

**TOWN OF HUNTERSVILLE  
REGULAR TOWN BOARD MEETING  
MINUTES**

**May 18, 2015  
6:30 p.m. – Town Hall**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on May 18, 2015.

GOVERNING BODY MEMBERS PRESENT: Mayor Jill Swain; Commissioners Melinda Bales, Ron Julian, Rob Kidwell, Sarah McAulay, Jeff Neely and Danny Phillips.

Mayor Swain called for a moment of silence.

Mayor Swain led the Pledge of Allegiance.

**MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS**

Mayor Swain

- The next Huntersville Connection meeting is tomorrow.
- Expressed appreciation to everyone involved with the Hello Huntersville event.
- The resolution adopted last Monday concerning the I-77 HOT Lanes Project was hand delivered to the Chief of Staff at NCDOT. A response from NCDOT was received the following day.

Commissioner Bales

- Expressed appreciation to everyone involved with the Hello Huntersville event.
- The Lake Norman Transportation Commission met last Wednesday and received update regarding the STI.
- Asked for update on striping at Stumptown/NC 115. Public Works Director/Town Engineer Max Buchanan stated the contractor that does the thermo application got behind, but it should be completed this week.

Commissioner Julian

- I would like to speak on economic development. I was listening to a show about North Carolina's economic development and why we continue to lose businesses to South Carolina, Alabama and other states and they were diving into some of the issues that are causing that. Basically it comes down to we do not have the right tools from our legislature, both Senate and House, to compete with these states. Economic development is not about what we can give companies to bring them here, so don't think it's just incentive driven. It's driven by many different job creation incentives. If we as a state don't learn to compete, we are going to continue to have economic woes in the future because every year the price of gas goes up to provide the services that the residents want us to provide. My question is to the Republican legislature is how are we going to get the tools to push North Carolina from being a state that is losing economic development to a state that is winning economic development.

Mayor Swain said in the last six months we just announced Burkert coming in. Would you agree with me that we did good to have to go over hurdles and to be able to bring them in.

Commissioner Julian said as a matter of fact Huntersville has been a leader I believe in this state in economic development, but I'm really talking about economic development for the whole state. Huntersville is doing great. But the state taxes and state revenue, we are at the bottom of the chain. If the state is not generating their revenues then they come looking for those revenues on the town side, on the county side. Huntersville is doing great economic development wise, but we need the whole state to do great.

Commissioner Kidwell

- The next meeting of the Olde Huntersville Historic Society is June 3.

Commissioner McAulay

- The next meeting of the Charlotte Regional Transportation Planning Organization is May 20.
- Centralina Council of Governments met last week and Huntersville was presented with the Region of Excellence Award for its 2014 Strategic Economic Development Plan.

Commissioner Neely

- Visit Lake Norman hosted the Stand Up for Autism Paddleboard Race benefiting the IGNITE Community Center and Autism Society of North Carolina in partnership with My Aloha Paddle and Surf and three time NASCAR champion crew chief Ray Evernham on May 8 and 9. They had a grand total of 90 plus racers from three states. VLN is in the process of putting together a calendar for the month of June, which is their biggest month of the year. The VLN Board of Directors met this afternoon and I was asked to serve on the Finance Committee. The Executive Director of VLN will make a presentation to the Board at a future meeting.
- The Lake Norman Chamber Board of Directors met at 5:30 p.m. today. The Chamber Power Luncheon on Thursday will focus on the costs of healthcare on businesses. The Small Business Expo is June 4 at Davidson College.

Commissioner Phillips

- Robert Bush with the Arts & Science Council presented at our pre-meeting. They are spending roughly \$282,450 for fiscal year 2015 in the northern end of Mecklenburg County.
- Encouraged people to shop local.

Mayor Swain said on November 20, 2014 I wrote a letter to the Department of Health and Human Services specifically to Carl Blair of the Region 4 office and this was specifically about the ocular melanoma cases that have been reported in Huntersville. I wanted to ask that agency to look at these cancer cases and see if there may have been some sort of exposure to some sort of toxic substances or waste or anything. I received a note.....it really is a no answer, answer but it tells us to continue following up on what the state is doing. In May 2014 the Department of Public Health issued a preliminary report that found that there was no consistent pattern of the cancer cases and the number of ocular melanoma cases.....the results were consistent over the 25 year time period that they evaluated. It was after that May 4 report that I followed up with the letter to the Department of Health and Human Services. I have also talked with Representative Pittenger and Senator Burr on this specific issue and I know that their offices are continuing to look at it. It is concerning to all of us that we even have incidents of this here. I will tell you that one of the things that they did say in this letter is ocular melanoma is a rare cancer of the eye diagnosed in approximately 2,000-2,500 people annually in the United States. There is no known cause of it although the incidents are highest among people with

lighter skin and blue eyes. Some scientific studies indicate that people who use tanning beds frequently or participate in welding may be at a higher risk, but those findings are very preliminary. I can assure all of you that I will continue to work with our state representatives and our Department of Public Health to get more information and to follow this up.

