

Town of Wallburg, North Carolina
Town Council Meeting - Wallburg Fire Station
TUESDAY 7:00 P.M. SEPTEMBER 12, 2006
2ND TUESDAY OF THE MONTH

MINUTES

Mayor Allen Todd called the meeting to order at 7:02 p.m. A quorum was determined to be present. Lynn Reece said a short prayer and Steve Yokeley led the Pledge of Allegiance. Present were Mayor Todd, Steve Yokeley, Chris Yokeley, Jerry Weavil, Lynn Reece, Attorney Clinard and Clerk Lynn. Councilman Zane Hedgecock arrived at 8:10 p.m. after attending Midway's first town council meeting.

The agenda was approved unanimously upon a motion by Chris Yokeley and seconded by Jerry Weavil with a change of Item #7 from MPO Update to General Information.

The minutes of August 8, 2006 were unanimously approved on a motion by Steve Yokeley and seconded by Jerry Weavil.

PUBLIC SESSION

PLEASE SIGN UP WITH TOWN CLERK IF YOU WISH TO SPEAK

Public Session was opened and closed at 7:05 p.m. with no speakers.

BUSINESS TO BE DISCUSSED AND/OR ACTED UPON:

1. PUBLIC HEARING

FOR DISCUSSION AND/OR ACTION:

Cell Tower Issue

7:07 p.m.

PRESENTATION:

This hearing is about the internet connection tower for the school system. Conterra Ultra Broadband of Charlotte, NC, has requested a Special Use Permit to construct and operate a transmitting and receiving tower on property located on the east side of Motsinger Road about .1 mile south of NC-109. Because this is a quasi-judicial procedure and requires anyone with testimony to be sworn in. Guy Cornman, Planning Director of Davidson County Planning Dept., Chris Butler, Project Manager of Conterra Ultra Broadband, and Sue Whitman were sworn in by the mayor.

Mr. Cornman read the legal advertisement for inclusion in the minutes:

LEGAL AD

Notice is hereby given in accordance with the requirement of applicable law on the following proposed zoning request and related matters:

The Wallburg Town Council will hold a Public Hearing at the **Wallburg Volunteer Fire Department** at 7:00 pm on Tuesday, **September 12, 2006** for:

Special Use Permit Request, Class A, by Conterra Ultra Broadband to construct and operate a transmitting and receiving tower in Abbotts Creek Township, Tax Map 12, Lot 24, containing ± 11.19 acres. Property located on east side of Motsinger Road approximately .1 mile south of NC-109 intersection and is in O/I (Office and Institutional) District.

Lynn McKinnie
Wallburg Town Clerk

Mr. Cornman reported that the Wallburg Planning Board met on August 21, 2006, and at that time approved this application. Mr. Dean Coe submitted a letter from the Planning Board prior to the meeting stating same.

Mr. Cornman said this is a transmitting tower for the connection to wireless internet service for the school district. This is one piece of an entire network for the school board. This tower is going to be 90-feet in height. Looking at the school parking lot, it's right off of Motsinger Road, behind the parking lot on the left.

Mr. Butler said the only reason the schools are not doing this on their own is because it's a federally funded program and schools that got the funding for this cannot own the equipment. It has to come to a point where a company (Conterra) has their equipment here and the schools have their equipment and the two meet by wire somewhere. They have to be marked separately. This is not a cellular tower – in no way propagates a signal down to the ground to operate cell phones. It is not designed in any way to hold a structure that would operate a cellular. This is a point-to-point microwave system. There will be a main tower at Davidson Extended Day that will have a microwave that will point to Midway Elementary and Midway will have a dish that will point to Wallburg, actually will have Friedburg coming off that Midway Tower. We also do make this available for state or local emergency services – if the fire department said they didn't have good enough communications, we would make that available to them. It just isn't designed as a cellular tower. We're not in the tower business. This tower will not be lit – no lighting to affect anyone around – no health concerns – operates at a lower wattage than a cell phone - operates at 1.6 watts.

Mr. Butler continued: The General Standards that they have to meet are:

1. The use will promote public health, safety, and general welfare located where it is proposed. The school's phone system will work off this – not a cellular phone, but a voice-over IT system. The internet portion of the system will increase the learning ability for the schools – all grades. We've met or exceeded all set-backs in all areas for surrounding properties.

2. The use listed in the Special Use in the District in which it is proposed be located complies with all regulations and standards including provisions in ordinance. This pole complies with all county, state, and local regulations including height and set-back restrictions.
3. The use will maintain or enhance the value of contiguous property for the use of public necessity. This pole is spun-concrete – it blends into the skyline. The top circumference is only 7-inches around. The base is only about 36-inches and it tapers.
4. The use is in compliance with the general plan of development with the county and as embodied in the regulations. What the school currently has, a 2-1 line – what that offers them in band-width, we will improve that up to 100 times for the kids. A child can sit at Wallburg Elementary and watch a class that is being taught at another elementary school in the southern part of the county, without having to endanger children by putting them on the road. This will connect each and every school.

