

WALKERTOWN TOWN COUNCIL MEETING

@ WALKERTOWN BRANCH LIBRARY

TUESDAY JUNE 22 2004 7:00 P.M.

Please visit our website: townofwalkertown.com

MINUTES

PROCEDURAL ITEMS:

ITEM #1: CALL TO ORDER @ 7:01 p.m...... By Mayor Doc Davis

(1) DETERMINATION OF QUORUM

Present were: Mayor: Kenneth Davis
Councilmembers: Horace Warner
Sarah Welch
Wallace Larrimore
Staff: Toby Linville

Lynn McKinnie

Attorney: Bo Houff

Absent due to vacation was: Councilmember Dot Duggins

(2) INVOCATION By Mayor Doc Davis

(3) PLEDGE OF ALLEGIANCE By Councilman Horace Warner

ITEM #2: AGENDA ADDITIONS / CHANGES / APPROVAL

Mr. Warner: "We have a resolution here that was brought to the meeting. I think this was needed tonight. I think this needs to be handled as a resolution correcting an annexation that we did earlier. I'd like to make a motion that we add that as Item #8 to the Agenda."

MOTION: TO ADD RESOLUTION #04-021 "TO AMEND WALKERTOWN ORDINANCE #03-004 DATED AUGUST 12, 2003, TO REMOVE BLOCK 3253 LOT 108 FROM PROPERTY TO BE ANNEXED" AS ITEM #8 TO JUNE 22, 2004 AGENDA

BY: Horace Warner

SECOND: Wallace Larrimore

VOTE: Unanimous – Horace Warner
Wallace Larrimore
Sarah Welch

(Dot Duggins Absent)

MOTION: TO APPROVE AMENDED AGENDA

BY: Horace Warner

SECOND: Wallace Larrimore

VOTE: Unanimous - Horace Warner
Wallace Larrimore

Sarah Welch
(Dot Duggins Absent)

PUBLIC SESSION: Please limit your comments to three minutes.

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

1) Bill Roberts

3116 Burkeshire Road
Winston-Salem NC

“I just really came to say a few words because of the complicated election process this year. I am running for County Commissioner and many of you may remember me as your interim town manager that preceded Toby for a few months last year. I had a lot of fun here and I enjoyed it. Walkertown is a wonderful town. The election this year has three seats open for county commissioner, Peter Brunstetter is retired and there is actually seven of us running for the three seats. My experience, I feel, is far and away the lengthiest of everybody – I might be the oldest, too, but I shouldn't mention that! But I was your county librarian for twenty-eight years. I served as an alderman in the city of Winston-Salem, working with Vernon Robinson and Steve Whiton to keep the taxes down, and we were very successful. We cut over half a million dollars in six months and we actually voted on a million-and-half other dollars and were able to cut some of that as well. One of my objects as county commissioner will be to make sure that our Sheriff's Dept., our safety, is the top in our state; that we have good education; that we have a nice quality of life and good economic development at the same time we take a real look at the budgeting process to make sure we can keep the tax rate down. One thing about Walkertown is that they've kept the same tax rate for several years now and I brag about how I helped. I didn't help much – it was the councilmen that did the work, but when you have a council that has enough money in the bank to run this town for an entire year, that's pretty good! You deserve a lot of credit for that and anything that I did to help out was small but I put it down on my resume because it looks good! I hope that you'll be paying attention to this election. It really makes a difference. You've got a great town here and you've got a great life. You've got a great staff and you've got good council members. And if any of you have any questions on anything, I'll be happy to talk with you after the meeting. Good to be here. Thank you, Mayor.”

2) E. A. Jumper

5028 Klondike Rd.
Walkertown NC

“Good to have you back, Mr. Mayor. Taking nothing away from the mayor pro tem, it's nice to have you back anyway. I appreciate compliments you made about our cash reserve. That is what I want to touch on. Two things, very quickly. We have – this says \$750,000 the fund balance, restricted for Powell Bill, which is not just re-paving only, which it says, but for rights-of-way and different things. We have an ongoing problem down here at Mickey's making a left turn. We need a left turn arrow there. Now, I am fully aware that's D.O.T. I'm also aware that we have plenty of money here that we could help finance or pay all that. I don't know, we're talking \$15,000-\$20,000 maybe, but we have a left turn arrow going in there to protect the customers, but we aren't protecting the most precious commodity we got, the children on our school buses. They are entitled to that protection and I'd like to see us – you might be working on it now. If you aren't, I'd like to ask you to consider approaching D.O.T. and see if we can help, get them someway to put us a left turn arrow there where you turn left from Mickey's coming in by the library.

Second, our rights-of-way, ditches leave quite a bit to be desired. They haven't been cleaned in about ten years – since they were last done. And we had it done with D.O.T.'s equipment. They have a great piece of equipment, goes along, cleans the ditches out, shapes it real nicely, loads the dirt, debris in the truck and then they haul it off. I'm not suggesting we waste money but we can spend some of this money rightfully because we have places that don't drain good and they stay wet. And when we do good, which we're going to get some – our mayor just asked for it, and I believe we're going to get it – mosquitoes breed. And if those things were cleaned and fixed like that equipment would do it, then they will drain properly and they will dry out and it will help the looks of the town as a whole. And that's all I got to say – glad to have you back and take care."

3) Dee Thomas

5980 Brittaino Dr.

Walkertown NC

"I'm the league representative for the Walkertown Wolfpack Little League Football team that's been here since 1957. I've been involved with the kids for about 7 years now. Right now, we're in a crisis because we are in need of a scoreboard. We've raised all the money that we need for it except for \$1200. I asked God to help us the other day and I was at my son's Little League closing day and I saw the mayor when he got up and made the donation to the baseball team so I said, 'Lord, that might be my chance to help the kids out with the scoreboard.' It just so happened a guy happened to give us another \$200 the other day so now we're only \$1000 away. And what I am here for tonight on behalf of the kids is to see if the township can donate anything to us towards helping us because the deadline on it is June 25th and the clock is ticking on us so that was my purpose for coming tonight. But I'd like to stay around because I've been living in Walkertown for the last four years now and I've never known about these meetings and I'm willing to do anything to help better my community. Thanks."

4) Lauren Willard

1255 Forest Wood Dr.

Lewisville NC

"I wanted to give you an update on the request I made at the last meeting for rezoning. You (Doc) missed that meeting and I wanted to let you know what was going on. We have the nine acres off of Williston Road – actually, it's Lee Haven Lane --- the fishing pond, that we wanted to charge a fee for. I found out today, I met with Lanie Gouff, he's in the Winston-Salem Planning Board, in charge of zoning, and he made me a list of things I needed to do. I need to make an appeal to rezone and that appeal will come to the town council, right here. Then once it is rezoned, I will make a request for a variance to the Town of Walkertown Zoning Board and then I'll get site plans and hopefully, be able to charge the fishermen to come out and fish with us. And I wanted to know if anybody had any questions for me, you know, I'm pursuing this process and just wanted to keep everybody updated. There's 30-lb carp out there – and you can put that on record!"

OLD BUSINESS:

ITEM #1: FOR DISCUSSION AND/OR ACTION:

A) Town Council Minutes for Regular Meeting of June 8, 2004

DISCUSSION:

Mr. Warner: "I have one question, I think. On page 13, right at the top it said 'Discussion' and the discussion was based on, let's say, the, uh, I guess, annexation, or whatever. At any rate, I had spoken, there, on the annexation based on what's oh what, but then it comes down to where we have an asterisk there and it says, 'Les Mitchell's apartments on Rocky Branch will

be 48 units and valued between \$4.8million and \$5million.' I guess, is that just a matter of information only, I don't, I didn't make that statement."

Mayor: "I don't know. Ms. McKinnie?"

Lynn: "It's just for information."

Mr. Warner: "All right. Can we just add the word 'Information' there? To that so, being that...."

Mayor: ".....So it's not part of the discussion?"

Lynn: "No. I mean, it was part of the discussion. Dot threw it out there and I thought it was worth the information so I just threw it in there."

