

never brought before this Council for approval and it was an assumption type thing. So my point there is this: we're in a situation now where I have no choice but to ask, or to agree to this grant to try to receive \$160,000, even though we have to pay it back. This is one of those no-win situations. If we don't get the money, then we're stuck with it; if we do get the money, and we don't produce the jobs, then we have to repay that money. So I have no choice either way but to vote for it. Thank you."

Ms. Duggins: "I'd like to make a comment on this. In this day and time when there are so many jobs lost in the area, this company tells us that they have contracts that are promised to them, that they're going to need these workers. I think we would be remiss in not helping these people and this is in a business park. We are developing our own business park. I think it would be remiss of us not to pass this."

Mr. Warner: "I appreciate that but that further gets my concern in that why would he not then guarantee this grant, if he's got all this business that we're going.....what he's asking us to do is take the risk and earlier you were talking about the other project – the \$2million office building – but based on the fact of the revenue from that, it would take over fifty years, if you'll remember, I stated this in an earlier meeting, it would take over fifty years to reimburse that debt. That was on the \$100,000 that we're going to incur regardless of what happens."

Ms. Duggins: "I still think in this day and time, I'll repeat it again, with so many businesses going out of....closing down....jobs in this area are....we have lots of people who are out of jobs; why wouldn't we do something....we are well off as far as our operating money is concerned here in the town. I feel sure that if things turn around, and it looks like we're beginning to turn around, the economy, picking up, hopefully, we will have....these jobs will pay off and this company will bring in revenue money to us that we desperately need."

Mr. Larrimore: "I'd like to add to that. I see here number 5, number 7, and number 8 is directed at the Finance Officer; I'd like to just remind the people the sewer is going to run over there to that business. Okay, you've got a car wash, a pizza place, and a motorcycle place and in going over there behind that, we've already approved it, to put in a two-story office building, I think about 90 by 30 feet wide and I forgot how long, like 120 to 200 feet long that will help this project right here."

Mr. Warner: "What it really amounts to is this – we're going on the same deal that we did with Mari-Lu Enterprises some years ago, about the time we were starting in the sewer project. And we were talking, I think at that time, and forgive me if I quote this wrong, I think Mari-Lu could possibly increase by 100 jobs at \$8,000 a job, which would have been \$800,000 thing. But that never materialized so what I'm trying to say is maybe I'm ultra-conservative, but if that man over there doesn't have enough faith in his business to obligate himself, then I'm looking out for the citizens of Walkertown, why should we?"

Ms. Duggins: "Mari-Lu Enterprises was not a hundred jobs; I think it was twenty to twenty-five."

MOTION: **TO APPROVE ORDINANCE #03-007**
GRANT PROJECT ORDINANCE – CDBG PROJECT BETWEEN
TOWN OF WALKERTOWN AND AMERICAN TECHNICAL SOLUTIONS, INC.

BY: **Dot Duggins**
SECOND: **Wallace Larrimore**
VOTE: **Unanimous (Duggins, Warner, and Larrimore)**

ITEM #2: **FOR DISCUSSION:**
Tim Gauss and Lisa Alley with Cavanaugh & Associates – Planning/Zoning Services

DISCUSSION:
Mr. Tim Gauss: "Last week we spoke with the mayor and the manager to talk about the possibility of Cavanaugh & Associates providing planning services – both long-range and current planning – for the town. You are aware of my background – I've been with City-County Planning Board for a number of years and worked in both the current planning side as well as the long-range side. Cavanaugh is an engineering firm that's been in the area since 1995 and has an extremely good reputation with both water and sewer and other types of engineering. Steve Cavanaugh, the principal, has expressed an interest in trying to expand the services of the firm to include planning and zoning and for the last week, I am it! So we are very anxious to enter into a work in planning and zoning. There are two basic types of services – current planning services – these are the project review, the site plans that get presented to the Planning Board and to you as a Council on a monthly basis....the re-zoning requests, the subdivisions, the special use permits, things that you as a board would have jurisdiction over, on a monthly basis. Then there are the long-range planning issues – these are services that are related to the development of a comprehensive plan for the jurisdiction, other studies that are of a planning nature, such as annexation or any type of special study like into housing or other issues. The role of staff in this situation would be not unlike what you have with City-County planning staff. The role of any kind of planning staff is to provide you with as much good

