

**TOWN OF WEDDINGTON  
SPECIAL TOWN COUNCIL MEETING  
MONDAY, JANUARY 17, 2011 - 7:00 P.M.  
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on January 17, 2011, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser, Robert Gilmartin and Jerry McKee, Town Attorney Bobby Sullivan and Town Administrator/Clerk Amy S. McCollum

Absent: Town Planner Jordan Cook and Finance Officer Leslie Gaylord

Visitors: Steven R. Carow, Jarrin Tucker, Walker Davidson, Daryl Matthews, Virginia Franco, Randy Ratterree, Jeff Perryman, Jan Taylor, Barbara Harrison, Pat Harrison, Jeff Rieves, Clare Meyer, Buzz Bizzell, Dick Douthwaite, Jane Douthwaite, Judy Jones, Ken Evans, Beth Masurat and Scott Buzzard

Ms. Jan Taylor offered an Invocation prior to the opening of the Town Council Meeting.

**Item No. 1. Call to Order.** Mayor Nancy D. Anderson called the January 17, 2011 Special Town Council Meeting to order at 7:06 p.m.

**Item No. 2. Pledge of Allegiance.** Mayor Anderson led in the Pledge of Allegiance.

**Item No. 3. Determination of Quorum/Additions or Deletions to the Agenda.** There was a quorum. Councilmember Robert Gilmartin moved to approve the agenda with the following amendment:

Move Item 10. from the Consent Agenda to 12.F under New Business.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee, Mayor Pro Tem Barry and Mayor Anderson

NAYS: None

**Item No. 4. Special Recognition.**

**A. Providence Volunteer Fire Department.** Mayor Anderson advised that the Providence VFD held their Awards Banquet over the weekend and the following individuals were recognized:

**Firefighters of the Year**

Scott Johnston  
Mike Elliott  
Michael Spika

**EMT of the Year**

Josh Dye

**Officers of the Year**

Daryl Matthews  
Steve Carow

**B. Beth Masurat.** Mayor Anderson presented Ms. Beth Masurat with a plaque from the Town for her 10 years of service to the Town on the Planning Board, Historic Preservation Commission and Board of Adjustment.

Ms. Masurat advised that it had been an honor and privilege to serve the Town and thanked the Town Council for giving her the opportunity to serve.

**C. Ryan Gilmartin.** Mayor Anderson recognized Mr. Ryan Gilmartin, son of Barbra and Robert Gilmartin. She stated, “Ryan was chosen to play in the US Army All Star Bowl which played last weekend. He was one of 24 players from the Eastern team. He was selected out of 2,200 kids that were nominated. I would like to present this football to you from your dad’s team – the Town Council. We expect great things from you.”

**Item No. 5. Presentation of Audit - Tinsley and Terry.** A copy of the Audit Report and Management Letter is attached to the minutes as Exhibit A. Ms. Clare Meyer presented the audited Financial Statements for the year ending June 30, 2010 to the Town Council. She stated, “We issued an unqualified opinion which is our highest level of assurance. We had no finding with respect to noncompliance with State Statute or any contractual violations. Our firm has been auditing the Town since 2003 and in those seven years that we have audited we have only had one reportable finding and maybe three or four non reportable findings. We do about six governmental agencies a year. I cannot tell you how phenomenal that is. To me, it is a true indication of a dedicated staff and their supportive Council. Your Finance Officer is extremely conscientious.”

Councilmember Thomisser - What is your opinion of the financial condition of the Town of Weddington?”

Ms. Meyer - The Town is in a very good financial condition driven by the fact that you do not have a police or fire department. You have no debt on the books.

