

**TOWN OF HUNTERSVILLE  
TOWN BOARD MEETING  
MINUTES**

**April 4, 2016  
6:30 p.m. – Huntersville Town Hall**

**PRE-MEETING**

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 5:30 p.m. on April 4, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

**ASC Update.** Robert Bush of the Arts & Science Council provided update to Board. *Refer to Presentation attached hereto as Exhibit No. 1.*

**Meet and Greet – Huntersville 101.** The Board met with the 2016 Huntersville 101 program participants.

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**REGULAR MEETING  
TOWN OF HUNTERSVILLE  
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on April 4, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Bill Walsh led the Pledge of Allegiance.

**MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS**

Mayor Aneralla

- Attended the Metropolitan Transit Commission meeting. They are looking at three different scenarios for fare increases.
- Met with mayors of Cornelius and Davidson to talk about collaborating on the MTC to look at bus rapid transit as an alternative to the Red Line and trying to keep the tax dollars generated here in North Mecklenburg and Huntersville.
- Recognized Jackie Huffman, the new Finance Director.

#### Commissioner Baales

- The Lake Norman Economic Development Corporation has 13 active projects that they are currently working in Huntersville.
- The next meeting of the Lake Norman Transportation Commission is April 13 in Davidson.
- North Learning Community Partners in Education Summit will be held on April 26.
- Expressed appreciation to Commissioner Guignard for his calls while she was out of town dealing with family emergency.

#### Commissioner Boone

- The next meeting of the Land Development Ordinances Advisory Board is April 7.
- Attended the Huntersville Police Department Promotion and Awards Ceremony.

#### Commissioner Gibbons

- Participated in the Fireman's Challenge, along with the Mayor.
- The next meeting of the NC 73 Council of Planning is May 26.
- The next Mecklenburg County Veterans Council meeting is April 5. Announced upcoming events that affect Veterans.

#### Commissioner Guignard

- Next Monday is National Lineman Day.
- The next Planning Coordinating Committee is in May. The topic of discussion will be ETJ policing and the way it is dealt with throughout the county.
- Welcomed Jackie Huffman, the new Finance Director.
- Encouraged the Board to consider talking to Cornelius and Davidson about possibly doing a resolution from the three towns about the current school situation similar to one done by the Town of Matthews.
- Commended Police Department for SWAT exercise that took care of quite a few things.

#### Commissioner Kidwell

- The next Olde Huntersville Historic Society meeting is April 6.
- Helping Others Help Themselves (H.O.H.T.) will host job networking event on April 29.
- The next meeting of the Charlotte Regional Transportation Planning Organization is April 20.
- Communications are ongoing with NCDOT and the construction company for the toll lanes to find a resolution to the high frequency of accidents on I-77 in the construction zone and the difficulties emergency services face trying to access the accidents.

#### Commissioner Phillips

- Announced upcoming Lake Norman Chamber events. General Registration is open for the Chamber's 2016 Business Expo that will be held on June 2.
- Have been visiting businesses mainly in the Exit 23 area to remind them of the transportation briefing on April 5.
- Announced the Visit Lake Norman 2015 Making Waves Hospitality award winners and announced upcoming events.
- Reminded everyone that the spring season is here and there are several local events scheduled.

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

Bill Russell, 9449 Mt. Holly-Huntersville Road, announced that the Lake Norman Chamber will host Focus Friday on April 15 on the topic of ocular melanoma. Commended Bobby Williams for his service to the Town.

Mike Hege, 13153 Heath Grove, announced that Realtors Care Day is April 22. Volunteers will assist homeowners with critical home repairs in Iredell and Mecklenburg Counties and will assist the Angels and Sparrow Soup Kitchen in Huntersville with their facility needs.

### **AGENDA CHANGES**

Commissioner Guignard requested that Item F under the Consent Agenda (Accept streets located in the Bryton-Walmart Development for Town maintenance) be moved to Item C under Other Business.

