

Town of Wallburg, North Carolina
Town Council Meeting - Wallburg Fire Station
TUESDAY 7:00 P.M. FEBRUARY 14, 2006

MINUTES

PROCEDURAL ITEMS

CALL TO ORDER

Mayor Allen Todd

- DETERMINATION OF QUORUM
- INVOCATION
- PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:00 p.m. by Mayor Allen Todd and he gave a brief invocation. In attendance, for a quorum, were Mayor Todd, Councilmembers Hedgecock, Steve Yokeley, Weavil, Reece, and Chris Yokeley. Also present were Attorney Aaron Clinard and Town Clerk Lynn McKinnie. Mr. Hedgecock led the Pledge of Allegiance.

A motion for approval of the agenda was made by Mr. Hedgecock, seconded by Steve Yokeley and unanimously approved.

In the minutes of January 10, 2006, Steve Yokeley requested that the minutes be changed to read "*Dave Fencl said the ordinance needs to be adopted to fit Wallburg instead of Davidson County*" rather than as shown that Mr. Fencl said *the ordinances were not legal*. Mr. Fencl said he used the wrong terminology in stating what was said and that he actually meant it would be better to change the "Davidson County" to "Wallburg". This motion was seconded by Mr. Weavil and unanimously agreed upon.

The amended minutes were then approved unanimously by a motion from Steve Yokeley and seconded by Chris Yokeley.

Mayor Todd stated that minutes would not be official until approved and the approved minutes would then be available at the town council meeting.

CURRENT FINANCIAL REPORTS and RECOMMENDATIONS:

.....Chris Yokeley

Mr. Yokeley gave a brief summarization of the town's finances for December, 2005 through today's date in February. He said the Finance Committee met on February 7th and he presented the Committee's recommendations:

- Since the Town auditors suggested purchasing an accounting software package, the Finance Committee recommended purchasing QuickBooks Pro rather than go with a Software Program offered by various Software companies;
- With our Certificate of Deposits maturing on February 17th, the Committee thought it prudent to:
 - Maintain the CDs at LSB;
 - Move \$85,000 from the General Fund to the Property and Building Fund;
 - Move \$85,000 from the General Fund to the Capital Fund.

Doing this would leave about \$75,000 in the checking account. These would be 6-month CD's with a 4.2% rate.

- The Finance Committee also recommends that the council solicit bids for auditing the town's books. We could send RFPs to companies we are familiar with as well as advertise in High Point Enterprise, Greensboro News & Record and maybe the Winston-Salem Journal.

Mr. Yokeley also reminded the council to start thinking ahead about the budget; that they would start meeting in March and the budget needs to be approved by the end of June.

PUBLIC SESSION

PLEASE SIGN UP WITH TOWN CLERK IF YOU WISH TO SPEAK

Public Session was opened at 7:23 p.m.

1. Leigh Gill
580 Oaklawn Rd. Winston-Salem

Mr. Gill read: "As you prepare to vote on tonight's issues facing the WTC I would like to take a moment to ask you to allow two public speaking sessions, one at the beginning of the meeting so citizens can express their concerns about any issues they feel you should consider and one at the end of the meeting so citizens can comment on the evenings business.

I realize there maybe some criticism of your selected topics and it is important for the citizens to express their opinion on any subject. I also feel if one of the town council members feels compelled to get involved in a direct discussion with a citizen they should be allowed to do so. If there is a debate, I would ask you to eliminate any time limit.

I ask you to please consider these changes to the WTC meetings.

Free speech and political debate are the foundation of our democracy and without it there is no democracy.