### **PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS**

Mayor Swain announced she will be presenting the Mayor's Achievement Award to Emily Schild who is a gymnast from Huntersville that will be participating in the Pan Am Games this summer.

Mayor Swain proclaimed May 17-23, 2015 as National Public Works Week.

#### PROCLAMATION

Whereas, public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs; and

Whereas, the health, safety and comfort of this community greatly depends on these services; and

Whereas, the quality and effectiveness of these services are vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

Now, Therefore, I, Jill Swain, Mayor of the Town of Huntersville do hereby proclaim the week of May 17-23, 2015 as "**National Public Works Week**" in the Town of Huntersville and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Huntersville to be affixed this the 18<sup>th</sup> day of May, 2015.

Roger Diedrich, 10128 Vanguard Parkway, said I'm a member of the Greenways and Trails Committee but I am speaking as an individual, not part of the commission. I'm going to talk about pedestrian and bike access as I have before. Maybe I missed it but I didn't see much of anything in the budget about pedestrian access. Citizens currently want walkability in our town. If you look out on this street, it's dead most of the time. There's no people walking around out there. I think that it's clearly been shown that businesses are attracted to walkable/bikeable neighborhoods and we don't have it and we aren't building it. We aren't putting our resources into it. The bonus money to help build the HOT lanes.....we should be using that for our needs, not to build the HOT lanes. I know that often times the money for these kinds of things comes from other sources such as the county, but if they see our lack of spending on these issues from the town they may perceive that as a lack of interest or lack of desire and I think that would be a big mistake.

Mayor Swain said you saw that there was a little whispering going on. Let me clarify that. There was some thought that perhaps you were speaking on the budget. We have a public hearing for the budget. But I let you go ahead and speak because you were speaking about infrastructure, so I'll say this because I am fair, if you have anything additional to say during the budget I'll call your name again.

Dan Boone, 317 Southland Road, said tonight I am here as the treasurer of the Olde Huntersville Historic Society and I would like to comment on tonight's agenda under Other Business Item C. This pertains to the roof replacement on the old jail. I was e-mailed a copy of the bid for CityScape Roofing which is under consideration for tonight's approval. What I would like to share with you tonight is that after showing the bid to a confidential donor they are in a position to commit \$6,000 specifically towards the replacement of this jail roof. I want the commissioners to know that OHHS is not using any of the special appropriated money that has been received by organization for the roof project. We are targeting the end of July of having the check in the amount of \$6,000 from our donor. Please consider approving the bid from Cityscape Roofing.

### **AGENDA CHANGES**

Commissioner McAulay made a motion to adopt the agenda. Commissioner Bales seconded motion. Motion carried unanimously.

### **PUBLIC HEARINGS**

Mayor Swain recognized Planning Board members present: Hal Bankirer, Dan Boone, Bill Walsh, Janice Lewis.

Mayor Swain called to order public hearing to receive public comments on the proposed budget for fiscal year 2015-2016.

Greg Ferguson, Town Manager, said the submitted budget is balanced by statute. You have had a work session on it this past Monday. Tonight is the public hearing portion. The budget has been on the website for the last week and the next step would be the June 1 adoption.

