

**MINUTES OF THE WHITSETT TOWN COUNCIL**  
**June 10, 2008**  
**Whitsett Town Hall Building**

**REGULAR COUNCIL MEETING**

The regular meeting of the Whitsett Town Council was held on Tuesday, June 10, 2008, 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, Town Attorney Bill Trevorrow, Town Accountant Bobby Massey, Guilford County representatives Warren Simmons and Tiki Bigelow, members of the media, and about 50 residents and interested parties.

Mayor Fennell called the Council meeting to order at 8:05 p.m., and noted that a quorum was present.

**SPEAKERS FROM THE FLOOR**

Mayor Fennell asked for any speakers from the floor; and recognized Joe Burgess to speak. Mr. Burgess proceeded to challenge the Council to put before the people of Whitsett a referendum to see if they want to remain a Town. He further stated, that he believes the members of the Council are doing the best job they can; but why not see just how many now in the Town would not like to be in the Town—there may be more than the Council is aware. More to the point, Mr. Burgess concluded that he gains nothing by being in the Town of Whitsett.

**OLD BUSINESS**

**1. Adoption of the Minutes**

Mayor Fennell asked for any changes to the May 13, 2008 minutes for the regular monthly meeting; and there were none. Motion made by Council member Jerry Rice to accept the minutes as written; motion seconded by Council member Ken Jacobs. The minutes were approved by unanimous vote.

**2. Adoption of Whitsett Town Budget FY 2008-09**

With respect to adoption of the Town budget, Mayor Fennell readily made a motion to reduce the originally proposed 10-cent tax rate to a 5-cent property tax rate per \$100 valuation. Mayor Pro Tem Andy Brown seconded the motion. Mayor Fennell called for the vote which brought 4 in favor and 1 vote opposed by Council member Jerry Rice. Adoption of the revised property tax levy carried.

### **3. Town's Intention to Apply for a CDBG for Public Water System**

Mayor Fennell asked for a motion concerning the block grant effort. Council member Cindy Wheeler first remarked that she would like to see from those with contaminated wells, how many would be interested in going through with seeking assistance to fund a water system to remedy the tainted wells.

Harold Friddle, one of the property owners with bad water, stated that he would like to know overall costs from hook up to monthly bills before he could respond to continued interest. Eric Barber, another resident affected who lives directly behind the Huffman Oil property where once stood a station, stated that since the survey costs nothing, he would like to see action in trying to get State aid for those in need of safe water.

Mr. Friddle asked how many households would have to agree to hook up to qualify for the grant; and Town Administrator Gary Deal replied that it does not have to be 100% participation, but that it would have to be a sensible percentage to make the project worthwhile. Also, since the community block grant targets low-income households, those with lower incomes will build a better case for the grant.

Benchmark, Inc., who will be conducting the survey, will configure the strongest justification based on survey findings; and will submit the application on July 21.

With that, Council member Cindy Wheeler made a motion to pursue the process and application; motion seconded by Council member Ken Jacobs. Motion carried by unanimous vote.

### **4. Adoption of the Landscaping Buffer and Barriers Amendment**

Mayor Fennell asked for a motion to accept the Planning Board's recommendation on the buffer and barrier amendment; and Council member Jerry Rice made a motion to accept. Motion seconded by Council member Cindy Wheeler; and the ordinance amendment was adopted by unanimous vote.

### **5. Adoption of the Commercial Architectural Ordinance**

Mayor Fennell asked for a motion on the [new] commercial architectural standards document; and Council member Cindy Wheeler made a motion to adopt the ordinance as presented; seconded by Council member Ken Jacobs. Motion carried by unanimous vote.

**6. Adoption of the Guilford County Flood Damage Prevention Ordinance and Changes to the Town's Existing Ordinance**

Mayor Fennell asked for a motion to accept the County's ordinance and offer to administer a flood damage prevention program within Whitsett as outlined by Warren Simmons. Motion made by Council member Jerry Rice to adopt the County's ordinance and administration and make necessary wording changes to the existing Town ordinance for compliance with the County document.

