



Holly Springs Town Council  
Regular Meeting

**September 3, 2013**

**MINUTES**

The Holly Springs Town Council met in regular session on Tuesday, Sept. 3, 2013 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 all five council members were present as the meeting opened.

**Council Members Present:** Mayor Sears and Councilmen James Cobb, Chet VanFossen and Tim Sack and Councilwomen Linda Hunt Williams and Cheri Lee.

**Council Members Absent:** None.

**Staff Members Present:** Chuck Simmons, interim town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Jeff Wilson, information technology director; Len Bradley, parks and recreation director; Gina Clapp, planning director; Laura Holloman, planners I; Mary Hogan, finance director; John Herring, police chief; Stephanie Sudano, director of engineering; Heather Keefer, environmental engineer; Elizabeth Goodson, development review engineer; and Niki Litts, communications specialist.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Tom Newman, pastor of Sunrise United Methodist Church.

**4. Agenda Adjustment:** The Sept. 3, 2013 meeting agenda was adopted with changes, if any, as listed below.

**Motion By:** Sack

**Second By:** Cobb

**Vote:** Unanimous

**Items added to Agenda:** None.

**Items removed from the Consent Agenda:** The North Main Athletic Complex property timbering contract was removed from the Consent Agenda for discussion.

**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:

Kathy Krauss, 313 Sunset Grove Drive – Ms. Krauss addressed the Council regarding a street tree problem on Sunset Grove Drive. She said the trees are sycamores, approved by the developer and the Town about 12 years ago, and they are inappropriate for the soil and conditions in which they are planted. Now, the trees are dying and need to be replaced or removed. She asked that the Town remove them at the Town's expense.

Peggy Adcock, 317 Sunset Grove Drive – Ms. Adcock spoke on the same subject. She said the sycamore trees are wetland trees and are now diseased. Since the trees are not suited for the soil and conditions in which they are planted but were approved by the Town, she said she feels the Town should bear the responsibility of removing them.

Hunter Grillon, 217 Alderwood Place – A resident of Woodcreek Subdivision, Mr. Grillon said there are 60 acres of undeveloped land full of deer behind his home. He wanted to know if he could have permission to bow hunt the property. The mayor said the Council would take the request under consideration.

**6a. Certificate of Achievement for Excellence In Financial Reporting** - Mr. Holland said the Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Holly Springs Finance Department by the Government Finance Officers Association (GFOA) of the United States and Canada for its comprehensive annual financial report (CAFR.)

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government, its management and its finance office staff, Mr. Holland said.

This is the eighth year that the Town has earned this prestigious award.

**Action:** None.

**7a. 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 Councilman Cobb and a unanimous vote. The following actions were affected:

7a. Minutes – The Council approved minutes of the Council's meetings held July 16, Aug. 6 and Aug. 20, 2013.

7b. Reclassification of Senior Accountant Position – The Council approved reclassification of the senior accountant position to accountant.

7c. SCIMMP - The Council approved to award a contract to CH2M Hill for Phase 2 services to update the Town of Holly Springs Secondary and Cumulative Impacts Master Mitigation Plan (SCIMMP) and to adopt the associated budget amendments. *Copies of the budget amendments are attached to these minutes.*

7d. Budget Amendments - The Council adopted amendments to the FY 2012-13 budget to bring forward funds to reserve funds for future street and parks and recreation projects. *Copies of the budget amendments are attached to these minutes.*

7e. Budget Amendment, \$4,800 – The Council adopted an amendment to the FY 2013-14 budget in the amount of \$4,800 from Economic Development reserves for the 10<sup>th</sup> annual Economic Development partners event and the 10<sup>th</sup> annual business appreciation event. *A copy of the budget amendment is attached to these minutes.*

7f. Ballenridge Pipe Rehabilitation Project – The Council approved to award a construction administration contract to Diehl and Phillips, PA in the amount of \$21,750 for the Ballenridge pipe rehabilitation project and to adopt an associated budget amendment to cover the contract plus contingency. *A copy of the budget amendment is attached to these minutes.*

7g. 2013 Street Improvement Project Change Order #1 – The Council approved contract change order No. 1 in the amount of \$122,570.50 to include the following additional streets to the 2013 Street Improvement Project: Oakhall Drive, Linden Ridge and Ramshorn Drive in Oakhall Subdivision and Pine Orchard in Fairhill Subdivision.

7h. Contracts Report – The Council received a report of recent contracts amounting to less than \$15,000 approved by the town manager, pursuant to policy.

7i. North Main Athletic Complex Project – This item was removed from the Consent Agenda during agenda adjustment.

7j. Budget Amendment, \$245,400 – The Council adopted amendments to the FY 2013-14 budget in the amount of \$245,400 to cover the construction contract for the Ballenridge pipe rehabilitation project. *Copies of the budget amendments are attached to these minutes.*

7k. Park and Recreation Refund Policy – The Council approved to modify the Parks and Recreation refund policy to exempt medical or school calendar/school assignment refunds from administrative processing fees.