Eric Rowell, 7847 Horseshoe Creek Drive, said I'm here tonight as a recent Huntersville 101 graduate. I'm here tonight to speak in opposition to the budget as proposed. My request tonight is simple, that each of you reconsider this budget in its entirety before voting next month with the following in mind. The Town budget should limit itself to protecting the life, liberty and property of all residents of Huntersville. If a budget item requires money be taken from one citizen to give to another citizen or group to whom it doesn't belong, that budget item should be struck immediately. If however you vote for this 152 page budget in June in its current form without making any effort to remove any of the wasteful spending that's contained, I think you will be doing a great disservice to the town. One thing I find to be true that the older I get is there really is nothing new under the sun. This budget is not unique. Politicians and leaders of all stripes since time and memorial have attempted to direct human affairs to their own whims. In an effort to create their ideal society politicians must take the property of some and give to others. This is because governments do not create wealth on their own they merely redistribute that which citizens are forced to send to it. But since we live in a world of scarce resources politicians are constrained by the reality of a limited amount of taxpayer money available in any given year. Just a few examples from the budget that I think should be reconsidered upon my cursory review of all 150 plus pages. The Loch Norman Pipe Band will say they need \$2,000 because they are a part of the Highland Games which benefits the region economically. The police chief will say he needs \$165,000 for an armored vehicle to protect the town and his officers based upon a hypothetical future situation. But why stop at a single armored vehicle based on this logic. Further, based on the news today, this request may be moot in light of the AP report about President Obama's new policy prohibiting certain equipment and armored vehicles to be given from the federal government to local police departments. The EDC will say it needs \$150,000 to promote the town because apparently there were no businesses or jobs in Huntersville or the Lake Norman area before the EDC existed. The HFFA

for example, will say it needs ongoing taxpayer monies even after a decade in existence in order to promote the health and well-being of residents. There's \$6 million allotted for walking trails in the woods that a small minority of the population uses. Instead that money could be used to improve local roads, service debt, or remain with the taxpayers and I could go on. Where does this transfer of wealth end. What's visible in the budget are the beneficiaries of policy choices of a few individuals. What is not immediately visible in the budget are the endless businesses and job opportunities that could be created but for this transfer of wealth from productive enterprises to government. The easiest thing in the world to do is to spend somebody else's money so I'd ask you this June to not take the easy route and to reconsider some of the items in this budget before voting.

Mayor Swain said I want to clarify that the walking trail money is not in this year's budget.

Mr. Ferguson said that's correct.

There being no further comments, Mayor Swain closed the public hearing.

### **OTHER BUSINESS**

**Contract for Purchase and Sale of Real Property.** Commissioner Julian made a motion to approve contract with Caroleen Trading Company, Inc. and Caroleen Enterprises, LLC for the purchase of seven parcels located on or near Church Street, Old Statesville Road and N. Main Street and appropriate general fund balance in the amount of \$880,000 for said purchase and other items associated with the transaction.

Commissioner Neely seconded motion.

Commissioner Kidwell said I wanted to thank Greg. When I saw this on the agenda I e-mailed him and asked him where did we come up with this number. This number is based off the tax valuation. It's fairly close to the tax valuation in terms of everything. He did say we did not have an appraisal as of yet. I personally would like to have an appraisal, but I think based off the information that I've seen in the past with what we did over at the Birkdale Extension that this number is somewhat close.

Motion carried unanimously.

*Contract for Purchase and Sale of Real Property attached hereto as Attachment No. 1.*

**Summer Resurfacing Contract.** On May 8, 2015, quotations were received at Engineering & Public Works for the Summer 2015 Resurfacing. This project is part of the on-going efforts by the Town to maintain our public roadway system.

It is staff's recommendation that the project be awarded to the lowest responsible quote provider, Ferebee Corporation, with a quotation of \$337,405.75.

Ferebee Corporation has completed multiple paving projects for the Town of Huntersville and many surrounding municipalities, including NCDOT. This contractor has demonstrated sufficient ability and experience to perform the work specified and has demonstrated a history of successful performance and completion of similar projects in a timely manner.

Contract completion date for the resurfacing project is August 28, 2015.

Commissioner Julian made a motion to authorize award of the Summer Resurfacing Contract to Ferebee Corporation.

Commissioner Neely seconded motion.

Motion carried unanimously.

**Roof Replacement – Old Jail.** Commissioner Kidwell made a motion to authorize the Town Manager to enter into agreement with CityScape Roofing for replacement of the roof on the old jail and appropriate general fund balance in the amount of \$12,000.

Commissioner Julian seconded motion.

Commissioner Phillips said Mr. Boone said they had a contributor to pay up to \$6,000.

Greg Ferguson, Town Manager, said the Charlotte-Mecklenburg Historic Landmarks Commission actually chose this contractor and recommended going with this contractor. This amount is consistent with other bids that we have seen and requested. We would propose using this contractor since they are experts in the field in getting someone to be consistent with the historic nature. My recommendation is that you move forward with the \$12,000 as is on the agenda tonight because in order for us to sign a contract we have to have funds in hand and the other funds are not in hand yet.

Commissioner Phillips said me and Greg had met earlier today on where are we at in the process with the Historic Landmarks Commission. Are we just going to do away with that agreement and just move forward with this and just keep it on our own.