Mr. Butler went on to say that they have met and exceeded the building permit requirements by a standard of two times to ensure safety for everyone.

Ms. Sue Whitman spoke for a few moments. She said they have been dealing with five phone companies and underground lines for so long. Lines go down as long as a week which is really an inconvenience. Mr. Butler has promised they would be down for no longer than four hours. She said the band width limits them – cannot allow kids to get on internet to watch news clips because it takes up to much bytes.

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

No one signed up for the Public Hearing.

Mayor Todd asked if it was possible to have a sick child at home but be hooked up to computer to attend his/her classes. Ms. Whitman said that could be a possibility at some point. Mr. Weavil asked if there would be any wires attached to this pole and was told that there would be no outside wires – all wires will come down the center of the pole and go underground into the school. The poles are designed as straight, strictly slick concrete – no danger of anyone climbing one! There are climbing bolts “that we take out after 20-feet”. No electric – it’s a hollow pole. There will be no fence around it. There is nothing on this pole that anybody could grab. Mr. Butler said: “We all came to the conclusion that if they’re going to bring a 20-foot ladder to climb the pole, they’d probably grab an 8-foot ladder to get over the fence.”

Mayor Todd reiterated that this was approved by County Commissioners and by the Board of Education and by the Wallburg Planning Board.

Dean Coe, Chairman of the Planning Board, said that they are meeting all county requirements and all safety codes. He said if the school system should change and not use this system – the company will come in and take the tower down – it would not remain, and is not a public item. This is only for the school system. At the end of the 7-year contract, if the school system decides to not use it, the tower will be removed.

Mr. Butler stated for the record: At the end of the seven year contract, if there is no further agreement with the school, we will come back and take the pole out of the ground. We are not a tower company.

Chris Yokeley asked if in seven years, everyone is still agreeable to extend the contract, is the tower height expandable without changing the tower size? Mr. Butler answered that it was – they're going to 100-meg system and if they need to go to about 150, there would be no problem. If they wanted to go to 300, the only change would be to add another dish. The tower would not have to be higher.

An 18-inch lightning rod would be at the top of the pole. The pole is grounded through concrete down to the bottom. A trench will be dug around it with four ground rods 8 to 10 feet deep into the ground. They'll be connected with #210 all way around. Another ground rod will be at the school. Equipment will be grounded back outside of the school.

Mayor Todd read the letter from Dean Coe representing the Walkertown Planning Board.

Planning Board meeting was August 21, 2006

All members, except for one, were present.

We discussed the communication tower to be placed at Wallburg School. We feel like it would be in the best interest of the community and the school system to have this tower. We do not think it would be a problem for anyone and it meets all county requirements. The Wallburg Planning Board unanimously approve this tower as described by the Davidson Co. Planning Dept.

We also discussed the zoning amendments and with the help of Guy Corman we are getting the counties ordinances digitly and hope to have a Wallburg Ordinance guide line book before very much longer. Our next meeting will be 18 Sept. 2006.

*Respectfully,
Dean Coe*

Public Hearing was closed at 7:30 p.m.

MOTION: THE WALLBURG TOWN COUNCIL CONCURS THAT THE FINDINGS OF FACTS HAVE BEEN SUBSTANTIATED BY EVIDENCE AND AGREES WITH THE DAVIDSON COUNTY PLANNING BOARD AND THE WALLBURG PLANNING BOARD AND THE TOWN COUNCIL DOES APPROVE THE REQUEST FOR A SPECIAL USE PERMIT REQUEST, CLASS A, BY CONTERRA ULTRA BROADBAND TO CONSTRUCT AND OPERATE A TRANSMITTING AND RECEIVING TOWER IN ABBOTTS CREEK TOWNSHIP, TAX MAP 12, LOT 24, CONTAINING ±11.19 ACRES. PROPERTY LOCATED ON EAST SIDE OF MOTSINGER ROAD APPROXIMATELY .1 MILE SOUTH OF NC-109 INTERSECTION AND IS IN O/I (OFFICE AND INSTITUTIONAL) DISTRICT.

**BY: STEVE YOKELEY
SECOND: CHRIS YOKELEY
VOTE: UNANIMOUS**

2. **FOR DISCUSSION AND/OR ACTION:**

Presentation: STATE OF THE ECONOMY

Presented by: STEVE GOOGE

**Executive Director – Davidson County Economic
Development Commission**

Mr. Steve Googe, Executive Director of Davidson County Economic Development Commission gave a brief overview of the Economic Development Commission, which was incorporated in 1986 by then mayors of Lexington, Thomasville, Denton, and the County Commission Chair. It is a non-profit organization. Their charge is:

1. To work with existing industry in the County;
2. To recruit industry to the County; and
3. To keep up with statistical data about job creation and investments from a business standpoint.

