

**Mayor**  
Jill Swain

**Mayor Pro-Tem**  
Melinda Bales

**Commissioners**  
Ron Julian  
Rob Kidwell  
Sarah McAulay  
Jeff Neely  
Danny Phillips

**Town Manager**  
Gregory H. Ferguson



**Department Heads**  
Max Buchanan, Public Works  
Bill Coxe, Transportation  
Michael Jaycocks, Parks&Rec  
Jack Simoneau, Planning  
Cleveland Spruill, Police Chief  
Janet Stoner, Finance

**Assistant Town Manager**  
Gerry Vincent

**Town Clerk**  
Janet Pierson

**Town Attorney**  
Bob Blythe

**AGENDA**  
**Regular Town Board Meeting**  
**November 2, 2015 - 6:30 PM**  
**TOWN HALL(101 Huntersville-Concord Road)**

- I. Pre-meeting**
  - A. Closed Session - Property Acquisition. (6:00 p.m.)
- II. Call to Order**
- III. Invocation - Moment of Silence**
- IV. Pledge of Allegiance**
- V. Mayor and Commissioner Reports-Staff Questions**
  - A. Mayor Jill Swain (MTC, Commerce Station Management Team)
  - B. Commissioner Melinda Bales (LNTC)
  - C. Commissioner Ron Julian (LNREDC Board, Planning Coordinating Committee)
  - D. Commissioner Rob Kidwell (Olde Huntersville Historic Society)
  - E. Commissioner Sarah McAulay (CRTPO, COG, NC 73 Council of Planning)
  - F. Commissioner Jeff Neely (Lake Norman Chamber Board, Visit Lake Norman Board)
  - G. Commissioner Danny Phillips (Arts and Science Council)
- VI. Public Comments, Requests, or Presentations**
  - A. Presentation of World Pancreatic Cancer Day Proclamation.
- VII. Agenda Changes**
  - A. Agenda changes if any.
  - B. Adoption of Agenda.
- VIII. Public Hearings**
- IX. Other Business**
  - A. Consider adopting resolution declaring the intent of the Town of Huntersville to reimburse itself for capital expenditures incurred in connection with improvements to Main Street and the acquisition of rights-of-way therefor from the proceeds of certain tax-exempt

obligations to be issued during Fiscal Year 2016. (*Janet Stoner/Greg Ferguson*)

- B. Adopt a Capital Project Ordinance for the upgrade of Main Street. (*Janet Stoner/Greg Ferguson*)

**X. Consent Agenda**

- A. Approve minutes of the October 19, 2015 Town Board Pre-meeting. (*Janet Pierson*)
- B. Approve minutes of the October 19, 2015 Regular Town Board Meeting. (*Janet Pierson*)
- C. Approve the write-off of electric uncollected final accounts in the amount of \$24,939.93 for Fiscal Year 2012. (*Janet Stoner/Kathy Moyer*)
- D. Approve budget amendment appropriating Sponsorship revenue in the amount of \$10,000.00 to the Downtown Festival account. (*Janet Stoner/Michael Jaycocks*)
- E. Call a public hearing for Monday, December 7, 2015 at 6:30 p.m. at Huntersville Town Hall on Petition #TA15-05, a request by Primal Brewery to amend Article 3.2.10(a) of the Zoning Ordinance to allow temporary mobile food sales as a use permitted with conditions in the Special Purpose zoning district. (*Meredith Nesbitt*)

**XI. Closing Comments**

**XII. Adjourn**

To speak concerning an item on the Agenda, please print your name and address on the sign-up sheet on the table outside the Board Room prior to the meeting. If you wish to speak concerning an item that is added to the Agenda during the meeting, please raise your hand during that item. Each speaker will be limited to no more than 3 minutes. The Mayor, as the presiding officer may, at her discretion, shorten the time limit for speakers when an unusually large number of persons have signed up to speak.

**AS A COURTESY, PLEASE TURN CELL PHONES  
OFF WHILE MEETING IS IN PROGRESS**

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**11/2/2015**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Janet Stoner/Greg Ferguson  
**Subject:** Reimbursement Resolution

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Approve the attached Reimbursement Resolution. This resolution will allow the Finance Director to reimburse the General Fund for Capital Expenditures, as described in the resolution, incurred prior to the issuance of General Obligation Bonds as described in the resolution.

**ACTION RECOMMENDED:**

Approve Resolution.

**FINANCIAL IMPLICATIONS:**

Consistent with the Bond Program, this Reimbursement Resolution is needed due to staggered timing of projects.

**ATTACHMENTS:**

Description	Type
☐ Reimbursement Resolution-Main Street	Backup Material

Extract of Minutes of a regular meeting of the Board of Commissioners of the Town of Huntersville, North Carolina held at the Town Hall, 101 Huntersville-Concord Road, Huntersville, North Carolina 28078, at 6:30 p.m. on November 2, 2015.

\* \* \*

A regular meeting of the Board of Commissioners (the “*Board*”) of the Town of Huntersville, North Carolina (the “*Town*”) was held at the Town Hall, 101 Huntersville-Concord Road, Huntersville, North Carolina 28078, at 6:30 p.m. on November 2, 2015, after proper notice, and was called to order by Mayor Jill Swain, and upon the roll being called, the following members of the Board answered present:

The following members of the Board were absent:

Also present:

Commissioner \_\_\_\_\_ introduced the following resolution, a summary of which had been provided to each Commissioner, a copy of which was available with the Town Clerk and which was read by title:

**RESOLUTION DECLARING THE INTENT OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH IMPROVEMENTS TO MAIN STREET AND THE ACQUISITION OF RIGHTS OF WAY THEREFOR FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE ISSUED DURING FISCAL YEAR 2016**

***WHEREAS***, the Board hereby finds and determines that it is in the best interests of the Town to provide for an alternative route through its downtown to North Carolina Highway 115 (Old Statesville Road) by improving Main Street and providing connections to North Carolina Highway 115 at Mt. Holly-Huntersville Road and Forth Street, including the acquisition of rights of way therefor (collectively, the “*Project*”);

***WHEREAS***, the Town presently intends, at one time or from time to time, to finance all or a portion of the costs of the Project with proceeds of tax-exempt obligations and reasonably expects to issue its tax-exempt obligations (the “*Obligations*”) to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

***WHEREAS***, the Town desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Obligations (the “*Original Expenditures*”), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the Town intends, and reasonably expects, to reimburse its capital improvement fund for such Original Expenditures from a portion of the proceeds of the Obligations to be issued at a date occurring after the dates of such Original Expenditures; and

***NOW, THEREFORE, BE IT RESOLVED*** by the Board of Commissioners of the Town of Huntersville, North Carolina as follows:

Section 1. **Official Declaration of Intent.** The Town presently intends, and reasonably expects, to reimburse its capital improvement fund for the Original Expenditures incurred and paid on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The Town reasonably expects to issue the Obligations during the fiscal year ending on June 30, 2016 to finance all or a portion of the costs of the Project, and the maximum principal amount of Obligations expected to be issued by the Town to pay for all or a portion of the costs of the Project, which amount is subject to change, is approximately \$10,275,000.

Section 2. **Compliance with Regulations.** The Town adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the Town's intent to reimburse its capital improvement fund for the Original Expenditures from proceeds of the Obligations.

Section 3. **Itemization of Capital Expenditures.** The Finance Director, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the Town in determining and itemizing all of the Original Expenditures incurred and paid by the Town in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of issuance of the Obligations.

Section 4. **Effective Date.** This Resolution is effective immediately on the date of its adoption.

