



Town of Indian Trail
Minutes of Town Council
April 12, 2011
Civic Building
6:30 P.M.

The following members of the governing body were present:

Mayor Pro Tem: Jeffrey L. Goodall

Council Members: Robert Allen, Gary D'Onofrio, John Hullinger, and Darlene Luther.

Absent Members: Mayor John J. Quinn

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Finance Director Marsha Sutton, Town Engineer Scott Kaufhold, Tax Collector Janice Cook, Economic Development Coordinator, Kelly Barnhart, Civil Engineer Adam McLamb, Events Coordinator Rebecca Jones, and Planning Director Shelley DeHart.

Press/Media: Jillian Leamy of the Enquirer Journal, and Brian Carlton of the Union County Weekly.

CALL MEETING TO ORDER

Mayor Pro Tem Goodall called the meeting to order and lead in the Pledge of Allegiance. He welcomed the Union County Commissioners and staff to the meeting.

PRESENTATIONS

a. Spring Clean Up Proclamation

Mr. Goodall read the proclamation and announced the Town of Indian Trails Easter Egg Hunt and Community Pride Week.

b. BB&T Check presentation for Crossing Paths Park

Mr. Collinson from BB&T explained their mission statement and presented the Town with a check for \$6,000 for the corner of Crossing Paths Park that is dedicated to our history.

DISCUSSION WITH UNION COUNTY COMMISSIONERS

Mr. Goodall invited the Union County Board of Commissioners to call their Special Meeting to order. Chairman Simpson called his meeting to order.

Mr. Fivas explained the Council put together some dialogue as a catalyst to start with and feels it is important at the end of this meeting to determine where we go from here and continue these discussions and build some relationships with the County.

Mr. Hullinger asked how the Town of Indian Trail and the County bring better balance to residential vs. commercial tax base in Union County. Such as more visible marketing programs, partnering on economic development incentive programs, partnering on transportation programs, shop Union County programs, establish a stronger Union County identity, marketing our fantastic school system on a regional basis and refocus the Partnership for Progress on more diverse projects.

Board Member Todd Johnson replied the balance between residential/commercial is a common concern for most citizens. He referred to a recent study conducted by the Chamber of Commerce that confirmed their fears that they are unable to sustain where they are now and provide the level of services for the citizens. They have taken steps to try and address this by opening up the capacity for water and sewer which will allow for more projects, he feels they are moving in the right direction but they have a long way to go.

Mr. D'Onofrio commented that the school system should be marketed; it is a good system and needs to be maintained and continued that way. He acknowledged the budget challenge that presents advising that he would like to see a better tax base, less reliance on residential and growth in the commercial entity. He advised that Indian Trail is starting an Economic Development team and believes there is some common ground we can agree to continue to work on and find some common ground.

Mr. Allen feels it's important that we realize that we all share the same ultimate goal to flourish and grow. Developing some of the amenities here will assist in keeping the dollars in our county, we all benefit from that and it will help our schools. He believes it's also important that we have an understanding that only comes from dialogue.

Ms. Luther would like to see a large publicity campaign for county residents to buy into "Shop Union County". We have got to have more opportunity for our average family to go and patronize local establishments. We are ready in Indian Trail and need the County to be of the same mindset as we are. Whether it's partnering with the municipalities for incentives, we have to do something to focus on the three main areas that will make a difference in Union County. It's her hope that when we are done here and have had a chance to think about it, that we work together to find the solutions and not just let it hang. Ms. Luther advised that incentives serve a purpose and suggested some partnerships in that area.

Ms. Kuehler advised that Union County Partnership for Progress (UCPP) is the organization they have been partnering with and they had a strategic session a couple of weeks ago where many of these issues came up. She advised that she and Mr. Ewing have discussed branding; once a company decides what it needs where to get them fulfilled what differentiates Union County from their other options and what is our identity. Ms. Kuehler believes that the County is uncertain of its identity and once we get to that understanding where we can bring in business and jobs, people usually shop where they work or on their way home. If we can put jobs here so that people don't leave the County they will shop here. All of these issues have been recognized and are in the process of being addressed, if there is a silver lining to the economic turn it is the opportunity to focus on the problems and come up with solutions.