7l. DukeNet Contract – The Council approved to enter a contract with DukeNet for a 36-month term for 100 Mbps dedicated internet access.

**7i. North Main Athletic Complex Project** – Mr. Bradley addressed the Council and reported that at \$14,000 for the timbering of the North Main Athletic Complex Project property, bids received were lower than expected. He did note that the proposition is better than it seems at face value because the logger also will mulch wood debris and stumps during the job, something the town would have to pay for before road construction. The savings to the town and a fast timbering job would combine to be of benefit to the town and the project.

**Action:** The Council approved a motion to approve the timbering bid of \$14,000 from Perry Hunt of Hunt Forest Resources LLC and to authorize the town manager to sign a timbering deed for the 42 acres of the North Main Athletic Complex property.

**Motion By:** Williams

**Second By:** Sack

**Vote:** Unanimous

**8a. Preliminary Plan 13-MAS-01, Twelve Oaks Phase 6** – Ms. Holloman said Twelve Oaks, a Planned Unit Development located off of New Hill Road, is requesting the approval of its newest proposed phase, Phase 6. This would be the seventh phase that is being developed, as phase 1, 2, 3A, 4, 5, and 7 already are approved. Phases 1, 2, and 3A are under construction.

She said the Twelve Oaks PUD consists of a total of 687.35 acres and allows for up to 2,028 total dwelling units. Proposed phase 6 is comprised of 58 single-family lots (all Type B lots) and no multi-family residential units. The approved PUD plans establish four single-family lot types: Types A, B, C and D. These lot types range from 4,000 to 12,000 square feet; Type A is the smallest, and Type D is the largest.

She said in addition to meeting all established lot requirements, proposed lots also would have to meet the architectural standards of the Twelve Oaks PUD.

**Action:** The Council approved a motion to approve Preliminary Plan 13-MAS-01 for Twelve Oaks Phase 6 as submitted by Spaulding & Norris Engineering, Project Number 410-02, dated revised 8/12/2013 with the following conditions:

1. All previous approval conditions for Twelve Oaks PUD will apply to this plan as well.
2. Within 10 days of Town Council approval, the applicant shall submit revised plans correcting the lots within the site data table to Type B lots.
3. The following items will be required with the first plat associated with this phase: HOA covenants shall be recorded with the first plat. Draft copies can be submitted for review with the first construction drawing submittal.
4. Prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project, all environmental permits must be obtained.

At the time of construction drawing submittal, a site lighting plan will be required. Street Trees on all interior streets shall be positioned as to not interfere with any lighting fixtures present or any site distance triangles.

**Motion By:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

**8b. Town Manager Contract** – Mr. Schifano said that the town council has concluded its interview and selection process for the position of town manager. An employment offer by the town council has been made and accepted and the town council is in a position to vote for final approval, subject to the town council's review of the contract. Mr. Schifano said it would be proper for the town council to review the contract's terms in closed session, pursuant to NCGS §143-318.11(a)(6) and a(5)(ii), then if acceptable, return to open session to approve the contract and make the final appointment of town manager.

**Action:** The Council approved a motion to enter into closed session pursuant to NCGS §143-318.11(a)(6) and a(5)(ii) to discuss the appointment of the position of town manager and discuss the contract and terms of employment.

**Motion By:** Cobb

**Second by:** Sack

**Vote:** Unanimous.

**General Account of Closed Session – Sept. 3, 2013.**

In general, Mr. Schifano went over the terms and the Town Council discussed the contract's terms for the Town Manager's position. They suggested some changes.

No further action was made in closed session.

The Council approved a motion to return to open session. The motion was made by Councilman Sack and seconded by Councilman Cobb, and the vote was unanimous.

**-- End of General Account**

**Action:** The Council approved a motion to approve the employment contract, subject to changes made in closed session, and authorized the mayor to execute the contract.

**Motion By:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

**Action:** The Council approved a motion to appoint Charles Simmons III town manager.

**Motion By:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

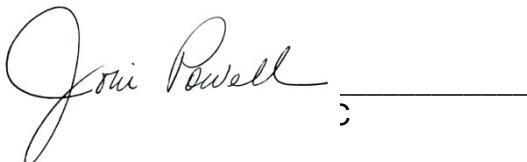
**9. Other Business:** Council members expressed support of Mr. Simmons and delight that well qualified candidates spoke so highly of Holly Springs.

**10. Manager's Report:** Mr. Simmons reported on a number of events and programs.

**11. Closed Session:** None.

**12. Adjournment:** There being no further business for the evening, the Sept. 3, 2013 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack, a second by Councilman Cobb and a unanimous vote.

Respectfully Submitted on Tuesday, Sept. 17, 2013.



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