Commissioner Kidwell made a motion to add the following items to the Consent Agenda:

Item J – Adopt Resolution approving Authorization Certificate for Depository Accounts and Treasure Management Services for Wells Fargo.

Item K – Adopt Resolution approving Certificate for Treasury Management Services for Fifth Third Bank.

Item L – Call a public hearing, contingent upon the validation of the submitted application, for Monday, May 2, 2016 at Huntersville Town Hall on Petition #R16-04, a request by Lake Norman Charter School on behalf of the property owners to conditionally rezone 38.8 acres (Parcels 01723306 and 01723312) from Corporate Business to Campus Institutional Conditional District.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Commissioner Guignard made a motion to adopt the agenda as amended. Commissioner Bales seconded motion. Motion carried unanimously.

### **PUBLIC HEARINGS**

**Petition #R16-01.** Petition #R16-01 is a request by Lake Norman Charter School on behalf of the property owners to conditionally rezone 34.9 acres (parcels 01723306 and 01723302) from Corporate Business to Campus Institutional Conditional District, located near the corner of Hambright Road and Patterson Road.

Brad Priest, Senior Planner, pointed out that Lake Norman Charter School had submitted a letter requesting to withdraw the petition and to reapply for rezoning for different parcels.

Commissioner Phillips made a motion to accept the withdrawal of Petition #R16-01.

Commissioner Guignard seconded motion.

Motion carried unanimously.

*Letter requesting withdrawal attached hereto as Exhibit No. 2.*

Mayor Aneralla recognized Planning Board members present: Hal Bankirer, Jennifer Davis, Janice Lewis, Bill Walsh and Susan Thomas.

**Anchor Mill Property.** Mayor Aneralla called to order public hearing on the Town's proposed conveyance of land commonly known as Anchor Mill (Tax Parcels 019-022-01 and 019-021-08).

Commissioner Guignard requested to be recused since he owns property in the area.

Bob Blythe, Town Attorney, explained it would be appropriate to recuse Commissioner Guignard from the public hearing and vote. He does have a first amendment right to speak during public comments for the public hearing.

Commissioner Bales made a motion to recuse Commissioner Guignard during this public hearing as well as under Other Business, Item B.

Commissioner Kidwell seconded motion.

Motion carried 5 to 0.

Greg Ferguson, Town Manager, said you have a Resolution Authorizing Sale of Real Property for Economic Development, which is one of the statutory requirements to proceed forward under the relevant statute that you are proceeding under. You also have a Purchase and Sale Contract and Redevelopment Agreement that is related to the Anchor Mill Development and proposal by Bowman Development Group to purchase the Anchor Mill properties. The appraised value of the mill site was \$1.6 million. The offer as it is stated is \$1.35 million in cash plus at least a minimum of \$250,000 in off-site improvements related to transportation. The agreement has been drafted by the Town Attorney and has been reviewed by both parties. The appraised value was \$1.6 million and the consideration that is offered is \$1.6 million in total.

Charles Gelsonliter, 201 Third Street, said I'm not against having this Anchor Mill, but I'm kind of against the plan that was proposed by the developer. It does not incorporate the actual property owners that live on Second Street, which is myself and another resident and wanting to propose to put a road extension on Walker Street through her property which she has lived there for over 40 years and Third Street basically is gone. My property would be gone and have a retail building on top of it. I've always wanted the mill to be developed, but I don't like the plan that was presented in the package.

Nate Bowman, 205 S. Church Street, said let me address his comment. A lot of the planning that you saw in our plan was done based on meetings with the roads people in the Town of Huntersville. When you do the two-way pair the thought was that Church Street could no longer be the main road and Walters Street would have to be the major north/south road that would go through the development. All of the concerns of the neighbors will be addressed in neighborhood meetings as this goes through, so you will have a voice and a chance to sit down before we get the plan before the Town Board. I've been talking about Anchor Mill for 17 years. I would like to bring up two additional points that have come up recently. A couple of the commissioners have voiced concern over the water tower. We did have a pre-meeting with our proposed anchor tenant and the good news for the water tower is that's not the site where they plan to locate their building. We blocked off 10 acres for this particular tenant and it's going to be more towards the Vermillion side. It is our intent during the due diligence period to go ahead and

have it inspected, determine its safety and if it's possible to make sure we go ahead fix it, brand it and make it part of the development.