Mr. Warner: "Was it Ms. Duggins that made that statement? I thought I remembered that."

Lynn: "Yes."

Mayor: "So that means it needs to be corrected, Ms. Duggins, is that what you're saying?"

Mr. Warner: "Yeah. Could we just make, make that statement, to say 'Discussion continued on the subject. Ms. Duggins said:....' Is that all right? Make that addition?"

Lynn: "Yes. That's fine..."

Mr. Warner: "There. Be clear."

Mayor: "Any other corrections?"

Mr. Larrimore: "I got one here on a statement of mine. I say, 'I think we're going to be in good shape with all these, this, construction going on and new houses coming on and that....'"

Mayor: ".....What page you on, please?"

Mr. Larrimore: "I'm on page 12. 'coming on and that one over there where the minimum price' – it's supposed to be 'price' – it says 'minimum load'."

Mayor: "Should be 'price'?"

Mr. Larrimore: "Yeah. 'minimum price is \$240,000'."

MOTION: TO APPROVE MINUTES AS AMENDED OR CORRECTED

BY: Horace Warner

SECOND: Wallace Larrimore

**VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch**

(Dot Duggins Absent)

NEW BUSINESS:

ITEM #1: To Approve Budget for Fiscal Year 2004-2005

******* PUBLIC HEARING *******

**THIS PUBLIC HEARING IS TO HEAR COMMENTS ON
FISCAL YEAR 2004-2005 BUDGET
(CONTINUED FROM MAY 25, 2004 HEARING)**

Each speaker will be allotted three (3) minutes to state their opinion.

FOR DISCUSSION AND/OR ACTION:

- 1) ORDINANCE #04-005

AN ORDINANCE TO PROVIDE FOR THE REVENUE AND
EXPENDITURES FOR THE TOWN OF WALKERTOWN FOR FISCAL
YEAR JULY 1, 2004, THROUGH JUNE 30, 2005

(2) RESOLUTION #04-018
TO ADOPT TOWN OF WALKERTOWN BUDGET ORDINANCE #04-005
AND BUDGET FOR FISCAL YEAR 2004-2005

Public Hearing was opened at 7:22 p.m. and there was one speaker.

- 1) Marilyn Martin
2733 Martin St.
Walkertown NC
"I hadn't seen the budget, I just had a question about the sewer. Is there a figure of what the sewer cost is going to be for the Town of Walkertown? Have we found out what that is yet?"

Mr. Linville: "It'll be roughly \$70,000. We haven't gotten any bills yet but that's what we budgeted."

Mayor: "I have had a number of people to ask me questions concerning that. They weren't considering as much about the portion for the town as they were their individual bills coming out. I think the latest word we've heard is approximately August. Some time in August is all we know."

Public Hearing was closed at 7:25 p.m.

Mr. Larrimore: "The budget is pretty clean cut. I don't know how many people has had a opportunity to see it. The local tax, the local taxes is coming back to us instead of holding it in Raleigh and that amounts to a pretty good fun--- \$176,000. And I'd like to comment on the guy's request for the Little League. A new year starts in, first of July, so I personally don't see anything wrong with helping you out but that'll come up, we'll have to vote on it later, but, this is, this budget starts in July and goes through. But the money that you'd get out of that fund would be out of a, a, the, a fund that's designated for something like that so. It seem like a reasonable request to me but I'm one of a bunch here."

Mr. Warner: "Mr. Mayor, Are we....We are in the Public Hearing session, is that right?"

Mayor: "No, sir, we've declared that closed.....comments from council."

Mr. Warner: "Okay. Well, let me have a moment here then and I want to call to our attention that the increase in public service funds, for example, the previous year, or the year we in now, our total is \$434,467. We've budgeted \$534,200, which is \$100,000 increase. Now, given that, we've included therein, recycling at \$43,000 but we had \$5,000 in the previous budget so it's \$38,000 of that would be accounted for in that increase there, or the reinstatement of the recycling, there. Then, in addition, what caught my attention, is in our revenue, we only have received a, the addition of ad valorem tax of \$34,000 so if we put the two together, we're talking about \$72,000 that we had to work with, or, let's say, adjusting for that. But then, so that leaves us then the difference between seventy two and an- which really has to be as far as increased services to annex the individuals, is that right? Would that not be reasonable to assume that, Mr. Linville, and whatever?"

Mr. Linville: "Yes."

Mr. Warner: "And then I think we had a report earlier though that showed that those annexations, all of them and quite a few, that they kindly paid their own way so we need to go back and maybe make a second look at that. Could we do that? Ooo, it won't change this budget but I

think then we'll know more where we are and be sure...because something has got to, been said quite a bit about how do we fund the annexation and, of course, can we afford or can we, do not afford, whatever so if you would check that and then...but that should not hold up the approval of this budget."

Mayor: "Let me clarify your question for myself. Are you saying you want to look at the annexation cost, but not have anything changing with the budget, is that right?"

Mr. Warner: "We will not.... We would not change the budget because I'm sure he's budgeted here. For example, public street lights, went from \$82,000 up to \$99,000. Fire services, which is just six-cent pass-through went from \$169,515 to \$184,000 and then we get to the trash pick-up, there's your big one. \$204,000 in this budget and we were only paying \$176,000 – I think we got a cost of, price index increase there, is that right?"

Mr. Linville: "Well, part of the reason the street lights went up so much is that we were spending \$15,000 right out here to move these poles...."

MR. WARNER AND MAYOR BOTH TALKED AT THE SAME TIME ON THE FOLLOWING:

Mr. Warner: ".....All right. So we can a \$15,000 there in that pole. Now then, of course....."

Mayor: ".....So that's included in this amount. Okay. All right.....We need to know because I didn't.....I knew it was included.....I knew we were paying him but I didn't know it was involved in that particular number....."

Mr. Warner: ".....Okay.....That's good.....Because we wanted to bring that up..... Plus \$15,000 there....."

Mr. Warner: "Okay. Now. To justify that expense, in my mind, I'll say, to justify that expense, then we're going to get Main Street paved without cost to the town so we're kindly talking about apples and oranges but the end result is the people get the benefit of the money and that's what I'm interested in. Then the other thing that I would say then, and this is something I'd like to make public there, we, as I said, had public service here \$534,000, there, and then, of course, our revenue estimated, what did I say, \$520,000, I believe it is? But my point here is that for every dollar of tax that our citizens give us they're getting a direct service for that and if we can always do that I'll be very happy. That means that they're getting in return for the, how to operate the town in a government revenue franchise tax is tough(?) and I hope we'll always be able to do that. Thank you."

Mr. Larrimore: "I'd like to add another comment. The current year property tax – I'm on, my, this, this is where it breaks it down to the budget, current year property tax, top of the page, \$496,295 what we budgeted and we've already collected 97% of, which is great, for the downturn in the economy and whatever but, to get 97% of your estimation on people paying their taxes is great and it, like it was last year, even after the time limit, we got more money to, \$6,000 more that, to come into."

Mayor: "I trust our taxpayers are content and they'll continue to pay."

Mr. Larrimore: "Yeah. 97% of them have, anyway."

Mr. Larrimore: "I make a motion we accept the budget as presented."

Lynn: "Are you talking about approving the ordinance?"

Mr. Larrimore: "Ordinance first. Ordinance first."

**MOTION: TO APPROVE ORDINANCE #04-005
AN ORDINANCE TO PROVIDE FOR THE REVENUE AND EXPENDITURES FOR
THE TOWN OF WALKERTOWN FOR FISCAL YEAR JULY 1, 2004, THROUGH
JUNE 30, 2005**

BY: Wallace Larrimore

SECOND: Horace Warner

VOTE: Unanimous - Horace Warner

Wallace Larrimore
Sarah Welch
(Dot Duggins Absent)

MOTION: TO APPROVE RESOLUTION #04-018
TO ADOPT TOWN OF WALKERTOWN BUDGET ORDINANCE #04-005
AND BUDGET FOR FISCAL YEAR 2004-2005

BY: Wallace Larrimore
SECOND: Sarah Welch
VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch
(Dot Duggins Absent)

ITEM #2: To Extend The Corporate Limits of The Town of Walkertown to Include Annexation #8

***** **PUBLIC HEARING** *****

THIS PUBLIC HEARING IS TO EXTEND
THE CORPORATE LIMITS
OF THE TOWN OF WALKERTOWN
TO INCLUDE ANNEXATION #8

Each speaker will be allotted three (3) minutes to state their opinion.