**Item No. 6. Public Comment.** Mr. Walker Davidson – Last September the Union County BOCC approved a property revaluation for Jan. 1, 2012. The current BOCC is considering overturning the previous board’s decision, which would result in pushing the next revaluation to 2016. The deadline for this decision is March 1st. I would like the Weddington Town Council to offer a resolution to the Union County BOCC recommending that the BOCC allow the 2012 revaluation date to stand. I believe the current county property valuations are significantly inaccurate. The purpose of a revaluation is to determine an equitable distribution of the tax burden. The 2007 BOCC approved a revaluation for 2008 and the board cited “inequity” as the reason. The industry standard used to measure equity in the county tax system is called the Coefficient of Dispersion. Today’s COD is higher at 17.96% than it was in 2007 at 14.37%. In other words, today’s county property tax system is more inequitable than it was in 2007, the last time the BOCC determined it was time for a revaluation. These inaccuracies result in most of the citizens of Weddington paying a share of county property taxes that is higher than their fair share. The revaluation of 2008 shifted more of the county tax burden to the citizens of Weddington. The residential tax base in the county increased by 30% after the 2008 revaluation. The tax base in Weddington rose approximately 65% after the 2008 revaluation. Again, I would like the Weddington Town Council to offer a resolution to the Union County BOCC recommending that the BOCC allow the 2012 revaluation date to stand.

**Item No. 7. Review and Consideration of Contracts Relative to Downtown Streetscape Plan – Downtown Chairman Scott Buzzard and Mr. Buzz Bizzell.** The Town Council received a copy of the Weddington Street Lighting and Gateway Monument project costs.

Sternberg Lighting - \$39,817.70  
Boswell Electric Co., Inc. - \$108,400.00  
Ornamental Post and Panel - \$40,901.90  
Ornamental Post and Panel - \$18,062.59  
Specialized Graphics - \$2,802.00  
Bizzell Design, Inc. - \$2,500.00  
Total Project Costs - \$212,484.19  
Shopping Center will cover the cost of two Street Lights - \$6,330.80  
Total Net Cost - \$206,153.39

Councilmember McKee expressed concern with the wording in the Boswell Electric Proposal regarding marking all utilities prior to beginning work and the liability associated if the utilities were not marked properly. He stated, “I do not think we should be faced with that potential liability.”

Attorney Bobby Sullivan – We have some standard contract language that we can propose to help address that issue.

Town Administrator/Clerk Amy McCollum advised that the necessary encroachment paperwork will be delivered to NCDOT to get their approval this week.

Councilmember Gilmartin moved to proceed with the project and to have the Town Attorney draw up the necessary contracts and purchase orders for the Mayor’s signature.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**Item No. 8. Discussion with Mr. Jeff Rieves – NC Extension Agent Relative to Agricultural Uses within the Town of Weddington.** The Town Council received a copy of the proposed text amendments regarding miniature horses.

Mayor Anderson – Mr. Jeff Rieves is the North Carolina/Union County Extension Agent. People are not aware that he is working on our behalf. Thank you for coming. At our last meeting, the Town Council talked about our horse ordinance and that we may want to expand our agricultural uses here in the Town. After our meeting, I did not get the feeling that the Council was happy with the outcome. I do not feel that we got the product that we wanted so I asked Mr. Rieves to come and specifically address some of the issues. My feeling was that this had less to do with the size of the livestock and number and everything to do with managing compost.

Mr. Rieves – I was asked by the Mayor to take a look at some things. I visited with Ms. Jones on January 7 and toured the facility and based on my observation she is following most of the accepted management practices for a horse owner. I inspected the barns and walked over the lots and even looked at the manure piles. I did offer some suggestions on how to handle the manure to help it break down a little bit quicker and move it off the property faster. I also visited with one of the adjacent homeowners and later was able to speak with the other. I told Ms. Jones that if she kept it at the level of management that I observed that I do not foresee any future problems. Everything that day followed best management practices.

Councilmember McKee - When you say you can recommend a way to break it down, can you expound on that?

Mr. Rieves – I told her that it should have been piled a little higher. She was trying to be a good neighbor in this situation. In basic compost science, there is a critical mass size of 3 x 3 and once it reaches that size it has to break down faster because the microbes that live in a compost pile have more area to work in. The other thing that I told her was that she should continue to turn it as often as she was turning it. That will also break it down faster.

Councilmember Thomisser – Can you explain the pile?

Mr. Rieves – It was not as long and as wide as this desk. There were some adjacent piles of leaves. I did not dig in the center of every one of those piles. She had spread out one of the piles but I told her that was counterproductive. By having it piled in a 3 x 3 pile that would speed the decomposition.