The other concern that I've heard from several Town Board members is why 14 months. If you vote yes and we get the contract signed within the next week, during the due diligence period usually you are just kind of checking the Brownfield Agreement, doing all your surveying work. We are going to attempt to do our engineering work at the same time, but based on your requirements when we submit this sketch plan over 50 percent of the engineering is already complete, specifically storm water planning. That takes an enormous amount of time to do the storm water plans so we would be lucky if we were able to get that done in three months. And then the shortest time period once we submit it to your Planning staff is four months. But the other two agencies that we have to go through that you don't have as much control over are Mecklenburg County Engineering and North Carolina Department of Transportation. And during all of this we have to have a TIA done. There's a lot of work that goes into it. I would have to say that the best possible case would be 10 months and I'm willing to adjust the contract. I told Bob before the meeting that if we are able to get all this done, it is really kind of geared up with this potential anchor tenant, that we don't want to slow anything down. In fact, this tenant will be driving us to perform as quickly as possible. Those are some of the things I think have come up recently. We've talked about most of the other things and in our pre-meeting obviously we are going to be adjusting this master plan because the anchor tenant rules the ship in terms of how the plan is going to appear. We wanted to make sure that we kept the integrity of the roads that the Town wants and we're actively working on adjusting that plan.

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

**Annexation Agreement – Kannapolis.** Mayor Aneralla called to order public hearing to receive comments on a proposed Annexation Agreement with the City of Kannapolis.

Greg Ferguson, Town Manager, said you have two documents before you. One is a Resolution authorizing the execution of an Annexation Agreement with the City of Kannapolis, which basically would prevent either community from annexing into the ETJ area of both towns. It's followed up with an ordinance approving Annexation Agreement between the Town of Huntersville and the City of Kannapolis.

There being no comments, Mayor Aneralla closed the public hearing.

Commissioner Bales made a motion to allow Commissioner Guignard to come back for the vote on Item A – Consider adopting ordinance approving Annexation Agreement.

Commissioner Gibbons seconded motion.

Motion carried 5 to 0.

#### **OTHER BUSINESS**

**Annexation Agreement – Kannapolis.** Commissioner Kidwell made a motion to approve the Resolution adopting the Ordinance approving Annexation Agreement with the City of Kannapolis.

Commissioner Phillips seconded motion.

Motion carried unanimously.

*Resolution, Ordinance and Annexation Agreement attached hereto as Exhibit No. 3.*

Commissioner Bales made a motion to recuse Commissioner Guignard for Item B under Other Business.

Commissioner Kidwell seconded motion.

Motion carried 5 to 0.

**Resolution – Anchor Mill.** Commissioner Kidwell made a motion to adopt Resolution authorizing sale of real property for economic development of the Anchor Mill property to Bowman Development Group, Inc. as set forth in the Purchase and Sale Contract and Redevelopment Agreement.

Commissioner Bales seconded motion.

Commissioner Gibbons said the only discussion I would like to bring up on that and Mr. Bowman actually spoke to the first part, which was the time to close. That's going to be whittled down hopefully as much as possible and he talked about the factors involved. The second thing that I wanted to talk about was as we've put this \$250,000 road improvement part in there, I want to make sure and I talked to Mr. Blythe today that this is not in any way, shape or form a limit. This TIA could have millions of dollars' worth of road improvements and we need to make sure that the developer is taking care of those improvements that are required by the TIA and NCDOT.

Bob Blythe, Town Attorney, said the language that's in there states no less than \$250,000. I do not see that as a limiting factor.