Mr. Thomas advised that progress and plans are in place. He referred to the Chamber President, a resident of Indian Trail, advising that they will have a presentation next week. One factor being that in order to continue with this level of service our taxes would have to double in the next five years. He believes they have to get ahead of that and figure out and identify the issues. As for the UCPP they need to determine what the Town's interest is in this area along with the needs and concerns to move forward and ensure that we're working together. When Indian Trail benefits, so does Union County.

Mr. Johnson believes in shopping locally and that this Board recognizes that there are some municipalities do not and some that do want economic development and they understand that. For those municipalities that do want economic development he asked what can he do as a Commissioner that will support them?

Mr. Fivas advised they were supplied with a copy of our recent survey. Asking that they review it and acknowledged that our residents were very clear in their needs and wants for industrial adventures, restaurants and entertainment.

Mr. Goodall said what's good for one is good for all. We all have a common interest to make the quality of life in Union County the best it can be for all of our citizens. Our citizens do want economic development; they are used to having a hotel and restaurants in their town. He read an email received from the Chamber of Commerce: The Union County Chamber of Commerce

will release the full Economic Study led by members of the Wingate University's School of Business to the community and leaders on April 20, 2011 from 4:00 to 5:30pm at the Union County Chamber of Commerce. Anyone may attend this session. The Chamber Leadership team will be available for questions immediately following the presentation.

The study highlights the challenges Union County faces for its citizens, and focuses on current tax rates in Union County, quality of life factors such as libraries and parks, schools and debt service, and the impact commercial taxes would have on the county. The research team compared other counties in North Carolina that are similar in size and growth of Union. The study shows that the residential to commercial tax base is an 85 to 15 ratio. Union County's tax rate is six cents higher than the state average. The study concluded that if Union County does not increase its tax base through commercial growth, then taxes would have to be doubled, perhaps tripled in five years if current spending is left unchecked.

Mr. Goodall feels that most of our population mix is from an urban not rural setting and has grown in the last 10 years. He feels like we're shouldering the burden alone. We've all read about Carolina Courts and the Stone Movie Theatre complex in the Town of Indian Trail and asked what has the County Commissioners done to keep Carolina Courts and the theatre in Union County.

Ms. Kuehler advised when she first realized there was an issue with Carolina Courts over the Bypass; she contacted the folks at UCPP. The owners of Carolina Courts were frustrated because and they felt like they were getting the run around from the Turnpike Authority. She told UCPP you have the contacts and the information, make yourself available to them, site selection, land and it has been going on between the County (UCPP) and Carolina Courts since she found out. She has been to see the owners. They are at DOT's mercy also. She invited the County Manager Cindy Coto to speak about the theatre complex.

Ms. Coto advised she spoke with Stone Theater about water and waste water, there is some available and they have been advised of same.

Mr. Goodall said that's good news and whether it's a movie theatre, hotel whatever, it'll help Union County and we're all in this together. He advised that he thinks our citizens feel like they are sometimes stuck holding the tab on a few things. Quite frankly, when he hears the word partner it makes him nervous and believes the citizens that voted for him want it that way, it generally means someone is going into our tax paying wallet, as we get the biggest piece of the debit. Partnering in spirit and cooperating that's good. The County Commissioners have certain responsibilities; the State has responsibilities for the road system. He's old fashioned but he holds them to that, we pay our taxes to North Carolina, I want to see our roads and schools improved. He does not want to have to buy a lottery ticket to think that I'm improving our schools. I've already paid my taxes to North Carolina, thank you fix the schools, get the class size down.

