

**MINUTES OF THE WHITSETT TOWN COUNCIL**  
**January 13, 2009**  
**Whitsett Town Hall Building**

**REGULAR COUNCIL MEETING**

The regular meeting of the Whitsett Town Council was held at 7:00 p.m., Tuesday, January 13, 2009 at the Whitsett Town Hall. The following members of the Town Council were present: Mayor Richard Fennell, Mayor Pro Tem Andy Brown, Council members Jerry Rice, Ken Jacobs, and Cindy Wheeler. Also present were Town Administrator Gary Deal, Planning Board Chairman Bob Maccia, Softball Church League Director Don Pernell, members of the media, and five other citizens.

Mayor Fennell called the Council meeting to order at 7:00 p.m., and noted that a quorum was present. Council member Rice offered the invocation.

**SPEAKERS FROM THE FLOOR**

Mayor Fennell asked for any speakers from the floor; and there were none.

**OLD BUSINESS**

**1. Adoption of the Minutes**

Mayor Fennell asked for any changes to the December 9, 2008 minutes for the regular monthly meeting; and there were none. Motion made by Council member Jerry Rice to adopt the minutes as written; motion seconded by Mayor Pro Tem Andy Brown. Adoption carried by unanimous vote.

**2. Continue Discussion on Concession Stand Contract**

Following the December's Council meeting where concerns were first raised about the Town subsidy to operate and maintain the concession stand, Town Administrator Gary Deal and Council member Cindy Wheeler met with Ricky and Brenda Wade not only to enlighten them on increasing electric costs and brainstorm on ways to cut expenses; but more so to explain the Town's posture now that a property tax had been imposed—that being, a more watchful eye over the use of public funds.

Since that meeting, the Wades had been proactive in disconnecting all unnecessary appliances while still keeping the building adequately winterized; and Duke Energy had been asked to check the accuracy of the meter. It would take another billing cycle

to realize the impact. This timely wait would allow the holidays to come and go; and would also give the Wades some time to scout out concession supply prices and do some number crunching on their part.

With no news yet learned for tonight's meeting, Mayor Fennell asked Council members to consider tabling this matter until the February Council meeting; and requested Town Administrator Deal and Council member Wheeler to, in the meantime, meet again with the Wades to discuss findings and to pose additional options.

A motion was then made by Council member Jerry Rice to table conclusive discussion on the concession stand contract; motion seconded by Council member Ken Jacobs. Motion carried by unanimous vote; and a second meeting with the Wades would be scheduled.

### **3. Any Other Old Business**

Mayor Fennell asked for any other old business; and there was none.

## **BOARD AND COMMITTEE REPORTS**

### **1. Planning Board**

Board Chairman Bob Maccia stated that with the cancellation of the Board's January meeting, there was no action to report; however, at the February meeting, the Board would be electing a Chairman and a Vice Chairman for 2009.

### **2. Enforcement Committee**

#### **3. Enforcement Officer**

Enforcement Officer Gary Deal stated that there had been no enforcement activity since last month's Council meeting.

### **4. Town Administrator**

Town Administrator Gary Deal reported that Gary Wilson of Benchmark, Inc., the grant writing contractor for the water grant, had notified him that the Town's application for a Community Development Block Grant (CDBG) had been denied. Deal stated that the contractor further suggested that Mayor Fennell, the Town engineer at Davis-Martin-Powell, Benchmark representatives, and he go down to Raleigh to find out the grounds for not being selected.

Mayor Fennell stated that he contacted CDBG, and was told bottom line—very little money. The CDBG office offered to send some information explaining why the Town was not chosen, and how to strengthen its case. The grant request will remain on the CDBG radar screen; and it was suggested that rather than rely on outside contractors, it may be best for the Town to again get directly, personally involved.

That being recommended, Town Administrator Deal stated that the Town should perhaps start drafting letters to newly-elected/re-elected State officials concerning our need, our

track record, and our plea for consideration relative to economic stimulus plans; and added that, on a State level, Piedmont Triad Council of Governments (PTCOG) has offered its assistance in any way it can.

Council member Ken Jacobs, raised the idea that with all the stimulus packages in the works, maybe the Town should expand its scope and request funding for a Town-wide water system.