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution entitled "**RESOLUTION DECLARING THE INTENT OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH IMPROVEMENTS TO MAIN STREET AND THE ACQUISITION OF RIGHTS OF WAY THEREFOR FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE ISSUED DURING FISCAL YEAR 2016**" was duly adopted by the following vote:

AYES:

NAYS:

STATE OF NORTH CAROLINA            )  
  )  
TOWN OF HUNTERSVILLE            )        SS:

I, *Janet Pierson*, duly appointed Town Clerk of the Town of Huntersville, North Carolina, *DO HEREBY CERTIFY*, that the foregoing is a true and accurate copy of a resolution entitled “**RESOLUTION DECLARING THE INTENT OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH IMPROVEMENTS TO MAIN STREET AND THE ACQUISITION OF RIGHTS OF WAY THEREFOR FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE ISSUED DURING FISCAL YEAR 2016**” which was adopted by the Board of Commissioners of the Town of Huntersville, North Carolina, at its regular meeting held on November 2, 2015, to become effective on November 2, 2015, and that such Resolution has been duly recorded in the minutes of the Town.

*WITNESS* my hand and the corporate seal of the Town of Huntersville, North Carolina, this \_\_\_ day of November, 2015.

(SEAL)

\_\_\_\_\_  
Janet Pierson  
Town Clerk of the  
Town of Huntersville, North Carolina

**Town of Huntersville  
REQUEST FOR BOARD ACTION  
11/2/2015**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Janet Stoner/Greg Ferguson  
**Subject:** Capital Project Ordinance-Main Street

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Adopt a Capital Project Ordinance for the upgrade of Main Street.

**ACTION RECOMMENDED:**

Adopt Capital Project Ordinance.

**FINANCIAL IMPLICATIONS:**

See attached Capital Project Ordinance.

**ATTACHMENTS:**

Description	Type
□ Capital Project Ordinance	Backup Material

**TOWN OF HUNTERSVILLE  
MAIN STREET UPGRADE  
CAPITAL PROJECT ORDINANCE**

**BE IT ORDAINED** by the Board of Commissioners of the Town of Huntersville, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**SECTION 1.** The project authorizes the upgrading of Main Street and provides connections to NC115 at Mt. Holly-Huntersville Road and Fourth Street.

**SECTION 2.** The officers of the unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

**SECTION 3.** The following amounts are appropriated for the project:

Construction, utility relocation, purchase of right of way, landscaping etc.	<u>\$9,000,000</u>
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<b>TOTAL PROJECT COSTS</b>	<u>\$ 9,000,000</u>
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**SECTION 4.** The following revenues are anticipated to be available to complete this project:

2016 Bond Proceeds	\$4,000,000
Bonus Allocation Funds (CRTPO)	<u>5,000,000</u>

<b>TOTAL PROJECT REVENUE</b>	<u>\$9,000,000</u>
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**SECTION 5.** The Finance Director is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Finance Director is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.



**Town of Huntersville  
REQUEST FOR BOARD ACTION  
11/2/2015**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Janet Pierson, Town Clerk  
**Subject:** Approval of Minutes - October 19 Pre-meeting

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Consider approving minutes of the October 19, 2015 Town Board Pre-meeting.

**ACTION RECOMMENDED:**

Approve Minutes

**FINANCIAL IMPLICATIONS:**

N/A

**ATTACHMENTS:**

Description	Type
□ Draft Pre-meeting Minutes	Backup Material

**HUNTERSVILLE BOARD OF COMMISSIONERS  
PRE-MEETING MINUTES**

**October 19, 2015  
5:30 p.m. – Town Hall**

GOVERNING BODY MEMBERS PRESENT: Mayor Jill Swain; Commissioners Melinda Bales, Ron Julian, Rob Kidwell, Jeff Neely and Danny Phillips. Commissioner McAulay entered pre-meeting late.

Greg Ferguson, Town Manager, presented Board with quarterly update of capital projects for \$12.3 million GO Bond Sale. *Refer to Attachment No. 1.*

**HFFA Management Extension/Planning.** Greg Ferguson, Town Manager, reviewed proposed Management Agreement with Health Works, Inc. to continue management services to the Huntersville Family Fitness & Aquatics Center.

Dee Jetton, Executive Director at HFFA, updated the Board on the operation/future planning for the facility.

Commissioner McAulay made a motion to go into closed session for property acquisition. Commissioner Neely seconded motion. Motion carried unanimously.

Upon return from closed session, there being no further business, the pre-meeting was adjourned.

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**11/2/2015**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Janet Pierson, Town Clerk  
**Subject:** Approval of Minutes - October 19, 2015

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Consider approving minutes of the October 19, 2015 Regular Town Board Meeting.

**ACTION RECOMMENDED:**

Approve Minutes

**FINANCIAL IMPLICATIONS:**

N/A

**ATTACHMENTS:**

Description	Type
□ Draft Minutes	Backup Material

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

**October 19, 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 October 19, 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

- No Report from MTC.
- The next Huntersville Connection meeting is tomorrow.

Commissioner Bales

- The Lake Norman Transportation Commission met last week and received update on NC 73 plans for widening and land use.

Commissioner Julian – No Report

Commissioner Kidwell

- The next Olde Huntersville Historic Society meeting is November 4. The OHHS will have a special meeting on November 14 to go over some maps and pre-map World War II buildings.

Commissioner McAulay

- Attended the Centralina Council of Governments Delegates meeting last Wednesday.
- The next meeting of the Charlotte Regional Transportation Planning Organization is October 21 that will include discussion on prioritizing the P4.0 projects. Those will not be finalized until this time next year.

Commissioner Neely

- The Lake Norman Chamber hosted its annual Public Safety Luncheon last week. The next Lake Norman Chamber Board of Directors meeting is the last Monday of the month.
- Visit Lake Norman will host the TOP Gun Softball Winter World Series October 30-November 1. Currently 206 youth softball teams from four states are registered. Play will be held at Bradford Park and Westmoreland Athletic Complex.

Commissioner Phillips

- The next Arts & Science Council meeting is October 21.
- The Fall Festival at Barnette Elementary was a success.
- Encouraged everyone to shop local.

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

Mike Riley said I'm the President and COO of Huntersville Medical Center. I've been with Novant Health for about 15 years. I'm a nurse by training and have sort of worked up the ranks and now I'm the President of the Huntersville Medical Center. Prior to this I was the President of Charlotte Orthopedic Hospital. I'm honored to have this job and to be in Huntersville. It's not a big secret that Huntersville Medical Center is the jewel of Novant Health. I see my old partner Greg Bielec is in the room and don't tell the orthopedic people I said that, but it really is considered just one of the best hospitals in the company and really one of the best hospitals in the country.

Just to give you an idea, we employ about 800 staff members at the hospital. What I'll do is I'll give you some statistics and then I'll talk about some other things that we are doing. We saw 66,800 patients last year and I'll tell you this year we are on pace to see close to 70,000. We are growing like mad. I'll talk about that as well in a few minutes, but we are seeing more and more patients. As you all know Huntersville is growing and we are seeing that at the hospital. We saw 1,100 births last year. We are on pace to hit 1,400 this year. We opened up a new midwifery practice with four midwives and we are seeing that practice get very successful very quickly. Emergency room visits last year, 32,400. We are on pace this year to hit 34,000. As far as surgeries – 4,400 surgeries last year. We are on pace to do more than that this year. With awards and recognitions I'll just give a few - Truven Health Top 100 Hospitals, American Heart Association Gold Achievement Award, Charlotte Business Journal Excellence in Healthcare Award, Magnet Nursing Designation, VHA Excellence Award for Clinical Effectiveness, certification in total hips and total knees for joint surgery, chest pain accreditation and a stroke center. We just recently won the Lake Norman Chamber Diversity Award. We've done a lot of really good things. The hospital continues to do a lot of good things. I've been there for almost three months so I can't take the credit but it's a pretty neat place.