FOR DISCUSSION AND/OR ACTION:

ORDINANCE #04-006
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF
WALKERTOWN, NORTH CAROLINA TO INCLUDE VOLUNTARY ANNEXATION #8

DISCUSSION:

Mayor: "This is to approve three properties, none of which are contiguous. This is to be opened first for a Public Hearing. We will then deal with them as three separate pieces of property as we have done in the past."

Public Hearing was opened at 7:33 p.m. with no speakers and was closed at 7:34 p.m.

#1 MOTION: TO APPROVE #1 PORTION OF ORDINANCE #04-006 PERTAINING TO WILLIE COBBLER - AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WALKERTOWN, NORTH CAROLINA TO INCLUDE VOLUNTARY ANNEXATION #8

(1) WILLIE COBBLER
5110 CLOVER TRAIL COURT
BLOCK 3010, LOT 403

BY: Horace Warner

SECOND: Sarah Welch
VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch
(Dot Duggins Absent)
APPROVED

#2 MOTION: TO APPROVE #2 PORTION OF ORDINANCE #04-006 PERTAINING TO NOBLE H. VAUGHN, JR. - AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WALKERTOWN, NORTH CAROLINA TO INCLUDE VOLUNTARY ANNEXATION #8
(2) NOBLE H. VAUGHN, JR.
VACANT LOT
BLOCK 3241, LOT 12E

BY: Wallace Larrimore
SECOND: NONE

MOTION DIES FOR LACK OF SECOND
NOT APPROVED

#3 MOTION: TO APPROVE #3 PORTION OF ORDINANCE #04-006 PERTAINING TO NEAL FAMILY ET AL - AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WALKERTOWN, NORTH CAROLINA TO INCLUDE VOLUNTARY ANNEXATION #8
(3) NEAL FAMILY ET AL
ACREAGE (APPROXIMATELY 31 ACRES)
BLOCK 5422, LOTS 43A, 43B, 101A, 101B

BY: Wallace Larrimore
SECOND: Horace Warner
VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch
(Dot Duggins Absent)
APPROVED

ITEM #3: To Hear Comments on Advance Auto Parts – Final Development Plan for Zoning of Property owned by Crown/Walkertown, LLC

***** **PUBLIC HEARING** *****

THIS PUBLIC HEARING IS FOR FINAL DEVELOPMENT PLAN FOR PROPERTY OWNED BY CROWN/WALKERTOWN, LLC, (ADVANCE AUTO PARTS) FOR A GENERAL MERCHANDISE STORE IN AN HB-S ZONING DISTRICT
ZONING DOCKET WA-005

Each speaker will be allotted three (3) minutes to state their opinion.

FOR DISCUSSION AND/OR ACTION:

DISCUSSION:

Mayor: "This is for Final Development for plans for property owned by Crown/Walkertown, LLC, known to us as Advance Auto Parts for a General Merchandise Store in HBS zoning district."

Public Hearing was opened at 7:38 p.m. There were no speakers and Public Hearing was closed at 7:39 p.m.

Suzy Gallaway: "I am a planner with the City-County Planning Board. I'm the staff planner for Walkertown. I'm also a citizen of Walkertown so it's not like a stranger coming in and telling you guys what you should do. I live here, too. This is for a final development plan for Advance Auto at Walkertown Commons Shopping Center, being developed by Glenwood Development Corporation. It's outparcel #5, which, if you were facing the shopping center, it's the farthest outparcel on the right, from 158. It's a .99 acre parcel. The petitioner has agreed to, and is being required to adhere to the design characteristics of the rest of the shopping center. They would also be using brick; they will have a sidewalk interconnecting that site with the rest of the shopping center. Additionally, they'll have a small 5-foot monument type sign, rather than a large sign on a pole as you would typically see with an Advance Auto. For these reasons, Staff and the Planning Board also, has recommended approval."

Fred Martin: "How many acres did you say it had?"

Suzy: "It's .99 – just under an acre."

Mr. Warner: "How much frontage on 158?"

Suzy: "Roughly 255."

Mr. Warner: "I did understand you to say that you recommend approval and our Planning Board recommends approval?"

Suzy: "Yes, sir."

MOTION: TO APPROVE FINAL DEVELOPMENT PLAN FOR PROPERTY OWNED BY CROWN/WALKERTOWN, LLC, (ADVANCE AUTO PARTS) FOR A GENERAL MERCHANDISE STORE IN AN HB-S ZONING DISTRICT

BY: Wallace Larrimore

SECOND: Sarah Welch

**VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch**

(Dot Duggins Absent)

APPROVED

**ITEM #4: FOR DISCUSSION AND/OR ACTION:
RESOLUTION #04-019**

**TO APPROVE APPLYING FOR A SECTION 202 ELDERLY HOUSING
RESIDENTIAL PROJECT THROUGH THE NATIONAL CHURCH RESIDENCES**

DISCUSSION:

Frank Vinson: "I am Frank Vinson and I work with National Church Residences and Berardi Partners"

Architectural Firm out of Columbus, Ohio. Basically, National Church Residences is the largest elderly housing on the East Coast and probably right up at the top in the United States. Could not tell you how many apartments they have. But, basically, this is an elderly project through Dept. of Housing, Urban Developments. There are approximately 46 units available this year. That will be determined on cost – it might go to 48 and it might drop to 44, but right now we are making application for 46 units. The site is on Poindexter – on the corner of Poindexter and Rocky Branch. The proposed building is brick, three-story, all one-bedroom units. There is a two-bedroom manager’s unit that will be built into the project.

I remember some of the council people who were with us last year when we made an application for about 52 units. The site plan is sitting on two lots there, approximately three acres of ground and ample parking. One of the proposals is we are hoping to construct through private funds and everything else, a greenhouse for residents of the building that can be set over here in the greenery on the property.”

Mayor: “You said there would be a greenhouse?”

Mr. Vinson: “Hopefully. That’s right. Something, basically, when you put a project together you try to put a little something in there for the elderly to do – something we call a greenhouse would be perfect in this area here since we had a lot of excess land. With your watershed project footage, we had to do the full three acres on this project. I have a floor plan site – how the one-bedroom units will look. There’s a common area. There is an elevation drawing. These will be left with you. What I’m looking for tonight, Mayor, as we have discussed before, this project without the support of the community would not go. I mean, the community has to be willing to (1) rezone the land that it’s on to proper zoning; (2) be ready to provide city services to the building, which we all know the city will do and that’s police, fire, garbage, trash, etc., and (3) local support. We’d need all the letters of endorsement that we can get from any social organizations, how they would be willing to support and help the building and basically, Mayor, that’s it. The application will be submitted on July 7th. Generally, in all the years that I have worked with 202 projects, we have always known on September 30th whether we were funded or not. Last year, they held us off until the latter part of November – and why, we don’t know. The application will go in on the 7th and we hope to know shortly, at least by September 30th or early in October whether the project will be funded or not.”

Mayor Davis then read the following letter of support from the Walkertown Planning Board:

WALKERTOWN PLANNING BOARD

Website: townofwalkertown.com

Peggy Leight, Chairperson

N. H. Vaughn, Jr.

Mike Warren

Larry Marshall

Arlyn Wilson

Alternates:

Howard Benfield, Jr.

Charles Trivette

Keith Grubbs



June 22, 2004

Timothy Swiney
Development Coordinator
National Church Residences
2335 North Bank Drive
Columbus OH 43220-5499

Dear Mr. Swiney:

The Walkertown Planning Board has endorsed the senior housing proposal by the National Church Residences. This letter serves as a declaration of that support for such a project.