Commissioner Boone said I have several issues on this contract. I'll take them one at a time.

Section 2.13 Property, I just want to be sure that when we are selling this property that there's nothing of value whatsoever on this property that the Town could benefit from financially.

Article III, the Inspection, which includes Section 3.1 through 3.3 in addition 5.1.5 and 5.4.3, this is basically inspection of everything that the Town has gone through and make sure there's no environmental problems, anything that's buried there. I want to be sure that before we sign this document that there's nothing hidden in that soil or on that property, because the Town would be on the hook to clean this up if there is something found in it.

Section 4.3, the removal of the word "substantially." That's getting into the part where it says in the last sentence of that paragraph ".....Required Off-Site Improvements are substantially completed...." I don't think the word "substantially" is needed in that section.

The Section on the Buyer's default and the Seller's default. The only thing the Buyer loses is earnest money of \$25,000 if he defaults. If the Buyer defaults then the Town is still on the hook for improving the area. I would like to see some of the same teeth that's in the Seller's default put into the Buyer's default or increase the earnest money that the Buyer has to put up.

Mr. Blythe said send those to me and I'll go over them with Mr. Bowman and his attorney. I don't see anything substantive with what you are pointing out.

Greg Ferguson, Town Manager, said the Town did clean up the site to the limit of the Brownfield Agreement. The Brownfield Agreement did not call for certain areas to be cleaned. The Buyer is aware of that.

Mr. Blythe said the Buyer is well aware of the Brownfield Agreement and what it requires in accepting the property under the contract with full knowledge of the provisions in the Brownfield Agreement. To be clear, he has an inspection period that he could do additional environmental inspections for things that we have no knowledge of or even if we did have knowledge of and failed to disclose it, he would be able to come to us and either accept the property and we could work things out or he could not accept the property. He does have that right of inspection.

Commissioner Boone said we would still be on the hook for the clean-up, right?

Mr. Blythe said for something else, yes. If there's environmental matters determined that had to be cleaned up by law, that would be our responsibility unless there was something else negotiated.

Commissioner Kidwell said just to be clear, it doesn't matter who we sell it to, we'd be on the hook if they found something.

Mr. Blythe said that is correct.

Commissioner Bales said how much money do we have invested currently in the site?

Mr. Ferguson said the purchase price was \$600,000 and then the clean-up of the mill has amounted to somewhere around \$220,000 or less.

Commissioner Bales said by moving forward with this contract, how much money then are we putting back into the coffers of the Town?

Mr. Ferguson said approximately \$720,000 and that wouldn't count property taxes or business personal property taxes.

Commissioner Phillips said most contracts I've ever dealt with there's a drop dead date and you've got to have a starting and an ending. Even with Mr. Bowman saying he would cut the 14 months, but even in our earlier conversation you never did give a decisive answer on how long we could be strewn out before we got to a closing.

Mr. Blythe said what I said was that the closing date under the present contract is set at 14 months following the effective date, the effective date being the date that the last of the parties sign the agreement, so you can calculate it from that. However, what I did say was if there are matters that are having to be cleared up such as possible environmental matters or something like that, there could be an extension of closing to complete those as long as they have been started in good faith. What I'm not saying is there's an absolute drop dead if we are pursuing everything to be able to close because each side would want to be able to keep it going if everybody's working to get the condition, if there is one, resolved.

Commissioner Phillips said so this could take years to complete.

Mr. Blythe said that's speculation. I think it would be very highly unlikely.

Commissioner Phillips said the way this is done it could be an excuse for rezoning, it could be excuses for transportation or road improvements. Literally, it could just drag on and on and on. Is that true?

Mr. Blythe said that would be true.

Commissioner Phillips said not just environmental, it could be water or just anything, us not completing the two-way pair.

