying the ability to levy a tax, the county has the ability to levy a tax; they also have the responsibility to have law enforcement for safety and I think what Ms. Duggins is suggesting is the possibility of a county-wide situation where everybody gets the same protection; everybody pays the same thing – it doesn't matter what their status in life. If we go on this basis, the more affluent get, the less do without, is that correct?

Mr. Graham: That is correct.....

Mr. Warner:And that bothers me.....

Mr. Graham:Well, the way the Sheriff's Department is funded now is just what you described. Everybody pays the same taxes to the county and the commissioners levy that tax and gives the funds to the sheriff. He provides the same level of service throughout the whole county. If an area says they want a higher level of service then it's upon them to decide whether or not they want to pay for it or not. If they decide not to pay for it, then they still get the same level of service that everyone else gets – whether it's good, or whether it's bad.

Mr. Warner: It was said earlier that there were 200 deputies and now there's 207, has the county funding kept up with the needs? Maybe that's a wrong question to ask.

Mr. Graham: And I think the Sheriff would say that we have not kept up with the funding for the needs of the Sheriff's Department.

Mr. Warner: How do they correct the problem by taking it to a local municipality rather than going back to the place of the problem? I know it can't be done overnight. It bothers me that the most affluent can have and the least affluent can not have.

Sheriff: At some time in the past, before my time, this county began forming municipalities according to the density of population and the demand for increased service based on that density of that population and so perhaps – I can't speak for the commissioners – on their motives over the years. It's only my third budget cycle but I see that other communities have increased their coverage through their efforts. Perhaps that slowed(?) the county-wide

governing body from providing additional revenue to expand the Sheriff's office. Clearly, by anyone's measure, 200 people fifteen years ago cannot support the fact of only 207 people now. We had four people in schools SRO program 10 years ago; we got 26 now. I think Sheriff Barker told me, and he was quoted in the paper, that when he took office there were 56 deputy sheriffs in patrol. There's about that same number now - maybe 60 in patrol now. We do count the community policing as a patrol function. So, clearly, it comes down to the distasteful conversation which wraps around that three-letter word called "tax". You have the need for the service, believe me. And how you fund it and how you get it implemented is up to the governing body. We'll provide it; we can hire it; we can train it; we can people it; we can tool it; and we can train it and we can put it out here, saving lives, getting back your lawnmowers, getting back your house when it's broken into. We can prevent crime; we can intervene in the crime and we can solve the crime.....

Mr. Warner: My colleague over there has brought up a concern that could that same principle not be somewhat employed as we move forward to get the _____ possibly necessary public safety for all citizens in the county?

Mr. Graham: Well, the commissioners will hold a public hearing a week from Monday where they will hear from all sorts of people about all different types of services. They have to make the same decision that you have to make in your town whether or not you can afford to raise taxes for the citizens. And they're going to make that decision. The sheriff has made his request that he feels like he needs additional personnel; they get to make that decision just like you do.

Mr. Warner: Where does the primary responsibility for public safety lie?

Mr. Graham: It lies with the sheriff.

Sheriff: I'm an elected official just like Mr. Warner, Mr. Davis, Ms. Duggins. We're elected officials and you have allowed us to be responsible for your public safety, for your fire, for your schools, for your health. You have conveyed that trust and that authority to us. We, in turn, must tell you what it's going to cost. And that's a difficult thing. What I have said to the commissioners, and what has caused some words in the newspaper to be said is that governing is difficult. Governing is always very difficult and when you ask people for money and you're talking about their wallet, either on the federal level, the state level, or the local level, you better have a good story! You better be telling a good story! Because dollars are hard to come by and people have to work hard for what they have. So, to answer your question, who's responsible? The elected officials. The sheriff, in this case, is an elected person. The councils are elected and the county commissioners are elected. And it's a darn tough job that elected officials have to do. And they struggle with it. There is no partisan politics here on this level of government.. This is where the rubber meets the road - this is your house; this is your safety issue. And you have to ensure your own safety, in your own way. And Mr. Warner is right, if it's only left to those who can afford to have public safety, I don't think that's correct. I think that the governing body has to assure a level - a responsible, standard level of all services, whether it's education, sanitation, health, social services and that is the function of the governing authority to sell that service, to sell that concept, and

get funding for it. These folks don't pay for it out of their wallet – we all pay for it out of our wallet. It's what you need. And, unfortunately, most people aren't stakeholders. Victims of crime are advocates, stakeholders in public safety – they want public safety. There cannot be enough public safety.

Mayor: Do you have an estimate of what the \$99,000 to put one officer – would that be 60-, 70-, or 80-percent – do you have any idea on that? Mr. Graham: I think that the figure you have

there is maximum. I think when Karen and I worked on it before, we were able to reduce that by about \$20,000.

Mayor: I thought it would be less because of the dual taxation on it. So it's about 20% less than what we're looking at here. Thank you both for coming.

Ms. Duggins: I have another comment I'd like to make for the folks out here. As this town grows every year, it increases the need for police protection. That's why we wanted to hear from you all because we are sitting up here to make that decision and you have to decided if you want more protection – if you want us to levy that tax to get it. Common sense would tell you that we are going to need it more next year and the next year.

Mayor: We were really hoping to have more public input. It's a little disappointing that we had two people to speak and I appreciate you two speaking but we wanted some public input tonight.

