

Town of Wallburg, North Carolina
Town Council Meeting - Wallburg Fire Station
TUESDAY 7:00 P.M. FEBRUARY 13, 2007
2ND TUESDAY OF THE MONTH

MINUTES

APPROVED 03-13-07

PROCEDURAL ITEMS

The meeting was called to order at 7:00 p.m. by Mayor Allen Todd. Present were Mayor Todd, Council members Steve Yokeley, Chris Yokeley, Zane Hedgecock, Jerry Weavil, and Lynn Reece. Also present were attorney Aaron Clinard and Clerk Lynn.

After a brief invocation and Pledge of Allegiance, a motion was made to approve the agenda by Jerry Weavil, seconded by Lynn Reece and unanimously approved.

A motion was made to approve the minutes of the January 9th, 2007 meeting by Zane Hedgecock, seconded by Steve Yokeley, and unanimously approved.

PUBLIC SESSION

PLEASE SIGN UP WITH TOWN CLERK IF YOU WISH TO SPEAK

Public Session was opened and closed at 7:03 p.m. with no speakers.

BUSINESS TO BE DISCUSSED AND/OR ACTED UPON:

1. **PUBLIC HEARING**
OUTDOOR LIGHTING ORDINANCE

.....Dean Coe, Planning Board

A Public Hearing was advertised for Ordinance #07-001 - To Amend the Zoning Ordinance of the Town of Wallburg – Outdoor Lighting.

Public Hearing was opened at 7:04 p.m.

Mr. Dean Coe spoke of the corrections for the Outdoor Lighting Ordinance.

- Page 3 – **Sec. 17-4. Exemptions (A)**

DELETED:

“....except the replacement of mercury vapor luminaries. Mercury vapor luminaries, except for single-family residences.....” He said they felt that would be best if it were left as it was.

REVISED TO READ:

(A) All outdoor lighting lawfully installed prior to the effective date of the outdoor lighting standards contained in this article must be replaced in conformity with the outdoor lighting standards upon the earlier occurrence of the replacement of the fixture or the lamp.

- Page 3 – **Sec. 17-4. Exemptions (B)**

Completely deleted

DELETED

“...Any outdoor lighting, including mercury vapor, used for an individual single-family residence, where the residence is constructed as of the effective date of the outdoor lighting standards contained in this article.”

- Page 3 - **Sec. 17-4. Exemptions (J)**

We completely deleted that. We feel like the lighting along the roadways, within the road right-of-way – we don’t have any choice.

DELETED:

(J) Roadway lighting, installed as of the effective date of the outdoor lighting standards, as contained in this article, within state maintained rights-of-way provided that the standards of subsection 17-5(E) and subsection 17-6(I) are met, except for mercury vapor luminaires. Mercury vapor luminaires used for roadway lighting must be replaced in conformity with the outdoor lighting standards contained in this article upon the earlier occurrence of the replacement of the fixture or the lamp.

- Page 6 – **Sec. 17-12. Prohibitions (D)**

DELETED:

(D) “Use of mercury vapor luminaries is prohibited,”

We didn’t feel like we should do away with our mercury vapor luminary lights.

He said that in the ordinance already there was a requirement that mercury vapor lights have to have a shield; they have to be sodium which doesn’t reflect out to bright. This ordinance already has that they can’t expand out but so wide so it wouldn’t be a hindrance to neighbors.

There were no questions for the OUTDOOR LIGHTING ORDINANCE PUBLIC HEARING other than questions for repeats of what had been said previously and the hearing was closed at 7:14 p.m.

Due to misunderstanding, the zoning ordinance for Signs was not received in time nor advertised for a Public Hearing and so this ordinance was instructed to be placed on the March agenda. Steve Yokeley motioned to go back to the original agenda item (leaving off discussion of the Sign Ordinance) and Chris Yokeley seconded, with approval from the council.

MOTION: TO APPROVE ORDINANCE #07-001 – AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF WALLBURG – OUTDOOR LIGHTING
BY: STEVE YOKELEY
SECOND: LYNN REECE
VOTE: MOTION PASSED UNANIMOUSLY

2. **PRESENTATION:**

- **ENERGY UNITED – Keith Wingler**
- **DUKE POWER – Randy Welch**
- **LEXINGTON UTILITIES – Sheila Hanes**

Mayor Todd introduced the participants in tonight's first presentation of electric utility companies in the Wallburg area.