Mr. Blythe said I don't see that the two-way pair is one of those because what we have in there is if we have taken affirmative action to not proceed with the two-way pair, at least the northern portion of it, that is to say north of Huntersville-Concord Road, within one year then he would have the right to get out of it.

Commissioner Phillips said what about Paragraph 7.1 where he basically can at any time walk from this deal.

Mr. Blythe said 7.1 is in the event he defaults and fails to cure the contract after being notified of the default. We could declare him in default and the liquidated money that's on deposit would be liquidated damages payable to us.

Mayor Aneralla said I think maybe some of the concern is as long as the parties are acting in good faith, but when you see one of the parties not acting in good faith what is the remedy for the Town.

Mr. Blythe said if it has come to a point of default, our remedy is to declare him in default. Good faith is a moving target admittedly, but that's basically it and then if he continues in default and does not come forward then you have the remedy of calling for the deposit.

Nate Bowman said part of the reason I hope you select me is that I'm a known quantity in town. The numerous developments we have done over the last 30 years, there's never been a default. We made it through the recession and I think our company's history is pretty strong. To ease your fears, we could increase the earnest money deposit to \$100,000, which I don't think anybody is going to walk away from \$100,000. If that makes the commissioners feel more comfortable, I'm willing to offer that.

Commissioner Boone said I just want to be sure that you are going to do everything you can to protect the water tower.

Mr. Bowman said yes, that will be the first thing in the due diligence.

Commissioner Boone said my last question on the contract, in Section 5.4.2 the last sentence is "The restrictions shall provide that they are for the continuing benefit of the Seller, that Seller may enforce the restrictions whether or not it continues to own any of the Property, and that the restrictions may not be amended without Seller's consent for a period of twenty-five (25) years." I think that 25 years is a long time if the Town decides to go in a different direction. I would like to see that possibly reduced.

Mr. Blythe said I'm sure Mr. Bowman would be glad to do it. I put the extended time in there for our protection so that we would have enforcement rights of the restricted covenants for a longer period of time even if we no longer own any of the property in the area. I would prefer to keep it like this.

Commissioner Kidwell said 19 years ago we purchased this land. We paid to get it cleaned up and ever since then we've been entertaining offers and bids. I think the plan that has come forward, a mixed-use development with retail and living, is what we need downtown. It's the catalyst we need to get everything rolling down here. I think it's a positive thing.

Commissioner Kidwell made a motion to call the question.

Motion carried 4 to 1, with Commissioner Phillips opposed.

Mayor Aneralla called for the vote to adopt Resolution Authorizing Sale of Real Property for Economic Development of the Anchor Mill property to Bowman Development Group, Inc. as set forth in the Purchase and Sale Contract and Redevelopment Agreement.

Motion carried 4 to 1, with Commissioner Phillips opposed.

Commissioner Bales made a motion to bring Commissioner Guignard back.

Commissioner Kidwell seconded motion.

Motion carried 5 to 0.

**Accept Streets – Bryton/Walmart.** Commissioner Guignard expressed concern with accepting the streets in the Bryton/Walmart area since construction will be ongoing in that area for years and the Town only receives a small amount of money from the Powell Bill for the streets.

Max Buchanan, Public Works Director/Town Engineer, explained that the Town needs to be careful about separating the streets in Bryton compared to any other streets that have been added. The Town does not get enough money from Powell Bill allocations to maintain the street system. If we argue that we shouldn't take the streets in Bryton around Walmart because we don't get enough money from the state government, then we should never take streets anywhere in the Town of Huntersville. At some point this Board is going to have to start subsidizing or appropriating ad valorem tax money to help maintain our street system. We have a Street Acceptance Policy that we try to follow with residential subdivisions that there has to be 75 percent build-out in a subdivision before we will consider accepting them. It's hard to apply a build-out percentage in the commercial area. Staff feels comfortable with accepting the streets in the Bryton/Walmart area because the streets were designed to a commercial street standard. We released the bond for the streets in Bryton because AAC who is the developer transferred the requirement to post the bond to Walmart and their project management team. Walmart and their project team did what they promised they would do according to the approved plans. In my mind it would not be fair to hold Walmart and their project management team responsible until the other developments in and around Walmart were developed out. To address some of the concerns about what happens to the streets as construction takes place, etc., we would have to talk to our legal team about do we have the authority to assess roadway maintenance bonds as future development comes online for each building permit and I'm not sure we have the authority to do that, but that's something we could investigate.