Mr. Jumper asked from the audience if it would be feasible to pay for one car to be used by several deputies but Sheriff thought it would not be feasible. Mr. Graham the county is trying to be consistent throughout the municipalities and they would not be willing to give Walkertown a deal that they would not be willing to give someone else. They would like to keep everything consistent and have every deputy have a vehicle. Sheriff Bill said it would be like hiring four deputy sheriffs and just having one gun – rotate that gun among them or having one set of handcuffs. It just doesn't work.

Mayor then said that with no more comments we would close the issue for tonight and we'll finalize it at our final budget, which we need to set a public hearing for later tonight.

9. MV COMMUNITIES – PINECREST APARTMENTS INFORMATION

.....Presented by Brandy L. Angus

DISCUSSION:

Ms. Brandy Angus spoke:

It has recently come to my attention that the council has some confusion over the scope of these apartments and Mayor Davis and I met briefly last week and thought it best to come to the council to try to address some of these concerns and to clearly explain the scope of the project. In your hand-outs, you should've been given a project description and I can just run through that briefly. The development will consist of 80 apartment units – two and three bedroom units: 24 threes and 56 two bedrooms, square footages are there – 969 for two-bedrooms, 1149 for three bedrooms. There's going to be kind of a community area with a playground, gazebo, volleyball court, horseshoe pits – just kind of a nice center. And if you look at the site plan, there's like a nice center open area that allows

these amenities, which includes a clubhouse, a computer center for people who need internet access that don't have it, a TV room, a meeting room, game room, library, laundry facilities, on-site management. The design of the building is going to be a two-story building with eight units each. There's going to be ten of those buildings and that's kind of general scope in terms of just the project amenities, etc. And on that you'll also see that there are targeted incomes for this development. And we are using a funding program that utilizes an income tax credit. The way that that works is if we are funded this money, even though an apartment community is an income-producing property, obviously, having an income tax credit does not really benefit the development. So the program is designed to allow us to sell that credit to an investor, someone who will benefit from having an income tax credit. And, then, in turn, we will end up getting cash. They'll pay out a certain percentage on the dollar. That cash becomes instant equity into that property, which, in essence, allows us to get a lower permanent mortgage and therefore we have a lower monthly payment. The whole design of that is basically to allow us to offer a lower or more affordable rent while not compromising on the design of the community and still be able to provide all those amenities, the spacious apartments, etc. So that is the design of the program which is why you have the income targeted. And the ranges there are \$13,000 to \$39,000, depending on your family size, which bedroom you rent, etc. So that is the program in a nutshell. As part of this development, we are also going to be applying for rental assistance on some of the units. The main reason for that application is we are going to be targeting some of those to persons with disabilities and, as most people know, it's a very underserved population in terms of having nice housing. Everything in terms of all of our amenities and our units will have sidewalks connecting, handicapped sidewalks, and then certain units will actually be fully handicapped accessible, with _____ being adaptable. And then that rental assistance is going to basically pick up and make up for what's left off if people can't afford to pay on their own. Now other people would be able to have those units, elderly persons who basically are either retired or not making as much income, could use that assistance as well. It's going to go with the project. But the majority of the units are really just going to be targeted as the tax credit units which target the incomes that you see there. And, really, the program as a whole is really geared and targeted for a working population, for your teachers, your teacher assistants, your subs, your administrative assistants, your entry level jobs, your factory workers. That is really what the incentive program is in the targeting of these incomes. And I can also speak from personal experience. When I had just graduated from college and I got married to a man who was pursuing his Masters and I was working as an assistant, and we were not making a lot of money, we lived in one of these properties for about a year. And, then, fortunately, we were able to get better jobs and move up and then get the money but we were able to save money to help us buy a house. So even from personal experience, I can tell you that this is really a great program in terms of really meeting you and just being able to live in a nice, safe, quality housing development without having to spend too much money on that housing unit. I also want to note that not only are we developing this, but we are also going to be the owner of this property and we have a management agent that's a part of our company as well. And, actually, Troy Dominer(?) – He's a representative of our management company here should you have any questions

that you would like to address to him later. But I would just kind of also speak of our management philosophy, just quickly – and summarize. We have about fifty – over, well over five thousand units, scattered throughout the Midwest and North Carolina. Our philosophy does not change, regardless of what type of community it is and where it's located. We are basically going to run all the same checks on our residents. And we're going to run an employment verification. We're going to run an income check. And we're going to run a national criminal check. And a credit report. And they have to pass all of these checks in order to be able to qualify to live in our apartments. If there is anytime, becomes trouble within our apartments, we have no problem evicting people. Our goal is – it's an investment for us and it's an investment for this community. It's a \$5-million investment to this community. And if we're going to own it, we're going to have a serious attitude about managing it. We want to maintain this property to really be an asset to this community. As been mentioned earlier tonight, Walkertown is a growing community. And I think what we've seen in a lot of these communities is really part of what makes an economically strong community is providing housing for the working people in that town and that's exactly what this is designed to target. So that's kind of a summary and I'm certainly open to answer any questions the council may have. Oh. I should note that I had also asked the mayor to provide us with a letter of support for this project and he has obviously deferred to the council. So I'm asking for your support tonight as well this evening.

Mayor: You did say you had on-site management, is that correct?

Ms. Angus: We do have on-site management, correct.

Mr. Larrimore: Can I ask you a question? I've got one and then I've got three. What was on number two?

Ms. Angus: It was basically a bigger picture of the unit plan, the floor plan without the square footages and without the details so it really didn't seem worth cluttering any more.

Mayor: And these are two story?