Mayor Anderson – This is not a hearing to determine whether someone is in violation of the code or not. As you recall from our last public hearing, we spent a lot of time talking about size of horses and footprints and amount of solid waste. I want to keep this on generic terms.

Mayor Pro Tem Barry – There seems to be a bigger question. We are going to defer a public hearing on open burning which has a component of what to do with yard debris and we are dealing with this composting issue. It seems that we are coming at the same basic question from two different angles. What do we do with what is leftover from livestock and homeowners with leaves and trees and people upset that they are burning it? What is the right way to handle all of this?

Mr. Rieves – My suggestion is to compost it all. Anything that is made from carbon can be composted. Anyone that is a gardener in the area knows the soil we have to deal with is not the best and could benefit from good compost. I would be more than happy to come and do a composting class here at the Town Hall. I would like for more folks to compost.

Councilmember Thomisser - What do you do with all of it - this stuff keeps coming? For someone that lives on 1 to 2 acres, even if they have a garden, can you help me understand how you get rid of the manure?

Mr. Rieves – There are a lot of gardeners in the county, an awful lot of plants being grown and a lot of yards that need fertilizing. I will not go as far to say that we can use every pound of compost that we can develop but I think we can use close to it. Our soils constantly need to be fed and compost is an excellent food for our soil. The big thing is if there was a Central Information Center where you can pick up composted yard waste. Once it gets out amongst the gardeners it is no longer an issue. The big thing is information and education.

Nancy Anderson – In our ordinance we treat all horses as the same. Do you believe that a 200 pound mini horse is the same as a 2000 pound Percheron?

Mr. Rieves – Mr. Mike Yoder, who is an equine specialist for NC State was consulted about this. If you have a 1,000 pound horse, it produces about 50 pounds of manure every day. A 300 pound mini horse would produce about 15 pounds. A smaller horse does not eat as much and does not have as much body mass to support it so it is going to produce less. It is up to you guys regarding equality.

Councilmember McKee moved to enlist the services of Mr. Jeff Rieves to work with the Town Council on developing amendments to the Town's ordinance regarding agricultural uses. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**Item No. 9. Approval of Minutes.**

**A. November 8, 2010 Regular Town Council Meeting.** Councilmember McKee moved to approve the November 8, 2010 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**B. November 30, 2010 Special Town Council Meeting.** Councilmember McKee moved to approve the November 30, 2010 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**Item No. 10. Consent Agenda.**

**A. Call for a Public Hearing to Consider a Proposed Text Amendment to Minor Subdivisions Definition (Public Hearing to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall).** The Town Council received the following memo from Town Planner Cook and a copy of the proposed text amendment:

- At the October 25 Planning Board Meeting, a resident applied for a minor subdivision to subdivide a one acre tract from their existing 14 acre parcel.
- The way the ordinance is written did not allow this property owner to subdivide the one acre tract because they owned a parcel adjacent to it. The ordinance states that if the subdivider owns any land adjacent to the land being subdivided, it would be considered a major subdivision. Therefore, the owner had to recombine all parcels and start from scratch by subdividing out the one acre parcel.
- The Planning Board realized that an owner of a large tract could subdivide into three lots but the applicant applying for the minor subdivision could not do the exact same thing because they owned adjacent property.
- The newly proposed language will allow that property owner to subdivide as long as the subdivision results in three or fewer parcels.
- For reference, the plat showing the parcels will be included at the next Town Council Meeting.

Councilmember Gilmartin moved to call for a public hearing to consider proposed text amendments to the minor subdivision definition. The public hearing is to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**B. Call for Public Hearing to Review and Consider Proposed Text Amendment to Add “Private Banquet, Reception and Conference Center” Uses as a Permitted Use in the MX Zoning District (Public Hearing to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall).**

The Town Council received the following memo and copy of the proposed text amendment from Town Planner Cook:

- A citizen proposed text amendment was reviewed and discussed at the October 25 Planning Board Meeting.
- The Planning Board gave the text amendment an unfavorable recommendation as proposed because they did not feel that the use should be allowed in all residential zoning districts. However, the Planning Board did agree with the concept and the use as a whole. The Planning Board recommended that the use (“Private Banquet, Reception and Conference Center”) be added as a permitted use in the MX (Mixed Use) zoning district. Therefore any applicant requesting that use would be required to go through the Conditional Zoning process.
- At the November 8 Town Council Meeting, the Town Council agreed with the Planning Board’s recommendation and asked that the proposed uses be placed in the M-X Zoning District.
- At the December 20 Planning Board Meeting, the Planning Board revised the language per Anthony’s comments.