Mr. D'Onofrio stated that Mr. Goodall's point is a fair one in that as the issues grow; economic development, tax base, roads, transportation, public safety and schools are large issues and wholly beyond the scope of Indian Trail. We may be the biggest municipality in the County but it's still bigger than what we can handle. What's good is that our citizens have supported us being proactive in these areas and DOT holds a lot of responsibility for those roads. Our citizens don't see a lot happening and say what can we do about it if we go out on our own? Our citizens are willing to share the expense of fixing roads, and it would be nice if the County could contribute to the widening Old Monroe Road. All of the citizens in Monroe, Indian Trail and Stallings drive up and down that road every day and it makes sense if half the population in Union County uses this road, to look at what we can do. Would be great if the County said we understand you can't tackle these projects on our own. If you leave with nothing else tonight, please understand that we are here to solve problems with the County.

Mr. Goodall stated that he has been reading a lot about Rea Road and the first thing that comes to his mind is the number of citizens in Union County and feels that Old Monroe Road is not just a Town of Indian Trail issue, it's a economic development necessity that it's fixed from 485 to at least Wesley Chapel Stouts Road if not all the way into Monroe where it becomes four lane. We are considering putting a Bond issue up to our citizens, but we do not want to spend the \$25-50,000 to put a referendum in front of the voters if it's just going to be smoke and mirrors again. That's why I said in previous meetings that I want a serious commitment from NCDOT that we're going to make it happen.

Mr. Hullinger advised transportation has been our #1 issue from our citizens on both surveys we conducted in the last four years. We want and need your help whether it's financial or not. We need to put pressure on NCDOT. We have come to the conclusion that Old Monroe Road needs widening, it's just a matter of who is going to pay for it, who's going to help us, who's going to push it through, who's red tape we're going to have to cut to get there. We want and need your help in Indian Trail. We need the County's help to get the road issues done, this is what the citizens of Indian Trail for sure but most of the County needs. The take away he would the County Commissioners to take with them in conjunction with roads is *we need your help in Indian Trail*.

Mr. Allen referred to Council of Mayors meetings, suggesting that all the municipalities put their influence together to show NCDOT and Raleigh that we are serious. They do have skin in the game; let's play together as a team. Let's talk to the Mayors at your Council of Mayors meetings. He requested that the County use their connections with the Council of Mayors, Chamber of Commerce and other agencies to get the message out and combine our votes to get the job done.

Ms. Luther stated that everyone agrees, even NCDOT, Old Monroe Road is a high priority. Both Stallings and Indian Trail are willing to use the funds originally dedicated to Stallings & Indian Trail Roads onto Old Monroe Road widening. She referred to the survey and the possibility of a Bond and said all the stars are

aligned, all we can do is take it to DOT and if they say we'll think about it and let you know. If the answer is no, then in her opinion it is all smoke and mirrors because there is not a lot more these municipalities can do to say we're serious, we're throwing everything in, the residents are serious, if DOT does not honor that and let us get this project done in timely fashion and we need to be completely unified, put the pressure on them and let them know we're all in what are you going to do. When they give us their answer, we'll know what the real deal is.

Mr. Simpson acknowledges that the Council of Mayors is a tool that we can use and when the budget gets resolved we get going on it. He advised there is a Transportation Advisory Board that is made up of representatives from all across the County, both MUMPO and RPO. He said Ms. Kuehler gave quite a bit of leadership last year and now he and Mr. Thomas co-chair that group and one of the things we're making an effort to do is to focus on what are our goals, missions and what is the direction we want to take. It has been brought to our attention and it has been offered that we will try to provide some dedicated staff support from the Planning Department to that group so that we have some maps, focus and objectives that we can all talk about the same issues. Hopefully we'll see some DOT funding changes through the legislature to provide us with more transportation dollars in this direction. He agreed we should stand united at the MUMPO meetings and share with them the dire need we have for funds and projects in Union County. He is the MUMPO Representative and will make every effort to try and do that.

Mr. Johnson lives between Unionville and New Salem on the other side of 74 and widening Old Monroe Road would benefit him as well. He has travelled that road quite a few times and if you haven't gone through the intersection of Old Monroe Road and Waxhaw Indian Trail Road and seen the backup after 5:15 - 5:30 pm, it's a sight to behold; it goes and goes and goes. It will benefit people from outside of Indian Trail and Stallings, even people on the northern side for the County.

