

Holly Springs Town Council Minutes

Regular Meeting Dec. 6, 2005

The Holly Springs Town Council met in regular session on Tuesday, December 6, 2005, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Dick Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and four council members were present as the meeting opened.

Council Members Present: Councilmen Parrish Womble, Chet VanFossen, Peter Atwell, and Hank Dickson, and Mayor Sears.

Council Members Absent: Councilman Ernest C. Pearson.

Staff Members Present: Carl Dean, town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Gina Bobber, director of planning and zoning; Jeff Jones, planner II; Scott Hammerbacher, planner I; Kendra Stephenson, senior engineer; Stephanie Sudano, director of engineering; Elizabeth Goodson, development review engineer; Cecil Parker, chief of public safety; Jenny Mizelle, director of economic development; Drew Holland, finance director; Len Bradley, director of parks and recreation; and Adam Lindsey, project analyst.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Horace Ferguson, pastor of the Holly Springs Methodist Church.

4. Agenda Adjustment: The Dec. 6, 2005 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Dickson

Second By: Womble

Vote: Unanimous

Items Added to the Agenda: None.

Agenda Items Removed: None.

Other Changes: None.

5. Public Hearing: Annexation Ordinance A05-16, Covenant Developers, LLC - Mr. Jones explained that the Town had received a petition for voluntary annexation filed by Covenant Developers, LLC, requesting the annexation of 19.671 acres located along Avent Ferry Road adjacent to the existing Holly Glen subdivision. Mr. Jones said the petition meets all the statutory requirements for annexation.

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded: None.

There being no comments, the public hearing was closed.

Action: The Council approved a motion to adopt Annexation Ordinance A05-16 annexing 19.671 acres owned by Covenant Developers, LLC, and more particularly described as Wake County Pin: 0648.01-36-7182, into the corporate limits of the Town of Holly Springs.

Motion By: VanFossen

Second By: Atwell

Vote: Unanimous

A copy of Annexation Ordinance A05-16 is incorporated into these minutes as addendum pages.

6. Consent Agenda: All items on the Consent Agenda were approved following a motion by Councilman Atwell, a second by Councilman Womble and a unanimous vote. The following actions were affected:

6a. Budget Amendment, \$2,250 - The Council adopted an amendment to the FY 2005-06 budget to receive a \$2,250 grant from the Sam's Club Foundation for the Holly Springs Fire Department. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

6b. Resolution 05-49 - The Council adopted Resolution 05-49 directing the Town Clerk to investigate the sufficiency of Annexation Petition A05-17 for the annexation of 367.49 acres and fixing the date of a public hearing on the question of annexation for December 20, 2005. *A copy of the Resolution 05-49 is incorporated into these minutes as addendum pages.*

6c. Resolution 05-50 - The Council adopted Resolution 05-50 approving financing terms with RBC Centura for the cultural center project. *A copy of Resolution 05-50 is incorporated into these minutes as addendum pages.*

6d. Resolution 05-51 - The Council adopted Resolution 05-51 directing the Town Clerk to investigate the sufficiency of Annexation Petition A05-18 filed by Sunset Forest, LLC, for the annexation of 13.536 acres and fixing the date of a public

hearing on the question of annexation for December 20, 2005. *A copy of Resolution 05-51 is incorporated into these minutes as an addendum page.*

6e. Resolution 05-52 – The Council adopted Resolution 05-52 ratifying the Town's application to Clean Water Management Trust Fund for reuse system grant funds. *A copy of Resolution 05-52 is incorporated into these minutes as an addendum page.*

6f. Resolution 05-54 – The Council adopted Resolution 05-54 authorizing staff to proceed with bond refunding to reduce the term of water and sewer bonds by 10 years and provide savings for the town. *A copy of Resolution 05-54 are incorporated into these minutes as addendum pages.*

6g. Budget Amendment, \$12,000 – The Council adopted an amendment to the FY 2005-06 budget in the amount of \$12,000 to accommodate the installation of a master meter and vault on the recently-purchased Harnett County waterline. *A copy of the budget amendment and Diehl & Phillips, P.A. contract are incorporated into these minutes as addendum pages.*