Walkertown needs to have affordable, suitable housing facilities within our community. Our residents are maturing, and that calls for continuing to provide services for this aging segment of the population.

The Planning Board is pleased with your interest in Walkertown, and we look forward to working with you in the near future.

Sincerely,
WALKERTOWN PLANNING BOARD

Peggy Leight
Chairman
/lm

Mayor: "That is from our Planning Board. Does anyone in the public have a question for Mr. Vinson?"

Jerry Lineberry: "Are these going to be an assisted type living....pretty much based on someone's income?"

Mr. Vinson: "That is correct. A person has to be 62 years of age to live in the building and they pay 30% of their adjusted monthly income. In other words, just for easy figures, if they have \$600 a month coming in and they have eligible expenses of medicines and stuff for \$100. That would leave them \$500 – they would pay \$150 a month towards their rent and utilities. It's based on income – some people might be paying \$300; some people could be paying as low as nothing."

Mr. Lineberry?: "How many units?"

Mr. Vinson: "We are applying for 46. That is the funding that HUD feels is available right now. And once they get into costs, if it's an inexpensive project which we don't have any more, it might go up to 48 or 49 units or it could go as low as 45 or 44."

Marilyn Martin: "Will this require the Fire Department to have to get more equipment to take care of this type of building?"

Mayor: "It may. ISO looks at that (Insurance Services Office) or the Dept. of Insurance who rates the smaller departments. There are only 13 in the state still rated by ISO now but it could. We're on the verge of having to have some kind of aerial unit now. We don't have any properties that have forced our hand to have an aerial unit or lose the rating where we are right now, but it possibly could put us over the line. I don't know that. Eventually we're going to cross that border, which it may be that we can deal with it with mutual aid from Kernersville or Winston-Salem. It's a possibility. That's a good thought down the line because a 3-story you've got to look at life safety."

Ms. Martin: "And, also, that property is zoned commercial now so it would need to be rezoned."

Mayor: "This has been worked on before, I think, last year."

Mr. Vinson: "Yes, Mayor. We made an application last year and we were not funded last year. This is just an update, changing the dates from the proposal last year."

Mr. Warner: "Does the building design include elevators?"

Mr. Vinson: "Yes. It will have two elevators. Speaking on fire safety, it is sprinkled. You've got your two and four hour ratings in the units. Basically, the only thing in the buildings that will burn is the stuff in the apartments themselves. Nothing is totally fireproof but --- "

Mayor: "Well, we know our biggest problem would be smoke from something left on the stove. You know, smoke fills the building and while the building may not be burning, it could fill with smoke...."

Mr. Vinson: ".....And that will happen, Mayor!"

Mayor: "What is your thoughts on down the road? I'm not asking you for a commitment."

Suzy: "My own question to the petitioner would be about the impervious surface?"

Mr. Vinson: "We checked it out last year and I think that we were within one percent of what it was and the City Council had the right to – don't hold me to this, but I think we were at ---the maximum for that area was 24 and I think what we figured was we were going to be about 25.9 or almost 26 and that was in the margins, I believe."

Suzy: "This may require a SIDA in order to be a successful venture."

Mayor: "Even on that side of Old Hollow Road?"

Suzy: "Yes."

Mr. Vinson: "Basically, what she's talking about is how much paved surface you can put on a piece of property. There's a couple of things we can do to help this if it gets real close. One, we could lower the number of parking spaces, get a waiver on the parking spaces and eliminates some paving, which would bring..... The council has the right and it was not an issue the last time."

Mr. Linville: "You can also get up to 30% impervious surface by adding on-site storm water controls by treating your storm water on site, retention ponds, something like that."

Mr. Warner: "One other question. This is a "for-profit" or "non-profit" venture?"

Mr. Vinson: "It is a non-profit."

Mr. Warner: "Non-profit. Not have a tax base, okay."

Mr. Vinson: "National Church Residences was started by the Presbyterian Church 20 or 30 years ago in Ohio but now they're covering all the eastern United States."

Mayor: "Any other questions for Mr. Vinson? Please understand, this is not – we're not approving to do anything other than make an application. We're supporting his effort to make the application tonight, if that's what's voted on."

Mr. Larrimore: "And you're saying July 7th, you got to have it in?"

Mr. Vinson: "That is correct. We need your resolution tonight! We've had a few problems; one, HUD did not come out with the NOFA until about three weeks ago (Notification Of Funding Award) that said they were going to take applications and when. And then we went back into renegotiations with the property owners to take this same site again. Hopefully, we will hear on September 30th. They generally supposed to award before this fiscal year's budget is over on October 1. They generally announce to the local congressional district, the state senators and congress people and let them call the mayor and say, "Hey, you've been funded." And then the paperwork...."

Mr. Warner: "Let me ask, this being subsidized is there a certain mix that you look for; it's not limited to municipal residents, I know that. But is it wide open to everyone for application only?"

Mr. Vinson: ".....No. It is wide open..... It is wide open..... Generally, to answer a question. Mayor asked this at a meeting I was in with him recently. This is a federally funded project. The people – it's a first come, first served basis on the project. They'll generally come to town about 90-days prior to opening of the building and publicly announce and set-up in City Hall or the Library here and take applications and qualify people for the building."

E. A. Jumper: "Last year they had 245 units – facilities."

Mr. Vinson: "I could not tell you that. I could find out and get back."

Mr. Jumper: "One other question, this John R. Glenn – is he related to the astronaut John Glenn?"

Mr. Vinson: "No, sir. And I work more with the architect, Berardi and Partners, than I am with National Church Residences. We help to assist them in finding land – Berardi does all the architectural design for them."

Mr. Warner: "I'd just like to thank our Planning Board for the work they've done on this and the data that they've completed and certainly for the letter that they had written in support of it."
Mayor: "It is good to get guidance from people who've already done research on it and thank you."
Ms. Welch: "Yes."

MOTION: **TO APPROVE RESOLUTION #04-019**
TO APPROVE APPLYING FOR A SECTION 202 ELDERLY HOUSING
RESIDENTIAL PROJECT THROUGH THE NATIONAL CHURCH RESIDENCES

BY: Wallace Larrimore
SECOND: Sarah Welch
VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch
(Dot Duggins Absent)
APPROVED

ITEM #5: **FOR DISCUSSION AND/OR ACTION:**
RESOLUTION #04-020
TO APPROVE RESIDENTIAL CURBSIDE RECYCLING AGREEMENT
WITH WASTE MANAGEMENT FOR TERM OF JULY 1, 2004 THROUGH
JUNE 30, 2006

DISCUSSION:

Mayor: "This is a two-year program that we are working on tonight."
Mr. Linville: "We've all taken shots at the contract so there are some corrections. Anything struck through with a line is to be removed and anything in italics is to be added and still have a little bit of language to add. It's just generally a generic service contract. The important thing is we get the terms right and the price right."
Mayor: "So if I understand correctly, we're working to approve a two-year contract, which will approximately be \$86,000 – value of the contract - \$43,000 a year – and we can have the option to renew on a one-year basis after that, is that correct instead of the three years that they have proposed. Thank you, Bo."
Mr. Warner: "Two things. I noticed there in the contract it says, '*Waste Management shall provide to the town upon request Certificates of Insurance for such insured.*' I'm sure we will get those certificates, right? And while I'm at it, do we also get certificates from any other contractor we have?"
Mr. Linville. "Yes. And, we do."
Mr. Warner: "Then the third thing, and last, is we will have a way to audit those that are eligible and not eligible. I'm talking, I noticed they said they would replace up to 50 bins a year so if someone for the, want a, getting involved and not a town resident takes a bin and puts it out, how do we stop that?"
Mr. Linville: "We'll just have to go out and check each....."
Mr. Warner: ".....Check what....so we will audit it?"
Mr. Linville: "We have the ability to do it; I don't know that we necessarily have the means. But we'll do like we did with Waste Industries, go out with them this week and next week, put the bins out and check the map. They'll be right the first week anyway."
Mr. Warner: "What if you have a case where someone reports someone who's not eligible that is participating, what do we do then?"
Mr. Linville: "Either the company or ourselves remove them."
Mr. Warner: "We would go move – remove the bin? Okay. And the same would be true with our

Waste Management, with our garbage trash pick-up?"

