



MINUTES
Special Meeting

The Holly Springs Town Council met in special session on Tuesday, Feb. 16, 2010, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Sears presided, calling the meeting to order at 6 p.m. A quorum was established as the mayor and four council members were present as the meeting opened.

Council Members Present: Councilmen Jimmy Cobb, Parrish Womble, Chet VanFossen and Tim Sack and Councilwoman Linda Hunt Williams and Mayor Sears.

Council Members Absent: None.

Staff Members Present: Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Linda Harper, deputy town clerk; Drew Holland, finance director; Len Bradley, director of parks and recreation; Gina Clapp, director of planning and zoning; Laura Powell, Planner 1; Josh Olmeda, IT technician; Mark Andrews, public information officer; Stephanie Sudano, director of engineering; Elizabeth Goodson, development review engineer; Landon Carroll of the Parks and Recreation Department; and Kendra Parrish, senior engineer.

2. Wake County EMS Program Agreement - Mr. Dean reported that the County is proposing that the Town continue providing ambulance services and continue collecting revenues generated by calls handled by the Holly Springs unit. In return, the Town would reimburse Wake County for the cost of the paramedic assigned to the Holly Springs unit. Alternatively, the county also is offering as an option that it would assume the EMS service completely, assuming all costs and collecting all revenues.

Mr. Dean introduced Dr. Brent Myers, who addressed the Council with background on Wake County Emergency Medical Services, the statutory responsibilities for EMS and what is proposed for the coming year.

Options:

1. Wake County EMS provide full service for EMS 17 – no cost to the town except to provide EMS unit space at the fire station. The current Holly Springs paint scheme would remain and would change to Wake County EMS when the life of the unit expires and it is replaced by Wake County.
2. Wake County would provide the paramedics, and the \$177,500 cost would be covered by the Town of Holly Springs from EMS revenues collected. Given projected revenues, this would leave \$149,049 in revenues for the Town to keep and to use for fleet maintenance and local salaries.

Direction: In the end, Mayor Sears asked Dr. Myers that Wake County provide a sample of each contract in writing so that the Council could compare them side-by-side during their March retreat.

Action: The Council approved a motion to adjourn the Special Meeting before beginning the regular meeting.

Motion By: Sack

Second By: VanFossen

Vote: Unanimous

MINUTES
Regular Meeting

The Holly Springs Town Council met in regular session on Tuesday, Feb. 16, 2010, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor 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 Jimmy Cobb, Parrish Womble, Chet VanFossen and Tim Sack and Councilwoman Linda Hunt Williams and Mayor Sears.

Council Members Absent: None.

Staff Members Present: Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Linda Harper, deputy town clerk; Drew Holland, finance director; Len Bradley, director of parks and recreation; Jeff Jones, senior planner; Josh Olmeda, IT technician; Michelle D'Antoni, publications specialist; Stephanie Sudano, director of engineering; and Daniel Weeks, project analyst.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Councilman Womble.

4. Agenda Adjustment: The Feb. 16, 2010 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Sack

Second By: Womble

Vote: Unanimous

Items added to Agenda: None.

Items removed from Consent Agenda for discussion: None.

Items removed from the agenda: None.

Other changes: None.

5. 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. The following input was recorded:

Ken and Wendy Webster, 117 Flatrock Lane -- The Websters addressed the Council in regard to their request that the Town amend its animal control ordinance to allow backyard hens. They said that there is a trend among municipalities to allow hens. He stressed that he and his wife are talking about an urbanite backyard hen lifestyle in which chickens are pets as well as egg providers. He provided sample wording for a proposed ordinance amendment.

Direction: The Council asked that the town attorney provide an ordinance amendment for them to consider in coming weeks.

6a. Recognition of Local Athletes - Mayor Sears said the Holly Springs Parks and Recreation Department would like to recognize two program participants for their achievements in recent competitions.

Mr. Carroll recognized James Morton, who won the Carolina Panthers team competition for the 8/9 division of the NFL Punt, Pass, & Kick event. Jared Rundle won the Charlotte Bobcats team competition for the 11/12 division of the NBA FIT Challenge. Both participants started out participating through our athletics programs and advanced through the competitions to win, Mr. Carroll said.

Action: None.

7a. Public Hearing: Annexation Ordinance A10-01 – Mr. Jones said the Town has received a petition for voluntary annexation of approximately 1.94 +/- acres located at 9008 Turner Drive. The property owner is Wallace L. Farrington.

He 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:

Herbert Proctor, 319 Chapanoke Road, Raleigh – Mr. Proctor spoke in favor of the application and said he was available to answer questions.

There being no further comments, the public hearing was closed.

Action: The Council approved a motion to adopt Annexation Ordinance A10-01 annexing 1.94 +/- acres owned by Wallace L. Farrington, and more particularly described as Wake County PIN: 0750-60-9669, into the corporate limits of the Town of Holly Springs.

Motion By: Womble

Second By: Williams

Vote: Unanimous

A copy of Annexation Ordinance 10-01 is incorporated into these minutes as addendum pages.

8. Consent Agenda: The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman Sack, a second by Councilwoman Williams and a unanimous vote. The following actions were affected:

8a. Minutes – The Council approved minutes of the Council's regular meetings held on July 7, 2009 and Feb. 2, 2010 with a correction to the Feb. 2 minutes noted by Councilman Cobb.

8b. Budget Report – The Council received a monthly report of amendments to the FY 2009-10 budget approved by the town manager.