Ms. Kuehler advised that it takes 10 years to get an item on the MUMPO list and by the time they get around to it, you've changed your economic development plan because you can't get to it and now the road is funded is not the road you need. She inquired if the Town has had discussion with NCDOT about paying up front and NCDOT paying back over time.

Mr. Fivas replied yes, but the first hurdle 8-10 months ago it wasn't even an option for Old Monroe Road. Yes we could do it, but where would the resources come from? We don't have any voter obligated approved GO Bonds, NCDOT or MUMPO hasn't said ok we'll move these other projects. He's please to announce that later in April; MUMPO will be addressing the Old Monroe Road issue and starting the process of moving the funding for Indian Trail and Stallings Road on it. He believes that's the initial part of the strategic funding plan to how we get this done. He feels optimistic that Old Monroe Road are going to get done but he's concerned about the time frame, right now their talking about starting

construction later in this decade. We need to find a way to expedite it to get it started, it will take 6-12 months to get environmental done. We are looking for the County to support us in getting it done. There are many businesses that want to but cannot come because their business plan requires they be on a four lane road, they do not want to be on 74 and we're missing out on those jobs. We need a very united battle to move it from 7-8 years down to 3.

Mr. Thomas commented that we find ourselves, once again, from a proactive mode to a reactive mode because of the growth in population. How do we fix a problem that we have and at the same time plan for the future. He acknowledged two points he has heard tonight, money and unification of our representatives to MUMPO. Is there anything else that the County can do to back this proposal for Indian Trail? He does not sense any dissent amongst those that are here, we all identify this as a tremendous opportunity and obligation. Enlighten us as to anything else we can do now or in the future to move the project forward.

Mr. Goodall would rather see things like this on channel 16 and everything I see about Union County should say: "Shop Union County" on everything with a logo branding. If we must have a television station, he would rather see an economic development station or a job board or here's what coming to Union County. Change the mindset and pyridine, are we getting value out of it or is there something we can do to promote Union County as a place to do business.

Mr. D'Onofrio suggested that we all think and see if there's something that we missed, a joint lobbying effort, joint planning, funding, what it looks like. He thinks Mr. Goodall had a good thought with Channel 16 and this idea came to him, there are examples of local businesses contributing back into their community, and you saw one of them here tonight. That's probably the 7th or 8th check we've had since announcing that park across the street. There are people who are ready to invest in this community. They like the idea they can put their name on something but they probably won't get the return of their investment, they're doing it because they want to be part of the community and do something good. There's a local car dealer that very extensively talks about being a Union County citizen, both he and Mr. Goodall purchased vehicles from there. Very recently they donated a large sum of money to Sun Valley Middle School. Businesses like that deserve to be recognized and perhaps we can acknowledge the businesses that contribute to their community on the television station.

Mr. Goodall said that "Shop Union County" program should not just be a Chamber of Commerce project. Everyone in here benefits and we should all be involved as we all stand to gain.

Mr. Johnson shop local does not cross citizen's mind that they are receiving funds back. It's important to educate people and let them know the importance of it and the impact and benefits of their spending

dollars can bring. As people's spending change, spending less, buying more on line creates a deficit at the County level.

Mr. D'Onofrio requested the State of the County. What can our local citizens expect this year by way of tax dollars? Chairman Simpson advised that Ms. Coto and her staff are working diligently to keep the expenses down. All tax revenues are down significantly, it will be hard to find the money we need.

Ms. Coto advised that part of the reason the County is in the situation is that in the past we may have used one time funding sources to pay for recurring costs and our goal this year and subsequent years is a hard look at recurring costs. For an organization that's already fairly lean, it pretty difficult. Between 2008 and 2010 we reduced our budget by 12% while the County was still growing. We had a fairly robust Christmas holiday, our sales tax did not increase one penny, which means that people are shopping elsewhere which is very disconcerting. All of our revenues streams are down, we looking at our recurring costs, revenue streams, trying to identify new revenues. We have unveiled some options to the board at our work session to get an idea if these are avenues we can explore and bring back to you and a lot of our April 28th session will be doing exactly that. A good portion of our budget 57-58% is associated with our schools and a good bit of it is because we're carrying about \$600,000,000 in debt for the growth that has occurred in this County, in the last 10 years we have built 22 schools. We are currently in discussions with the School Board to see how they can assist the County in reducing our overall deficit. We cannot do it by ourselves, when I look at two of my biggest operations, library and parks, that only equal \$5,000,000. So with a \$13,200,000 deficit we're going to have to look to reduce services, as well as school budgets to try and get to a balanced budget.