Mayor: "Where did we get the requirements for the insurance, did you use that, Toby, or did that come from some other....?"

Mr. Linville: "That's what they provided. And I want to run that by the League of Municipalities and double check. That's about how much liability we carry....."

Mayor: ".....I would ask you to ask them a \$2million on the aggregate versus \$1million because you got a \$1million on the occurrence. With that \$1million on the aggregate, that throws the ball in your court to keep up with have they used any? Once they used up that \$1million, you don't know if they got any left or not. They can give you the certificate on the day of issue and then if anybody hits on their insurance during the year, the aggregate is used up and you wouldn't know about it."

Mr. Linville: "Are you talking under "C" or "D" – the aggregate?"

Mayor: "Under "C" on Comp General, CGL."

Mr. Linville: "Bodily injury and property damage?"

Mayor: "Yeah. The aggregate should be \$2million as opposed to \$1million and I would just make that request of them. I don't think it's a big deal; I'm sure they carry quite a bit more than that. Only thing, that gives you the ability to have more than one occurrence during the year. That's what it's for, though. You've got the umbrella access which gives you additional million anyway but that just gives an additional million on that policy."

Mr. Houff: "If he can get that."

Mayor: "Yeah, I would think – I'm sure they carry more than that anyway. Waste Management's got to have a lot more than that. They'll send you a cert of whatever they have anyway."

Mr. Linville: "I'm sure they have a different policy for each municipality so they could do whatever."

Mayor: "I expect they got one for comprehensive general."

**MOTION: TO APPROVE RESOLUTION #04-020
TO APPROVE RESIDENTIAL CURBSIDE RECYCLING AGREEMENT
WITH WASTE MANAGEMENT FOR TERM OF JULY 1, 2004 THROUGH
JUNE 30, 2006**

**BY: Sarah Welch
SECOND: Horace Warner
VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch**

(Dot Duggins Absent)

APPROVED

Lynn: "Excuse me, is that approving the contract with the changes in insurance?"

Mayor: "I'm sorry?"

Mr. Linville: "She asked if that included your changes in the insurance?"

Mayor: "I just made that as a suggestion; if you want to take it into the change, that's fine."

Mr. Linville: "Well, Bo and I have to add some language too so you may want to approve....."

Mayor: ".....You want approve it based on the change in some language? Is that okay with you, Mr. Warner?"

Ms. Welch: "Yes."

Mr. Warner: "You're in that field but would that change the \$2.00 per month cost?"
Mayor: "NO!! That just ensures that all the insurance should be there when its needed to be."
Mr. Warner: "Okay. Fine. Just don't want to run up the cost!"
Mayor: "Before we go to the next item, tell us about what kind of a schedule of what to expect so the public will know a little bit about what to expect, Toby."
Mr. Linville: "Well, they should've been putting out containers yesterday but look for an 18-gallon tote at your home soon. I don't know which day they're going to pick up yet. They're going to pick all of Walkertown in one day so..."
Mayor: "All of Walkertown will be picked up in one day and it'll be – whatever week it'll be – whether it's the 1st week, 2nd week or 3 week – we don't know what week but it'll be every other week schedule."
Mr. Linville: "The first of July and not day one – not July 1, but the first week of July will be their first pick-up."
Mayor: "The first week in July will be the first pick-up of recycling – the first week and we do not know the day yet – that is to be determined."

ITEM #6: FOR DISCUSSION AND/OR ACTION:
MOBILE HOME MORATORIUM

DISCUSSION:

Mayor: "Quite a bit of discussion on this at the last meeting – I read those minutes. Bo, give us some guidance on this, if you would."
Bo Houff: "Couple of things. One, no mobile home usage or manufactured housing usage is allowed, generally speaking, on individual lots without a Special Use Permit from the Board of Adjustment. And in order to obtain a Special Use Permit, you have to make a showing of four things: you have to show that you meet all the conditions and requirements; that you don't injure, cause injury or reduction in the value of adjoining property; that there are no public safety or health violations or concerns involved; and, finally, that the use is in harmony with the Comprehensive Plan. Now you're in the process of developing your local comprehensive plan but there is Legacy that's in place that stands for your comprehensive plan right now. That's how special use permits before the Board of Adjustment are typically granted. Now, that's in a situation where you have one-acre lot and somebody wants to put a mobile home on there. They have to come in and get that special use permit. That's the primary way, what you see most often. But there are also mobile home lots out there occasionally and those are required to have MH zoning – special zoning for manufactured housing, it's going to be a mobile home lot. And the issue that was raised was whether you want to consider some sort of a moratorium. I would be – I would not suggest that you consider a moratorium with regard to individual lots seeking special use permits. First of all, that's problematic as to how you do that or whether you even have the authority to require that no one be allowed to submit a petition for a Special Use Permit, especially it's where the Board of Adjustment considering it and you don't, currently, operate the Board of Adjustment. You may take that up at some point, but, presently, you don't do that. That's done through the City-County Board of Adjustment right now. So my recommendation on that would be, if you're asking for my recommendation, is that you not address that particular issue. The adjoining landowners are given notice of individual application such as that – supposed to! It's published and so people have an opportunity, if they happen to live next to a property where one of those may be coming up. They can come in and speak about that and make a showing that there would be damage, or injury to their property, or it's not proper here, it's not in harmony with the comprehensive plan. And given the procedural difficulties with that, I wouldn't recommend that you consider any sort of moratorium with regard to that sort of mobile home application. Now, the other one is the manufactured housing where you're going to have many, many

acres and have some, have a manufactured housing lot – people come in and bring their homes and pay rent for it. Now, that requires a re-zoning, I don't know if there is any free-standing MH zoning within the town of Walkertown. I suspect that there's not. You can go a couple of ways on that. There's nothing to keep you from considering a moratorium on that sort a zoning classification or a rezoning petition. You could simply say, *for a period of time, until we've had an opportunity to pass our comprehensive plan, we're going to have a moratorium on MH zoning and for a period not to exceed 120, 180 days*, whatever period that might be. You can't go out indefinitely. I wouldn't recommend going out and simply saying *'until the comprehensive plan is passed'* because that's not a definite time."

Mayor: "So, we'd need to actually put a time frame on it. That was, I think, our original goal – to give the land use and the planning board time to complete their work.....in the beginning, when this all came about...."

Mr. Houff: ".....Well, what I'd recommend.....Yes, sir.....And what I would recommend you consider doing, if you wanted to continue to entertain this, and I'll talk about another option in a second, but if you want to entertain this, is that you set it up for, let's say, 180 days. If you get to the end of the 180 days, and the comprehensive plan is not yet in place, then you consider an extension of the moratorium for perhaps a shorter period of time. What you don't want to have is an open-ended moratorium that simply says, *'until they pass the comprehensive plan'*. There's a couple of reasons for that. One of them is you can't tell how long it's going to be. And second of all, it's a delegation of your authority to the folks that are developing your comprehensive plan. They can simply sit on their hands, never get to it, and you would have a de facto making MH zoning illegal and that would not be something that you are entitled to do. So, if you were to consider it, that is one of your options.

The other one is to simply consider MH zoning petitions as they come to you; and consider them in the light of the fact that you don't have a comprehensive plan and you are a political board and you have the right to reject such zoning petitions as they come before you, if you are so inclined. You simply say, *'We don't think the time and place is right for MH zoning in this particular location.'* And rule on it based upon that. That would not require you to pass any sort of moratorium. And, again, I don't know that there are any pending."

Mayor: "I don't think there is. To my knowledge, there isn't."

Mr. Houff: "Those are my thoughts on it. I'm happy to answer any questions. I know I talk fast some times and to say a lot in a short amount of time."

Ms. Gallaway: "Just to make a clarification, there is an MH zoning jurisdiction and there's also Manufactured Housing as a use, which is allowed in other districts besides just the MH zoning jurisdiction. Manufactured housing, and there's four different classes – Class A – Double-wide

Classes B, C, and D – Single-wides and it depends on how old they are.