information as possible. We are here to help you do your job. The planning profession basically provides information. Now sometimes that information is pertinent, sometimes it's not pertinent. Sometimes it's timely, sometimes it's not so timely. One of the things we talked about last week was trying to make sure that staff is available and accessible to members of the community, to the planning board members, to your staff and to you as a council. We hope that there will be an opportunity to make sure there is good communication all along the process. One of the other advantages of staff is that we can be the deliverer of bad news and it's easier and better for staff to give that news – to interpret the law or ordinance says – than for you as elected members, in particular, where you also are asked to preside over a public hearing that has to be fair and impartial. Planning staff is also very concerned about the local government process. We believe very much in a fair and open process. And, of course, I've had experience dealing with that over a number of years. As you are just getting into the land use development game, having assumed planning and zoning authority not too long ago and your planning board's going to be coming on line soon, it's real important that everybody get a sense of the timing that's involved and we will certainly try to minimize the amount of unnecessary time spent. However, there is certain safeguards, or time built into the review process, just to allow citizens who are affected by public policy, such as zoning decisions, to have a say in their preparation. And that's the way it should be. And we will do our best, though, to make sure that's a fair process and people are aware of what's going on. We also spoke about long-range planning efforts. I know in the City-County Planning Board has as part of its work program, the preparation of a plan for the Town of Walkertown and I'm assuming that the plan that you are looking at would entail not only the areas that are currently within the jurisdiction limits of the Town of Walkertown but probably the other areas outside in the unincorporated area of the county just to make sure you have a coherent hole you're looking at. So there would need to be a coordination with a City-County staff as we proceed along those lines. We would appreciate the opportunity to provide planning services for you, look forward to working with you and we would like you to feel really that you're getting the best quality service that you can get. We would like to help Walkertown achieve a well-planned community where there is good coordination between the provision of sewer and the type of land use that's appropriate to that. We'd like for people to have a good sense of the vision of where Walkertown wants to grow and become in the future. We'd certainly be interested in working with you on that."

DISCUSSION:

Mr. Warner: "You referred to a meeting last week, was that right? With just you and the mayor? Reason I asked, I knew of nothing of this until I received the agenda, late last week. What is our planning board? Have they initiated this request?"

Mr. Tingen: "Tim has come by the office to leave his material and stopped and talked briefly with Tom. I just happened to come in. It was not a planned meeting to hide anything....."

Mr. Warner: ".....It's a matter of saying this service is available."

Mr. Gauss: "Yes, sir."

Mr. Tingen: ".....It's something that just come on. So we moved it on to the agenda."

Ms. Duggins: "That's what Tim's doing here - to explain this. I didn't know about this either, but it doesn't matter...."

Mr. Warner: "You're still with City-County?"

Mr. Gauss: "No, sir."

Mr. Warner: "You have left City-County and now.... I assumed that but I wanted to be sure. So actually this is your part of the....."

Mr. Gauss: "I'm now with.....yes, sir."

Mr. Warner: ".....engineering firm"

Mr. Tingen: "If you'll notice on your agenda, it says 'FOR DISCUSSION' -- it does not say 'FOR DISCUSSION AND/OR ACTION'. We're just introducing this opportunity to you and we'll be looking at it in the future."

Mr. Linville: "We've talked in years past about having our own planning staff and there's several different ways you can do it – you can contract it, we can hire a person but when we heard that Tim had left City-County and was moving on with Cavanaugh, we knew we'd have the City-County experience without that link so that's why we wanted to talk with him and at least start these negotiations anyway – see if it was feasible for either one of us. In the next couple of weeks, we'll be talking about different ways we could do planning staff or even whether or not you even want a separate staff. But this is the beginning."

Mr. Tingen: "This is one more of the advantages of having an active town manager. He's always looking for ways that might help this town and I'm thankful to have a town manager that will dig into things and hear about it and bring it before the council."