6h. Pacos Construction Contract Change Orders – The Council approved change orders to the Pacos construction contract for the Sunset Lake Road and Holly Springs Road intersection improvements. *A copy of the Pacos Construction contract change orders are incorporated into these minutes as addendum pages.*

6i. Resolution 05-55 – The Council approved Resolution 05-55 authorizing the application for an NCDOT bicycle planning grant. *A copy of Resolution 05-55 is incorporated into these minutes as an addendum page.*

6j. 2006 Town Council Meeting Schedule – The Council adopted the schedule of 2006 regular council meetings, with cancellation of first the meeting in July 2006, which conflicts with the Independence Day holiday. *A copy of 2006 regular council meeting schedule is incorporated into these minutes as an addendum page.*

7. Gable Ridge Drainage Basin Culvert Project - Ms. Stephenson said previously the Town Council has funded several studies to evaluate possible options for improving existing flooding issues along Gable Ridge Lane. She said the most recent direction given by the Council was to pursue the following: 1) replacement of the existing 72" corrugated metal pipe with a larger system (culvert) in order to allow more stormwater to enter the system and minimize overflow into the road, and 2) further evaluation of possible detention areas upstream.

Ms. Stephenson said at the Sept. 6 Town Council meeting, a design contract was awarded to Kimley-Horn for culvert replacement, plus completion of a feasibility report for the detention.

She said Kimley-Horn has completed 50% of the design plans and project budget for the culvert improvement project. She said the improvements would include removing the existing 72" corrugated metal pipe, installing a 10 feet x 5 feet reinforced steel concrete box culvert, and replacing the road and landscaping that would be disturbed during the construction.

Ms. Stephenson said that a meeting was held on Nov. 29 with the five property owners who would be directly impacted by the construction in their front or side yards. She said the purpose of the meeting was to look mainly at the direct impacts, including landscaping.

Ms. Stephenson said that once the Town Council endorses the 50% plans and the plans are reviewed by staff and revised by the consultant, a second meeting will be held with all of the property owners who are interested in this improvement project.

The town manager advised the Council that he and staff are not comfortable with the estimated cost of the project. He asked the Council to accept the information provided and direct staff to reevaluate options.

Action: The Council approved a motion to table this item until staff has an opportunity to reevaluate the recommendations of Kimley-Horn and perhaps offer more cost-effective solutions.

Motion By: VanFossen

Second By: Dickson

Vote: Unanimous

8a. Organizational Meeting: Oaths of Office - Ms. Powell said it was her pleasure and her honor to administer the oath of office to incumbent Town Council members Mayor Sears and Councilmen Chet VanFossen and Hank Dickson. She then introduced Judge Ann Marie Calabria of the North Carolina Court of Appeals, who had been invited to administer the oath of office to Councilman-elect Vinnie DeBenedetto.

8b. Organizational Meeting: Election of Mayor Pro Tem – Mayor Sears explained that a part of the Organizational Meeting is the election of a council member to serve as mayor pro tempore, serving as vice chairman of the council and as mayor during the absence or disability of the mayor.

He said that currently, Councilman Hank Dickson serves as mayor pro tem, a position he has served in during his past two terms on the council.

Mayor Sears opened the floor for nominations for mayor pro tem.

Councilman VanFossen nominated Councilman Hank Dickson.

Action: The Council approved a motion to appoint Councilman Dickson as mayor pro tem through the next Organizational Meeting, which will be held in December 2007 following the next municipal election.

Motion By: VanFossen

Second By: Atwell

Vote: Unanimous

8c. Appointment of Holly Springs Representatives – Mayor Sears said that the Town Council is to appoint and/or reappoint representatives of Holly Springs to various board, commissions, committees and task forces.

He then reviewed a list of those who have expressed an interest in individual positions.

Mayor Sears reported that the terms on these agency representatives would expire at the next Organizational Meeting, which will be the first Tuesday in December 2007 following the next municipal election.