Councilmember Gilmartin moved to call for a public hearing to consider proposed text amendments to add “Private Banquet, Reception and Conference Center” uses as a permitted use in the MX Zoning District. The public hearing is to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**C. Consideration of Endorsement to the Union County Board of Commissioners on the Reappointment of Starr Shaffer and Karen Bowman to the Union County Library Board of Trustees.**

Councilmember Gilmartin moved to send a letter of endorsement to the Union County Board of Commissioners on the reappointment of Starr Shaffer and Karen Bowman to the Union County Library Board of Trustees. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**Item No. 11. Old Business.**

**A. Call for a Public Hearing to Consider Proposed Text Amendments Regarding a Weddington Burning Ordinance (Public Hearing to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall).**

The Town Council received a copy of the proposed text amendment.

Planning Board Chairman Dorine Sharp - Mayor Pro Tem Barry and I would like more time to get this document the way you say you want it. We would request another month. We are trying to define the terms more clearly. The State Statute is concerned with air quality. We are looking at it from a safety of property perspective. We are going to take Items e. f. and g. from Draft 2 and add that section to Draft 1 with the exception that the 100 feet will be changed to 50 feet, the penalties will be changed and then we are going to define recreational burning.

Mayor Pro Tem Barry - We sent this to the Sheriff's Office for their review and they came back with a couple of recommendations. They were supposed to forward over to us the citation that they are using in Lake Park. We are on the right track.

There was discussion on several items that needed to be amended such as the amount of the penalties, the distance to be 50 feet from the dwelling instead of 100 feet, exception added to include training for fire purposes and to add language that any law enforcement officer with territorial jurisdiction can enforce the ordinance.

Councilmember Gilmartin moved to defer this item until the next Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**Item No. 12. New Business.**

**A. Discussion of Scheduling 2011 Town Council Retreat.** Town Administrator/Clerk McCollum advised that the Council has decided to stay in-town for the 2011 Town Council Retreat. Council advised that Ms. McCollum contact Firethorne Country Club to see if either the last weekend in February or the third weekend in March were available for the retreat. Council asked that Ms. McCollum determine if Mr. Al Sharp would be able to facilitate the retreat. Ms. McCollum asked that Councilmembers forward any agenda items and what members of staff and Boards and Committees that they would like in attendance at the retreat to her. Mayor Anderson asked that the Town Council consider inviting the County Commissioners for a reception on the Friday night of the retreat.

**B. Discussion of Scheduling Joint Meeting with Union County Board of Commissioners and County Staff.** The Town Council received a copy of the following letter from Cynthia A. Coto, ICMA-CM, Union County Manager:

At the Board of County Commissioners meeting of December 20, 2010, the Commission expressed a desire to schedule joint sessions between each of the municipal governments and the Union County Board of Commissioners. The purpose of the meeting is to discuss items of mutual interest and benefit between our two governmental entities.

Please let me know if the Town of Weddington is interested in scheduling such a meeting, preferred day of the week and time, and topics you would like to be considered as we develop an agenda. If you could also identify who you wish for me to communicate with as we develop a meeting schedule and topics to be discussed, I would be appreciative. As there are fourteen (14) municipal governments, the meeting schedule may span the next six to twelve months.

---

Councilmember McKee felt that the Town Council should wait to meet with the County officials until after the Town retreat and asked staff to get on their agenda for possibly April.

**C. Consideration of Appointment to the Public Safety Advisory Committee.** The Town Council received a copy of the following applications:

- Michael J. Smith
- Ken Evans
- Steve Godfrey

Councilmember Thomisser - We have three well qualified candidates. There is one candidate that has expertise that we currently do not enjoy which is law enforcement. Michael Smith served 26 years in law enforcement as a Delaware State Trooper and also he was a Volunteer Fireman.