Mr. Johnson advised that serves on both library and park Boards that needed to make changes in some of our user fees, as much as it hurts. We're trying to maintain the services that we provide as much as possible but also be as prudent with the taxpayer money as we can also. There is a very conscience effort to do this and this Board takes it very seriously.

Mr. Goodall feels that there are three reasons to move here - quality of schools, tax rates and weather. You have a tough job but we need to remember that Union County Public Schools are the reason people move here. Our qualities of schools are something to be proud of. Mr. Johnson advised that he has a 5 year old just going to our schools and it is a matter of high importance to him. What is utmost important is to ensure that the teachers have what they need to educate those kids.

Mr. Goodall acknowledged the County Staff that have attended tonight's meeting, Wes Baker Interim Assistant County Manager, ED Goscicki Public Works Director and Lynn West Clerk to the Board has been with the County 21 years.

Mr. Fivas thanked the Board and County staff for all their cooperation and assistance.

Mr. Simpson thanked the Town for their hospitality and for the opportunity to come and meet with you. We wanted to meet with all the Municipalities, it's been stated many times tonight that we need to stand united and certainly our best interest is in Indian Trail and your success. If there's anything we can do as a Board and a staff to assist in getting that done. Mr. Simpson made a motion to adjourn, the Commissioners voted unanimously in favor of the motion.

Council took and returned from a break.

ADDITIONS AND DELETIONS

John Hullinger made a motion to approve adding as item 10d discussion and possible action about an air conditioner for the Civic Building.

Council voted unanimously in favor of the motion.

Jeffrey Goodall made a motion to approve adding as item 10e - Council Representative to the Union County Transportation Advisory Board.

Mr. Hullinger inquired if we have a representative on this Board already. Mr. Fivas advise he believes the Mayor sits on it.

Council voted unanimously in favor of the motion.

MOTION TO APPROVE AGENDA

Robert Allen made a motion to approve the Agenda as modified

Council voted unanimously in favor of the motion.

PUBLIC COMMENTS

Lindsay Morris, 2022 Camden Road, Wingate, NC rides the 74 express bus from Monroe to Charlotte and has heard rumors they are looking to cut it. He's been a rider of the bus since he moved to Union County, it was the primary reason he decided to move to Union County. It's important for Council to realize that people look for good schools and can they get to work and this bus does that. Gas prices make that bus more important than ever. One of the reasons Union County is the fastest growing is because of the transportation available.

Jerry Wigen, 10004 Fenwick Dr., Indian Trail, NC thanked Council for the efforts made by staff to help Clean Up Indian Trail. He is hoping that staff will focus on Indian Trail Road and to take a close look at the intersection of Highway 74 and Indian Trail Road on both sides of the highway.

Melissa Medaugh, 15016 Pawnee Trail, advising that she emailed all Council and the Town Manager about a leash law. Her family has 3 dogs and is responsible owners with fences and walking them on leashes. Last week she was walking with her children and 2 roaming dogs on two different occasion attempted to attack their leashed dogs while walking. She feels this is a very large safety concern. She has lived in many cities and none come to mind that it was ok to allow dogs to roam unleashed. She inquired if there is a leash law will it be enforceable. She believes that Indian Trail cannot do it alone and wants to know what the County's obligation is. Will the County build another animal control building and assist in enforcing these laws? She feels the leash law should include - no roam ordinance, leash law ordinance with the exception of agricultural with 10 acres of land, tethering limitations language, no loose dogs in public parks, Charlotte has a great ordinance in section 371 and there should be hefty citation fees with multiple offenses.