Nominations to the agencies were as follows:

- Triangle J Council of Governments Board Member: **Councilman VanFossen**.
- Triangle J Council of Governments Board Member Alternate: **Councilman Atwell**
- Triangle J Smart Growth Committee: **Staff members Gina Bobber and Jeff Jones**
- Holly Springs Chamber of Commerce Town Representative on the General Board: **Assistant Town Manager Chuck Simmons**
- Transportation Advisory Committee of CAMPO: **Mayor Sears and Councilman VanFossen as alternate**.
- Wake County Economic Development Commission (this agency is inactive at this time.) **Town Manager Carl Dean and Director of Economic Development Jenny Mizelle**.
- Holly Springs Parks and Recreation Advisory Committee Ex Officio (non-voting) member. **Councilman Dickson**
- Holly Springs Technical Review Committee: **Councilman VanFossen**
- Wake County Growth Management Task Force – **Councilmen Atwell and DeBenedetto**

Action: The Council approved a motion to appoint the above-listed representatives to the related agencies for a two-year term to expire in December 2007 following the next municipal election.

Motion By: Atwell

Second By: Dickson

Vote: Unanimous

8d. Holly Springs Town Council Procedures Handbook – Ms. Powell explained that at the Council's Nov. 29, 2005 special meeting, one item of business was consideration of a Town Council Procedures Manual, or handbook, to be used by the Council and support staff as a guide for various tasks. She said the manual outlines the basic who/what/when/where and how's of conducting the business duties of the Town Council. The manual is not meant to be a book of absolute rules, but more of a reference guide to assist Council members in effectively carrying out their roles as elected officials, she said.

Ms. Powell said that some of the material in the manual drew questions from some council members. She suggested that those items needing more discussion be removed from the manual and acted upon individually as possible amendments in the future.

She asked, however, that the council adopt the remaining portions of the manual with which no members had questions, including provisions for council members to be required to have high-speed internet connections and hollyspringsnc.us email addresses.

Ms. Powell added that the document may be and should be amended from time to time to address issues that arise or to make adjustments to suit the Council's changing needs.

Action: The Council approved a motion to adopt Resolution 05-53 approving and enacting the Holly Springs Town Council Policy Manual – with the exception of certain sections in the draft that need further discussion and review -- providing for its occasional amendment and giving the Town Council wide discretion in using it as a handbook guide.

Motion By: VanFossen

Second By: Womble

Vote: Unanimous

A copy of the Town Council Policy Manual, as amended to its final adopted form, is incorporated into these minutes as addendum pages.

9a. Kiddie Academy, 05-DP-10 – Mr. Hammerbacher said the Town has received development plan 05-DP-10 for Kiddie Academy. He said the development plan calls for the construction of an 11,055-square-foot daycare located within the Rosewood Center on a 1.51-acre site. He said the plan proposes an 11,313-square-foot play area to the north of the daycare building. The plan proposes 17 parking spaces, two handicapped spaces located adjacent to the southern façade of the building, and 9 spaces adjacent to the western façade of the building.

Mr. Hammerbacher said that staff and the planning board recommend approval with conditions.

Action: The Council approved a motion to approve Development Plan 05-DP-10 as submitted by Bobbit Design Build, Inc., for Kiddie Academy revised October 24, 2005, with the following three conditions:

1. A UDO permit for sign installation in addition to all other applicable permits will need to be secured prior to any sign installation.

2. Fee-in-lieu of pump station upgrade will be required for this project.
3. The following items are to be included on 1st construction drawing submittal (later in the approval process):
 - a. Show and label backwater easements (to be recorded) at stream crossing and storm drainage inlets; provide 100 year calculations accordingly.
 - b. Provide a drainage area map and supporting calculations.

Motion By: Atwell

Second By: Dickson

Vote: Unanimous

9b. Village Centre Shoppes, 05-DP-11 - Mr. Hammerbacher explained the Town has received development plan 05-DP-11 for Village Centre Shoppes. He said the project is planned for the main commercial center that was originally included in the Holly Springs Commercial Center master plan approved in 1999.

Mr. Hammerbacher said that since the proposed layout and design has changed since the original approval, the development plan is going through the full review process.