I also note there is some discussion scheduled regarding insurance and bonding for our town. I do not know if you are aware of all of the aspects of the NC Open Meeting Law, which is NC General Statute 143 Chapter 33, but there is one portion I want to make you aware of and that is NC GS 143-318.16B. That section states in part "The court may order that all or any portion of any fee as assessed be paid personally by any individual member or members of the public body found by the court to have knowingly or intentionally committed the violation,"

2. Ronnie Bailey
180 Willowcrest Winston-Salem

Mr. Bailey asked how many meetings had the town council had amongst themselves to which the reply was "none". He also asked when was the protocol agreed upon? Why approve Robert's Rules of Order? Attorney Clinard stated that this was approved in an earlier meeting and is still in effect. Mr. Clinard continued that the Town Council is required by state law to have one open session per month. The Town Council and the mayor can set the protocol for meetings, as long as it's not infringing upon personal freedom.

3. Robert Motsinger
540 Rolling Green Dr. in Winston-Salem

Mr. Motsinger reminded everyone that he represents the Town Council at the County Commissioner meetings and that on April 8th, he is inviting everyone, including the county commissioners, to come to his barn for a barbecue. It's free!!! But donations would be accepted!!! He wants the County Commissioners to see the town citizens of Wallburg. So come on out and have a good time. There will be bluegrass music, too. It starts at 5:00 p.m. on April 8th. Come meet the candidates running for office. He has also invited Larry Brown and Howard Coble. The barbecue will be at his barn on Friendship Ledford (?) Road.

Public Session was closed at 7:33 p.m.

BUSINESS TO BE DISCUSSED AND/OR ACTED UPON:

1. **INSURANCE DISCUSSION**

What can the League offer the Town of Wallburg?

- North Carolina League of Municipalities Insurance
- Bonding Discussion
 - Bonding of Town Clerk?
 - Bonding of Finance Officer?
- Report from Aaron Clinard on insurance issues pertaining to governmental immunity establishing North Carolina General Statutes and common law occurrence, primarily concerning liability insurance

Madeleine Henley and Bob Haynes of the North Carolina League of Municipality spoke on insurance. Some of the things Bob said included the fact that the League administers three self-governing pools – Property and Liability, Workers Comp, and Health (which the town does not need)..... Workers Comp requires 3 or more employees and the NC General Statutes consider council members for Workers Comp. That cost is \$186.30 per year. The Statutes also say that the Finance Officer and the Tax Collector must be bonded - \$10,000 minimum. The NCLM has a “core package” of Auto, General and Property liability. The liability package is \$3,101 per year with a limit of liability of \$1million. Attorney Clinard asked about the history of the League's rates and Mr. Haynes said the rates are stable – they have not increased in ten years. He said the town earns incentive credits the longer it's in the program. Pricing will get better before it gets worse..... What is a “pool”?? A pool allows small towns to insure themselves collectively.....In order to buy League insurance, the town must join the NC League of Municipalities and dues are based on population.

NOTE: The Town of Wallburg joined the NC League of Municipalities and paid dues for 2005-2006 of \$1,874.00, based on population of 2065.

2. **MOTION TO APPROVE ROBERTS RULES OF ORDER AND NEWLY AGREED UPON PROTOCOL**

Mayor Todd said that he just wanted the meetings to run smoothly, but quickly, and thus the reason for approving the Rules of Order.

A motion by Steve Yokeley acknowledged that Roberts Rules of Order had been approved by a prior council but that the Town Council agrees to and approves the newly agreed upon protocol as typed up and presented by Mayor Allen Todd. A second was given by Lynn Reece and the motion was unanimously approved.

3. BOUNDARY SIGN UPDATE AND RECOMMENDATION

.....Steve Yokeley

Steve Yokeley addressed this issue by telling the council he had gotten several quotes for 11 signs, installed. J & L Sandblasted Signs was the cheapest; at \$1,069.07 – this includes the signs, the posts, the hardware, and the installation. The next closest competitor was for approximately \$1700,00 Mr. Yokeley brought a sample of the sign which read, WALLBURG TOWN LIMITS, white lettering on a green background. Steve talked to D.O.T. – and he has to meet with D.O.T. to get their approval on the sign and the locations of where the signs need to go. Attorney Clinard said the council could approve the signs contingent upon D.O.T.’s approval.