Those, A,B,C & D, are allowed in various single-family zoning districts as well as AG, which is your agricultural district as well so as Bo mentioned, it gets kind of sticky because there are so many different types in so many different zoning jurisdictions that are allowed. It's not just a matter of MH – the MH zoning jurisdiction. It would also be, you would have to do some sort of moratorium on the actual use, the uses themselves, within each of the zoning jurisdiction."

Mr. Warner: "Did I understand that even if you have a proper zoning for it, then you have to have a Special Use Permit, is that correct?"

Mr. Houff: "Well ---- you do, in RS-20 – the residential zonings where they're allowed....."

Ms. Gallaway: ".....Not necessarily. You could have a Special Use zoning request. You could do, say, for example, an RS-20S which is Residential, Single-Family, with a minimum lot size of 20,000 square feet, but the use you could request could be manufactured home and then you would not have to go and get a Special Use Permit because you would, in essence, get that with your Special Use Zoning. Special Use zoning and Special Use permit are two different things."

Mr. Houff: "Right. But you just have a simple, and I don't know if there are any of those out there right now, but if they are a simple RS-20 zoning and you want to put a manufactured home on your property then you're going to be required, I guess you could come in for a rezoning, but typically what happens is people say, 'I want to put one on there' and so they submit a petition for a Special Use permit that's heard before the Board of Adjustment."

Steve O'Ferrell: "On the already existing mobile home parks, are they grandfathered?"

Ms. Galloway: "I'd have to check the zoning on them, I'm not really sure what they're zoned. I'm not familiar with them to be honest."

Mayor: "Council, is it your desire to proceed with some type of moratorium on this and if so would you want Bo to give us the proper wording we need for this to keep us legal? What is the council's pleasure tonight?"

Mr. Larrimore: "I would -- I would say we need his guidance ev--- and even if the two of them got together, we'd -- we need some guidance to keep us from guessing."

Mayor: "Is the council willing to make a motion that we put this moratorium forward, based on the wording that is legal for us."

Mr. Houff: "I guess what I'm hearing you say, I guess you want to clarify that.....I think it would be extremely difficult --- Suzy alluded to this as well --- that as far as individual, for example, RS-20, RS-40 zoning classifications, those individuals who want to come forward to the Board of Adjustment and seek a Special Use permit for their mobile home. I think that would be a very difficult moratorium to impose. I'm not sure we could sustain that if it were to be challenged. Again, it may not be challenged. Now, as far as the MH zoning, where mobile home parks are located, that's one that you would have --- it would be easier for you to do. I'm not certain that I understand precisely what the council's concern that you're wanting to address is....."

Mayor: "...Our concern is that the planning board and the land use committee have the opportunity to complete their plan before other mobile home, I don't know whether we addressed the issue of individual or parks, are added to the town limits of Walkertown. That was our concern. Is that correct, council?"

Ms. Welch: "I think so."

Mr. Warner: "Yes."

Mr. Houff: "If it's primarily mobile home parks....."

Mayor: ".....It's not primarily, no sir....."

Mr. Houff: ".....that you are concerned about..... Not primarily? As far as the individuals I am concerned about, you could certainly do a moratorium on RS Special Use zoning for mobile homes. I'm not sure how often that occurs. You see more often the General Use rezoning or the General Use zoning where the people come in and they already have their zoning. There's not anything you can do, to my mind, to keep them from applying for their Special Use permit. You can simply....."

Mayor: ".....When you say they already have their zoning, does that mean they're just renewing it after they've been there so many.....How many years does it have to be renewed?....."

Mr. Houff: ".....Typically, they do five --- most of the time they do five years....."

Mayor: ".....Five years?..... But that's not what you're referring to, is it?....."

Mr. Houff: ".....No, sir.....What I'm, I guess, where you have an existing mobile home, you're going to have something of a vested right. They're going to have a period of time that their Special Use permits already in place. You're not going to be able to kick them off.....
..."

Mayor: ".....Right.....I don't think we're looking to.....That's not a goal...
....."

Mr. Houff: ".....What your concern is, is additional ones coming forward. And if you're talking primarily about individuals --- MH, they're going to have to come to you with an MH zoning petition. You're going to be able to deal with those as they might come to you. Seems to me

you probably don't need a moratorium for that because you're sitting at the council. You can do, rather than do a moratorium, you can simply deny the petition that comes before you."

Mayor: "And they would have to go through our zoning, planning....."

Mr. Houff: ".....First, they would go to the planning board and the planning board would make a recommendation up or down on the rezoning if it were to come before them. And then it would come to you, whether they recommended up or down and you could simply say, '*At this point in time, we don't think it's appropriate*' if that's how you feel about it. You could certainly --- you do have to give them consideration, can't arbitrarily deny it but you can say at this point in time and at this location, if that's in fact your determination, you can deny them as they come before you without a moratorium. So that one, I'm not sure you need a moratorium for -- to be able to do what you probably, what I think I hear you saying, is that we are, until such time as we know what our land use plan is going to be, we're not prepared to approve an MH zoning at this point. You could simply do that; chances are you won't have any of those come to you before the time when the comprehensive plan is passed anyway. You don't have any on the horizon that you're seeing right now. So that one I think you can deal with without a moratorium having to pass. You can deal with it as it comes before you, one at a time. Now the other one -- the individuals....."

Mayor: ".....I think that's going to be our target....."

Mr. Houff: ".....Yeah. Now, and I spoke some with Steve Garland about this and Toby and I talked a little bit about it, I think. The other ones, the most common situation --- someone has a lot, unimproved, and it's already RS-20. Now, they come in and they say, '*Well, I can either build a house on it or what I'd rather do is put a manufactured home on it of some sort.*' In order to do that, they go and petition the Board of Adjustment for a Special Use permit and then the Board of Adjustment has to make those findings outlined to you --- you know, meets the conditions, etc. Having a moratorium on the right to petition for a Special Use permit seems to me to be a very difficult thing to do a moratorium on. I've never drafted one on that. I don't think I've ever seen one in any cases that I've looked at. Now, whether you want to roll the dice and give it a shot at saying, '*We, for a period of 180 days, we are going to communicate to the Board of Adjustment, say, do not accept.*' And I think you're going to have to do it as 'Do Not Accept' not a 'Do Not Consider' --- there's a difference. If they want to present a petition, somebody wanting to do this would go to the Board of Adjustment, saying, '*I want to submit a petition for Special Use permit*' and the communication would have been made to the Board of Adjustment saying, '*I'm sorry. Walkertown has a moratorium on those for approximately 180 days while their comprehensive plan is being put together.*' I think you might to survive on something like that --- possibly!!! Again, I just can't provide you a guarantee that I'd like to be able to provide to you that it would be airtight if someone were to challenge it in court."

Mayor: "Nothing airtight there. We know that."

Mr. Houff: "Yeah. Certain things I could give you. On the MH zoning, if you wanted to do a moratorium, I don't think you need to, but if you wanted to do a moratorium on the MH zoning, I could pretty much guarantee you that would hold up for 180 days, but I don't think you need to do that."

Mayor: "If this council so chooses to get your advice in drafting that, couldn't you go ahead and include the MH zoning as well?"

Mr. Houff: "Yes, sir. I mean, if you're going to do that, we could certainly do that."

Mayor: "If that's what they choose to do. Ms. Gallaway, have you ever had this come up before?"

Ms. Gallaway: "No."

Mayor: "So, we're just totally on a new trail. I can't imagine that here in Walkertown."

Mr. Houff: "I've drafted moratoria before. I just haven't done with regard to MH and I haven't done one with regard to not allowing someone to submit a petition for a Special Use permit."

Mayor: "All right. We've beat these mobile homes down to flattened like a tornado hit them."

Do ya'll want to act on this or not?"

Mr. Warner: "I think we should table it for another -- for a month.....:

Ms. Welch: ".....I do, too....."

Mr. Warner: ".....And Ms. Duggins is the one who had a special --- or brought this forward. That would give time for her to be back what ---- I really say I'm totally confused."