Mr. Hammerbacher said the plan is for the construction of two commercial buildings on a 2.803-acre site. He said building one is a five-unit, 6,500-square-foot building and building two will be a 10-unit, 12,000-square-foot building. He said a total of 15 units are proposed within the development with the typical unit's being approximately 1,300 square feet.

He said the plan proposes 100 parking spaces and four handicapped spaces around the perimeter of the building.

Mr. Hammerbacher said that staff and the planning board recommend approval with conditions.

Action: The Council approved a motion to approve Development Plan #05-DP-11 for Village Centre Shoppes as drawn by J. Davis Architects, project number FC-05118, dated revised November 7, 2005, with the following conditions:

1. A UDO permit for sign installation in addition to all other applicable permits will need to be secured prior to any sign installation.
2. The two entrances for this site off of W. Holly Springs Road will be required to be right-in/right-out access points unless otherwise approved by NCDOT.
3. Fee-in-lieu of pump station upgrade and/or actual upgrade will be required. This decision will be made after sewer study is received by the town for off site sewer.
4. The waterline will need to be extended along Third Street both to the waterline in front of the Post Office and to the waterline along Main Street to achieve proper loop system. The extensions may be included in a developer agreement associated with this project subject to Town Council approval.
5. The following items are to be included with 1st construction drawing submittal (later in the approval process):
 - a. Show and label backwater easements (to be recorded) at stream crossings and storm drainage inlets; provide 100 year calculations accordingly.
 - b. Provide a drainage area map and supporting calculations.
 - c. A sealed sewer report will be required to verify size and adequacy of all downstream sewer lines and pump stations.
 - d. A flood study update will need to be completed for this project and confirm that with this development that there is no rise downstream of this property per Town Flood Study Policy Statement. (*Staff recommends that this study be submitted earlier since the results could impact the site layout*)
 - e. The median for the drive thru areas will need to be constructed in a way to allow cars to drive over the median in the event of a need to bail out of the drive thru lane. Staff recommends that median curb be used and appropriate landscaping to allow for a vehicle to exit the drive thru lane.

Motion By: VanFossen

Second By: Womble

Vote: Unanimous

9c. DeVere Region Office, 05-DP-12 - Mr. Hammerbacher said the Town has received development plan 05-DP-12 for DeVere Regional Office. He said the plan calls for the construction of a 14,274-square-foot office/warehouse building on a portion of a 5.06-acre site near the Holly Springs Business Park. He said only 1.6 acres of the 5.06-acre site is intended to be developed at this time. He said 4,674 square feet of the building is to be used for office space and the remaining 9,600 square feet is to be utilized for warehouse use.

Mr. Hammerbacher said the plan indicates that there would be an enclosed 20,000 square foot outdoor storage area, which would be screened by a six foot tall black chain link fence and C-75 (opaque) buffer.

Mr. Hammerbacher said the outdoor storage area would be accessed from a gate along a road between Warp Technologies and the proposed DeVere Regional Office. He said a second gate is located along the northeastern corner of the building.

Mr. Hammerbacher said that staff and the planning board recommend approval with conditions.

Action: The Council approved a motion to approve Development Plan #05-DP-12 for DeVere Regional Office as submitted by Cherry Huffman Architects, P.A., project number DEV-SITE, dated revised November 11, 2005, with the following conditions:

1. A UDO permit for sign installation in addition to all other applicable permits will need to be secured prior to any sign installation (temporary or permanent).
2. The following items are to be included with 1st construction drawing submittal (later in the approval process):
 - a. Show and label backwater easements (to be recorded) at stream crossings and storm drainage inlets; provide 100 year calculations accordingly.
 - b. Provide a drainage area map and supporting calculations with 1st construction drawing submittal.
 - c. Design of roadway along northern property line will be required and construction easements determined.
 - d. Extend public water lines to adjacent properties.
 - e. Utility easement along rear of property will need to be 20' on this property to provide accessibility to the sewer stub.
3. Prior to issuance to the issuance of a building permit, the following must be completed:
 - a. A 25' public ROW and construction easements will need to be dedicated along the northern property line.
 - b. The property must be subdivided with the lot for the Devere Building being adequate size to meet the UDO requirement of no more than 30% of the subdivided lot being utilized for outdoor storage.