Ms. Duggins: "As we go forward with our planning board which will be taking over in January, I know they probably have a bit of trepidation about starting this process. If we had someone to call on for either

the planning staff at City-County Planning or with Cavanaugh & Associates, with Tim, it would be advantageous for our board to feel competent and when they had questions, to be able to have someone to go to, to help them in the process. While our planning board is working on the comprehensive plan for the Town of Walkertown, it is most important that they get good guidance from whichever source we end up deciding to use in order to give us a good comprehensive plan. We know that it would have been advantageous to us if we had had this already in place, our comprehensive plan, before now and we are crunched right now. They're going to feel the crunch that they really have to produce and produce quickly because now that we have the sewer in town, we really need, desperately, the guidance in the plan, especially the comprehensive plan. Thank you, Tim."

Mr. Tingen: "I might add to that, Mr. Warner's been to meetings in the past, I know I've heard him mention it, where topic of storm water permits, if you'll look down here at Item 23 on Tim's paper he gave you. He'll have the ability to address that subject because we'll be in the future having to deal with that storm water run-off. So he's well qualified in a lot of different fields that our town is going to do so it's going to be in the best interests of our town, manager and council to look into this further and communicate back and forth."

Mr. Warner: "Cavanaugh's not a stranger to us because if you'll remember, they did the sewer questionnaire. In fact, Ms. Alley was involved in that too. In Lewisville, I think they've just recently requested and received an extension, did they not, until mid next year, as far as they are well along on their project. We haven't done anything but as far I've been confirmed, we're not required to do anything, is that right?"

Mr. Tingen: "We have got the best stormwater situation you can have. Winston-Salem is waiting for it to go through a filtration of weeds down these hollers til it gets to Salem Lake and they use it for drinking water. How much better could we have?"

Mr. Warner: "The thing about it is, I don't know what the Federal regulation is. Do you – does anyone know?"

Mr. Tingen: "No."

Mr. Warner: "Now, as I understand, a former town manager did make application, or made a statement by letter, that unless we're advised, otherwise, we're exempt. Is that correct?"

Mr. Linville: "That's where we stand. We haven't heard one way or another."

Mr. Warner: "Did they ever reply to that letter?"

Mr. Linville: "No, we haven't received a reply."

Mr. Warner: "That's what I understood – there's no reply to it so it says this; by assumption, we are supposed to be exempt. And I hope we don't get slapped in the face one day. I've been very much concerned about storm water ever since I made that tour. In fact, over at High Point, that one retention over there, just engineering costs on that was \$1million, so it can get expensive."

Mr. Tingen: "We're going to have to get in your pockets when it comes along!"

OTHER BUSINESS:

Mr. Tingen: "Having brought us down to the point on our agenda where it says 'OTHER BUSINESS', we'd like to have that as brief as we can and move on to our announcements."

Mr. Warner: "I guess that was meant for me."

Mr. Tingen: "No, not necessarily. Because if there had been anything that was real important it would have been added to the agenda."

Mr. Warner: "It's very important. To end that. If you'll notice back in the minutes of last meeting, there quite a few questions in the Other Business section, such as talking about the interest on the loan on the City-County Utilities; plus the fact on annexation and such. Some of that was supposed to come forth on September 26th meeting, so if you will, Mr. Linville, could you review those minutes there and be sure we have answers to those questions. I took the liberty of asking Mr. Garland about the annexation, as far as where they had the deceased people, and I got a clarification there. As he said before, that is not annexed. Now that brings me to the question of what have we done with those people that are not to be annexed that were in that motion and listed?"

Mr. Linville: "I haven't done anything."

Mr. Warner: "Well, what are we supposed to do?"

Mr. Garland: "My recollection is that we remove them from the list. When you voted on it, they were not included. They were on the list at the outset but when that issue was raised, when you then voted on the list, you were voting on the list without those people."

Ms. Duggins: "That's exactly right."

Mr. Warner: "Then I misunderstood. I think the statement was made that those people were going to be sent letters, because some of those petitions may have been rather old, and if they did not come back favorable to it, they would not be annexed, is that correct?"

Mr. Linville: "Right."

Mr. Warner: "Have we received any replies?"

Mr. Linville: "There were three. There were two and then the deceased couple. So those three were not part of the ones you approved. But I've been feeling like until the Register of Deeds records it, none of it – I mean, it's all legal as far as the progress. But nothing counts until it's recorded so they won't be included in that."