A lot of community outreach things that we've done. We do a monthly education series for the community where we have a physician come in and talk about a topic. That's the fourth Tuesday of every month at 6 p.m. We have lots of local business health fairs, expos, lots of other activities that we get involved with the community as much as we possibly can, including Healthy Huntersville. Over \$90,000 in sponsorships to the Lake Norman Chamber, the Town of Huntersville, various health and wellness events, half marathons, the Rotary, the Lake Norman Community Health Clinic, we are partners with them and then HFFA. Medical Explorers is another thing we do and that's a program where high school kids come in who have an interest in being part of having a medical career and we let them shadow us and give them information about what all the various careers there are in healthcare.

We do pretty much all of the service lines that you can do within healthcare. I know that one of the things that I've learned about Huntersville is that people don't like to take 77 anywhere, certainly not downtown. And so what we try to do is provide all of your healthcare services here so you don't have to take that trip. We do cardiology, we do orthopedics, we do pretty much every service line, but one that I'm most proud of recently is oncology. We have a full service cancer center where we have an oncology nurse navigator, we have counseling services, support groups, bone density testing, radiation therapy and we've recently had breast center expansion. We have something called a tomosynthesis machine

which is something very good at picking up tumors and potential tumors. It's a new service that we are providing. Another thing that we are doing, we are having an open house October 29 from 5 to 7 for our radiation oncology. We are showing off our new linear accelerator and for those of you who don't know for patients who need radiation therapy this linear accelerator can give the radiation to a very small designated area so if there's any tumors that are there they can hit that tumor specifically and not spread that radiation to the rest of the body. It's a very new impressive technology. If there's ever a nuclear war that's the room you want to be in. The walls for this room are 18 inches of concrete.

I've talked about how much we are growing and I talked about all the different numbers and how we are getting bigger. As a hospital administrator one of my main jobs is to make the hospital an attractive place and have the community want to come. Well for me that's not my biggest challenge. My biggest challenge is when they come, where do we put them. We just expanded to 91 beds. If you'll remember 10 years ago when we first started we had 50. We've almost doubled that, so now we are at 90 and we just opened up the 91<sup>st</sup> bed 2 to 3 weeks ago. Thursday of last week we went to the State Certificate of Need Board and requested an additional 48 beds because we are growing so fast. The average percentage of occupancy for a hospital that you should have is about 75 percent. We run at 80 to 90 percent consistently, so we need more beds to support the community. Forty-four of those beds will be general medical surgical or labor and delivery and then two will be to expand our intensive care nursery. Right now we have two beds and it's not unusual for us to be over that capacity. We are also looking to expand our ICU from six to eight beds. And then an additional OR as well. We have five operating rooms today. We are petitioning for a sixth.

Mayor Swain said thank you. You have come in and really reached out to the community and made it your effort to be part of the community and that is incredibly welcome and I appreciate that. What I think a lot of people need to know is while your numbers are increasing in how many people come to the hospital, your outreach programs to keep people healthy are also increasing, so your efforts to have the health fair at Birkdale and to contribute with your volunteers to Healthy Huntersville and all of the other programs are just what the community needs and we appreciate it and I think it's also important to note that while it would be understandable that our two major healthcare entities would compete, in every instance that I've seen you all work incredibly well together and I think that's kind of the nature of Huntersville so you fit in very well. The last thing is together at some point we are going to have to celebrate the donation that Sid Abramski made with his artwork. One of our local citizens has contributed his cross stitching that actually looks like Monet paintings to the hospital and I think it would be worth having a shared celebration.

Mr. Riley said I talk all about the hospital but you're right, our goal is to keep people out of the hospital. We are working with patients to keep them from coming back to the hospital or coming at all. I talked about that oncology navigator but we have other navigators in other service lines. A lot of times people leave the hospital and they don't go to their follow-up doctor, they don't go to their rehab, they don't get their medicine and we are trying to reach out to those folks and make sure that they do those kinds of things. I think the future of healthcare is having to keep people out and how do we go that way versus how do we bring them in.

Commissioner Julian said part of the growth that we have experienced here in Huntersville is directly proportional to Novant providing good quality healthcare. I talk with many seniors who said that one of the first things or at least one of the things on the top of their list is quality healthcare and the access to it, so we appreciate it.

Commissioner Neely said welcome to the community. We're glad you are here.

John Anarella, 15705 Framingham Lane, said I want to thank Novant. You've also been a sponsor of our Kiwanis Club for the last few years so we appreciate that. I'm here tonight to talk about the HFFA contract extension. First of all I would like to remind the Board they have a fiduciary responsibility to scrutinize all contracts and partnerships with the town on the behalf of the citizens and the taxpayers. HFFA is one of the largest line items in your budget. Every vendor dealing with the town should be subject to a competitive bid process to ensure taxpayers are getting the most from their tax dollars. To jam through a contract extension two weeks prior to an election without having a contract put out for bid smells of politics at its worst. With eight months to go until the contract expires I would recommend that the town begin the request for proposal process rather than award the extension. This is not a matter of whether or not the current management is good or bad, this is a matter of doing what's right for the taxpayers of Huntersville. How do we know that we are getting the best if we haven't. In all due respect, I know it's a lot of work but I'm a taxpayer and I want to know we are getting the most bang for our buck. If there should be a vote tonight I believe the Mayor should recuse herself from the discussion and potential vote due to her personal relationship with Ms. Jetton. I refer to the Town's ethics code Section 3 (f) Special Treatment – No Town official shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to each and every other citizen. I believe there's a citizen here that would like to bid for that contract. By not allowing a competitive bid process you are shutting out other area businesses from competing in this town. This is the worst type of crony capitalism where a career politician lines the pockets of her friends and has no place in Huntersville. This is what turns people off about politics. Finally, the relationship between Health Works, Ms. Jetton and several for profit programming including the diving, syncro and triathlon in Section 16(d) needs to be vetted. The fact that our company manager is profiting from programs, how do we know we are getting the best programming. We have multiple swim teams there but we don't have multiple diving teams. This is an inherent conflict and needs to be vetted.

Greg Bielec, 9624 Willow Leaf Lane, said I'm here in support of the Health and Sport Works renewal. We have had a relationship through our physical therapy and rehabilitation for over 10 years in the aquatics center and I have to tell you that the administration and the way that it's been run and the relationship that we have created over the years has been fantastic. They are always available. They are always open to new recommendations and always there for our patients. I know for a fact that we are booked solid with our aquatic therapy and it's the only one in the area that has the warm water pool and really it's been so beneficial to our patients and we have really enjoyed that relationship. In addition to that we are planning additional programming for our seniors. In my new role of Director of Rehabilitation for Novant in the Charlotte area we are planned to expand those programs out specifically to the aquatics center and I've been working with Dee and Brooks in developing some programming to make that happen with the current staff on site in addition to some of the Novant staff as well that we work together with the nurse every Tuesday and just really enjoy that relationship and do very well.

Dan Boone, 317 Southland Road, said at the pre-meeting Mr. Ferguson said that the RFP hadn't been put out for the last two years since July. I see no reason why we can't go ahead and put the RFP out right now, get another bid in here, let's see if there's somebody other than somebody from New Jersey to make a bid on the services at the aquatics center. I would like to see the employee satisfaction go ahead and be put back into the metrics – if everybody is really happy working there, living in the community. Let's go ahead and put that 5 percent back into the metrics.