Commissioner Guignard said we do have the authority to not take the streets even if it's not because of lack of money from the Powell Bill, but because regardless of the fact that Walmart now owns those streets, knowing from the trucking industry when other things are built in that neighborhood that at

present is the most convenient way for tractor trailers to come into that neighborhood and if they tear up the streets I don't want the Town to be responsible for those streets.

Mr. Buchanan said it's probably more beneficial for us to accept the streets when they are brand new and do not require maintenance so that we can have it on our system for 2-3 years. I'd rather add them when they are new than add them when they are 10 years old and starting to require maintenance. If we are going to add them, we'd just assume add them when they are new because we do realize a little bit of a benefit from the additional revenue.

Commissioner Guignard asked Mr. Buchanan how much the Town would receive.

Mr. Buchanan said it's \$1,000 based on the mileage that we are adding. There's 75 percent of the Powell Bill appropriations related to population, 25 percent of the appropriation is related to the mileage. Generally speaking we get about \$7,000 per mile from the Powell Bill, but only \$1,000 of that is directly attributable to the mileage and I think we're proposing we add about 0.7 mile in the Bryton/Walmart area. If we add it, we'll get about \$7,000 next fiscal year. If we took 100 percent of the Powell Bill money, your streets would only get paved every 25-30 years. We don't spend 100 percent of our Powell Bill money.

Commissioner Kidwell asked how old are the streets that are being requested to be accepted?

Mr. Buchanan said they've been constructed about a year. They are under a one year maintenance bond currently. They are built to commercial standard. Also, law enforcement does not have the authority to enforce those streets until the Town takes them over.

Commissioner Guignard made a motion to not add the streets in the Bryton/Walmart Development for Town maintenance as this time.

Commissioner Boone seconded motion.

Mr. Buchanan said not accepting the streets would be treating them differently. We are adding four other road packages just on this agenda and if you use the argument that there's not enough money to take on the risk of accepting those streets, then that same argument should be applied to every street we ever accept. The surety is what dictates when the streets are eligible for acceptance and in this case Walmart and their project management team posted the bond and they built the streets according to our plan. To say that you've got to keep renewing bond until Bryton is built-out to the correct percentage seems unfair to Walmart. If we do not add the streets Walmart is not responsible nor is their project management team. Whether it's American Asset Corporation is probably a legal interpretation or whether it falls upon all the properties that are in that Bryton business community, that's a discussion that we have not had.

Commissioner Bales requested clarification on how much the Town would receive from the state for the 0.7 mile.

Mr. Buchanan said it would be approximately \$5,000. That \$5,000 will add up and help pave the streets that need to be paved now.

Following further discussion on who would be responsible for the streets if the Town did not accept them, Commissioner Bales made a substitute motion to defer this item to the May 2, 2016 meeting in order to get a legal interpretation of who would be responsible for the streets.

Commissioner Kidwell seconded motion.

Mayor Aneralla called for the vote to defer this item to the May 2, 2016 meeting.

Motion carried 4 to 2, with Commissioners Boone and Phillips opposed.