Ms. Angus: These are all two story, with eight units.

Mayor: And these would be located behind the Lowe's shopping center, Walkertown Commons?

Ms. Angus: That's correct.

Ms. Duggins: Is the incentive program a glamorous way of saying "*government subsidized*"??

Ms. Angus: It is.....the tax credit program itself is really not a subsidized program. It is exactly what I told you. We are going to be receiving an income tax credit that will be sold to an investor. It's not sold to the government. The investor could be Exxon – it could be anybody who wants – it could be a single investor – anybody who wants to basically become – to have this income tax credit. Anyone who's making --- and this is being a \$5-million project – is going to end up getting a income tax credit of about \$400,000.00 over every year for ten years. Now, obviously, for our apartment community, that's nothing.

Ms. Duggins: So it's a similar as the government subsidized – because this investor will be paying you a guaranteed amount of money for months for that.....

Ms. Angus:No! It's upfront. It's all upfront. It's instant equity into the project so it actually comes

Ms. Duggins:So they're investing??? My second question is, can you the names of the towns and the addresses of some of your development that are exactly like this one, or very, very similar?

Ms. Angus:You mean, in terms of design??.

Ms. Duggins:That we could...Yes.....And owned in the same manner.....that we could take a look at.....

Ms. Angus:Oh, sure.....Yes.....There are some --- the closest here will be properties in Charlotte. And I'm thinking two of them are Elsignor(?), or Hickory, as well. I'd be happy to email Lynn a list of those properties locally and then certainly I'm also happy to set up a tour where we can go look at those together and I'm certain Troy would be happy to join us. Now, I will say that I have actually worked to modify the design of the property to really be more suitable. In a lot of our properties, we were targeting three-stories and it seemed more appropriate for it to be a two-story so that is a change. Also, we've added more brick and the units have been made larger. So there's actually been some positive changes to the design that you'll see that some of these properties are older, so it is a different design. But in terms of ownership and management and all that, that's the same. I'd be happy to forward that.

Mayor; What's your timing schedule?

Ms. Angus: In terms of starting?

Mayor: Yes. In the event the council would want to go forward.

Ms. Angus: Well, we actually have the application in for funding now. We don't find out until August definitively. Once we find out in August, I would say by spring we should start. Because, obviously, we would have to come back to Planning Board and Council for the site plan approval. It's just a matter of getting all that approved.

Mr. Larrimore; Each one of your units have a washer and dryer places.....

Ms. Angus:They're hook-ups.....

Mr. Larrimore:And then you have a laundry room..Is that for people who don't want to buy a washer and dryer?

Ms. Angus: Yes. That's pretty much it. And there are quite a few who don't, who might just not want to rent for a long time and don't want to invest in a washer and dryer that would fit in an apartment unit, would rather just use the laundry facility. To make sure that everybody has something there on-site to use. And the same for like the computer center – for someone who just needs quickly to get on-line but doesn't really want to pay a monthly cost to get on-line or maybe doesn't want to invest in computers – it's also there for their availability.

Mr. Warner: To further my colleague's question about the tax credit. And then you sell those to an investor, well that investor then uses that to reduce his tax liability so still it comes out of the public(?), right?

Ms. Angus: It doesn't come out of our funds. We actually receive.....

Mr. Warner:I know it. But it comes out of the taxpayer's funds.....

Ms. Angus:You mean the people of Walkertown?.....

Mr. Warner:That's right. All of us pay taxes, federal or state.....

Ms. Angus:It doesn't come out of any – No! – It doesn't come out of any.....

Mr. Warner:What is a tax credit then?.....

Ms. Angus:The income tax credit is literally – what the government has designed it to do is that it's a – what you just said – you can write it off your taxes. So let's say this investor.....

Mr. Warner:That's right.....Okay.....Now, at that point, let's stop right there.....When you write off my taxes, that reduces.....

Ms. Angus:It's not your taxes!.....

Mr. Warner:reduces the amount.....

Ms. Angus:It's the investor's taxes.....

Mr. Warner:of the funding of the federal government or the local government, whichever.....In other words, it does come out of the taxpayers' money, any way you look at it.....

Ms. Angus:I don't really see it that way. It's actually coming out of the company. It means the company based in Boston, it's coming off – it's being written off that specific investor's taxes.....

Mayor:It actually reduces the tax bill for whoever's doing the investing, is what it amounts to.

Mr. Warner: ...Let me ask you another question Were you here on January 20, 2004, and gave us an artist's rendition of what the project's about or is this a totally separate project of that, right?

Ms. Angus: I don't remember if I was here January. Is that when we were here with Patrick Hennigan, as part of the Glenwood presentation? Yes, I was here as part of just to come with him to tell them about the community.....

Mr. Warner:At that time, I believe the statement was made that it was hoped that you could do it that year, which it didn't happen. If I am not mistaken, the rendition of that was a fully masonry construction?

Ms. Angus: It has never been fully masonry.

Mr. Warner: Yes, it has.

Ms. Angus: No. It has always been a combination of brick and vinyl.

Mr. Warner: So, this is the same.....?

Ms. Angus:This is the same development. The scope in terms of the number of units and all that has not changed since that last time I presented. There's still 80 units...still the same number of 2-bedrooms, 3-bedrooms...maybe a few more amenities. I think that just in terms of our standpoint, and I don't know if you need to vote or just discuss it separately, about having the letter from the mayor being able to provide it to me supporting it.