All in all, consensus was the Town would be moving on any funding opportunity it can.

Next, Town Administrator Deal reported that this year legislation on solid waste is expected; and that the updated Solid Waste Plan is still slated for April/May delivery to the Town Council for review and approval before heading to the County Commissioners for June approval.

Town Administrator Deal then spoke about various cleanup/conversion efforts planned for the Town Hall building. First, he mentioned that an initial step towards a Town “museum” room would be clean up of the room to the left of the front entrance; and that for now, some gained artifacts and other historical items would simply be exhibited on tables until display cases could be purchased. In this regard, Deal would be learning from the Town Attorney about liabilities involved in items on loan to the Town.

Second, Deal stated that with Andy Brown’s help, they would be coordinating a cleanup day for the Ruritan and the Town to tackle the storage room to the left of the Council meeting room. In addition to being the Ruritan’s storage area, this room had been designated as an emergency shelter in years past; and many items, e.g., wheelchairs, walkers, cots, etc. need to be evaluated and determined usable here, donated, or tossed. Council member Cindy Wheeler volunteered to help on the Town’s behalf.

Council member Andy Brown stated that the cleanup had been brought up at the latest Ruritan meeting, and a soon-to-be Saturday cleanup was planned.

## **NEW BUSINESS**

### **1. Any Items from Council Members**

Mayor Fennell asked for any items from Council members; and Council member Cindy Wheeler brought to the attention of the Council, the clearing of the tree line that runs along the third-base line of the ball field. Wheeler explained that ball field workers, namely, Don Pernell the Ball League Director, had been clearing out debris in a questionable area thought to be owned by Jim Aderhold. [Aderhold had asked the Wheelers to watch over the property in his absence.]

Council member Cindy Wheeler explained that those trees fall into their buffer zone and the buffer of Aderhold; and she asked Don Pernell to halt clearing until she could bring the matter before the Council. Wheeler simply wanted the Council members to be made aware of the activity; and secure their concurrence again for this year.

Don Pernell introduced himself to the Council, and explained that he felt that he was granted the right to clear out the area because it was Town grounds and because it presented a safety hazard to ball players and the public. He explained that only two branches remain that he would like to see clipped to complete his concerns; but will certainly not proceed unless the Council agrees.

In addition and of equal concern, Pernell explained that thickets, standing briars, and composites of standing leaves had promoted mosquitoes which created an extreme situation of parental concern during last year's play. Although the Council empathized with this, property lines and buffer guidelines needed to be adhered to.

League Director Don Pernell, in closing, firmly stated that in no way, shape, or form did he want to offend the Council or the rules of the Town. Conclusively, it was decided that once Jim Aderhold returns to Town, Don Pernell and he should hook up to iron out boundaries, rights, and action.

#### **4. Announcements**

Mayor Fennell asked for any announcements; and Council member Ken Jacobs (who was absent at last month's meeting) understood that Lee Greeson had applied to serve on the Town Planning Board; and simply wanted to go on record affirming his acceptance.

#### **5. Speakers from the Floor**

Mayor Fennell asked for speakers from the floor; and resident Eric Barber asked about the removal of the fuel tanks at the Mini Mart. Town Administrator Gary Deal explained that, according to Alamance Oil, the tanks were removed to get to the surrounding tainted soil for treatment. The tanks were not leaking or inferior, but needed to be removed in order to dig up and remove the soil around the tanks that had been contaminated from past leaks. Even with the deposit of fresh soil, it will remain undecided if the tanks will be replaced due to a cost factor.

### **ADJOURNMENT**

With no further business before the Council, Mayor Fennell invited a motion to adjourn. Motion was made by Council member Cindy Wheeler for adjournment; motion seconded by Council member Jerry Rice. Motion passed unanimously; and the January 13 Town Council meeting was adjourned at 7:40 p.m.

The next regular meeting of the Town Council will be at 7:00 p.m., Tuesday, February 10, 2009 at the Whitsett Town Hall.

/s/

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Jo Hesson, Town Clerk

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Richard Fennell, Mayor

**APPROVED:** February 10, 2009