MOTION: TO APPROVE THE PURCHASE OF 11 SIGNS, HARDWARE, POSTS, AND TO INCLUDE INSTALLATION FROM J & L SANDBLASTES SIGNS FOR THE AMOUNT OF \$1069.07

BY: STEVE YOKELEY

SECOND: LYNN REECE

BEFORE VOTE:

To the question of why not use a monument – something bigger – it was answered that the signs are just for boundaries, not looks. So many people have questions about the boundaries of Wallburg. Steve said that Dean Coe has offered to do the locations for the town at no cost. Questions on who would be liable if a cable or fiber optic cable was cut while putting the signposts in the ground, were unable to be answered until further research on the issue is completed.

MOTION: TO WITHDRAW PREVIOUS MOTION UNTIL FURTHER RESEARCH IS DONE ON SPECIFIC LIABILITY AND LOCATIONS

BY: STEVE YOKELEY

SECOND: LYNN REECE

VOTE: UNANIMOUS

4. P. A. (SOUND) SYSTEM RECOMMENDATION

.....Zane Hedgecock

Mr. Hedgecock and Mayor Todd spoke of various comparisons of sound systems. None of the systems explored would be good for a “fixed” facility – in the event a town hall is constructed in the future. However, the systems could be utilized until the town gets a building. Wireless systems would be more costly. Systems with cords and cables to plug into the wall, although cumbersome, would be more economical at this point. There are also the issues of setting up and taking down the system for each meeting as well as who

would be responsible for doing so and for safekeeping of the system. It was agreed by the council to table this item and research more information before making a decision.

5. DISCUSSION - RENT INCREASE - FIRE DEPARTMENT

- Increase from \$75.00 to \$100.00 monthly
- \$150.00 Charge for additional meetings

The Wallburg Fire Department has increased the building rent from \$75.00 to \$100.00 monthly via a letter from the Fire Department. This \$100 rental fee covers one meeting a month in the auditorium with \$150 for additional meetings. We have no contract with the Fire Department so basically, the Department can change rent on us at will. Mark Swaim was asked if the rent increase was per meeting or per day and he indicated the rent covered per day – not per meeting – but he would check and advise back. In this situation, if any town-appointed committee meets the same day as the town council meeting, there would be no additional \$150 fee.

MOTION: TO ACCEPT THE RENT INCREASE TO \$100 PER MONTH FOR USE OF THE FIRE STATION WITH STIPULATION THAT THE RENT COVERS ANY TOWN-APPOINTED COMMITTEES USING THE AUDITORIUM THE SAME DAY AS THE COUNCIL MEETING WILL BE AT NO EXTRA CHARGE

BY: JERRY WEAVIL
SECOND: LYNN REECE
VOTE: UNANIMOUS

**6. MOTION TO APPROVE :
ZONING OVERVIEW COMMITTEE TO REVIEW ZONING ORDINANCES ESTABLISHED BY DAVIDSON COUNTY WHICH PERTAIN TO WALLBURG COMMITTEE TO:**

- **CONSIST OF 6 MEMBERS**
- **THE MAYOR AND EACH COUNCILMEMBER TO NOMINATE ONE (1) PERSON FOR MEMBERSHIP**
- **EACH NOMINEE TO BE VOTED ON INDIVIDUALLY**

Issues the Committee will review consist of:

- Residential
- Subdivision
- Commercial Zoning
- Any other zoning issues to be brought forward

This committee has been discussed in detail and the council was ready to nominate the members. Chris Yokeley made mention that this was exactly what he had asked for at the last council meeting and wondered was the difference between then and now. The council agreed there was no difference – they were just ready to now move on this committee.

MOTION: TO NOMINATE 6 MEMEBERS OF THE PLANNING AND ZONING OVERVIEW COMMITTEE

BY: STEVE YOKELEY
SECOND: LYNN REECE

BEFORE THE VOTE:

More discussion on this committee brought out that it was a “working” committee – but still an “advisory” committee. The town council still has the final say.

Steve Yokeley moved to rescind his prior motion nominating 6 members in order to clarify the motion. This move was seconded by Lynn Reece and approved by the council.