CONSENT AGENDA

- a. Tax Report - Month end for March 2011
- b. Approval of March 22nd & 30, 2011 minutes

Gary D'Onofrio made a motion to approve the consent agenda.
Council voted unanimously in favor of the motion.

PUBLIC HEARINGS

There were no public hearings at this meeting.

BUSINESS ITEMS

- a. Red Lantern Drainage Improvements Contract

Mr. Fivas advised this project is from our Stormwater Program for an area creating many issues behind Red Lantern Drive.

Gary D'Onofrio made a motion to approve the Red Lantern Drainage Improvements Contract.
Council voted unanimously in favor of the motion.

- b. Intersection Analysis Study

Mr. Fivas advised we went to MUMPO to get some funding to study several intersections in Indian Trail; we're doing several of them. This project will be completed before June and will prove to be helpful in preliminary planning for some upcoming projects. This is a \$25,000 Grant with a Town match of \$5,000.

Robert Allen made a motion to approve the Intersection Analysis Study.

Council voted unanimously in favor of the motion.

c. Waxhaw Indian Trail Road Sidewalk Contract

Mr. Fivas advised this is the next in line of sidewalk projects going up and down from Indian Trail all the way to Colton Ridge. There are significant number of homes that will utilize this for entertainment and shopping. This is number 3 and we have two more in the cue, Rogers Road and Unionville Road, once we get this one done, we'll start working on whichever one of those is furthest along to do.

Mr. Goodall inquired why this project came before Rogers Road when many school students need sidewalks over there. Mr. Fivas replied that the other projects are a result of a CMAQ Grant, the timing is significant, and Rogers Road is incurring some design problems. This project is much easier to acquire the easements, it's not a matter of prioritization, and it's a matter of just getting projects done.

John Hullinger made a motion to approve W. M. Moore and Son for the contract for Waxhaw Indian Trail Road Sidewalk.

Council voted unanimously in favor of the motion.

DISCUSSION ITEMS

a. Voluntary Annexations

Ms. DeHart explained the town enacted a combination fee of \$500 combining the process of annexation and the required zoning that must go along with that process. The theory behind enacting that cost was to try and cover the out of pocket expense to the town in conducting these procedures. There are required newspaper publications, as well as interacting with the attorney.

Mr. Goodall requested this matter and advised the purpose is to provide a temporary incentive to encourage voluntary annexations to help resolve the donut holes, the current Indian Trail boundaries map is like a jigsaw puzzle with many County pieces inside our borders. The current political climate is unfavorable to involuntary annexations at all levels. The current application fee (\$500) is unfavorable and prohibitive in encouraging voluntary annexations. The fees lost can be easily recouped in eventual ad valorem taxes and it provides more efficient processes for all town services. Mr. Goodall emphasized this is **voluntary** not *involuntary*. Council had a general discussion on this subject.

John Hullinger made a motion to approve permanently removing the \$500 fee for voluntary annexation and direct staff to have an information page on the website explaining the process and a press release.

Council voted unanimously in favor of the motion.

b. Update on the Indian Trail Arts and Historical Society project for Crossing Paths Park.

Mr. Fivas advised that everything is ready to go and we're anxious to get this done, but there is a financial issue of an outstanding amount of \$1,000 from having everything paid for, built, installed, landscaped and that's the solution we need to work through tonight. He advised that there are two options to resolve this issue: 1) Council can grant an additional \$1,000 to get it done and more forward. 2) Is to do a loan for \$1,000 to the Indian Trail Arts and Historical Society and they can work on getting donations or fund raising (much like the agreement with Union West Rotary and Lions Club).

Ms. Luther feels we should fund the last \$1,000 - the work, time and effort that the Historical Society put into this to bring this to us. She believes the Indian Trail Arts & Historical Society is a huge asset to Indian Trail and she is overwhelmed by their dedication. Mr. Allen agreed this is something that is near and dear to his heart. They put so much effort into the POW WOW to bring it back here.