Joe Sailers, 9332 Westminister Drive, said I'll skip around to two things since I've got the opportunity to speak. With Novant, I will tell them thank you. My mother-in-law was in the hospital, 98 years old on her birthday and about a dozen people came by to wish her happy birthday. So, thank you. The other

thing is with the aquatics center, hadn't planned on talking about it but I will say this. I'm a Silver Sneakers member and guess what, we don't get to go to the aquatics center anymore, they cut it out. So now I go on 16. Just a thought to them, they should put it back in because there are a lot of citizens within Huntersville that don't get the opportunity to go close, they have to travel somewhere else. The real reason I came up here to talk was in Other Business tonight, Item A, you have a dwelling that actually is located in my subdivision. Unfortunately, this dwelling has been an eyesore to the community for five years at least. The neighborhood has been complaining multiple times on multiple problems. Currently right now there's a 6" water pipe along the front of the property buried and that's supposed to be the drain to keep water from backing up. It never has been removed. It's still there. There's a resident living in the household and I'm the only one who sees it because I happen to ride by the house after 9 p.m. at night when I see the lights on in the kitchen or the lights on in the bathroom, but he tells staff that there's nobody living there. I recommend that you close it, seal it and have an officer standing outside the door because if you don't he's going to tear the property seal off of the property and keep people moving into the house.

Mike Dow, 6226 Tulip Poplar Place, said I see one of our great police officers here. I haven't met you personally but I along with the neighborhood children and my daughter have met some of the police officers in our neighborhood and they are fantastic with kids so thank you very much. We were out bike riding on Mr. Kidd's property and we were parked near the preserve and there were three police officers there waiting for us, but we were on with permission on Mr. Kidd's property and they handcuffed the 6 year old and the 5 year old and put them in the car and we had a blast. So thank you – your guys are awesome. I was asked to come up and speak to the HFFA. I didn't realize all the bidding process and all that stuff but I can tell you as a member of HFFA for 7-8-9 years, who knows, I've seen changes and most of them are good. There's a couple of great new people. I appreciate that. There's a gentleman named Nick who is awesome. Some of the cranky people have kind of moved on which I don't know if it's intentional or not but it's been good. The equipment gets used and abused and wore out and it's being replaced. They are responsive to our comments. We fill out a comment card and it may not happen tomorrow but you can see the changes happening, so positive comments about HFFA in general and I just wanted to say thank you for serving the town.

Mike Lippard, 103 Deer Chase Lane, Rockwell, said my role is I'm with Novant Health and am new to the area. I've been here a year. One of the things that I've been impressed with is the pride that Huntersville people have in the community. I can relate to that coming from a smaller town of Rockwell and I'm very prideful of my community. I'm also prideful to work with Novant Health and Huntersville Medical Center and the opportunity they have given me. I have a unique relationship with Health and Sport Works in that I've had an association with them for 20 years and now it has been resurrected through Novant Health and I work with the Huntersville Wellness Center which we include cardiac rehab, pulmonary rehab and cancer rehab, our Strides to Strength program. I stepped down as manager after 24 years and wanted to get back to clinical work and have had the opportunity to develop the medical fitness program in partnership with the HFFA and it has been a dream of mine and also the potential of that program is tremendous. We've outgrown our space with our rehab programs and had nowhere for our people to continue their exercise and their fitness to keep them out of the hospital and so we partnered with HFFA and have developed the medical fitness program. We are growing quickly and with the community's support and also physician support we have the opportunity to open it up to just not our participants and graduates but now to the community to have people exercising and focusing on their health as far as exercise, nutrition and stress reduction in a very programmatic way, in a very meaningful way and I can say that my association with HFFA and with Health and Sport Works in particular has been very rewarding, professionally as well as personally, and the opportunity to be here in this community and practice cutting edge medicine in not only population health but putting it back



where my love is in the clinical world and making a difference in not only this community but with people specifically has been tremendous. I speak on behalf of Health and Sport Works for partnering and having the wisdom and the fortitude to look ahead and also see for the future in developing and expanding these programs and giving us a world class facility to do it in. It has just been fantastic and I hope we've taken advantage of that and I hope they say the same about us and personally me.

Michelle Negrete, 8001 Bridgegate Drive, said I'm part of the Barnette PTA so we thank you for your support of the Huntersville Fall Festival this past weekend. It was a great turn-out. The real reason I'm here is in support of the Health and Sport Works. I know there's been a lot said this evening. I kind of came on a request. I have been part of the HFFA family for about 7 or 8 years now. I've had three children go through there preschool program so I'm kind of speaking on that side of the program. I can tell you that it's been consistent. It's been great for my children. They prepped them for school. They let them play in a safe environment to grow in. I can also probably speak for my girlfriend that came in a couple of minutes late that also has a daughter in the preschool program. It's her first child. I have my third child now in the 4 year old preschool program. I thank them for their stability. I have a child with a peanut and nut allergy. They have bent over backwards to make it accommodating for him. I've run half marathons through HFFA, so I'm definitely in support of Health and Sport Works.

Brian Sheehan, 14718 Plessis Place, said I am a long time Huntersville resident and was actually born and raised in Huntersville and I have lived here most of my life. I'm fairly involved in the community as the board president of my community, Monteith Park, for a number of years and involved with a number of non-profits throughout the community over the years. The reason I asked to speak tonight is that I also own a business here in Huntersville and our company has been based in Huntersville for 14 years and we provide aquatic management services to homeowners associations, private clubs and municipalities throughout the Carolinas and southern Virginia. As part of providing that service we have 25 full-time employees based over here in the Huntersville Business Park and we have 2,000 seasonal employees that work for us each year. We work with many of the communities you would think of in the Huntersville area – Wynfield, Cedarfield, Birkdale, MacAulay, Northstone.....most of the communities you would be familiar with and that have some type of seasonal swimming pool. We also work with municipalities across the state in different capacities, some much larger than the average homeowners association. One of the things that we have learned in 14 years of business is that we are very service based, want to make raving fans out of all of our clients, but we know that in the world that we live in with homeowners associations and municipalities that every 3 to 5 years our contract is going to be put out for bid. That is customary. That is industry standard and while sometimes that's not comfortable to go through any time you are spending other people's money, you kind of have a fiduciary responsibility to go through that process and as a company we respect that. Tonight my ask of you is very simple to do what is industry standard, do what I think is fair and do what is right and to put out an RFP process for the HFFA and the management of it. I'm surprised that hasn't gone out to bid previously, but I think tonight you have a chance to make that right and to do that. That would be my ask of you. You have a great town staff that I've gotten to meet over the years through Huntersville 101. I know that they are very competent to do what many of their peers do through other municipalities which is to put together an RFP process and as you go through that process you may determine that the best provider and the best value for Huntersville is the company that you have and if you do then that's great. You will be able to look all of your citizens in the eye and say that you took your fiduciary responsibility very serious and that you went through an RFP process to get there. So if you are going to take that fiduciary responsibility serious, if you are going to be good stewards of the town's money and represent the citizens in a way that I think they would like you to represent them in, then I would encourage you to go through that process.

## AGENDA CHANGES

Commissioner Phillips made a motion to move Item I under the Consent Agenda (Adopt resolution authorizing the Town of Huntersville to enter into lease/purchase for police vehicles) to Item D under Other Business.

Commissioner Kidwell seconded motion.

Motion carried 5 to 1, with Commissioner McAulay opposed.

Commissioner Bales made a motion to add Item I under the Consent Agenda – Consider authorizing the acquisition of property listed on attached Exhibit A and appropriate General Fund balance in the amount of \$625,000 to cover purchase of land and associated closing costs.