8c. Resolution 10-06 – The Council adopted Resolution 10-06 directing the town clerk to investigate the sufficiency of annexation petition A10-02 and setting a public hearing on the question of annexation for Tuesday, March 2, 2010. *A copy of Resolution 10-06 is incorporated into these minutes as addendum pages.*

8d. Green Oaks Parkway Change Order #5 – The Council approved Change Order #5 for the Green Oaks Parkway four-lane project providing an extension of time for completion and increasing the contract amount by \$15,525.

8e. Resolution 10-07 – The Council adopted Resolution 10-07 ratifying Council approval of an amended NCDOT reimbursement agreement for Green Oaks Parkway. *A copy of Resolution 10-07 is incorporated into these minutes as an addendum page.*

8f. Utley Creek Discharge – The Council entered an amended contract with CH2MHill for data to support continuing discharge into Utley Creek and adopted an amendment to the FY 2009-10 budget in the amount of \$63,500 to cover the entire contract. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

8g. Cultural Center Expo Rate – The Council amended the Parks and Recreation facility rental schedule for the Cultural Center to include an Expo rate.

8h. Public Works Facility Programming – The Council ratified an agreement with O'Brien Atkins to provide programming for the Public Works facility at a cost of \$4,790.

9a. Board of Adjustment Appointment – Mr. Jones said that Mr. Robert Goldfinger, an in-town regular member of the Board of Adjustment has resigned due to business conflicts. His term is due to expire on Dec. 31, 2010.

He said the Town Council is being asked to fill the remainder of his vacated term.

Mayor Sears said he had reviewed the applications and found the application of Brian Sempkowski impressive. He added that Mr. Sempkowski expressed keen interest and had come by his office.

Action: The Council approved a motion to appoint Brian Sempkowski to fill the remainder of a vacated term for an in-town regular member of the Board of Adjustment with a term ending Dec. 31, 2010.

Motion By: Sack

Second By: Womble

Vote: Unanimous.

9b. Quarterly Financial Report - Mr. Holland addressed the Council with a summary of the Town's financial standings as of Jan. 31, 2010.

Mr. Holland said that, because of an accounting error, a \$1.22 million bank deposit from earlier this year went unreported in budget status reports to the Town Manager. From misinformation that was on hand, it appeared that the Town was facing a budget shortfall and that the tax collection rate was about only 82%; however, this was never actually the case.

He said the tax collection rate, taking into account accurate information on deposits, was really at 92%, where it is expected to be in any given January.

Mr. Holland said after the discovery, staff identified the problem that resulted in the erroneous reports and has established procedures to insure that it does not happen again. It also should be pointed out that the Town has not had any problems with financial reporting information over the past several years until this isolated incident. The Town Manager has no reservations that this situation will not occur again.

Action: None.

10. Other Business: Councilman Womble asked the town manager to explain an early reimbursement from NCDOT.

Mr. Dean said the Council will be pleased to know that the Town is working to receive more than \$3,000,000 from NCDOT for the Green Oaks Parkway project in this fiscal year rather than in FY 2012. This will provide additional flexibility as we go into the remainder of this fiscal year, he said, adding that the Town already has received \$800,000.

Councilman Sack commended the Public Works Department for keeping up with winter storm affects.

Councilman Womble asked if he could get with the Town Attorney regarding the planning board and board of adjustment.

Councilwoman Williams reminded the Council that Tom Wells will be a speaker at the Holly Springs Parks and Recreation meeting at 7 p.m. Thursday, March 11.

Councilman VanFossen asked about delays in the Green Oaks Parkway and Hunt Center projects. Ms. Sudano explained that weather – temperatures and precipitation -- has been a factor in all of the Town's construction projects.

Councilman VanFossen asked if the Public Works Department could check out degraded roadway on West Holly Springs Road. Beyond the second entrance of 12 Oaks, he said, there is a large potholes. Mr. Dean noted that it is a state road but that the Public Works Department will take a look at it.

Mayor Sears announced that WCPSS Superintendent Del Burns is retiring June 30.

11. Manager's Report: Mr. Dean commended the Public Works and Parks and Recreation Departments for snow removal efforts; he reminded the Council members about the Chamber event next week; he commended Mr. Holland for explaining the Town's financial condition.

Mr. Schifano addressed the Council about a group home where a recent assault between clients resulted in the closing of the home. He said the Town will be revoking the home's zoning permit, based on false information provided in the application. He explained that the applicant applied for family care home, but with clients who have criminal histories, the

house does not qualify as a "family care home."

Mr. Dean reminded the Council of its upcoming 2010 Retreat, which is scheduled for March 5-7, 2010 at The Carolina Inn in Pinehurst.

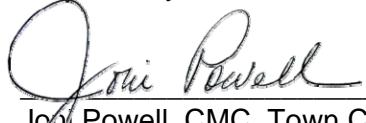
Mr. Dean reported that Rex, Novant, WakeMed and Duke have all applied for the same Certificate of Need for three operating rooms.

Councilwoman Hunt asked if the road failure on West Holly Springs Road was addressed. Ms. Sudano said NCDOT did a temporary fix and will do a permanent fix later this year when the weather is better. She said NCDOT feels the roadway is safe.

12. Closed Session: None.

13. Adjournment: There being no further business for the evening, the Feb. 16, 2010 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack, a second by Councilman Womble and a unanimous vote.

Respectfully Submitted on Tuesday, March 2, 2010,



Joni Powell, CMC, Town Clerk

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