Councilmember Thomisser moved to appoint Michael Smith to the Public Safety Advisory Committee. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**D. Appointment of Lorri Elliott as Ex-Officio Member to the Public Safety Advisory Committee.**

Councilmember Thomisser – Lorri Elliott has a BS in Nursing, she is a Registered Nurse with a specialty in trauma care. She has a tremendous amount of expertise beyond the EMT area. She could also provide expertise to the Public Safety Committee relative to developing an Emergency Response Plan for Weddington and a Citizen Emergency Response Team. She was appointed to the Public Safety Committee by the Town Council and has served as an ex-officio member since October 26. I recently contacted her and she wants to continue to serve. She has been to three meetings and I see no reason why she should not continue. She does understand that she cannot vote. Her function would be to provide expertise. I move to appoint Ms. Lorri Elliott as an ex-Officio Member to the Public Safety Advisory Committee.

Mr. Ken Evans – An ex-officio member is appointed by virtue of the office that they hold. Lorri holds no office with this Town Council. According to Robert’s Rules of Order, you cannot appoint an ex-officio member.

Councilmember Thomisser - The Town Council on November 8 approved our Appointment Policy and it specifically states that non-residents could be appointed as ex-officio members but would not be granted voting privileges.

Mayor Anderson – I am not sure why this particular issue has drawn such controversy. It is the expressed authority and responsibility of the Town Council to appoint to committees. There has seemed to be a lot of resistance and conflict regarding this particular person.

Attorney Sullivan - I am not sure what ex-officio means in other contexts but the intent is to appoint her as a non-voting member. Why not remove the term ex-officio? The intent is very clear. It is your committee and you can structure it the way you want to.

Councilmember Thomisser - I move that we appoint Lorri Elliott as a non-voting member to the Weddington Public Safety Committee. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**E. Consideration of Direction Regarding NCLM Advocacy Goals.**

The Town Council received a packet of information regarding Proposed 2011-2012 NCLM Advocacy Goals. Mayor Pro Tem Barry advised that he would be attending a meeting on behalf of the Town and acting as the voting delegate regarding these advocacy goals. Mayor Anderson asked that the Town Council review the goals and express any concerns to Mayor Pro Tem Barry by Thursday.



**F. Approval of Resolution of Consideration Identifying Areas as Being Under Consideration for Annexation.** The Town Council received a copy of the following memo from Town Administrator/Clerk Amy McCollum and a copy of the map showing the area:

Please find attached a map showing areas that the Town has identified as areas for possible future annexation. The original Resolution and Map identifying this area was adopted in 1998. It is recommended that the Town adopt this Resolution every year. By adopting the Resolution, it allows the Town in the future to proceed with involuntary annexation of these areas without having to wait one year before the annexation would become effective. Approval of this Resolution and map only helps to facilitate future annexations.

This is further information from Bill Duston of COG regarding Resolution of Considerations (ROC):

Adoption of an ROC does not necessitate notification to affected and/or adjacent property owners. There is no obligation for a community to actually go forward with an annexation if an ROC is adopted. If an ROC is adopted and is not renewed within the initial two-year period post adoption, the ROC is null and void. Having an ROC in place does not preclude another community from adopting a Resolution of Intent (ROI) in any portion of the ROC territory. The advantage for a community to have an ROC adopted and kept in place is that once the initial one-year waiting period is met, a community can at any time thereafter adopt an ROI and formally begin annexation proceedings. Without an active ROC in place (i.e., one that has been in place for at least one year), there will be a one year hiatus in the effective date of an adopted annexation ordinance.

Attorney Sullivan - We added number 4 to the version that was in your packet. It is language that the statute says to put in there. If you own certain kinds of agricultural forestland you can put it in a program where you get some pretty favorable property tax treatment. If we annex property that is in that program the annexation only takes effect part way. The property comes into the Town but you cannot tax it - you cannot regulate it fully. This provides a notice to these people in this Resolution of Consideration area if they own that type of property that this is a benefit of the annexation laws.

Mayor Pro Tem Barry - Can we not do zoning restrictions on that property?