Mr. Warner: "In summary, can I say this, that everything that we will annex will be legal. I know the jurisdiction of zoning is going to turn to us as of a Public Hearing on the 12th?"

Mr. Linville: "The 11th."

Mr. Warner: "The other information I was asking for, this is what is in the minutes, that would come on September 26th is the revenue and expense of the annexation project. Be sure we got that."

Mr. Linville: "But now, for the 26th, any of those sewer questions, you need to get with me before then and let's get back with Terry....."

Mr. Warner: ".....With the sewer questions, I think we ought to get Mr. Cornett out here to answer those questions because there's still a lot of unanswered questions in my mind as to who's going to pay for what and what freedom and what liberty others have at our expense. I believe in our meeting with him, and he made a good point; he said, 'Well, you got a \$2million grant even though those schools over there are not going to be assessed anything or pay anything, that is public money.' That is true but why didn't they go ask for the grant and let us coat-tail them and then we wouldn't have the expense we have. So, you see my concern. We're providing for a lot of people here and we're going to put the burden on our citizens, which I don't think is the right place to put it."

Ms. Duggins: "Keep in mind that these schools are big users and they will be paying a hefty sum for their using of the sewer system."

Mr. Warner: "But there was also, and I'll need to clear this with Mr. Cornett, too, there was some indication that they were not going to be assessed like individuals. That brings me to the third question, has anything been done yet as far as deciding to pay off that interest amount so it won't be accumulating at 6% because we've got \$425,000 – we've got that in the funds. We're not getting 6% on our deposit so I think we ought to clear that obligation right quick. It was also said there will be additional money needed to be advanced, I understand that too but maybe we can use that money to offset 6%."

Mr. Tingen: "If you do that, how can you go borrow from the state at 2% interest, if you've already got your bill paid?"

Mr. Warner: "The thing about it is, all you can do is pay that interest to the City-County – they didn't take that off the debt, did they? They're showing it as accumulated; hadn't been paid, has it?"

Mr. Tingen: "That's a little bit deeper than I can get into."

Mr. Warner: "My point is simply this, why should we be paying 6% for money when we've got money sitting on deposit in the bank, not earning that? That was the purpose of the money – was for sewer."

Mr. Linville: "Whenever you get a chance next week, give me a call and we'll sit down and work this out."

Mr. Warner: "Should we not bring it to the people? It's not just me, it's the people I'm talking about."

Mr. Linville: "We can do that but I can't answer your questions. You're going to have to get with me and ask the right people those questions."

Mr. Warner: "You remember the meeting, I want to follow through on that so we know where we are, what we're doing and why."

Mr. Linville: "That was when you were supposed to get all your questions answered but we'll do it again."

Ms. Duggins: "...Yes....I suggest....."

Mr. Warner: "What I want to do now is take that information to the citizens."

Mr. Linville: "Get everything worked out and we'll work us up a statement....."

Ms. Duggins: ".....I suggest that when you sit down with whoever, or if Horace wants them to come out to speak to us to address these questions, I think we should get a list from Horace of what he wants answered....."

Mr. Larrimore: ".....Before the meeting....."

Ms. Duggins: ".....Before the meeting and so the man who comes is well-equipped to answer these questions."

Mr. Warner: "Let's just make a statement now! We want to know first of all, why -- has anybody else got any favorable -- are these gifts that were made by the schools and also by Glenwood Development, do they get any concession for that; such as reducing their assessment or their installation.....?"

Ms. Duggins: ".....No, they don't. They do not!"

Mr. Warner: "Second of all, what are the people going to have to pay, estimated, of course, because it's not final yet. What is going to be the monthly fee because we had that down on that list.....?"

Mr. Linville: ".....One and a half times their water bill....."

Mr. Warner: ".....One and a half? Is that firm?"

Mr. Linville: "That is....yeah...that's the rate."

Ms. Duggins: "That's a guestimate. The rate....."

Mr. Warner: "Does that service the debt?"

Mr. Linville: "No."

Mr. Warner: "Oh, wait a minute here. Now they have already been asked by a citizen and said is he giving us debt service and they came back with a figure and said it would include debt service. What's going to happen with the debt service then?"

Mr. Linville: "It's going to come out of the general fund."

Mr. Warner: "Huh?"