Commissioner Neely seconded motion.

Motion carried unanimously.

Commissioner McAulay made a motion to adopt the agenda, as revised.

Commissioner Bales seconded motion.

Motion carried unanimously.

## PUBLIC HEARINGS

None

## OTHER BUSINESS

**Ordinance – Vacating and Closing Dwelling.** Jack Simoneau, Planning Director, entered the Staff Report into the record. *Staff Report attached hereto as Attachment No. 1.* You can see that the Building Inspections Office for Mecklenburg County went to the site on March 11. They did an investigation of the site and found the house to be unfit for human habitation, called for a hearing on May 26, held the hearing, the property owner did not appear at that meeting. The decision was made to declare the house unfit for human habitation and order that it be cleared and vacated and boarded up. The property owner was sent certified mail. To date that property owner has not taken those actions. As you heard Mr. Sailors indicate, there's some belief that somebody might be in there. Using the Town's Code of Ordinances we have a Minimum Housing Code that says when a property owner doesn't do the things that they have been demanded to do in terms of the Minimum Housing Code, the Board can pass an order directing the Building Inspector to have that work done, so that's where we are at tonight.

Commissioner Julian said there's multiple houses around Huntersville that look like this. I've been an advocate for Code Enforcement and an advocate for cleaning up atrocious looking places. This is on Pembroke, but I think if you go on a lot of different roads around Huntersville you will see something similar. We need to hold the owners accountable and go through the process.

Commissioner Phillips said I always have a hard time with this, but this one here just seems to make itself easy. How many times have y'all tried to contact the people and they have never responded.

Mr. Simoneau said in your agenda packet you can see the Building Inspections Department started this thing in 2010 saying we've got a problem and didn't follow through. Then in 2012 again ordering the house to be fixed, it was not done. In 2015 again we got complaints and then we asked the Building Inspections Department to carry this through this time, not just to send letters and then forget about it, but to send a letter and then let's follow through and have the hearing. As Mr. Sailors has indicated this has been going on for years now and the fact of the matter is the property owner hasn't been responsive.

Commissioner Phillips said so since 2010 and all the notifications, they have never responded.

Mr. Simoneau said they have not done the repair work.

Commissioner McAulay said I think the problem has existed for longer than the last 5-6 years, well over 10 or even longer. This is located in Westminster Park which is one of the older well-kept large lot subdivisions in Huntersville in the Long Creek area in case people don't know. And many residents in the area as well as the adjoining area have complained about this. My guess is that it took at least a number of years for an inspector to actually get out there. I know from comments that neighbors have tried to do work on it and there's always a little dabbling in making improvement. I would assume that this house does not have electricity, water, sewer or it might be on septic tank.

Commissioner Phillips made a motion to adopt ordinance ordering the vacating and closing of a dwelling located at 9512 Pembroke Road pursuant to the Town of Huntersville Minimum Housing Code and Article 19, Part 6, Chapter 160A of the North Carolina General Statutes.

Commissioner Neely seconded motion.

Commissioner Julian said is it closed, vacated and torn down.

Mr. Simoneau said it's not necessarily to tear it down, just to close and vacate. We've heard reports that there are people in there.

Commissioner Julian said are you going to put a lien on the property.

Mr. Simoneau said yes, if we spend the money.

Mayor Swain called for the vote.

Motion carried unanimously.

**HFFA Management Extension.** Commissioner McAulay made a motion to approve Management Services Agreement with Health Works, Inc. to provide management services to the Huntersville Family Fitness & Aquatics Center.

Commissioner Julian seconded motion.

Commissioner Julian said I just wanted to at least thank Dee and HSW. I've been a commissioner for 8 years. When I first became a commissioner there was a trend of a few board members who thought we should sell that asset. Asset it is. It's just like a park. It's something that the residents of Huntersville

can use and enjoy and it enhances the quality of life. I heard quite a few words up here that really made me glow with enthusiasm about Dee and the management of that facility is the way it enhances the kids' lives and the lives of every adult who uses that facility. It's a world class facility and asset. It's part of the quality of life here in Huntersville that we are used to and the Town can provide in a very cost effective manner. HSW strives to bring in as much income and I know this because my first years on the board, the board really hammered HSW.....make it pay for itself. Well there's no way a park or a recreation facility is going to pay for itself, but she has worked and made the aquatic center/HFFA a great place for our residents. I wholeheartedly support it. I think a vote for HSW is a vote for our kids, our residents and all the people that use it. This last summer probably about June I got a call from one of my neighbors who said we are not allowed to bring coolers into the swimming pool area and so the first thing I did, I called Dee and I found out why we weren't allowing that. Come to find out it was because we have a snack bar and one of the charges that the Board has for Dee is to bring in as much revenue as you can. Well HSW studied that, talked with the mothers and they came up with a solution without coming to the Board and all this uproar. These mothers are all now happy. They can bring their little cooler for their kids. It was a big item that Dee and HSW was able to handle at a very local level. With all that I'm going to support this contract. I've seen what other companies have proposed and I heard someone say we did not put it out for RFP. During my 8 years, yes we did. There was one time we did put out an RFP and nobody came forward with a proposal for it. I'm going to support this and I appreciate what she has done at HFFA.

Commissioner McAulay said I do support the motion. I compliment the fulfilling of the contract and the work and programs that have been applied there. I also as you know appreciate those for the senior citizens and compliment you on that. I also want to say that whoever throws an ethics rock at someone should take a good selfie of himself and look at it as his low point.

Commissioner Neely said I'm going to go ahead and support this tonight. I can tell we are in the middle of a political year. On the years that I have been on the Board I haven't heard words like cronyism, special treatment, make it right, do it our way, you have fiduciary responsibilities. If there is anyone who is making those accusations that has any proof that any of that exists, I suggest you see the Town Attorney because I haven't seen it, I don't believe it exists. I don't believe that if we weren't in a political year with someone trying to make points that we'd even be hearing about it. As it relates to HFFA, one of the reasons I moved to this community was the fact that we had that facility. The Executive Director of that facility in my opinion does an outstanding job. She has something that's rare. She has strategic vision. She's moved this facility continually forward. She's seen the pitfalls. She's made allowances for the pitfalls. She's came to this Board of Commissioners and asked for the necessary funds and changes in the management of their company to make it the success it is and for those reasons I'm going to support this contract.

Commissioner Phillips said there's no bigger fan here than me of Dee Jetton. But I also think we have a responsibility to the citizens of Huntersville. The physical fitness world is changing daily. Dee made a comment herself in the pre-meeting about even some of the programs changing for the aquatic center and so I think just being fair we ought to put out an RFP or RFQ. Like I said, I think we need as a Board to look at every option out there to do what is best for our citizens and they may be.....HSW so far I don't have a complaint, but I just think in all fairness we need to look at all options.

Commissioner Kidwell said a lot has been said and I think every Board member up here has said something positive about HSW. That being said, I have a substitute motion that we postpone this until the 2016 Huntersville Board Retreat where the new board can review the contract and then make the decision whether to stick with this or send it out for RFP. The current management group is doing a

bang up job. Three more months is not going to impact the running of the facility. It will allow in that time for staff and the new board to review it, make a decision, and then move forward without any controversy.

Commissioner Phillips seconded motion.

Commissioner Bales said I'm sitting here listening to everyone banter back and forth and frankly in my personal opinion it doesn't matter whether November 3 is coming around or not, we need to do what's right by HFFA. So my question to Mr. Ferguson is how long would an RFP take to do.

Greg Ferguson, Town Manager, said to construct one that would actually cover all the different lines of business that are in that facility would take months.