Motion By: Atwell

Second By: Dickson

Vote: Unanimous

9d. Forest Springs Developer Agreement Terms - Ms. Sudano asked the council to consider terms of a developer agreement with the developer of Forest Springs, which would provide water acreage fee credits to off-set over-sizing of the waterline along Old Holly Springs-Apex Road, in accordance with the Town's policy.

Ms. Sudano said the waterline is being oversized from an 8-inch waterline to a 12-inch waterline, in accordance with the Town's Master Waterline Plan. She said the waterline will be 4,500 linear feet and extends all the way back to West Holly Springs Road.

Ms. Sudano explained that water acreage and/or capacity fees also are proposed to off-set the construction by the developer of several new water services along this line so that the public works department could remove the existing 6-inch waterline from service. She said, in addition, the agreement would provide credits against sewer acreage and capacity fees for construction of an offsite oversized gravity sewer that would connect the existing Oak Hall pump station to the proposed Twelve Oaks gravity sewer line, taking the pump station off-line.

She said the development could have been served by constructing a gravity sewer line to the existing Oak Hall pump station and upsizing some lines downstream. She explained that, for this reason, the cost of improvements that the developer would have had to make under this scenario would be subtracted from the overall project cost associated with the large gravity lines. She said the difference in those costs would be the maximum amount for which the developer would be eligible for fee credits.

The installation of this gravity sewer line in this manner would be of great benefit to the Town's infrastructure system, saving the Town from long-term, expensive operating costs of another pumping station, and putting into place a sewer line that would serve as yet undeveloped non-residential properties.

Ms. Sudano said if the major points of the agreement are approved by Council, the town attorney and staff would submit the final developer agreement draft on the Consent Agenda of the Dec. 20 Town Council meeting.

Action: The Council approved a motion to approve the summary of terms of the proposed Forest Springs developer agreement, and directed staff to submit the final agreement for consideration at the next Town Council meeting.

Motion By: VanFossen

Second By: Atwell

Vote: Unanimous

9e. Twisted Creek Developer Agreement Terms - Ms. Sudano asked the council to consider the terms of a proposed developer agreement with the developer of Twisted Creek, which would provide water acreage fee and water capacity replacement fee credits to off-set over-sizing of a waterline. She said that approximately 800 feet of waterline is being oversized from an 8-inch waterline to a 12-inch waterline, in accordance with the Town's Master Waterline Plan. She said that, in addition, the agreement would provide credits against street fees for widening to be performed along Sunset Lake Road.

Ms. Sudano said if the major points of the agreement are approved by Council, the town attorney and staff would submit the final developer agreement draft on the Consent Agenda of the Dec. 20 Town Council meeting.

Action: The Council approved a motion to approve the summary of terms of the proposed Twisted Creek developer agreement, and directed staff to submit the final agreement for consideration at the next Town Council meeting.

Motion By: Womble

Second By: Dickson

Vote: Unanimous

9f. Village Centre Shoppes Developer Agreement Terms - Ms. Sudano asked the council to consider the terms of a proposed developer agreement with the developer of the Village Centre Shoppes project, which would provide water acreage fee and water capacity replacement fee credits to offset Town-requested off-site infrastructure improvements, including 400 linear feet of 8-inch waterline.

She said this waterline would provide a critical interconnection that would help maintain the network redundancy in the area of the project.

Ms. Sudano said if the major points of the agreement are approved by Council, the town attorney and staff would submit the final developer agreement draft on the Consent Agenda of the Dec. 20 Town Council meeting.

Action: The Council approved a motion to approve the summary of terms of the proposed Village Centre Shoppes developer agreement, and directed staff to submit the final agreement for consideration at the next Town Council meeting.