Mayor: Is the council prepared to vote tonight or would you want to go look at some properties?
 Ms. Duggins: I prefer to wait.
 Mayor: So the council can all be in one accord, can you arrange that?
 Ms. Angus: Sure. Should I coordinate that through Lynn?
 Mayor: Yes, if you would, please. She can let us know what's available, when.
 Ms. Angus: Thank you for your time.

10. DISCUSSION OF TOWN MANAGER POSITION

DISCUSSION:

Mayor: As you all know, our town manager, Toby Linville, has resigned and departed.
 Ms. Welch: Have we had any more applications?
 Mayor: I don't know. We need to discuss the direction we want to go. Do we want to go interim...do we want to wait? I think we need to publicly discuss this since we have not discussed this. We touched on it briefly at the budget meeting but we've not actually discussed it. So, does council have any thoughts on this? Usually, at a time like this, there's an interim position that's open that usually is the direction you may want to head but I don't know if that's the council's feelings tonight. So, council, would you like to discuss what your thoughts are?
 Ms. Duggins: I'd like to have an interim so we can take our time interviewing applicants for the position of manager.
 Ms. Welch: Right.
 Ms. Duggins: You know, we have a high turn-over here and hopefully, we can see what we can take a little more time and possibly hope to get someone that'll stay a little longer.
 Ms. Welch: Would like to say, Toby lasted longer than most. I'm towards interim.
 Mr. Warner: I might say this as far as an interim, if we have an interim, we don't want one just in name only. We want someone who knows how to get something done that we may restructure. I shouldn't say "restructure" – we should say come forth with a structure that's going to live for it(?) and then we proceed to get _____ some time. The thing about it is to put our money in and well invested. But we don't want somebody to come in just to answer the phone. I can do that!.....
 Mr. Larrimore:I'm for an interim so we can take our time.....We have gone through nine since I've been here.
 Mr. Warner:If we do the interim, we need to get someone who has the experience to do something and do the town manager's work and then we have a town clerk already on board that's got the day-to-day functions going. And work it that way to make progress and spend the money wisely.
 Mayor: Well, we'll proceed.....
 Mr. Warner:May I comment? I think we also need to consider what we're going to do about the future, such as advertising for

applicants and how they're going to be screened. There's so many things. What we're doing now is starting out .

Mayor: What we should do is each councilmember should compile their criteria of what they're looking for in an interim and we'll go from there in the next few days. We may need to call a special meeting if council's in favor, we'll do this if the need arises. You have collected a few resumes, is that correct, Ms. McKinnie?

Lynn: Yes, I have two.

Mayor: So if council will have time to go by and review those up at town hall whenever you have time in the next few days and then we'll seek other means. If you have others, councilmembers, that you would like for us to consider, I think we should go ahead and contact those and get resumes in. We need to have something to meet on before we meet. I don't want to have a meeting just to say we have to meet.

11. NO CONSIDERATION INFORMATION

.....Bo Houff, Attorney

DISCUSSION:

Bo Houff: I can't take credit for the drafting of this. Steve Garland, your able, normal and regular counsel that attends these for you has prepared this No Consideration language that you'll see in your packet. And I think this represents some minor change from some language that you may have seen before. The impact of this is to let the public know what this is about.

Typically, your procedures provides that on the first presentation of a statute or an ordinance or resolution or a motion, it won't be adopted by this council unless there is unanimous vote for it. Thereafter, however, it may be considered by a majority vote. This modification to your procedure allows any one member to ask that a matter not be considered after that point for whatever reasonable purpose that may be, that reasonableness determined by any particular council person. This No Consideration provision has been modified somewhat in order to allow each member in turn, at subsequent meetings, to also make a motion that a matter not – or to elect to have a matter not to be considered – and as long as that person has not previously, on that particular matter, asked for the matter not to be considered before; that is, to say it won't allow it to be not considered in perpetuity – but some point, it will be considered. And so it allows some additional no consideration for a very potentially reasonable purposes. For example, the absence of another member who may have had something that they wanted to say about it, or something along those lines. So you'll see this language here is proposed to try to reach those ends and that's the language that's presented here for your consideration.

Mr. Warner: I appreciate the work that's been done here by our counsel to come up with this verbiage. I think back in our November meeting, we had a pretty much understanding of agreement subject to the verbiage which has been completed now. So this is really re-entering into our rules a provision that was taken out in February, 1995. I think this will serve us if we use it responsibly in any way and certainly be appropriate to it. Again, I appreciate our counsel for coming up with this verbiage. I would like to go ahead if it's acceptable with our group at this time I do propose, or move that we add to our

there. That says that the town will not undertake any additional work with respect to the site as opposed to “shall” undertake any additional work. It is simply a typographical error – wanted to make sure you understood that. It will necessitate him either coming back in to re-sign or at least to initial that.

Mayor: That is so noted.

MOTION: **TO ACCEPT AND TO ADVERTISE BID FROM JOHN SAMUEL TO PURCHASE THE SHIRLEY STREET WELL PROPERTY “AS IS” WITH THE UNDERSTANDING THAT JOHN SAMUEL WILL HAVE TO RE-SIGN SAID AGREEMENT DUE TO THE ADDITION OF THE WORD “NOT” TO THE AGREEMENT ON PAGE 1, FOURTH LINE FROM THE BOTTOM OF PAGE IN PARAGRAPH 3**

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

Mr. Warner: We still have two remaining wells, is that right? May I ask the counsel, I understand that if we can come up with an agreed price, in other words, someone can come up with an agreed price, and someone can make an offer, we can, as we’ve done here, accept the offer and then proceed with the upset bid process, is that correct?