Mr. Linville: "It's going to come out of the general fund!!"

Mr. Warner: "How's it going to come out of the general fund?"

Mr. Linville: "Just write a check. If we make the users pay for it, their water bill's going to be \$90.00 a month!"

Mr. Warner: "How much?"

Mr. Linville: "Ninety. Roughly."

Ms. Duggins: "And another thing about this is, if we don't take it out of general fund, then we are over-burdening the first people who come on the system....."

Mr. Linville: ".....Right....."

Ms. Duggins: ".....And that's not fair....."

Mr. Linville: ".....As more users are added, it'll balance out, but right now....."

Ms. Duggins: ".....As the users are added, it brings it down....."

Mr. Linville: ".....Without breaking the backs of the first users, we have to pay some out of the general fund."

Mr. Warner: "I think this is the first time it's been said that....."

Ms. Duggins: ".....No. We've talked about that. We've talked about this several times....."

Mr. Warner: ".....That debt is going to be repaid out of general....."

Mr. Linville: ".....You had a sheet in one of your previous packets....."

Mr. Warner: ".....I don't find it anywhere in the minutes.....Beg your pardon?"

Mr. Linville: "That sheet was in one of your previous packets, but we'll go over it...."

Mr. Warner: ".....In the general fund? That's never been stated. In fact, I suppose....."

Ms. Duggins: ".....Tax money....."

Mr. Warner: ".....I suppose that maybe some of the other districts that are not going to get sewer service are going to be concerned about taking their money, and the general fund is their money."

Mr. Tingen: "We need to move on."

Mr. Larrimore: "I'd like to....."

Mr. Tingen: "Now that we've got....."

Mr. Warner: "Point of order.....point of order. Mr. Tingen, when someone's speaking you allow them to finish before you start...."

Mr. Tingen: "Is there a 3-minute thing on....."

Mr. Warner: "I'm not obligated by that 3-minutes."

Mr. Tingen: "I know it but in our other meetings, we've had to where we just tied up for three minutes....."

Mr. Warner: "No. That's not Roberts Rules of Order. I just made a 'Point of Order'."

Mr. Tingen: "Well, you go ahead but....."

Mr. Warner: ".....I just don't appreciate you hitting that gavel when I'm trying....."

Mr. Tingen: ".....On and on....."

Mr. Warner: ".....What I'm trying to say and what I've said before is the people of Walkertown have never been told that this money is going to come out of the general fund, meaning that every citizen of Walkertown who pays advalorem tax will be paying the debt of this sewer. It may be.....do get sewer are going to be paying assessment for next one and so forth."

Ms. Duggins: ".....Which is right and so. You can't get sewer treated without....."

Mr. Warner: ".....But I think we ought to be telling them.....Now to my point – if you don't allow me to make this point, I'll be quiet. But now, we ought to let the people know now that that's the way it's going to be paid for. Okay? And how much. Thank you."

Mr. Tingen: "When the final figures come in, we'll know then, for everything. I'll make some announcements....."

Mr. Larrimore: "I'd like to say something, if I may. I've got three pages here of men and their wives and their children listed that's coming into Walkertown that's going to help us with any of these problems we're talking about with money. And I'd like to say something else that I know, because I'm an engineer, that we need to go back and address this thing of the contract that we just let to do the air conditioning and what-not. We need to discuss this a little bit because if we're going to have sewer out there, we don't need to put in a big temporary system."

Mr. Linville: "No. We're not going to. We're going to have to sewer."

Ms. Duggins: "Not have the temporary service."

Mr. Larrimore: "But that's in the price?"

Mr. Linville: "Right."

Mr. Larrimore: "Is that in the adjustment?"

Mr. Linville: "Yes. First change order."

Mr. Larrimore: "Want a change order to go backwards for a change."

ANNOUNCEMENTS:

09-23-03	6:00 p.m.	Planning Board Meeting @ Library
09-23-03	7:00 p.m.	Town Council Meeting @ Library
10-14-03	2:00 p.m.	Town Council Meeting @ Library
10-28-03	6:00 p.m.	Planning Board Meeting @ Library
10-28-03	7:00 p.m.	Town Council Meeting @ Library
11-11-03	2:00 p.m.	Town Council Meeting @ Library
11-25-03	6:00 p.m.	Planning Board Meeting @ Library
11-25-03	7:00 p.m.	Town Council Meeting @ Library

FINAL DISCUSSION:

Mr. Larrimore: "I've got another suggestion. It just stands to reason that we need a work session in between some of these to settle some of these questions that always pops up when you've got an agenda. The questions start popping up that's supposed to be answered like this! That's not the way to run a town."