Mr. Larrimore: "I -- I say put it off til we --- she ---coming....."

Mayor: "All right, so everybody's agreeable."

MOTION: TO TABLE DISCUSSION AND/OR ACTION ON THE MOBILE HOME MORATORIUM UNTIL THE JULY 22, 2004 COUNCIL MEETING

BY: Horace Warner

SECOND: Wallace Larrimore

**VOTE: Unanimous - Horace Warner
Wallace Larrimore
Sarah Welch**

(Dot Duggins Absent)

APPROVED

Mayor: "We can still go forward with it at the next"

Mr. Houff: ".....We can consider it whenever you'd like to consider it....."

Mayor: ".....Let's put it back on the agenda for next meeting and maybe you can give us a slight, small draft of something....."

Mr. Houff: ".....You'd like a draft of a proposed _____.....?"

Mayor: ".....Yeah. If you would, do that. I'm sure the council, everyone was in agreement to go forward with it in the beginning. I think we're just wanting to put our hands around the wording. So, let's just table that and deal with it at the July 22nd meeting."

**ITEM #7: FOR DISCUSSION AND/OR ACTION:
FINANCIAL STATEMENTS FOR MAY, 2004**

DISCUSSION:

Mr. Larrimore: "That's, uh.....We dis.....somewhat discussed it back when we was approving the budget. We're almost to, this is May, that we're looking at here. We're just a few days away from getting our last month of the year, starting - start a new one, with our new budget. I have no peculiarities with it or with May's. We've got....."

Mayor: ".....So we've got only one month on this year's budget. Is that correct? And June, finished up....."

Mr. Larrimore: ".....Yeah.....And that's June.....June finishes up. And we're almost to June now.....Or July....."

Mayor: ".....Any questions for Mr. Larrimore, or Ms. McKinnie or Toby on the budget?"

Mr. Warner: ".....I think this would be for Mr. Linville. On the Powell Bill paving, we still have a rather substantial debt there, is that right? For the spring paving?"

Mr. Linville: "Yes. It hasn't been billed. We haven't paid yet."

Mr. Warner: "Which will be what.....approximately one hundred forty dollar ---- one hundred forty thousand dollars, whatever? And looking back there I see our Powell Bill at seven ten so we drop off a hundred and forty that if we want to get some kind of --- more or less, I'll put it that way....."

Mr. Linville: ".....Soon as we get that bill, we'll do a budget amendment because it's got to be pulled out of savings. We don't have enough budgeted for next year to pay it."

Mr. Warner: "So. So, we'll keep that in our mind that even though it looks like we got a bit of

money, we have obligated some of that already.”

Mr. Linville: “That’s correct.”

Mayor: “And what, have you anticipated, without me going back and looking at the budget --- what did you anticipate for the coming year on Powell Bill.....revenue?”

Mr. Linville: “Revenue? A hundred and twenty?”

Mr. Warner: “A hundred and twenty.....?”

Mayor: “A hundred and twenty? So, we’re like twenty thousand in arrears of what we’ll be getting. Okay.....”

Mr. Larrimore: “.....We’re --- we’re to the point where we just about spend and make up --- spend and make up. We --- we --- we’re holding our own.”

Mr. Warner: “We do have in this budget we approved tonight, fifty – seventy thousand, excuse me, but that’s for additional paving, is that correct?”

Mr. Linville: “I’m sorry?”

Mr. Warner: “We — we have in the budget we’ve approved tonight for the coming fiscal year seventy thousand dollars and that will be in addition to what we’ve already spent for paving this spring. Is that.....? Okay. So, we’ll need the budget amendment.....”

Mr. Linville: “.....Haven’t paid for the other pavings so this money will be --- well, we could wipe that to zero and then take \$70,000 out of reserves --- however, you want to do it. That number was basically the balance – it’s what was left out of Powell Bill for this year. Just the balance of.....”

Mr. Warner: “....., Mr. Mayor -- I said a hundred and ---- I said a hundred and twenty thousand but I’m wrong --- it’s only a hundred and ten ---- in this year’s revenue. Okay. Thank you.”

MOTION: TO APPROVE FINANCIAL STATEMENTS FOR MAY, 2004

BY: Wallace Larrimore

SECOND: Horace Warner

**VOTE: Unanimous – Horace Warner
Wallace Larrimore
Sarah Welch**

(Dot Duggins Absent)

ITEM #7: FOR DISCUSSION AND/OR ACTION:

RESOLUTION #04-021

TO AMEND WALKERTOWN ORDINANCE #03-004 DATED
AUGUST 12, 2003, TO REMOVE BLOCK 3253 LOT 108
FROM PROPERTY TO BE ANNEXED

DISCUSSION:

MAYOR DAVIS READ THE RESOLUTION THAT HAD BEEN ADDED TO THE AGENDA:

TOWN OF WALKERTOWN

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

TOWN OF WALKERTOWN



RESOLUTION #04-021

JUNE 22, 2004

RESOLUTION:

**TO AMEND WALKERTOWN ORDINANCE #3-004
DATED AUGUST 12, 2003, TO REMOVE BLOCK 3253 LOT 108 FROM
PROPERTY TO BE ANNEXED**

IT IS RESOLVED AND ADOPTED that the Town Council of Walkertown hereby amends Walkertown Ordinance #03-004 dated August 12, 2003, to remove Block #3253, Lot #108 from list of properties to be annexed, due to a clerical error in the ordinance.

Block #3253, Lot #108 remains outside the jurisdiction of the Town of Walkertown.

RESOLVED AND ADOPTED this, the 22nd day of June, 2004.

ATTEST BY:

TOWN OF WALKERTOWN

By: _____
Lynn McKinnie
Town Clerk

By: _____
Kenneth R. Davis
Mayor

- Mayor: "What is that address, 3253? Where is that? What street is that on?"
- Mr. Linville: "It's on Rocky Ford Lane. It belonged to Clarence Hampton. And they're both deceased."
- Mayor: "Clarence Hampton? That's already gone through. That was August of last year. They're in the town as of today, is that right?"
- Mr. Linville: "Right."
- Mayor: "And they want to leave the town, is that right?....."
- Mr. Linville: "They will be as of next month. What happens – when that very first annexation petition was recorded, at the meeting, that property was removed because the family had been deceased and we hadn't contacted them. It was an old petition. When it was recorded, there were three attachments to the ordinance. The first one was a list of block and lots and this one was left in. The spreadsheets had names and addresses but it wasn't in that. The tax office says since it's in that ordinance they recorded it. It's not part of Walkertown. This is their way of saying they will remove it. If we don't approve this, then in July, they'll bill that property as part of Walkertown."
- Mayor: "Bo, is there anything else we need to do?"
- Mr. Houff: "There is some very minor language that you probably want to add. You want to make this ordinance clear that you're not doing it just because you changed your mind. You didn't change your mind – it was just a clerical error and so what I would suggest is the following language be added at the end of the third line where it says, '*to remove Lot #3253, Lot #108 from the list of properties to be added, due to a clerical error in the ordinance*'. And then it remains out the statement that its remains outside the jurisdiction of the town of Walkertown. Just so that it shows this is the basis why you're doing this as opposed to simply a change of _____, which is not the case, but we want to make sure everyone understands it was a clerical matter, and not the intention of Walkertown."
- Mayor: "Is there a motion to approve this?"
- Mr. Larrimore: "I make a motion we approve this ordinance 03-004."

**MOTION: TO APPROVE RESOLUTION #04-021 WITH CORRECTION
TO AMEND WALKERTOWN ORDINANCE #03-004 DATE**

**AUGUST 12, 2003, TO REMOVE BLOCK 3253 LOT 108
FROM PROPERTY TO BE ANNEXED**

BY: Wallace Larrimore
SECOND: Sarah Welch
VOTE: Unanimous – Horace Warner
Wallace Larrimore
Sarah Welch
(Dot Duggins Absent)

OTHER BUSINESS:

Manager Update:
NONE

PUBLIC SESSION: Please limit your comments to three minutes.