Mr. Houff: You can certainly proceed with any of those wells under the same kinds of arrangements that you’ve done with this particular one, yes sir.

Mr. Warner: And, then the second thing, if I understood you, that any time there’s an upset bid, you go into an additional ten-day period.

Mr. Houff: What will happen is – this is a little bit different than other scenarios where you may have heard about upset bids, sheriff sales, and foreclosure sales, and those sorts of things – in those situations you have what I normally refer to as a “*rolling upset bid process*” – meaning as soon as an upset bid is filed, a new 10-day period is created at that point for ten days. That’s not precisely how it works here. Under this statute, the way it works is, if there’s an upset bid filed within ten days, then the clerk will arrange to advertise again. And that can’t be done instantaneously – it will have to be prepared and sent in and published. **From the date of the new publication, would commence another 10-day upset bid period.** Someone else had asked informally what happens if there are two folks that come in with upset bids. What would happen is that once there is one upset bid, then the readvertising process would occur at that point and so a second upset bid at that time would not be in proper procedure at that time. They’d have to wait til a new advertising occurred, then there would be another upset bid. That sounds a little bit unwieldy but that’s the way the statutes are.

13. AUDIT PROPOSALS
1) Gibson & Company
2) Daniel Professional Group

DISCUSSION:

Mayor: I don't know if you are ready to deal with the auditor tonight. We do not have to deal with it tonight. Bo says we have til the end of June, or close to it.

Mr. Houff: Well, auditing and your budget are separate matters.

Mayor: The audit won't take place until some time later. The main point is that we do not have to deal with this tonight.

Mr. Houff: You do not have to make a decision on an auditor tonight, yes sir.

Mayor: If the council is prepared, we can, but if you would like to wait and deal with it later, we can. We've got two sets – I don't know if there are any other proposals coming in, Ms. McKinnie?

Lynn: We've got one other that is supposed to be sending in – but I have not received it as yet.

Mr. Larrimore: Let me say something. I've been in the business world. I've had to get these right here and on the price of a million dollar job, and five million dollar job and everything. And when you say, you go out and you get people to come in and bid and you've already got a guy that's done you a good job and nobody meets your criteria giving you a bid, and you got two here, I don't see why we can't go and vote on – to take the guy that we've had three years at least.

Mayor: Ms. McKinnie, you said there is one other?

Mr. Warner: But, did I understand there is one more to come in?

Lynn: Yes, and I would prefer you guys to not vote tonight because this other company did come in. Now, I don't know what deadline Toby gave out on his proposal bid to everyone but we can't send out a proposal with a deadline and then not honor that deadline.

Ms. Duggins: We can wait.

Mr. Larrimore: Well, what deadlines did we give these people? We can't just keep on...I don't think it's even ethical to keep on.....

Lynn: That's what I'm trying to say.... I don't know what deadline Toby gave them – I was not included in the bid proposal process. I don't think it's ethical to give a deadline and then choose someone before that deadline is up.

Mayor: The council is willing to wait – if there's one more.

Lynn: And he may not come through with one, but he said he was preparing a bid.

Ms. Duggins: Well, let's give it a month. How long do we have on this?

Lynn: We can do it next month.

Ms. Duggins: Let's do it next month, then.

Mr. Larrimore: You know, we got into this problem before by the man getting the prices and he came in when we wanted him to do the work up there at the shop. We put it off and put it off and then the guy comes in way under the bid and all, you know. It's just not business-like. But I'll go along with you.

Mayor: According to Ms. McKinnie, there is possibly one more to bid, would you want to wait for one more meeting before we make that decision?

Mr. Warner: Yes.

Ms. Duggins: Yes.

Ms. Welch: Yes.

Mr. Larrimore: It would be interesting to see his bid, too, since it's already been out to everybody.

NOTE FROM LYNN: BIDS WERE NOT SENT OUT TO EVERYBODY – ONLY TO THE TOWN COUNCIL AND THE MAYOR – WITH THE KNOWLEDGE AND UNDERSTANDING THAT BIDS WERE TO BE KEPT CONFIDENTIAL UNTIL AUDITOR SELECTION WAS DECIDED.

Mr. Houff: Let me advise the council. You would not be obligated necessarily to take the lowest bid. You have some experience with one; you could state your reasons. I would recommend to you that if in fact you determine that you are not going to take the lowest bid for whatever reason that you look at the proposals and whether it's based upon experience, reputation, timing of submission of proposals, any of those kinds of things that you may want to look at, you can do that and make your determination. So you are not bound to accept the lowest bid. It's a little bit not quite like, say, for example, a construction project arrangement where you might be more inclined to accept. There are some factors that may not be solely based upon cost that you might could take into consideration – not saying you ought to! --- In your purview as counsel.

Mayor: All right. Is council agreeable to let's hold this off til next meeting.

Mayor: Let me go ahead and make a motion that we table this until the next meeting.

MOTION: **TO TABLE SELECTION OF THE AUDITOR UNTIL THE JUNE MEETING**

BY: **HORACE WARNER**

SECOND: **SARAH WELCH**

VOTE: **MOTION PASSED 3 TO 1**

YES - MR. LARRIMORE

YES – MS. WELCH

YES – MS. DUGGINS

NO -- MR. LARRIMORE

Mr. Larrimore: I'm for going with what you got. I see no point – I mean, I could do the thing myself – it's not that difficult.

