

**MINUTES OF THE WHITSETT TOWN COUNCIL**  
**August 11, 2009**  
**Whitsett Town Hall Building**

**REGULAR COUNCIL MEETING**

The regular meeting of the Whitsett Town Council was held on Tuesday, August 11, 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, Sergeant W.D. Loftis representing the Sheriff's Office, 2 members of the media, and 4 others.

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

**SPEAKERS FROM THE FLOOR**

Mayor Fennell asked for any speakers from the floor; and Ms. Chevonna Wright from NUCOR, a steel industry headquartered in Charlotte, was recognized and took the floor to invite Council members to a Climate Change Forum where discussions would center on energy legislation currently being debated in Congress with potential impacts on businesses and local communities.

The luncheon forum would be held on Friday, August 14, in Greensboro; and NUCOR had been contacting all state businesses and local governments to send a representative.

**OLD BUSINESS**

**1. Adoption of the Minutes**

Mayor Fennell asked for any changes to the July 14, 2009 minutes; none made. A motion was made by Mayor Pro Tem Andy Brown to accept the minutes as presented; motion seconded by Council member Ken Jacobs. Adoption carried by unanimous vote.

**2. Any Other Old Business**

Mayor Fennell asked if there were any other old business to be discussed; there was none.

## **BOARD AND COMMITTEE REPORTS**

### **1. Planning Board**

Planning Board Chairman Bob Maccia reported that Board members, alternates, and Council liaison were in the process of reviewing the entire volume of development ordinances one Article each month (and totaling 12 Articles). To date, the Board has completed Articles III on permits and IV on zoning—the two most critical—having been recently revamped and revised. Next, would be Article VI on subdivisions.

Once reviews are done, the codebook will be put in final and stored in electronic format, thereby allowing future amendments to be made more easily. The final objective will be to install a direct link to ordinances on the Town's website.

### **2. Enforcement Committee**

Enforcement Officer Gary Deal stated that the Committee after having investigated a written complaint about overgrown weeds and debris at 1017 NC Hwy 61, had contacted the Town's lawn care contractor to seek interest in helping out the resident; and the lawn care provider agreed to help with a phased-in plan due to the severe conditions.

### **3. Enforcement Officer**

Enforcement Officer Gary Deal reported that since last month's meeting, no permits had been issued.

### **4. Town Administrator**

Town Administrator Deal stated that in response to a request by Whitsett resident Martha Moss to contract for use of the ball field in the winter months, Council member Cindy Wheeler and he had arrived at a proposed draft contract for Town Council review. Martha Moss manages a girls [under 12 years of age] slow-pitch traveling softball team that requires virtually year-round practices, and would like to contract for the field when the Spring/Fall Church League does not.

Town Administrator Deal explained that Wheeler and he had essentially modified the Spring/Fall league's contract, removing liming and fertilizing of the field, setting a lights-off by 8:00 p.m. curfew, and paying for the ball field lights electric bill charges that exceed the minimum or base cost during dormant months.

The draft contract was distributed to Council members who will discuss the draft at the September regular Town Council meeting.

## **NEW BUSINESS**

### **1. Approve Budget Amendment to Close Out FY 2008-09**

Mayor Fennell asked for any discussion on the budget amendment presented to Council members. With few budget adjustments needing to be made to close out the budget year 2008-09 and no discussion, a motion was readily made by Council member Jerry Rice to approve the budget amendment for the General Fund; motion seconded by Council member Ken Jacobs. The budget amendment was adopted by a unanimous vote.

[A copy of the budget amendment is attached as part of the official record.]

### **2. Set Date For Second Public Hearing on State Grant Funds**

Mayor Fennell reported that on Monday, July 27, Town Administrator Gary Deal, Randy McNeill of the engineering firm of Davis-Martin-Powell, Gary Wilson of Benchmark, Inc. and he had met with Iris Payne of the NC Division of Community Assistance (DCA), who is the administrator for the Community Development Block Grant (CDBG) assistance program. The meeting was called by DCA in response to the Town's request to apply for grant funds to build a public water system to hook up some 23 homes with contaminated wells.

Mayor Fennell added that Gary Wilson, whose expertise lies in project and grant development and who has worked with DCA in the past, stated that the July invitation to meet could be interpreted as the first indicator towards a favorable outlook in the CDBG process. During the meeting, Iris Payne commented that the Town could expect a letter of eligibility from DCA enabling the Town to submit its grant application. That letter of eligibility had just been received this morning via fax.

Shortly thereafter, the Town learned that the requirement for 5% local matching funds had been waived for this year—a real plus for Whitsett. As a result, the engineering report and grant application would be adjusted to request the total amount allowable of \$750,000. The deadline for the grant application submittal is 5:00 p.m., on Monday, October 12. Benchmark will continue to prepare and deliver the application.

With the Town having received its official notification to pursue applying for CDBG assistance, a second public hearing is required to invite public comment on various issues, e.g., tap fees, monthly billing rates, mandatory connection, system operational costs, etc., before the Town could proceed with its intention to apply for grant monies.

With that, a motion was made by Council member Jerry Rice to set the second public hearing for 7:00 p.m., Tuesday, September 8, preceding the regular monthly Council meeting. Motion was seconded by Mayor Pro Tem Andy Brown; and by unanimous vote, the motion carried.

### **3. Request to Replace Fencing on Ball Field**

Council members, preferring to discuss this request one-on-one with Don Pernel, the Church Softball League Director, decided to table this item until it could be arranged to have Don present, hopefully at the September 8 meeting. Meanwhile, after tonight's Council meeting, members would walk the outfield to evaluate conditions and needs.

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

Mayor Fennell asked for any items from Council members; and Mayor Pro Tem Andy Brown suggested that the Town send a letter of appreciation to the Ruritan for their past and present contributions to the community, noting most recently, their improvements to the Town Hall building and its grounds, e.g., the new sign, maintaining the children's playground, trimming of shrubs, killing of weeds, etc. In addition, an expressed thanks for taking on the operation of the concession stand in support of the Church Softball League, its families, and fans.

The Town Council was in full agreement on this suggestion; and Mayor Fennell asked the clerk to draft up just such a letter for the Council members to sign individually.

### **5. Announcements**

Mayor Fennell asked for any announcements; and there were none

### **6. Speakers from the Floor**

Mayor Fennell asked if there were any speakers from the floor; and Sgt. W.D. Loftis, on behalf of Lt. Lawrence Straughn, Commander at the Stoney Creek substation of the County Sheriff's Office, reintroduced himself to the Council and audience and added that the substation assignees are proud to serve the community of Whitsett. Sgt. Loftis stated that if the Town has any concerns, needs, or requests of District #2 officers, please do not hesitate to voice them.

**ADJOURNMENT**

With no further business before the Council, Mayor Fennell invited a motion to adjourn. Motion to adjourn was made by Council member Jerry Rice; motion seconded by Mayor Pro Tem Andy Brown. Motion passed unanimously; and the August 11 Town Council meeting was adjourned at 7:30 p.m.

The next regular meeting of the Town Council will follow a public hearing starting at 7:00 p.m., Tuesday, September 8, 2009 at the Whitsett Town Hall.

/s/

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Jo Hesson, Town Clerk

/s/

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Richard Fennell, Mayor

**APPROVED:** September 8, 2009