Motion By: Womble

Second By: Dickson

Vote: Unanimous

9g. Union Ridge Developer Agreement Terms - Ms. Sudano asked the council to consider terms of a proposed developer agreement with the developer of Union Ridge, which would provide water acreage fee credits to off-set over-sizing of the waterline along Avent Ferry Road. She said the waterline is being oversized from an 8-inch waterline to a 12-inch waterline, in accordance with the Town's Master Waterline Plan.

Ms. Sudano said the length that is actually eligible for credits would depend on how much the developer has to install for his project (the Holly Point project across the street may install most of the waterline first).

She said water acreage and/or capacity fees also are proposed to off-set the construction by the developer of a water service to serve the Town's new Avent Ferry Road pump station. In addition, the agreement would provide for credits against sewer acreage and capacity fees for the over-sizing of the gravity sewer line being installed to the regional Avent Ferry Road pumping station.

She said the sewer line varies in size, but would be sized to serve the entire drainage basin. Also in the developer agreement would be the Town's agreement to acquire easements for the off-site sewer line (from Progress Energy) so that the line could be installed where the Town prefers for long-term maintenance.

Ms. Sudano said installation of this sewer line in this manner would save the Town from long-term, expensive operation costs of another pumping station.

Ms. Sudano said if the major points of the agreement are approved by Council, the town attorney and staff would submit the final developer agreement draft on the Consent Agenda of the Dec. 20 Town Council meeting.

Action: The Council approved a motion to approve the summary of terms of the proposed Union Ridge developer agreement, and directed staff to submit the final agreement for consideration at the next Town Council meeting.

Motion By: Womble

Second By: VanFossen

Vote: Unanimous

9h. Board of Adjustment and Planning Board Appointments - Ms. Bobber explained that each year the Town Council is to appoint "in-town" members to the Holly Springs Planning Board and Board of Adjustment. She said the ETJ members are officially appointed by the Wake County Board of Commissioners (WCBOC); however, the Town Council makes a recommendation to the WCBOC on who should be appointed.

Ms. Bobber said that on December 31 of each year, the terms of several members of the Board of Adjustment and Planning Board expire. Therefore, at the Town Council's first December meeting, the Board reviews the applications for vacancies and, at the Town Council's discretion, re-appoints interested members or appoints new members to the respective Boards.

Ms. Bobber said the following are members of the Board of Adjustments with terms ending Dec. 31, 2005: in-town member Waunnell Williams, who requests re-appointment; and ETJ member Steve Murray, who also requests re-appointment. She added that there is a vacancy on the Board of Adjustment for an alternate member representing the ETJ. That term would end on Dec. 31, 2007.

She said, however, that the Town did not receive any other applications from residents of the ETJ, so that position would have to remain vacant at this time.

Action #1: The Council reappointed Waunnell Williams, 420 Lee Street, as an in-town member of the Board of Adjustments and nominated ETJ resident Van Steven Murray, 5317 Shadow Valley Road, to the Wake County Board of Commissioners for appointment as an ETJ member to the Board of Adjustments, both with terms to begin Jan. 1, 2006 and expire Dec. 31, 2008.

Motion By: Dickson

Second By: Womble

Vote: Unanimous

The ETJ-alternate member seat remains vacant.

Ms. Bobber said the following are members of the Planning Board with terms ending Dec. 31, 2005: In-town members Joe Fanjoy and Matt Johnson, who both request reappointment, and a vacant position formerly held by Councilman DeBenedetto.

Councilman Atwell expressed an interest in retaining Fanjoy and Johnson on the Planning Board.

Councilman DeBenedetto suggested a motion be made to retain the incumbent members and then another motion to fill the remaining vacancy.

Councilman VanFossen said he also wanted to address the possibility of removing a Planning Board member whose attendance at Planning Board is only 50%.

Ms. Bobber explained that staff plans to review the existing attendance policy and recommend changes.

Councilman Womble said that would be good because the way the current policy is written, a Planning Board member can attend just enough meetings to remain on the board and then be absent again. The policy states that a member who is absent from three consecutive meetings may be excused by the Town Council.

Councilman Atwell said that, ideally, the town needs folks who would make the planning board meetings a priority.