14. FINANCIAL ISSUES

- APRIL, 2005 FINANCIAL STATEMENTS TO APPROVE
- SET BUDGET PUBLIC HEARING FOR NEXT MEETING (JUNE 23, 2005)

DISCUSSION:

APRIL FINANCIAL STATEMENTS:

Mr. Larrimore: I'd like you to look at Page 15 – on the Recreation Account. We had budgeted \$10,000 to be spent on recreation and we've got about the month of June to spend \$10,000 on that. And we spent under Economic Development, in the sewer we had \$10,000 set aside for that, and we spent \$5,400.80 to sewer our office buildings up there. We ran the sewer into there – we can tap on about any time. And while I'm on that, we got from the Spence Wagoner estate – they've given the town of Walkertown, through Womble, Carlyle, Sanders, Rice, lawyer firm doing his estate. He's left us \$200,000. A hundred thousand is unrestricted – we can put it in any pile here we want to and he's given us \$100,000 – **must be spent on recreation**. Has anybody misunderstood that, what it says? And I called out there and I talked to Betty Leight, she's a lawyer with them, and she said that's exactly what we meant – it's to be spent for the recreation. And I said well, what about some sewer or something for our... And she said that's perfectly all right. Long as it's for recreation purposes. So I thought I'd throw that out to everybody. And her name is Betty Quick now – she used to be Betty Leight and she's a lawyer with Womble, Carlyle, Sanders, Rice. And also while she was talking to me, she said she had called Love's Methodist Church and couldn't get nobody and asked me would I go see if I could find the secretary or somebody to call her – that they are getting a nice bundle from them. So I went up there and I got the financial person to call. So I don't know what theirs is but I imagine it's equal this or more. So that being said, has anybody got any questions about the financial report? We got our sewer thing paid for last minute. And I'd like to just say that being late on it was not Lynn's fault. She came to my house and we signed the check in my yard to get that paid for on time and it was not Lynn's fault. I'm just saying that publicly.

Mr. Warner: How much was that?

Mr. Larrimore: Lynn, how much? 105,000.

Mr. Warner: But that was in the month of May so if we're looking at this, we need to say, well, we've spent about \$105,000. Let me share with you, would it be appropriate for this council to express appreciation at this point to that estate for that donation or that bequeath? I realize the specifics are that it's to be spent on recreation but there's no reason we couldn't try to find some agency that can pursue grants for us and multiply that amount of money for the benefit of

Mr. Larrimore:She.....They are trying to settle this estate and she is very emphatic – I mean, the telephone number is there, if you want to call them – very emphatic that she had talked to him and it was set up to be just like it says: **Must be spent on recreation** ! We can't word it any different - - -

Mr. Warner:But can it not be used as a matching fund for grants for recreation.....

Mr. Larrimore:That ain't what it says!.....

Mr. Warner:Which would qualify(?) the value of it.....

Mr. Larrimore:The will states **exactly** what I said!!!

Mr. Warner:Yeah. And that would be the use of recreation, if you used matching funds for a grant for recreation. It would just give a little more value.....

Mr. Larrimore:Well. I think that's what we've been doing, Horace, is saving a lot of this money. In that Hotel Occupancy fund, we've got \$286,563 now that's just been laying there now, drawing interest. We're not even spending the interest!!

Mr. Warner:But, what I'm saying is – is there an agency that can pursue grants for us? I read in the paper where some of our neighboring communities received some very handsome grants. Now, a grant takes a bit of time – if you got to do it tomorrow, it won't work. What I'm trying to do is multiply that \$100,000 to bigger things, if we can, and for sure for recreation. I got no question in my mind about that. I think it's wonderful!

Mr. Larrimore:To put this in the right fund, it goes into that \$286,000 one and that makes it \$386,000 – and what we get come June, July, puts us at \$402,000!! So are ever going to give the Pop Warner Little League, Little League baseball, girls softball, Boy Scouts, Girl Scouts, any of our local people??? We've got to decide some time or other..... to fund some, to give..... some money.....

Mr. Warner:I guess that's my question. How quick do we have to decide and spend it? Do we have time to try and get a grant to multiply the value of it? I thought we would, maybe.

Mr. Larrimore: I would say that four hundred and some thousand dollars would be pretty good. Jump on about anything you wanted to jump on. It would buy a lot of baseballs.

Mayor: Is there a motion?

MOTION: **TO APPROVE APRIL 2005 FINANCIAL STATEMENTS**
BY: **DOT DUGGINS**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**

Mayor: We need to set a time to discuss this recreation money. From what I understand, that money will not be dispensed until such a project comes forward. It's not a matter the town gets the money – they don't get the money until the project is defined. We need to either form a committee to work on it – we need form someone to proactively seek how to spend this money on recreation. So does anyone want to have a committee? Be thinking if we want to form a committee, if we want to discuss it further at the next meeting but we need to move on this.

Ms. Welch: One other question I have is since they need sewer there, would it be legal to spend that on the sewer?

Mr. Larrimore: Yes. Yes. I asked that specific question.