Mr. Tingen: "We'll ask the manager to set a special meeting up to call another council for such business as that."

Mr. Linville: "You want to go ahead and suggest a work meeting time. We'll get together then. That way it'll be announced in a public session and it will be duly advertised."

Mr. Warner: "What's the need of a work session? I didn't understand it."

Mr. Tingen: "The type business we just entertained."

Mr. Warner: "No. This is the type stuff we ought to bring to the people – and right here in front of the people. We shouldn't be off in a corner somewhere making these decisions."

Mr. Larrimore: "Yeah, but you can't just throw out questions without giving somebody a little chance to think about it."

Mr. Warner: "These were no new questions; they were brought up and they're in the minutes of the meeting."

Mr. Larrimore: "You had a sheet on some of the questions you wanted – and I had a sheet on some of the questions you asked about. But if you don't want to go with a work session where we can discuss....."

Mr. Warner: ".....I'd rather we just do it here in the meeting with the people. That way they don't come back and say, 'Well, you did such and such...' Just like right now I've said this and I'll say it again. I had no idea we were going to pay this sewer debt out of the general fund. I don't know that it's ever been discussed. It may have been discussed with between some of ya'll but not in an open meeting – and certainly not with me."

Ms. Duggins: "Horace, it has to be – it's not an absolute – because we haven't passed a resolution on this. We simply have discussed how – and I know you were there – you heard how we discussed whether we would pay for the sewer in order for it to be fair out of the money that the town has collected – or whether to assess.....you were there in that meeting!"

Mr. Warner: "No, ma'am. I beg your pardon, Ms. Duggins. I was not present....."

Ms. Duggins: ".....You were there!!....."
 Mr. Warner: ".....At that meeting....."
 Ms. Duggins: ".....You were there!!....."
 Mr. Warner: ".....Because I have wondered all the time how we were going to pay for this....."
 Ms. Duggins: ".....We informally....."
 Mr. Warner: ".....And I've been trying to find a way....."
 Ms. Duggins: ".....Would you let me speak?....."
 Mr. Warner: ".....Sure."
 Ms. Duggins: "We informally discussed this – how we could pay this without overburdening the citizens who were coming on the sewer first. That was what we discussed. Now, we made no resolution – no decision - on how it would be paid, or whether this is the way we would pay it. That will come when they finish the system."
 Mr. Tingen: "I'll entertain ---- we've moved past Other Business and it's time for....."
 Mr. Warner: ".....Let me answer that. The only time that....."
 Mr. Tingen: "We've moved past Other Business and it's time for a motion to adjourn....."
 Mr. Warner: ".....I ask you again to let me speak to that, Mr. Tingen. Now, the only time that's ever been discussed, Ms. Duggins, was between me and Tom Southern in April and we were sitting over at Mickey's. And we said then what would it take to bring in sewer availability to Walkertown, over back of the new shopping center, Centre Stage Shopping Center. At that time it was estimated it would cost \$1.2million and we decided at that time, if we should proceed on that, that we could pay for it out of general funds and it would have availability in the town. That's the only time I've ever been in on any discussion of sewer....."
 Ms. Duggins: ".....I don't think I was in that meeting and I remember being in the meeting....."
 Ms. Warner: ".....No, it was just me and him and we were reviewing the budget and we were on our way to the town hall at the time. But I've never been in any other meeting....."
 Mr. Tingen: "Meeting will come to order. Now, let's move."

ADJOURNMENT

MOTION: **TO ADJOURN THE MEETING**
BY: **Dot Duggins**
SECOND: **Wallace Larrimore**
VOTE: **Unanimous (Duggins, Larrimore, Warner) DID NOT HEAR WARNER SAY "AYE"**

ATTEST:

TOWN OF WALKERTOWN:

By: _____
Lynn McKinnie
Town Clerk

By: _____
Tom Southern
Mayor