**CONSENT AGENDA**

**Approval of Minutes.** Commissioner Gibbons made a motion to approve the minutes of the March 21, 2016 Regular Town Board Meeting. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

**Budget Amendment - Police.** Commissioner Gibbons made a motion to approve budget amendment appropriating funds received in the amount of \$2,417.60 from Lake Norman Charter School for the month of January 2016 to the Police Department’s budget for overtime, benefits and vehicle cost. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

**Budget Amendment – Police.** Commissioner Gibbons made a motion to approve budget amendment appropriating funds received in the amount of \$12,664.34 from Lake Norman Charter School for the months of August, September, October and November 2015 to the Police Department’s budget for overtime, benefits and vehicle cost. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

**Acceptance of Streets – Riverdale.** Commissioner Gibbons made a motion to accept streets in Phase 1 Map 2 of Riverdale subdivision for Town maintenance. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

Street Name	From	To	Approx. Length
Torrence Trace Drive	50' NW of Green River Dr	McDowell Run Dr	380'
McDowell Run Drive	50' NW of Green River Dr	920' NW of Torrence Trace Dr	1,115'

**Acceptance of Streets – Parkside at Skybrook North.** Commissioner Gibbons made a motion to accept streets in Parkside at Skybrook North subdivision for Town maintenance. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

Street Name	From	To	Approx. Length
Long Iron Drive	Closest Pin Dr	525' NW of Closest Pin Dr	525'

**Acceptance of Streets – Latta Springs.** Commissioner Gibbons made a motion to accept streets in Phase 2 Map 2 of Latta Springs subdivision for Town maintenance. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

Street Name	From	To	Approx. Length
Alba Rose Lane	Neck Road	250' W of New Bond Dr	1,000'
Morgan Horse Trail	Alba Rose Ln	220' S of Red Sorrell Ln	830'
Red Sorrell Lane	Alba Rose Ln	Morgan Horse Tr	630'

**Abandonment of Easement.** Commissioner Gibbons made a motion to adopt resolution authorizing abandonment of easement. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

*Resolution attached hereto as Exhibit No. 4.*

**Call for Public Hearing – Petition #R16-03.** Commissioner Gibbons made a motion to call a public hearing for Monday, May 2, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #R16-03, a request by JV Bailey Road, LLC to amend the Highway Commercial conditional rezoning plan for the McDonald’s Restaurant (Parcel 01715807). Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

**Call for Public Hearing – Historic Designation.** Commissioner Gibbons made a motion to call a public hearing for Monday, April 18, 2016 at 6:30 p.m. at Huntersville Town Hall on the question of designating as a historic landmark the property known as the “Walters Barbershop” (including the interior and exterior of the building and parcel of land associated with Tax Parcel 01904106) located at 114 S. Main Street. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

**Resolution – Wells Fargo.** Commissioner Gibbons made a motion to adopt Resolution approving Authorization Certificate for Depository Accounts and Treasure Management Services for Wells Fargo. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

*Resolution attached hereto as Exhibit No. 5.*

**Resolution – Fifth Third.** Commissioner Gibbons made a motion to adopt Resolution approving Certificate for Treasury Management Services for Fifth Third Bank. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

*Resolution attached hereto as Exhibit No. 6.*

**Call for Public Hearing – Petition #R16-04.** Commissioner Gibbons made a motion to call a public hearing, contingent upon the validation of the submitted application, for Monday, May 2, 2016 at Huntersville Town Hall on Petition #R16-04, a request by Lake Norman Charter School on behalf of the property owners to conditionally rezone 38.8 acres (Parcels 01723306 and 01723312) from Corporate

Business to Campus Institutional Conditional District. Commissioner Guignard seconded motion. Motion carried 5 to 1, with Commissioner Phillips opposed.

**CLOSING COMMENTS**

Commissioner Boone requested an update on contract negotiations with Advanced Disposal.

Max Buchanan, Public Works Director/Town Engineer, stated in discussions with Advanced, there could be additional savings to the Town if it eliminates collection for the downtown commercial businesses that have been grandfathered. Those businesses do not pay the Solid Waste Collection Fee that residences pay. Another option for additional savings would be to keep existing carts and only add new carts as new customers come online and/or as existing carts need replacement. Also, additional performance measures along with liquidated damages have been added to the contract.

There being no further business, the meeting was adjourned.

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

DRAFT