Mayor: This is the same question we've faced and we discussed it two or three times. The timing is lousy for the sewer because to put the sewer there now, we're talking quite a bit more than that! To put a temporary fix, on the septic system, we're talking about in excess of \$50,000! That would be a temporary fix because it appears within two to three years, the sewer will be run close to there anyway so you're going to eliminate much of the cost. So do you want to spend that kind of money when it possibly would be by reduced 50-, 60- maybe 70% in two years. That's the kind of questions we got to face! Because there's a good chance that that property will be developed that

adjoins there within two years; the plans have already been laid; the options have already been given. So that's the kind of questions this council's got to deal with. Do you want to spend the money now on a temporary fix, like a band-aid, or do you want to wait and do it..... I mean, that's tough.

Mr. Larrimore: The thing that I think about is they have done so much work down there. They've got a real nice looking place down there. They've got enough volunteers around here, it don't cost \$36.00 a foot to put it in the ground if you've got volunteers with a backhoe. And the engineering, it would almost, from where it's at down at Avalee Street, the pumping station down Avalee Street – is the one they're going to. Well, it's almost a creek all the way down there, so they just follow the creek because it's gravity return. You know, our whole system's based on gravity.

Mayor: Well, when it was looked into before, there's two areas would have to be pumped and they said it was probably in excess of \$250,000 – just to run.....

Mr. Larrimore:Well, there's a pumping station down there at the end, past Harvey Neal.....

Mayor:But the cost would be in excess of \$250,000!! Estimated expense now! Let's think about that.

DISCUSSION:

SET A BUDGET PUBLIC HEARING DATE

Mayor: We need to set a date for a Public Hearing for the budget.

MOTION: TO SET JUNE 23, 2005, AS PUBLIC HEARING FOR THE BUDGET
BY: DOT DUGGINS
SECOND: WALLACE LARRIMORE
VOTE: MOTION PASSED UNANIMOUSLY

Ms. Welch: I have a music week that time but I will make sure to make it back for that meeting.

Mr. Houff: You are required to pass your budget ordinance prior to July 1st.

Mr. Warner: It is my understanding that you can extend your present budget to operate until you approve one, if you don't have it approved by the first of July, am I wrong?

Mr. Houff: Looking at the statute this morning, as you know I primarily deal with zoning things, so I make sure I try to get these right, and my reading is, NCGS 159-13 says that you have to have a budget passed by law by June 30th or before July 1.

Mayor: I don't see any reason why we can't finish it by June 30th.

15. PROCLAMATION FOR APPROVAL
Walkertown Lion's Club Day – June 3, 2005

DISCUSSION:

Mayor: We need a resolution on June 3rd being Walkertown Lion's Club Day.

Mr. Larrimore:Yeah, but that's still – He did come back with all his officers and whatnot on that board. But, if we wrote the check to these EverSans, Inc., the one that sells these carts, if we wrote the check to them, it wouldn't go through their bookkeeper and chance of getting it.....

Mr. Warner:Our efforts in the past have been to try to treat everyone the same, would you also be proposing that we buy one for the Little League baseball and wherever?

Mr. Larrimore:Well, see, these guys are playing out here where they got access to the restrooms. The ones down yonder got access to Port-O-Johns and I don't think they'll let them cook at all.

Mr. Warner: You mean, the Pop Warner League has restroom facilities?

Mr. Wallace: Yeah. They can use the school.....

Mr. Warner:I thought they had Port-O-Johns out there on the field. They do.

Mayor: They're not allowed to use the school's.....

Ms. Duggins: No. Yeah, they can't use the school's.

Mr. Larrimore: Well, if they can't, they're not policing like they are them down there. Somebody's on their case all the time, about cooking and stuff.....

Mayor:I don't know how they cook, or

Mr. Larrimore:Yeah.....Yeah, they do....

Mayor:even if they cook here....but I know up here, they don't use the school restrooms. It's locked. They do not use the school restrooms. They may run up to the library and use this one.....

Mr. Larrimore:Well, see.....how can they treat them, that's not treating the same, though?

Ms. Duggins:It's not a school function so they have to

Mayor:Is there anything the council wants to consider?.....

Mr. Warner:I believe, from their original letter there, they said, "We cannot function this season without a new one. Over the past four years, we've spent....." Then they go on down, "The Health Inspector informed us that all stadiums must have a building with sink and proper equipment in order to run a concession stand. The only exception to this new rule is a hot dog cart." And I would like to have it confirmed, the hot dog cart would be acceptable to the Health Department.

Mr. Larrimore:It's the same thing that they do right out there on the streets of Winston-Salem. It's a cart like that. You can sell them right there on the side of the street.

Mr. Warner:My thought was this: If this would suffice to meet the Health Department requirements, then it's an opportunity, at least interim opportunity, for the Little League.

Ms. Welch: Right. But I understood that the Little League had something. Somebody brought a portable kitchen. But now they tell me they don't have it. I don't know. I'll ask Lee Griffith.

Ms. Duggins: Let me make a suggestion on this. What if we check into the hot dog carts for both of them and see if the Health Department will allow it and if this guy with the football league has his homework done and that he's reported to us that the Health Department will pass this, they will not doubt pass it for the Little League, also. And do this at a later time.

MOTION: **TO TABLE THIS ITEM AND DEAL WITH IT AT A LATER TIME, NOT SPECIFIED IN THIS MOTION**

BY: **DOT DUGGINS**

SECOND: **SARAH WELCH**

VOTE: **MOTION PASSED UNANIMOUSLY**

17. OTHER BUSINESS

>> GRANTS

Mr. Warner: Can we not find some grant, somebody to pursue a grant for the recreation so we can come back.....

Mayor: Do ya'll want to form a rec committee to work on this?