EnergyUnited: Keith Wingler, Tim Holder

A brief discussion by Mr. Wingler and Mr. Holder included the information that Wallburg is in a unique position having the choice of three electric utility companies in this area. EnergyUnited is a local utility company and pays taxes to the Town of Wallburg on all facilities they own within Wallburg's limits. A map comprising the Wallburg area showed theirs, Duke's and other assigned territories. Muni-choice rights was explained as basically the town assigns electric primary service right to a supplier however, an exception is that Duke Power can accept a Franchise Agreement whereas EnergyUnited cannot – for areas they are assigned to, they would have to do an agreement to continue to service based on facilities in place and other criteria. Rural Electric Co-ops are handled differently than entities such as Duke Power. Another explanation for Muni-Choice is that technically, if a tract of land was redeveloped (completely torn down) and it was in an unassigned territory, then you would see that ability of choice – but not in an existing structure that already had service. The town could develop a strategy to protect an electric source.

Ultimately what EnergyUnited is asking is that an agreement be developed amongst the parties and approved by the Town as to how the electric service will be handled in the future. The Town doesn't have to do anything.

Duke Power - Randy Welch, Craig Argo

Mr. Welch passed a packet of information out concerning Duke Energy. He said Duke has serviced this area for a number of years and he appreciates the opportunity to be at the meeting. He mentioned that he was asked to be here tonight and was not here to sell a Duke Power franchise agreement, but to answer any questions concerning Duke Power or the boiler-place franchise agreement included in the packet. Other information included in the packet was how they respond to storms and other emergencies and miscellaneous concerns. The question was asked if there were any statistics showing current breakdown of customers between the three electric utilities and Mr. Welch said he could get Duke Power's numbers. Duke has franchise agreements with very small communities to the very large areas. Mr. Argo said that all three electric companies work off the same map. Mr. Welch stated that If Duke is the primary supplier in this community, the town already receives gross receipt taxes off revenues earned by Duke in this area (3.07% of annual revenue in this municipality – that franchise tax was about \$43,307 for last year.) He reiterated that Duke would be happy to meet with the council at any time to discuss Duke Power.

Technology improvements in the future include Clean Coal technology (clean smokestacks) and they continue to explore nuclear technology as well as fuel cell technology.

Energy supply for this area include Belews Creek, Buck's(?) Steam Plant, and Marshall Steam Plant as well as sub-steam stations. They have about 48% nuclear fleet, about 50% coal, about 1% hydro and 1% gas. Availability is all around this area.

Franchise fees are based on total revenues in the community and total revenues on gross receipts tax would be 3.07%. The town receives those without the franchise. This is State regulated.

City of Lexington Utilities

Sam Parcell, Sheila Hanes, Bobby Curry,
John Grey

Sam Parcell explained that it was not in the town's best interest to have a single electric utility provider. According to the map he brought, City of Lexington services a large portion of the area – approximately 60%. Developers are pleased with the service provided – rates are competitive. Because they are a municipal electric utility, rates are approved the Lexington City Council and are a part of the Electric Cities organization. Being a part of the Electric Cities means that in the event of emergencies, other member cities will come forward with aid; ie: ice storm, power lines down. They also offer security lighting off existing lines. Mr. Parcell said that he thought it would be better to go forth in a “choice” situation but if the town were interested in a franchise agreement, the City of Lexington can enter into a franchise agreement with the Town.

Mayor Todd thanked all the participants for their information and concluded the presentation.

3. **FOR DISCUSSION:**
EDC CONTRIBUTION

- Increase?
- Leave the same?

Mr. Steve Googe has set up a meeting with the mayor for Friday morning to discuss the Economic Development Commission. The Town Council has already agreed to donate \$2,000 to this organization but as yet, this check has not been written. Chris Yokeley spoke saying he would like to discuss giving the remainder of the \$10,000 requested by the EDC. (NOTE: If you give \$10,000 you get a seat on the EDC Board along with receiving a portion of income from the park when developed.) He also thought that other towns in Davidson County are giving the minimum - \$10,000. Mayor Todd said it's based on population and that Denton is paying five or six thousand dollars. The EDC is responsible for bringing business into Davidson County. Steve Yokeley requested more information before acting on this issue.

**MOTION: TO TABLE THE EDC CONTRIBUTION ISSUE TO THE
MARCH 13TH MEETING**
BY: STEVE YOKELEY
SECOND: JERRY WEAVID
VOTE: MOTION PASSED UNANIMOUSLY

After the vote Mayor Todd said he would ask very definite questions and would share with the rest of the council what he found out.