Commissioner Bales said how much would it cost.

Mr. Ferguson said it would depend on whether you would go out and get the contract for someone to do that or if you allocated internal staff to it. It would take Janet Stoner, Gerry Vincent and myself quite a bit of our time because we are the three people who currently manage that contract. Janet's been involved in that process since the very beginning. She's been hands on with me in managing that agreement for 15 years. Gerry has been with the town now about 8 years, so Gerry has been involved. Gerry currently is the project manager for any project that occurs at the facility so any type of expansion, HVAC, he works with HSW and HFFA to see that delivered.

I think the misunderstanding might be that an RFP is easy to construct. An RFP would have to cover any line of business so as the speakers tonight said there are lines of business that are in place today that were not in place 15 years ago. For example, the preschool program that was referenced was not in place the day that the facility opened. That was a community room. Commissioner McAulay recalls that was the bridge room for a group of seniors. And so over time as the facility has matured, the facility's role in the community has changed greatly and so there are lines of business like synchro that were not there 15 years ago. Those are opportunities where you have a lot of water and you have a lot of hours and you want to fill the water 24 hours a day if possible because the water is your most costly feature for the facility.

The facility's fitness facility has been managed by Presby or by HSW since the beginning of the facility in 2001. The relationship with Presby is very important to maintain because they have been there for 15 years, so the partnership that we have in place right now, while it might seem strange, has worked so successfully that as we mentioned in the pre-meeting if there were a good reason to try to go out and rebid this contract if it were not local, if it were not cost effective, if the taxpayers were actually having to pay for the facility versus the members and hotel/motel taxes in the form of debt service payment, there would be more of a reason to go out and rebid it or put it out for RFP. But general fund tax dollars generally are not used to support the facility. It's an enterprise fund. By that very definition enterprise fund means it's a business. So we try to run it like a business and we try to recover 90 percent or more of the revenues from the member fees and other non-due fees that members pay. Daily guests can also pay and then that can also provide services like preschool, afterschool and those revenues are all used to fund the facility. If it were a trash service, absolutely we bid that out about every 5 years. If it were a fleet of cars, those are easy to bid out every 5 years. We had this same discussion 5 years ago and the Board at that time said it really wouldn't be smart to go looking for companies.....are you going to award it on the low cost or are you going to award it on the best service bid. Or are you going to award it on some other seven different opinions about what that should be. This is a service contract. It does not

have to be bid per state law. So it's different than the HOA industry which as those HOA boards change every 2 to 3 years, absolutely they need to put that contract out and they need to determine if the contract at their local pool is still working for them because as Mr. Sheehan said pools change. Some pools add slides for instance. And one of the pools that his company manages I believe has added a slide lately, so those things change over time, too, but the HOA pool industry and what we are providing with HSW really is an apples and oranges difference.

Staff absolutely will take direction from the Board. If you want us to write an RFP we can do that but the reality is by the time an RFP gets written we are well into the budgeting process. We are well into that six month window and the number of employees that are employed locally I think we heard was 75 and it ranges up to 110, so those are people whose jobs potentially could be displaced. And while other vendors can provide that and they might say they will hire locally, the problem is the relationships that have been built over 15 years with the seniors, with the dive teams, with the patrons that go in and they see the same trainer every 3 days. It's not a quick and easy let's just go bid this out because we can find another car dealer or oil change or even a solid waste provider. This is one of the most complicated things that we do because we have interaction with over 10,000 members each month. The number of visits this year I think I quoted earlier this past year was around 240,000 and that's projected to go even higher this year. Those are a lot of individual touches that this company performs on your behalf each and every day and their responsibilities range from the kids who are 3 and 4 years old up to the seniors who are on the other end of the spectrum. It's a very important function that they provide on your behalf so if we are going to change horses as we said earlier we want to know why we are doing that – is there a financial problem, is the service too expensive, do you not like the structure of the contract. The contract was actually structured 15 years ago so that there's a performance fee at risk. And that \$50,000 is what you set up as the four parameters at the back of the contract that you as a Board can set as goals and those four goals drive whether that \$50,000 is awarded each year. At one time we had 35 or 36 goals. Five years ago as a Board you reduced that to five goals and tonight we are looking at four goals, the biggest of which would be financial responsibility and that's weighted at 60 percent.

Janet Stoner could probably speak to this but one of the things that we take very seriously is that fiduciary responsibility to our residents and this is not a burden on our general fund. It's not a burden on our property tax. Janet is managing this contract very closely in daily and weekly reporting from Dee and Anse and so this facility is well run. That's the bottom-line. And when you are having success you like to continue having success and we cannot tell you if you change to another management company that you would have success. This is 15 years of going down a path and now we are in a pretty good place with people who have a lot of institutional knowledge and that institutional knowledge can't easily be reduced to an RFP.

Our recommendation as staff is that you continue on the path. If there are things that you identify that you want to tweak to make better, I'd be happy to sit down with anybody who has those ideas. If there's a way to contribute to the overall health of the facility, we are open to those. We have not only a member suggestion box, we have an employee suggestion box. Those are reviewed. Janet Stoner for many years went down to the facility and made copies of those. That feedback is very important to continue that pathway forward through their partners like Novant but with other partners whether they are the swim teams that practice there. We have some that we host. We have some programs that we own outright. And we have some programs that HSW owns. And so those are all contributing to the success of the facility but it's not very easy that you can just say duplicate that.

Mayor Swain said can you quickly talk about any non-compete clauses if the contract is to be changed. Like if there is a non-compete what goes.

Mr. Ferguson said I would defer to them on that. There have been non-compete clauses in the contract in the past when the contract was in its infancy.

Mayor Swain said if they are employees with HSW and the contract changes do they have a non-compete clause.

Dee Jetton, HFFA Executive Director, said in years past as a part of our contract there was a non-compete agreement that extended across all of our employees. We in our contract before last did not renew that component with you however if Health and Sport Works did not hold this contract there are other places for me to go. We hold wellness contracts with Wells Fargo in their corporate locations and have services for wellness programs inside corporations across North and South Carolina as well as with other hospitals and insurance companies and so I along with probably the top 15 employees of the company who are your predominantly full-time staff members would be displaced into other facilities.

Commissioner Kidwell said my motion stated let the next board look at this contract because there are things in this contract in the financial section of reimbursement for premiums, reimbursement for portions of increased premiums for liability insurance, contract janitorial/custodial services, things like that. This is not about what Dee has done. This is not about what HSW has done. It's clear they do a great job there. I take my little girl there. I go there on occasion, not on a regular basis. During the summer my little girl likes the little swimming pool, she can walk right in and she's got her little wings on, it's fun. But this does go back to looking at the contract to make sure that we are doing the right thing. There might be some tweaks and if we approve this tonight those tweaks are not going to be able to happen for five more years without any type of re-doing. When I talk about let's hold off, let's really review this, it's not an attack on the function of HSW. It's not an attack on the people working there. It's not trying to displace anybody. It's making sure that we are doing the right thing fiscally.....the right thing for the town.

Ms. Jetton said what I was going to say is while the contract would be in place for a 5 year period, each year I along with you decide the budget for HFFA. So the only item there that you see is the set management fee and everything else in order for us to achieve our profit which is in that at risk performance fee, we are incented to negotiate to the best of our ability the best insurance rates, the best opportunities for ourselves to keep those figures that don't go into our pockets as low as possible so that both you on a budgetary basis and we on a budgetary basis are successful, so I would contend that you have the opportunity to alter the budget for HFFA every single year.

Commissioner Kidwell said you are correct. But the specific line items within this contract we do not, if it's signed.