Attorney Sullivan - I believe that you can do land use regulations. It is other police powers that you cannot do. You can regulate development there but there are certain regulations and general ordinance powers I think would be restricted.

Council asked that Attorney Sullivan review the statutes on this issue and provide additional information.

Mayor Pro Tem Barry moved to approve Resolution R-2011-01 with the amended language:

**RESOLUTION OF CONSIDERATION**

**TOWN OF WEDDINGTON**

**A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER  
CONSIDERATION FOR ANNEXATION  
R-2011-01**

**BE IT RESOLVED** by the Town Council of the Town of Weddington:

Section 1. That pursuant to G.S. 160A-37 (i), the following area is hereby identified as being under consideration for future annexation by the Town of Weddington, under the provisions of Chapter 160A, Article 4A, Part 2 of the General Statutes of North Carolina.

All properties within the boundaries as shown on the attached map are incorporated by reference.

Section 2. That a copy of this resolution shall be filed with the Town Clerk.

Section 3. This resolution shall remain in effect as provided by G.S. 160A-37(i).

Section 4. Owners of agricultural land, horticultural land and forestland within the area under consideration for annexation as described in Section 1 above are hereby notified that they may have rights to a delayed effective date of annexation. G.S. § 160A-49(f1) and (f2) provide that land being taxed at present-use value qualifies for delayed annexation, and land that is eligible for present-use value taxation but which has not been in actual production for the time period required by G.S. § 105-277.3 may qualify for delayed annexation by making application to the Union County Tax Assessor for certification. For qualified tracts, the annexation will not become effective for most purposes until the last day of the month in which the tract or part thereof becomes ineligible for present-use value classification under G.S. § 105-227.4 or no longer meets the requirements of G.S. § 160A-49(f1)(2). Until annexation of a tract becomes effective, the tract will not be taxed by the Town of Weddington and will not be entitled to services from the Town.

Adopted this 17<sup>th</sup> day of January, 2011.

Adopted: June 8, 1998

Renewed: May 8, 2000

Renewed: April 8, 2002

Renewed: March 8, 2004

Renewed: February 13, 2006

Renewed: January 14, 2008

Renewed: January 12, 2009

Renewed: February 8, 2010

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry

NAYS: None

A copy of the map is attached to the minutes as an Exhibit.

**Item No. 13. Update from Town Planner.** The Town Council received a copy of the following update from Town Planner Cook:

- The Trust for Public Land has created base maps with proposed trail locations based on the feedback received at the four Listening Sessions. The Steering Committee met on December 1<sup>st</sup> to discuss the base maps and schedule Open House meetings for each community. These Open House meetings will occur in January or February and give citizens the opportunity to discuss the base maps and trail locations. Please see the following website for further information: <http://www.carolinathreadtrail.org/>

- The B-1(CD) and B-2(CD) Rezoning will take place after I have met with all property owners involved in the rezonings. Meetings with the property owners are currently being scheduled. **Council asked that this item be placed on the next agenda for call for public hearing.**
- NCDOT has completed the access road behind Town Hall and removed all of the berm along Weddington-Matthews Road. Weddington Corners has submitted a landscaping plan for the access road that will be reviewed by Councilman Jerry McKee, Jan Taylor, Stephanie Belcher and I once finalized. The Planning Board has also approved (with conditions) the permit for a ground sign located at the intersection of the access road and Weddington-Matthews Road. Please let me know if you would like to see a rendering of the ground sign. The sign is in accordance with the Driveway Easement.
- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road. Installation of the traffic signals has begun. The turn lanes and signal should be completed by late 2010 or early 2011.
- The Text Amendment adding “Private Banquet, Reception and Conference Center” use(s) as a permitted use in the MX Zoning District is on the January 10, 2011 Town Council agenda.
- The Minor Subdivision Text Amendment is also on the January 10, 2011 Town Council agenda.
- Scott Buzzard (Downtown Development Committee Chair), David Grant (Union County Urban Forester) and I met with Tim Simpson (NCDOT Roadside Environmental) last Wednesday to discuss landscaping plan on Providence Road. The landscaping materials will be available for planting on January 15, 2011 and planting will begin shortly after that. Mr. Simpson stated that the Town of Weddington could do some supplemental planting after the initial planting was done. He also stated that Federal Enhancement Funds may be available to help pay for the supplemental planting. The Town and NCDOT will continue to work together throughout the process.
- Changes are currently being made to the RFP. These revisions are based on comments from the last Town Council meeting. I will e-mail the RFP to the Council and would like to receive names of developers, property owners, etc. to send the RFP to. The Town will also advertise the RFP to be sure no one is excluded. The final version of the RFP will go out at the beginning of January per the Mayor’s request.