4. **FOR DISCUSSION:**
SCHOOL CONTRIBUTION FOR 2007

Mayor Todd reminded the council that last year the Town of Wallburg donated \$10,000 to the Wallburg Elementary School and asked what the council's pleasure would be for this year. We're talking about Wallburg Elementary School because it's the only school in the town. Mr. Hedgecock said that we do have students that live in the town but go outside the town to school. Some of our citizens live in town - pay taxes - but their kids go to school outside of town and it was Mr. Weavil 's feeling that we should help support the other schools. (Ledford High, Ledford Middle, Friendship and Wallburg). Mr. Reece said that was definitely a good thought and should be considered. Steve Yokeley said can we – or should we – contribute money to a school that is not in our city limits? Chris Yokeley brought up the point that Friendship was a newer school and may not have all the needs that Wallburg, being an older school, would have. He said a good idea would be to get a "Wish List" from all the schools and look it over and make a decision based on our budget – remembering that with four schools, it would cut down on the total of the donation.

Mayor Todd said that before the May meeting, for the council to come up with a viable solution as to whether we continue the contribution, spread it amongst all the schools, donate to just one school, or donate on a rotational basis.

**RECOMMENDATION: TO TABLE THE SCHOOL CONTRIBUTION ISSUE
TO THE MAY MEETING**
VOTE: COUNCIL UNANIMOUSLY AGREED

REGULAR MONTHLY AND COMMITTEE UPDATES

1. Planning and Zoning UpdatesDean Coe
Mr. Coe said the Planning Board was working on the Subdivision code and would soon have an update to present to council. They are just looking over the existing regulations and will determine whether it looks like something needs to be changed for the town.

2. Finance UpdateChris Yokeley
Mr. Yokeley gave a brief update:

JANUARY	
Checking Account Starting Balance	\$ 107,151.53
Checks Written	\$ 4,405.91
Deposits	\$ 59,476.67
Closing Balance	\$ 162,222.29

He handed out an outline of money in the bank needing to be transferred and accounts to be closed and consolidated into existing accounts.

Basically, there will be four accounts with balances to be:

1. Building Fund	\$268,486.07
2. Capital Fund	\$127,886.07
3. Reserve Fund	\$ 74,394.00
4. Property Fund	\$186,793.09

Mayor Todd took this time to point out that there is a building fund and reminded all citizens and council members to seek and acquire property for a new town hall.

RECOMMENDATION: TO APPROVE BUDGET MOVEMENTS AS PRESENTED BY FINANCE CHAIRMAN CHRIS YOKELEY

VOTE: COUNCIL AGREED UNANIMOUSLY

3. **MPO - High Point**Lynn Reece
Mr. Reece gave a short overview of the MPO. The group met on January 23rd and one of the considerations was the study on 109. The study on 109 should be complete by July, 2007. The MPO Thoroughfare Plan was voted on – Wallburg voted for the Plan with the exception of the north/south corridor between Highway 68 in Davidson and Forsyth County line. Davidson County voted the same way and Guilford County voted totally against it. Jamestown, Thomasville, Trinity, High Point, Archdale, and Randleman voted for it.

4. **MPO - Winston-Salem**Mayor Todd
Mayor Todd spoke on this subject. Met on February 5th. Items discussed were election of officers for Chairman and Vice-Chairman. Only new thing with any concern to Wallburg was a Division 9 report given by Pat Ivey. Nothing different on 109. There will be some modification of fees for members of the MPO - Mayor Todd has asked for a fee amount.

5. **PT-COG (Piedmont Triad Council of Governments)**
Mayor Todd brought up the topic of membership in this organization. Most municipalities are members. It will cost Wallburg \$650 this year – based on population of 2,818. It would probably be a good thing to contact the PT-COG and have a representative come out and advise the benefits of being a member. He will bring this topic up at the next meeting.

ANNOUNCEMENTS:

- **TOWN COUNCIL MEETINGS: (2ND TUESDAYS)**
7:00 p.m. at the Fire Station on:
MARCH 13
APRIL 10
MAY 8
JUNE 12
JULY 10
AUGUST 14
SEPTEMBER 11
OCTOBER 9
NOVEMBER 13
DECEMBER 11

PLEASE NOTE CHANGE:

- **PLANNING BOARD MEETINGS** (2ND THURSDAYS)
7:00 P.M. AT WALLBURG VOLUNTEER FIRE DEPARTMENT

ADJOURNMENT:

MOTION: TO ADJOURN THE MEETING AT 8:27 P.M.
BY: CHRIS YOKELEY
SECOND: LYNN REECE
VOTE: MOTION PASSED UNANIMOUSLY

VISIT THE TOWN'S WEBSITE:

www.townofwallburg.com

ATTEST:

TOWN OF WALLBURG:

Lynn McKinnie
Town Clerk

Allen L. Todd
Mayor