MOTION: TO APPROVE A ZONING OVERVIEW ADVISORY COMMITTEE TO REVIEW FOR THE TOWN COUNCIL ZONING ORDINANCES ESTABLISHED BY DAVIDSON COUNTY WHICH PERTAIN TO WALLBURG. THE COMMITTEE WILL CONSIST OF 6 MEMBERS, 3 OF WHICH WILL SERVE 2 YEAR TERMS, AND 3 WHICH WILL SERVE 1 YEAR TERMS – TERMS TO BE DETERMINED BY RANDOM DRAWING. EACH COUNCILMEMBER AND THE MAYOR WILL NOMINATE ONE PERSON AND EACH NOMINEE WILL BE VOTED ON INDIVIDUALLY. THE COMMITTEE WILL REVIEW, REPORT ON AND RECOMMEND TO THE TOWN COUNCIL ON THE FOLLOWING: RESIDENTIAL ZONING, SUBDIVISION REGULATIONS, COMMERCIAL ZONING, AND ANY OTHER ZONING ISSUES TO BE BROUGHT FORWARD.

BY: STEVE YOKELEY
SECOND: LYNN REECE
VOTE: UNANIMOUS

Nominations and voting are as follows:

- Chris Yokeley nominated Brent Martin – Voting was unanimously in favor.
- Jerry Weavil nominated Wayne Wall – Voting was unanimously in favor.
- Lynn Reece nominated Dean Coe – Voting was unanimously in favor.
- Mayor Todd nominated Jerri Russell – Voting was 5 for with Chris Yokeley voting against.
- Zane Hedgecock nominated Jack Craven – Voting was unanimously in favor.
- Steve Yokeley nominated Van Reece – Voting was unanimously in favor.

Names of the nominees were written on slips of paper and three names were drawn to serve 2-year terms: Van Reece, Wayne Wall, and Brent Martin. This, of course, left the other three – Dean Coe, Jerri Russell, and Jack Craven - to serve 1-year terms.

Miscellaneous discussion:

Steve Yokeley asked if it was proper to pay the committee members and Attorney Clinard said he would check into the legality of it and report back his findings. Steve also said that Dave Fencl and John Mendenhall said we should go through and change the ordinances and get Wallburg’s name on each one – replace Davidson County with Wallburg. A chairperson will need to be appointed. Jerry Weavil clarified that the ordinances didn’t need to be changed – just change the name from Davidson County to

Wallburg. Dean Coe questioned what the difference was between an advisory committee as opposed to a planning board – and was told by Zane Hedgecock that the committee will make recommendations on the issues. Aaron Clinard said this committee cannot act as the Planning Board – their recommendations to Wallburg would go to the Davidson County Planning Board and then to Wallburg Town Council. Due to the newness of everything, at this time, Guy Corman is uncomfortable ruling on Wallburg issues. Wallburg is paying Davidson County about \$10K a year to do just that.

Aaron Clinard suggested that the committee be formed (which it has been) – this committee talk to Guy Corman to figure out what the committee can do – what is expected of the committee - GET SPECIFICS ! – find resolution to problem and come back to town council. One of the committee’s jobs is to find out what they need to do!

7 DISCUSSION / ACTION – ACCOUNTING SOFTWARE

- As recommended by Auditors
- Quick-Pro

This item was already taken care of earlier in the meeting.....

ANNOUNCEMENTS:

- TOWN COUNCIL MEETINGS: (2ND TUESDAYS)
7:00 p.m. at the Fire Station on:

CALENDAR

2006

FEB	14
MAR	14
APR	11
MAY	9
JUN	13
JUL	11
AUG	8
SEP	12
OCT	10
NOV	14
DEC	12

ADJOURNMENT:

MOTION: TO ADJOURN MEETING AT 9:30 P.M.

BY: CHRIS YOKELEY

SECOND: JERRY WEAVIL

VOTE: UNANIMOUS

VISIT THE TOWN'S WEBSITE:
www.townofwallburg.com