Mr. Ferguson said we communicated to them after the meeting where the Board voted to turn the property over to them that we were interested in doing that. They responded by sending Stewart Gray here to take a look at the building. He felt like that time was of the essence and that their request to the Town was to go ahead and put a roof on it before it was turned over to them for further work. I think if you look in your agenda packet there was a memo from Dr. Morrill to me about some of the future steps that could be taken at the jail and some of those are going to be fairly expensive, particularly that third phase, so my recommendation basically is to do the roof work as requested and then this Board needs to determine if you want to put any further funds into the building before we authorize them to do Step 2 or Step 3. Step 3 quite frankly is going to require a real conversation about what the total use of the building would be because Step 3 included HVAC. The building has never had HVAC, so I'm not sure philosophically that's what the Board envisions seeing that building used for long term. It may be that you get a roof on it and then you have some efforts by the historic group to kind of work on the interior of the building, clean it up, get it in a better condition, but maybe take a pause before we move forward.

Commissioner Julian said I was going to thank Dan Boone and Rob Kidwell and the historic committee for going out and seeking outside funds to contribute to the roof and to the building itself. I would say I would like to see us approve the \$12,000 contract, but hopefully that \$6,000 donation could help with the exterior renovation, the walls and other needs that are going to come down the road.

Mayor Swain said the \$6,000 is designated for the roof. It will offset the cost.

Commissioner Kidwell said great job to the OHHS for going after that donation and getting it. Second thing is when we originally asked Greg to talk to Mecklenburg County, they were going to come back with a prepared proposal and we would vote on it going forward if the Board so decided. This does fix an immediate problem and compounded by the specific donation to help offset the cost I firmly believe that it's a good deal.

Commissioner McAulay said it is my understanding that the Historic Landmarks Commission wanted the roof put on there before they proceeded on with the contract and maybe the consideration that they accept ownership of the building, fix it up and then give it back. I am in favor of us going ahead and doing the roof and there will naturally be some support work that needs to be done inside. Then I think we should regroup along with OHHS and staff and the Commissioners and the Mayor to reconsider – do we really need to go forward.....is this building really going to be used. Personally, I think it will have limited use but I think it's worth saving.

Mayor Swain called for the vote to authorize the Town Manager to enter into agreement with CityScape Roofing for replacement of the roof on the old jail and appropriate fund balance in the amount of \$12,000.

Motion carried unanimously.

#### **CONSENT AGENDA**

**Approval of Minutes – May 4 Pre-meeting.** Commissioner McAulay made a motion to approve the minutes of the May 4, 2015 Town Board Pre-meeting. Commissioner Bales seconded motion. Motion carried unanimously.

**Approval of Minutes – May 4 Regular Meeting.** Commissioner McAulay made a motion to approve the minutes of the May 4, 2015 Regular Town Board Meeting. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – HFFA.** Commissioner McAulay made a motion to approve budget amendment recognizing insurance revenue in the amount of \$2,652 and appropriate to the HFFA non-capitalized equipment account. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – HFFA.** Commissioner McAulay made a motion to approve budget amendment appropriating estimated revenue in the amount of \$16,100 for the USA Diving Zone A Championships. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – Parks & Recreation.** Commissioner McAulay made a motion to approve budget amendment appropriating Sponsorship revenue in the amount of \$1,000 to the Parks & Recreation Department's Afterschool Program budget to purchase computers for the program. Commissioner Bales seconded motion. Motion carried unanimously.

**Property Tax Refund Report.** Commissioner McAulay made a motion to approve SL362 Property Tax Refund Report No. 37. Commissioner Bales seconded motion. Motion carried unanimously.

*Property Tax Refund Report attached hereto as Attachment No. 2.*

**Call for Public Hearing – Petition #TA15-03.** Commissioner McAulay made a motion to call a public hearing for Monday, June 15, 2015, at 6:30 p.m. at Huntersville Town Hall on Petition #TA15-03, a request by the Town of Huntersville to amend Article 7.7.3(a) of the Zoning Ordinance to modify the residential lot tree requirements within the Transit Oriented Development – Residential and Transit Oriented Development – Employment zoning districts. Commissioner Bales seconded motion. Motion carried unanimously.

**Cancel July 6 Meeting.** Commissioner McAulay made a motion to cancel the July 6, 2015 Regular Town Board Meeting due to the Independence Day holiday. Commissioner Bales seconded motion. Motion carried unanimously.

**CLOSING COMMENTS**

None

There being no further business, the meeting was adjourned.

Approved this the \_\_\_\_ day of \_\_\_\_\_, 2015.