Motion seconded by Mayor Pro Tem Andy Brown; and adoption carried by unanimous vote.

**7. Ruling on the Rezoning Request from Highway Business (HB) to HB-Conditional Use at 6601 Burlington Road**

Mayor Fennell asked for a ruling on the above rezoning application; and a motion was made by Council member Ken Jacobs to approve the request to allow Kevin Sasser to proceed with plans as presented for an outdoor storage operation for recreational vehicles in compliance with various Town ordinances, e.g., landscaping, lighting, signs, architectural guidelines, etc.

Motion seconded by Council member Jerry Rice; and passed by unanimous vote.

**8. 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 Maccia stated that with the June Planning Board meeting having been cancelled; there was nothing to report.

**2. Enforcement Committee**

Enforcement Officer Gary Deal stated that there was no report from the Committee.

**3. Enforcement Officer**

Enforcement Officer Gary Deal reported that since last month's Council meeting, one development clearance permit had been issued to J.C. Ingle Electric to have electrical amperage increased at the property of John C. Mitchell located at 725 NC Hwy 61.

#### **4. Town Administrator**

Town Administrator Gary Deal stated that he had nothing to report.

### **NEW BUSINESS**

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

Mayor Fennell asked for any items from Council members; and there were none.

#### **2. Announcements**

Mayor Fennell asked for any announcements; and there were none.

#### **3. Speakers from the Floor**

Mayor Fennell asked for speakers from the floor. Lee Greeson asked about how residents will be billed for Whitsett's new property tax; and Town Administrator Gary Deal explained that it will appear on the bill sent by Guilford County for county taxes and will be itemized just like fire tax is as a separate line item.

Council member Ken Jacobs revisited the adoption of the Town's budget for clarity with regard to the recycling program with an \$8,000 allotment that was included in the proposed budget. Discussion began with a reconsideration of this service; and Council member Ken Jacobs suggested a show of hands from the audience. Mayor Fennell asked the audience for those in favor with a show of 6; those not in favor, a vote of 10.

Council member Ken Jacobs continued with a motion to subtract the \$8,000 earmarked for curbside recycling from the budget, and approve the budget with this additional change; motion seconded by Council member Jerry Rice. The budget was officially adopted with a lower tax rate and no recycling by unanimous vote.

Kevin Sasser was recognized and raised the issue of had the Town ever considered having a private company coming in to install, maintain, operate utility services for water and sewer. Town Administrator Gary Deal said that the Town will need to explore that avenue if the Town is awarded the grant.

Mr. Sasser clarified by saying that his engineer, Aiden Stoltzfus, had worked on a similar project where this was done, and would the Town want to consider this type arrangement for installing water and sewer lines/systems throughout the Town for all users; and at no cost to the Town. Taken back by no cost to the Town, Gary Deal responded that we would certainly be interested—anything to improve the Town as a whole.

On a somber note, Town Administrator Gary Deal spoke up to simply acknowledge that the Town had lost a tremendous ally and resource with the sudden death of Greg Niles, Director of Planning and Development for Guilford County. He will be sorely missed personally; and a grave void will be felt by the Town.

Resident Sharon Sharpe was recognized who expressed her appreciation to the Town Council members for the time and effort they expend in serving the Town, and especially in their pursuit of the block grant. Mayor Fennell thanked her for the kind words.

### **ADJOURNMENT**

With no further business before the Council, Mayor Fennell invited a motion to adjourn. Motion was made by Council member Jerry Rice; and seconded by Mayor Pro Tem Andy Brown. Motion passed unanimously; and the June 10 Town Council meeting was adjourned at 8:30 p.m.

The next regular meeting of the Town Council will be at 7:00 p.m., Tuesday, July 8, 2008 at the Whitsett Town Hall.

/s/

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Jo Hesson, Town Clerk

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Richard Fennell, Mayor

**APPROVED:** July 8, 2008