Public Session was opened at 8:30 p.m.

- 1) Marilyn Martin
2733 Martin St.
Walkertown NC

“The Comprehensive Land Use committee held their open town meeting on July 10th. We had a real good turn-out --- about 40 people besides the workers. And the thing/theme(??) that we heard over and over again was ‘*slow controlled growth*’. Slow controlled growth – doing something the roads before we start developing. We need to keep commercial and residential separate. And this was heard in all the groups. And so that’s about all I have to report. We’ll do some more and we hope to get a larger turn-out. Thank you.”

Mayor: “Do you have any schedule now, Marilyn, do you know?”

Ms. Martin: “No. Daren, who’s chairing was out of town and so I’m co-chair – I don’t really know. I thought maybe Peggy would stay and tell ya’ll more.”

Mr. Linville: “Fred Luce had said that hopefully, around September, they’ll have all the results compiled and they’ll actually have the text and that’s what the public will be able to look at and see the text and see if that’s the format that they want. So that’ll be the next one --- around September.”

Mayor: “So, they’ll wait til they have some markers drawn together then you can see if that’s the direction.....”

Ms. Martin: “He’s going to bring that to us so that we can continue.”

MAYOR DAVIS HAD QUESTIONS FOR D. THOMAS, WHO HAD SPOKEN EARLIER:

Mayor: “Mr. Thomas, you indicated it was imperative that a deadline of June 25th ---- Come up and tell us a little bit more about that deadline that’s imperative.”

NOTE: THE FOLLOWING IS SHORT INFO ABOUT THIS GROUP ----Lynn

DEE THOMAS IS LEAGUE/TEAM REPRESENTATIVE FOR THE WALKERTOWN WOLFPACK BOOSTER CLUB OF THE POP WARNER LITTLE SCHOLARS/ FOOTBALL AND CHEERLEADER. CORPORATE TAX ID #56-1792486. IT IS NON-PROFIT -- #501(C) (3). DONATIONS ARE TAX DEDUCTIBLE. THERE ARE SIX SQUADS WITH AGE

RANGING FROM 5 TO 15. THEIR TREASURER'S REPORT ENDING BALANCE FOR A FEW MONTHS IS:

FEBRUARY	\$3,266.29
MARCH	\$4,488.58
MAY	\$4,881.84

THEIR MISSION STATEMENT READS AS FOLLOWS:

Our mission is to assist in positive guidance to our future men & women by lesson & example. Our intent is to show our children the importance of teamwork that goes beyond the field of competition. Our goal, with your help, is to become and remain a '1st class' organization that will instill 1st class' character in our children and teach them to be '1st class' winners on the inside as well as out!

Mr. Thomas: "June 25th is the early order discount. If we could order it before June 25th, we would be allowed to save an extra \$250.00. But it takes eight weeks for delivery of the scoreboard and our first game is on August 28th. So it would be an extra \$200 that the organization would have to come up with if we did it after June 25th."

NOTE: MR. THOMAS DID SAY \$250 AND THEN \$200 AS TYPED. ...Lynn

Mayor: "Tell us a little bit about your funding and at the present. Would you mind sharing that with us? I don't mean to put you on the spot. Where do you get your money, as a general rule? I know that everybody has their fundraisers and stuff. Other people at least know."

Mr. Thomas: "Okay. What we've been doing.... On every other Saturday, we've been holding sign-ups right here in the library. We also have been having car washes and having cook-outs over beside Hardee's. We've been going out getting sponsorships, which Bob Neil Pontiac – Bob Neil Enterprises is one of our biggest sponsors. Basically, we've been going out getting donations from people such as Winn Dixie, which they may help us with – they do not give us donations, but they give us things such as bread, hamburger, drinks, ice and things of that nature. We also have went to the other facilities such as Wendy's and the Sheetz and we hold car washes there. So, basically, what we've been doing is holding car washes. We sell candy, popcorn – just various fundraisers during the year."

Mr. Larrimore: "You, you are a member of the Pop Warner.....?"

Mr. Thomas: "Yes, sir. We are a member of the Pop Warner and I also brought you a copy of the program that gives you a breakdown of everything that we are doing, including our tax id number. We are non-profit organization."

Mayor: "Anybody else have any questions for Mr. Thomas?"

Mr. Warner: "You have a registration, or sign-up fee for the participants.....as a source of income?"

Mr. Thomas: "Yes, sir."

Mr. Warner: "And, then, to further that question, are there also scholarships for those that are not able to afford?"

Mr. Thomas: "Yes, sir. What we do – and that's one of our reasons for having a car wash. Because we have a lot of underprivileged kids that parents are not able to pay the fee that we have and that's our biggest goal for going out doing fundraisers -- for those kids."

Mr. Warner: "What area do....what territory do you have, as far, I know you play here at the local stadium, but what area do you cover in your program?"

Mr. Thomas: "The areas that we cover are Cash Elementary, well, the schools that we target --- of course, Walkertown schools, Prince Ibrahim and Cash Elementary are the schools that we target."

Mayor: "Mineral Springs – are they in the Mt.Tabor up that-a-way? In that direction, or they're not in this league?"

Mr. Thomas: "They are in this league but they are not a part of our organization. We're really coming on strong this year. We've really worked hard to develop Walkertown name in the football community. This year, hopefully, we've had, out of the 16, we had 4 teams to come in first and second place this year so we're hopefully to get out of Division II into Division I so....

We're just trying to better our facilities in order to do it. But our scoreboard is totally our right now – doesn't work at all."

Mayor: "Tell us about the scoreboard. You said it doesn't work at all?"

Mr. Thomas: "No, sir. It does not work at all. It does not belong to --- the school leased us the field for free; but the concession stands and things like that, we have to build ourself and the scoreboard would belong to the Little League and not the school. So we'll be proud to put that Walkertown paid sign on it."

Mr. Warner: "Now, the scoreboard --- there was a scoreboard --- is that scoreboard still up there now but just not operating?"

Mr. Thomas: "Yes, sir. From my knowledge, that scoreboard has been up there since the organization has been there, since 1957..."

Mr. Warner: ".....And it's beyond repair, I"

Mr. Thomas: "Yes, sir."

Mr. Larrimore: "Could, could --- any way we could make a motion tonight? Since this – we're pressed for time..."

Ms. Welch: ".....They're needing it quickly."

Mayor: "If there's three people willing to make a motion, we could but that's up to these three people right here."

Mr. Warner: "We could suspend rules, which I believe takes a 75 --- which take --- we wouldn't have that number....."

Ms. Welch: "Yeah."

Mayor: "If ya'll want to do that, you can."

Mr. Larrimore: "I – I make a motion that we help them with this scoreboard."

Ms. Welch: "I second."

Mayor: "You're making a motion that we give the \$1,000 that's needed....."

Mr. Larrimore: ".....That's needed, right. Right."

Mayor: ".....On the scoreboard, that's your motion? And, what is yours?"

Ms. Welch: "I second."

Mr. Warner: "And using advice we received before, we'll make that into the motion that this money is to be used for the scoreboard, is that correct?"

Mr. Larrimore: "Right."

Mr. Thomas: "Yes, sir. Scoreboard and nothing else."

Mr. Warner: "And then, of course, you will give us report back as to the final, and such as that?"

Mr. Thomas: "Yes, sir. I look forward to coming to more meetings. It was very knowledgeable for me, by me being a member of the Walkertown community, for myself. And I look forward to coming back to many more meetings and learning more about my community."

MOTION: TO APPROVE ONE TIME DONATION OF \$1,000 TO WALKERTOWN BOOSTER CLUB TO BE USED FOR SCOREBOARD

BY: Wallace Larrimore

SECOND: Sarah Welch

**VOTE: Unanimous – Horace Warner
Wallace Larrimore
Sarah Welch**

(Dot Duggins Absent)

Public Session was closed at 8:42 p.m.

ATTEST:

TOWN OF WALKERTOWN:

By: _____
Lynn McKinnie
Town Clerk

By: _____
Kenneth R. Davis
Mayor