Ms. Jetton said except they are still all a part of the budget process and if you read it from the back in order for us to achieve those components then we have to present a budget that is balanced and meets your needs as well as ours. There's no incentive for us to spend money unnecessarily on those items that you are referring to which are minor in the contract.

Commissioner Kidwell said I'm not saying unnecessarily by any means. I don't think you would do that. As I said you do run a well-run facility. But it's been my experience that when I contract somebody out I say okay you go do this. They are responsible for all of that, not just specific portions, and then we come back in. That's what I'm referring to on the contract. That's why I would like to wait and let the

new board.....and we're not guaranteed to be on that board so there is a risk to review and move forward.

Commissioner Phillips said why is it so imperative that we do this tonight. The contract doesn't expire until June 30, 2016. So is there some imperative reason we've got to do this just this moment.

Ms. Jetton said I begin the budgeting process in the middle part of November for the development of programs, the long range planning for space planning, for equipment purchases and then I generally wrap that up sometime in February so that I can begin early conversations with Janet looking at what hotel/motel/prepared food tax dollars may be so that we can go through that process. Knowing who is going to operate the center over the course of the next 5 years.....in this year in particular it's critical on our side for some of the things that we are looking at in terms of our relationship with Novant and the development of those extended programs that Mike Lippard referred to and that we are looking at with the hospital.....the global hospital, not just locally with that program but with Novant in general to look at how we can prepare ourselves to provide those services for the orthopedic groups for a rehab for those sorts of things and I don't want to speak on their behalf but generally my experience has been it requires a special set of skills for a hospital to entrust their patients in a facility and I think we may be challenged to find that locally and I would say particularly after just coming back from a conference in Chicago that the industry as a whole is stating that our industry is not prepared to receive those services. But we've spent the last 25 years, almost 30, I started this in 1989 and I sold out long before my oldest son who is now almost 18 years old – just for clarification I own none of Health and Sport Works and I have no ownership in any program or service that is provided at Huntersville Family Fitness & Aquatics Center. And furthermore I've had breakfast with you, Mr. Anarella, but I have never had breakfast, lunch or dinner with Jill and so while I do meet with her in terms of services and how we can work together and how we can cooperate together, I would say my relationship with her is no different than anybody else I would extend to the board. I don't want that to be part of any decision making process that there's a relationship there.

Commissioner McAulay said I call the question on the substitute motion.

Mayor Swain called for the vote to postpone the discussion until retreat which generally is the end of January.

Motion failed 2 to 4 – Commissioners Kidwell and Phillips in favor; Commissioners Bales, Julian, McAulay and Neely opposed.

Mayor Swain called for vote on the original motion to approve the agreement.

Motion carried 4 to 2 – Commissioners Bales, Julian, McAulay and Neely in favor; Commissioners Kidwell and Phillips opposed.

**Personnel Policy.** Commissioner McAulay made a motion to adopt the updated personnel policy to be effective November 1, 2015.

Commissioner Phillips seconded motion.

Commissioner Kidwell said just so the audience knows this is the first time we have updated the policy completely since 1998. There's been a lot of good things brought into this new policy. There's some things that I hope the new board will look at and review starting next year in terms of sworn officers. I



think there's still some development there we can go a little bit further on, but I am happy to support this tonight.

Greg Ferguson, Town Manager, said I would like to recognize Vickie Brock and Lara Cagle who have taken the leadership role in helping to revise this document and working with Robin Davis who is the HR attorney who has really provided us an excellent document. I'm very proud of their work and I think this document positions us to go 10 more years down the road. It does reflect current federal law, state law and local practice. We have wrapped that all into a document that is really outstanding.

Commissioner Neely said having been the person that originally brought forward the salary and job description study which was from 2007 to see this particular piece now come into play as old as it is, I would encourage every Board member to vote for this first and foremost because we are blessed to have the best employees working in a town. They deserve to have a working document that complies with both federal and state guidelines and they don't have to guess. And thirdly, there's another piece to this process which has been eluded to. We've gone through the study of job descriptions and salaries, we are now putting together all of our employee policies and making sure they are squared away. We are updating all of the documents that are used in the town, applications and everything else and then I think as we get into next year we need to look at compression and some of the other things that still are out there that could be discussed at the retreat. So this is an ongoing process and should I not be on the board I encourage board members to every 5 years to look at all of these elements and not have to wait as many years as we waited.

Commissioner Julian said I was going to thank Vickie and Lara. I came from the corporate world. Employees are your most valuable asset and we want to make sure our employees are taken care of here in Huntersville, that we can retain them. Retention is a big item in the public sector and I think this new personnel policy will help Huntersville achieve that. Turnover cost money. If you run a corporate business you know what I'm talking about. I think this is a great policy and thank you again. I want to thank all of the Huntersville employees.

Mayor Swain called for the vote to adopt updated Personnel Policy.

Motion carried unanimously.

*Personnel Policy attached hereto as Attachment No. 2.*

**Lease/Purchase Police Vehicles.** Commissioner McAulay made a motion to adopt resolution authorizing the Town of Huntersville to enter into lease/purchase for police vehicles.

Commissioner Neely seconded motion.

Commissioner Phillips said the reason I done this is because so many people when they see us buying police vehicles or talking about police vehicles they really miss the point. I think they don't understand what's going on and the reason I wanted this put up is so Greg could explain to them and kind of give us an idea of what the vehicles cost, how much for the equipment and then the reason why we are doing it at this time.

Greg Ferguson, Town Manager, said we have a program that's a lease/purchase program where roughly every year we purchase on a lease about 12 vehicles. If for any reason that number gets reduced down to 8 or 9 then you have to play catch up the next year or the following year, so you end up buying 14 or

15. So during the recession there was one year where we did not buy vehicles at all because it was a very tough year and we skipped a year. We ended up paying the price as we knew we would by having to buy more vehicles later, so we had to catch up and so we were in the 15 vehicle range one year. The goal is to be somewhere around 11 or 12. That is supplemented from time to time by outright purchases of maybe a used vehicle for something special. We've bought detective cars before just as one time purchases but the program is a revolving loan so at any one time we have three years' worth of leased vehicles on and each year 12 vehicles roll off, 12 new vehicles roll on. The vehicle is expensive and that's an expense but today the number is going to shock you. The equipment is almost as expensive as the vehicle and so when you have to install radios, computers, modems and the Chief can go through some of these items from a high level, it's about \$25,000 worth of equipment that is installed in each vehicle. He's got the numbers tonight to tell you. The vehicles that you buy each year vary because in different years we buy different vehicles. This year we are working on a Dodge platform and he's going to go through that with you, but there are a lot of factors that go into what type of vehicle we buy and when. One of the key things that's driving our purchase proposal tonight is timing. The timing is that we anticipate we are going to issue \$10-12 million dollars of general obligation debt in February or March of 2016. If you issue over \$10 million in any calendar year then you cease to be what's called bank qualified and your interest rates will be higher than if you sell in a year where you are bank qualified and currently this year we've come nowhere close to issuing \$10 million in debt. So back in the month of August I probably either e-mailed or called Chief Spruill and said from a strategic planning standpoint and he remembers this because it was get it done – you need to have these cars bought and closed on before the end of the calendar year. In order to achieve that we have a targeted window when those interest rates are still good and we have a very good interest rate.....I believe it's in the 2 percent range. So it's a nice interest rate. It's not a rate that you are going to get as a citizen at a bank. The banks won't do that for you on a 3 year deal. Simply put this is strategic planning at its best. It's doing that to save money on interest rates. That is then reflected in the budget and there's a budget line item each year that says leased vehicles and the Chief can give you a little bit more detail.