Each year they do a economic development report on the state of the County. He presented to the Town Council a presentation on the State of the Economy for Davidson County which included approximately 150 slides. A copy of the presentation is included with the Town Clerk's formal minutes and is referenced as Exhibit "A". Among the topics dealt with were Davidson County Population Growth Trends and Projections, Public Schools in the County, Property Tax Revenue information, Industry information, Employment, Wages, Employed and Unemployed and other pertinent information concerning the towns in Davidson County.

The Town Clerk has a printed copy of this Powerpoint presentation.

3.A CLOSED SESSION #1

To Discuss Economic Development
143-318.11(a)

(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

>>By consensus of the council, the council went into CLOSED SESSION for the above related reason at 8:25 p.m.

NO ACTION WAS TAKEN AT THIS CLOSED SESSION.

The Town Clerk has a printed copy of this Powerpoint presentation.

>>The Council returned to open session by consensus of the council at 8:45 p.m.

3.B CLOSED SESSION #2

Mayor Todd explained that a second closed session was needed pertaining to the criteria for possible land purchase by the Town of Wallburg. He stated that the Town is in the process of looking and researching available properties for the possibility of building a Town Hall and that Attorney Clinard had information that explains the criteria for that purchase.

>>By consensus of the council, a second Closed Session was opened at 8:46 p.m. for the following reason:

143-318.11(a)

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

NO ACTION WAS TAKEN AT THIS CLOSED SESSION.

>>The Council returned to open session by consensus of the council at 9:05 p.m.

REGULAR MONTHLY AND COMMITTEE UPDATES

4. Finance UpdateChris Yokeley
Finance Chairman gave a quick overview of the Town's finances – checking and CD accounts and Money Market accounts.
5. Planning and Zoning UpdatesDean Coe
There were no other planning and zoning other than the school tower that was covered in the Public Hearing.
6. **MPO** - High PointLynn Reece
Lynn Reece said there was nothing to report on this issue – everything was on schedule.
7. **MPO** - Winston-SalemMayor Todd
Mayor Todd
 1. Mentioned the North Carolina League of Municipalities Annual Business Meeting Conference at the Koury Convention Center on October 14th through 17th. If anyone is wanting to attend, get with Clerk Lynn to make reservations.
 2. Spoke about the County Commissioners' meetings – a report will be given on what's happening in the county. We will have a representative (Robert Motsinger) at any meeting that concerns Wallburg.
 3. Met with the Davidson County Vision people two weeks ago and they will be at our next Town Council meeting giving a presentation on what Davidson Vision is about.
8. Land Purchase for Town Hall
This was covered in the Closed Session #2.
9. Wallburg Town Seal
Dorcas Weavil said she has two seals – we need seals submitted by October Town Council meeting in order to be considered.
10. Discussion and Recommendations for

WALLBURG BI-ANNUAL BUSINESS OF THE YEAR

Mayor Todd asked for recommendations. He said this would be a proclamation recognized by the Town Council as a bi-annual business. Steve Yokeley suggested TYCO because they have given so much support to the schools.

MOTION: TO PROCLAIM TYCO AS WALLBURG’S FIRST BI-ANNUAL BUSINESS OF THE YEAR

BY: ZANE HEDGECOCK

SECOND: LYNN REECE

VOTE: UNANIMOUS

This proclamation for bi-annual business will be done in Fall and Spring of each year, with this first one being done in October.

Miscellaneous Discussions.....

11. Check for Wallburg School (\$10,000 donation from Town Council)
Mayor Todd asked how the council would prefer to handle the donation check of \$10,000 to the Wallburg School. Mr. Hedgecock said it would be good to have a large one made and present it to Dr. Hedrick at October meeting. The council verbally agreed that as the school spent the money, they would bring receipts back to the council. A check for \$10,000 will be given to the school. Chris Yokeley thought it would be better for us to keep the money and dole it out as they spend it – that way, the interest would return to the town. Mr. Reece thought we told them we would give them the money and they would just bring the receipts back to us as they spent it.

12. Steve Yokeley asked if Clerk Lynn could check into schooling for the newly-formed Board of Adjustment. The Town will pay for the schooling.

13. Mr. Hedgecock said he had attended Midway’s swearing-in meeting this evening. They are all set up.

ANNOUNCEMENTS:

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

CALENDAR 2006:

**OCT 10
NOV 14
DEC 12**

- PLANNING BOARD MEETINGS (3RD MONDAYS)
7:00 P.M. AT WALLBURG COMMUNITY CENTER

ADJOURNMENT:

MOTION: TO ADJOURN MEETING AT 9:20 P.M.
BY: STEVE YOKELEY
SECOND: CHRIS YOKELEY
VOTE: UNANIMOUS

ATTEST: TOWN OF WALLBURG

By: _____
Lynn McKinnie,
Town Clerk

By: _____
Allen Todd,
Mayor

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