Mr. Warner: Well, I don't know if -- a committee doesn't have all the grant --- I don't know there's an agency available or what and maybe we can..... as far as looking into the grant. We don't want the _____ to do it now but let them direct us in the right place.

Ms. Welch: Toby said there wasn't any!

Mr. Warner: I'm with Mr. Larrimore -- we don't want to wait forever.

Mayor: No. But that's the reason I say, do you want to form a committee and let's get to work on it!

Mr. Larrimore: You know, I was under the assumption that our manager was doing that and you know what "*assume*" gets you! I mean, you come up here tonight wanting to do it and I thought somebody was supposed to have been doing it all the time.

Lynn: On our Clerk-serve list, there's always the clerks are putting in for recreation grants and other kinds of grants as well.

Mayor: Could you do a search for us and see what you come up with? Would council be in favor of letting Ms. McKinnie do a search and report back to us on what she finds?

Ms. Duggins: Yes.

Mr. Warner: Yes.

Mr. Larrimore: Yes.

Ms. Welch: Yes! You want to take a vote on it?

MOTION: **TO ASK MS. MCKINNIE TO DO A SEARCH ON TYPES OF GRANTS, SPECIFICALLY RECREATION, THAT ARE AVAILABLE TO THE TOWN OF WALKERTOWN**

BY: **SARAH WELCH**

SECOND: **DOT DUGGINS**

VOTE: **MOTION PASSED UNANIMOUSLY**

>>CREDIT CARD

Lynn: I didn't have time to get it all ready but we need a new credit card.

Mr. Warner: Let me just raise something routine with Other Business. Unfortunately, we have had a change in town manager now. Have we taken the normal steps, such as return of keys, the accountability of keys, and various other things that you normally do? In the past, they've changed locks, so have we done that? I'm asking.

Mayor: I don't think we need to change any locks.

Mr. Warner: I don't know but I believe this, once you for a certain period of time, you ought to change locks whether you have any turnover or not. They do get out.

Ms. Welch: Has he turned the keys in?

Mayor: Everything will be turned in tomorrow. I told him to keep them til he got everything out, which he's leaving town tomorrow and all of them will be turned in tomorrow.

Mr. Warner: They'll be turned in tomorrow? Do we need to go through the process of what they say, checking it out? In other words, in fairness to him – we don't want something coming up later hollering we did so and so. We'll leave that for he and the clerk to be sure everything will be okay.

Mayor: You can handle that, can't you, Ms. McKinnie?

Lynn: Yes. I've already started the process so there's no problem.

Mr. Warner: Say, the removal of his signature from the bank account?

Lynn: Yes. I've started that – that is the reason I need you all to approve a new resolution for that.....

Mayor: And the other item was the credit card – it was in Toby's name and we need a resolution to get a credit card for the town.

Ms. Duggins: Can we do that now? I will make that motion.

MOTION: **TO AUTHORIZE APPLYING FOR A CREDIT CARD IN THE TOWN'S NAME AND FROM THIS POINT ON, WE ALWAYS GET IT IN THE TOWN'S NAME**

BY: **DOT DUGGINS**

SECOND: **SARAH WELCH**

VOTE: **MOTION PASSED UNANIMOUSLY**

18. PUBLIC SESSION

Public Session was opened at 9:09 p.m.

- 1) Marilyn Martin
2733 Martin St.

On that scoreboard thing, I wrote a letter to Toby and asked him what was the status on it, but I never got an answer! So that's just one of many questions I didn't get answered. On the Comprehensive Land Use, as co-chair of that committee, I'd like to know, if after putting months of work into this, are we ever

going to get to finish it? What's the status of that? I mean, we've put a lot of work in it and all I've heard is wait for the Comprehensive Land Use committee.

Ms. Duggins:That's a good idea.....We probably need to find out.....It's been long enough..... Well, the Planning Board was understaffed for a while but it's been long enough now that they ought to be --- and with Marilyn Moniquette-John being out with hospitalization.....

Ms. Martin:We need to have a Public Session. That was next. So.....if we could kind of find out where that stands, I want to know. Thank you.

Mayor: What do we need to do to find out. Are ya'll still meeting?

Ms. Martin: No. We haven't met since January.

Ms. Duggins: We have to wait for her to come back to us.

Lynn: I will email her tomorrow. She was supposed to email me back when she had gotten over her surgery and got caught up.

Mayor: Is there someone else that we could use instead of her if she is not going to be able to.

Lynn: She said it was going to be pushed back a month, so there should really be no problem.....

Mayor:Well, if they haven't met since January, that's more than a month.

Lynn:We've met since then – but it has been more than a month....

19. ANNOUNCEMENTS:

- Recycling in Walkertown continues every two weeks.
JUNE 13 AND 27
- 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)
06-06-05 4:00 p.m. Town Hall – Pre-Meeting Session
06-07-05 3:00 p.m. Library (Actual Meeting)
- LAND USE COMMITTEE:
On hiatus until further notice
- SCHOOL COMMITTEE:
To be scheduled

20. ADJOURNMENT

MOTION: **TO ADJOURN AT 9:25 P.M.**
BY: **HORACE WARNER**
SECOND: **WALLACE LARRIMORE**
VOTE: **MOTION PASSED UNANIMOUSLY**

ATTACHED AS INFORMATION:

**Planning Board Minutes of May 3, 2005

**Toby Linville Letter of Resignation

ATTEST:

TOWN OF WALKERTOWN:

Lynn McKinnie, Town Clerk

Kenneth R. Davis, Mayor