Chief Spruill said the police package has some additional things on each one of the vehicles that will be beyond what you'd get if you just went into a regular dealership and bought a car, things like suspension and so that makes it a little more expensive, but not that much. Each one of our vehicles we are averaging about \$27,800 per vehicle. The top end that we are buying this year is about \$31,000 and the lower end is \$26,000. There's about \$23,000 worth of equipment that goes into each one of those cars. That sounds like a lot but when you think about things like the in-car mobile vision cameras that record traffic stops and police encounters, when you think about the modems that are going into them, the radio, the lights and siren and all the bells and whistles that go along with a vehicle, certainly understandable. We are averaging about \$27,800 per car and about \$23,000 worth of equipment that's going into the cars. I'd like to add also that we are purchasing 12 this year. The vehicles that we are replacing are vehicles that are nearing the 100,000 mile mark and remember that the officers, this is their office. It's not like a regular car where somebody would drive it, park it and leave it sitting all day when they are at work and then get in it to come back home. We are driving this thing about 12 hours per day and then it's expected that they are going to be able to hold up in a high speed pursuit or when they are going emergency response at very high speeds and so we want to make sure that we have equipment that is suitable to be driven in that manner.

Commissioner Phillips said how many actual cars do we have right now.

Chief Spruill said I gave those figures when we were at the retreat. I don't remember the number right off the top of my head. I think it's somewhere in the neighborhood of 100-110. I can get you an accurate number at some point.

Mr. Ferguson said I was going to say it fluctuates too because here's what occurs and I'm not going to go into too much detail but you have some cars that are used for short periods of time for certain types of operations and then they are no longer good.

Commissioner Phillips said I want to thank Greg for allowing me this because like I said this is crazy season and people want to jump up and down when they see a large expenditure go out and this was actually a good business move. Most people never get to hear that and so that way the public gets to hear why we done what we done to maybe understand it a little better.

Commissioner McAulay said I think this is a prime example of how really fiscally responsible and fiduciary that this staff and Town Board is.

Mayor Swain called for the vote to adopt resolution authorizing the Town of Huntersville to enter into lease/purchase for police vehicles.

Motion carried unanimously.

*Resolution attached hereto as Attachment No. 3.*

#### **CONSENT AGENDA**

**Approval of Minutes – October 5 Pre-meeting.** Commissioner McAulay made a motion to approve the minutes of the October 5, 2015 Town Board Pre-meeting. Commissioner Bales seconded motion. Motion carried unanimously.

**Approval of Minutes – October 5 Regular Meeting.** Commissioner McAulay made a motion to approve the minutes of the October 5, 2015 Regular Town Board Meeting. Commissioner Bales seconded motion. Motion carried unanimously.

**Approval of Minutes – October 12, 2015 Special Meeting.** Commissioner McAulay made a motion to approve the minutes of the October 12, 2015 Special Town Board Meeting. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – Police.** Commissioner McAulay made a motion to approve budget amendment recognizing insurance revenue in the amount of \$25,535 and appropriate to the Police Department's insurance account. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – Engineering.** Commissioner McAulay made a motion to approve budget amendment recognizing grant revenue in the amount of \$59,961 to provide for minor system improvements to portions of Torrence Creek. Commissioner Bales seconded motion. Motion carried unanimously.

**Ordinance – Temporarily Close State Maintained Road.** Commissioner McAulay made a motion to adopt ordinance to temporarily close certain State maintained roads for a special event (A Huntersville Christmas) organized by the Town of Huntersville. Commissioner Bales seconded motion. Motion carried unanimously.

**AN ORDINANCE TO TEMPORARILY CLOSE CERTAIN STATE-MAINTAINED ROADS FOR A SPECIAL EVENT  
ORGANIZED BY THE TOWN OF HUNTERSVILLE, NC**

**WHEREAS**, North Carolina General Statute 20-169 authorizes local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage, and

**WHEREAS**, the Town of Huntersville will consult with the local NCDOT Division office to verify that a proposed event will not 1) interfere with other planned special events and 2) impact or be impacted by planned maintenance or other activities., and

**WHEREAS**, the Town of Huntersville will sponsor and hold its annual Huntersville Christmas celebration on December 12, 2015; and

**WHEREAS**, this event will require the temporary closing of 1) Old Statesville Road (NC115) between Mt. Holly-Huntersville Road and Gilead Road, and 2) Huntersville-Concord Road between Church Street and Old Statesville Road (see Map Exhibit A).

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Town of Huntersville, North Carolina, that (1) Old Statesville Road (NC115) between its intersection with Mt. Holly-Huntersville Road and Gilead Road, and (2) Huntersville-Concord Road between its intersection with Church Street and Old Statesville Road be closed to vehicular traffic on December 12, 2015, between the hours of 2:00 P.M. and 9:00 P.M.

Town will place signage as appropriate advising the Public of the closing.

A copy of this Ordinance shall be forwarded to the local NCDOT Division office.

Adopted this 19<sup>th</sup> day of October, 2015.

**Call for Public Hearing – Petition #ANNEX15-04.** Commissioner McAulay made a motion to call a public hearing for Monday, November 16, 2015 at 6:30 p.m. at Huntersville Town Hall on Petition #ANNEX15-04, a request by MVC, LLC and Bernard F. McLeod, Jr. to annex 38.163 acres into the Town of Huntersville. Commissioner Bales seconded motion. Motion carried unanimously.

**Award Bid – Commerce Station Substation.** Commissioner McAulay made a motion to award bid for Commerce Station substation circuit breakers, voltage regulators, relay and control board and equipment house and authorize the Town Manager to execute the bid contracts.

*Bid Tabulation attached hereto as Attachment No. 4.*

**CLOSING COMMENTS**

Mayor Swain said I don't take accusations well and I'm sorry that they left. I find it very ironic that someone would challenge my ethics when he stood up, and I'm sorry that he's not here and you all can tell him, when he stood up and asked for us to allow somebody else to do business and then a business owner in that business came up and spoke who had donated to his campaign. I don't appreciate that and I will stand up for my ethics until my dying day.

There being no further business, the meeting was adjourned.

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**11/2/2015**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Janet Stoner/Kathy Moyer  
**Subject:** Write Off Uncollected Electric Final Accounts for Fiscal Year 2012 Past Due

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As approved in 2013 the policy to annually write off customer accounts that are final and older than three fiscal years, it is proposed to write off fiscal year 2012. The current proposed write off amount is \$24,939.93.

**ACTION RECOMMENDED:**

Approve the write off of the amount \$24,939.93 for Fiscal Year 2012.

**FINANCIAL IMPLICATIONS:**

A more accurate representation of the Accounts Receivable.

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**11/2/2015**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Janet Stoner/Michael Jaycocks  
**Subject:** Budget Amendment

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Appropriate Sponsorship revenue (103505.9999) in the amount of \$10,000.00 to the Downtown Festival account (106200.0632).

**ACTION RECOMMENDED:**

Approve Budget Amendment.

**FINANCIAL IMPLICATIONS:**

Additional revenue in the amount of \$10,000.00.

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**11/2/2015**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Meredith M. Nesbitt, Planner I  
**Subject:** TA 15-05 Temporary Mobile Food Sales

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TA 15-05 is a request by Primal Brewery to amend Article 3.2.10(a) of the Zoning Ordinance to allow temporary mobile food sales as a use permitted with conditions in the Special Purpose (SP) zoning district.

**ACTION RECOMMENDED:**

Call a public hearing for December 7, 2015.

**FINANCIAL IMPLICATIONS:**

N/A