Councilman VanFossen pointed out the Town Council could remove a member of the Planning Board, notwithstanding the attendance provisions of the policy. He stressed that if the Town Council is not pleased with 50% attendance, it could remove the member, even if the member missed only two consecutive meetings and not three.

Councilman VanFossen asked for confirmation of this.

The Town Clerk said that the newly-adopted Town Council Procedures Manual provided for the Council's discretion in following policy, as long as a majority of the Council agreed to do so.

Action: A motion was made that the Town Council deviate from the strict letter of the attendance policy for appointed boards and commissions.

Motion By: VanFossen

Second By: Dickson

In discussion, Councilman DeBenedetto pointed out that Planning Board members are volunteers, and the town is not aware of the reasons for the absences of the member. The person may have been facing circumstances that made his absences unavoidable, he said.

Councilman DeBenedetto also asked if there were attendance policies for other boards.

Councilman Dickson said that the attendance policy addresses the Planning Board and Board of Adjustments. He pointed out, however, that although the Holly Springs Parks and Recreation Advisory Committee does not have such a policy, the committee has found that members who start being continually absent, resign before it becomes a problem.

Vote: Unanimous, and the motion carried.

Action: A motion was made to remove Trip Belote from the Holly Springs Planning Board for poor attendance.

Motion By: VanFossen

Second By: Atwell

In discussion, Councilman DeBenedetto suggested the Council get feedback from Planning Board Chairman Joe Fanjoy on Belote's performance. Perhaps his performance is exemplary notwithstanding his attendance, Councilman DeBenedetto said.

Councilman Atwell stressed that he appreciates Belote's willingness to serve and his volunteerism and service to the community. He said that while he appreciates the member's service, he feels the Town of Holly Springs needs all members of the Planning Board to be in attendance as much as possible, especially with all the development that is happening in Holly Springs.

Vote: Unanimous, and the motion carried.

With the removal of Mr. Belote from the Planning Board, four vacancies are to be filled.

It was the consensus of the Council to reappoint members Joe Fanjoy and Matt Johnson.

Councilman Womble nominated Tim Sack and Jonathan Gibbons to fill the remaining two vacancies.

Councilman Dickson nominated David Holme and Glenn Myrto.

Councilman DeBenedetto nominated Glenn Myrto and Tim Sack

Councilman Atwell nominated David Holme and Glenn Myrto

Councilman VanFossen nominated Glenn Myrto and Tim Sack.

Action: The Council approved a motion to reappoint Joe Fanjoy and Matt Johnson and appoint Glenn Myrto to the Holly Springs Planning Board for terms to begin Jan. 1, 2006 and expire Dec. 31, 2008 and to appoint Tim Sack to fulfill the unexpired term of former member Trip Belote.

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous

Councilman DeBenedetto suggested that a nominating committee be created to go through applications and make recommendations to the full Council. Council agreed that this would be a good idea to discuss during amendments to the procedures manual.

Council members each expressed and agreed that the roster of applications received from interested citizens provided a particularly strong list of candidates.

10. Public Comment: At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council on any variety of topics not listed on the night's agenda. None.

11. Other Business: None.

12. Manager's Report: Mr. Dean reminded members of upcoming holiday events.

13. Closed Session:

Action: The Council approved a motion to enter into Closed Session, pursuant to G.S. 143-318.11(a)(4) to discuss a topic involving economic development and pursuant to G.S. 143-318.11(a)(3) to hold discussions under the client-attorney privilege with the town attorney.

Motion By: VanFosser

Second By: Atwell

Vote: Unanimous

General Account of Closed Session – Dec. 6, 2006

In Closed Session, the Council was briefed on a potential new industry in Holly Springs. The Council also provided direction to the town attorney involving a matter of land condemnation.

No action was taken in Closed Session other than a motion to return to Open Session.

-- End General Account

14. Adjournment: There being no further business for the evening, the Dec. 6, 2005, meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Atwell, a second by Councilman Dickson and a unanimous vote.

Respectfully Submitted on Tuesday, Jan. 17, 2006.

Joni Powell, CMC, Town Clerk

Addendum pages as referenced in these minutes follow and are a part of the official record