**Item No. 14. Update from Town Administrator/Clerk.** The Town Council received a copy of the following update from Town Administrator/Clerk McCollum:

US Infrastructure is reviewing the study prepared by WCWAA’s engineer related to their proposed mitigation plan.

We are working on the next Town newsletter. It should be mailed out the beginning of February.

Staff is working on researching the cost savings with the Town Council doing paperless agendas.

The Town Council has been invited to the Providence VFD Banquet at the Firethorne Country Club on January 15.

The burning of the house on Twelve Mile Creek Road has been completed. Our Minimum Housing Inspector will now work with the property owner to further clean up the property after the burn.

**Upcoming Dates**

- January 11 – Public Safety Advisory Committee Meeting
- January 17 – Town Hall Closed for Martin Luther King, Jr. Day
- January 24 – Downtown Development Committee Meeting
- January 24 – Planning Board Meeting
- January 24 – Historic Preservation Commission Meeting
- January 24 – Board of Adjustment Meeting

**Item No. 15. Public Safety Report.**

**A. Reports.**

- Sheriff’s Deputies – 293 Calls
- Wesley Chapel VFD – 132 Calls
- Providence VFD – 226 Training Hours, and 24 Fire Calls and 10 EMS Calls. The Town Council received the Providence VFD’s Income and Expense Budget Performance and Balance Sheet.

**B. Update on Fire Department Issue.** Town Administrator/Clerk McCollum advised that she was notified by Providence VFD Board of Director’s President Steve Cloutier that a meeting has been scheduled between Providence VFD and Wesley Chapel VFD for January 26. Both departments have their Steering Committee members in place.

**Item No. 16. Update from Finance Officer and Tax Collector.**

**A. Finance Officer’s Report.** The Town Council received the Revenue and Expenditure Statement and Balance Sheet for 12/1/10 to 12/31/10.

**B. Tax Collector’s Report. Monthly Report – December 2010**

<b>Transactions</b>	
Overpayments	\$(952.85)
Pay Interest and Penalties	\$(53.36)
Refunds	\$952.75
Adjust Under \$5.00	\$.22
<b>Taxes Collected:</b>	
2010	\$(113,196.09)
2009	\$(383.19)
2008	\$(8.88)
2007	\$(171.21)
2006	\$(12.48)
2005	\$(10.48)
<b>As of December 31, 2010; the following taxes remain Outstanding:</b>	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$310.18

2006	\$205.58
2007	\$320.22
2008	\$4,473.13
2009	\$9,447.00
2010	\$129,715.32
<b>Total Outstanding:</b>	\$144,909.20

**Item No. 17. Transportation Report.** Mayor Pro Tem Barry advised that work is progressing relative to the Rea Road Extension Project.

**Item No. 18. Council Comments.** Councilmember McKee advised that he has placed on the retreat agenda discussion regarding landscaping of the Town Hall property near the access road and whether the Council wants to consider a full landscaping plan to include a fountain and/or gazebo area.

**Item No. 19. Closed Session – Pursuant to NCGS 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and Pursuant to NCGS 143-318.11 (a) (5) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.** This item was deferred until January 18, 2011 at 4:00 p.m. to allow Attorney Anthony Fox to be present.

**Item No. 20. Continuation.** Mayor Pro Tem Barry moved to continue the meeting until January 18, 2011 at 4:00 p.m. to go into Closed Session.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry

NAYS: None

The meeting ended at 8:57 p.m.

---

Nancy D. Anderson, Mayor

---

Amy S. McCollum, Town Clerk