Mr. Goodall asked for a spokesperson to come forward and inquired what fund raising efforts have they performed since the last time they appeared in front of the Council and they granted them \$2,500. Don Moore replied they sold miniature statues for \$150 (cost \$75); they are waiting for additional supplies to sell more. Mr. Goodall inquired if they have tried to obtain any sponsorship? Mr. Moore replied no, they thought it best to have complete control of the project. They discussed and confirmed the fact that the Indian Trail Arts & Historical Society is a 501C and they are a separate entity from the Town of Indian Trail. Mr. Goodall inquired about the website and if it's on line yet? Mr. Moore replied all of their assets have been focused into this project, and we want to get it up and running but need to raise additional funds for it.

Mr. D'Onofrio inquired what the total cost of the project was. Mr. Fivas replied it was \$13,000 and the infrastructure to build it is about \$9,500.

Darlene Luther made a motion to approve funding the last \$1,000 necessary to complete the project.

Council voted unanimously in favor of the motion.

Mr. Moore provided some history of the project and advised this is a composite sculpture of the Eastland Woodland Indian. Mr. Fish thanked Mr. Fivas and staff for working with them and bringing it to fruition.

c. Format for Agenda structure

Mr. Goodall advised he wants to make Additions and Deletions as the 2nd item, Motion to Approve Agenda as the 3rd item and Public Comments as the 4th item with presentations being after that. Council had a brief discussion on this topic.

Jeffrey Goodall made a motion to approve changing the agenda structure to have item 2 as Additions and Deletions, item 3 as Motion to Approve Agenda and item 4 as Public Comments. Council voted unanimously in favor of the motion.

d. Air Conditioner for Civic Building

John Hullinger made a motion to approve directing the Town Manager and staff to get the air conditioner fixed or replaced not to exceed \$6,000.

Mr. Fivas explained the staff efforts in getting three companies here to inspect it. It was determined that the Freon was gone, so we were hopeful that putting Freon back in would resolve the issue, saving us thousands of dollars. They could not assess the unit without Freon. We do have money set aside to replace the unit. He is uncertain that \$6,000 will buy a unit that cools the building. We have it budgeted and don't necessarily need a motion.

Mr. Hullinger withdrew his motion.

e. Council representative to Union County Transportation Advisory Board (UCTAB)

This matter was added as a result of a motion made in item 3 Additions & Deletions.

Mr. Goodall advised that transportation is a top priority to our citizens and the last time we met with the County Commissioners we asked them to form a Transportation Advisory Committee and they did. He read a letter from Assistant County Manager Matthew Delk dated March 24, 2009. The letter stated that "the committee will consist of one member appointed by each towns governing body, elected officials or town resident." He stated he does not recall the Council ever appointing anyone to this committee. He stated if this governing board is happy with Mayor Quinn continuing to serve in that capacity that's fine or if anyone else would like to take on that responsibility and be on this committee.

Ms. Luther nominated Council Member Robert Allen. She feels there's a disconnect between anything that's going on between MUMPO and the UCTAB, she believes the Mayor's going to it now because he's on the email list. She feels there needs to be some direct communication whether it's him or a Council Member. We're up here making decisions, feeling pretty in the dark a lot of times. She has asked him to provide reports and he appears to be very resistant to do that and she doesn't understand why. Ms. Luther stated this is a very important issue and Indian Trail is addressing this more aggressive than we ever have, we need to be fully aware at all times, not just when it's request, if we're making these decisions.

Mr. Goodall informed the public on how MUMPO designates its members. They say it has to be the Mayor, advising that this Council has no say in who our MUMPO Representative is.

Mr. Hullinger feels it should be the MUMPO Representative or the Alternate MUMPO Representative for continuity's sake.

Mr. D'Onofrio agreed that some of the information on the MUMPO meetings had to be elicited and wasn't very forthcoming. He asked Mr. Allen if he would be willing to attend those meetings as well, we'd know what was going on and there would be continuity.

Mr. Goodall resigned as the MUMPO Alternate effective immediately and suggested Council Member Allen would make a great Alternate.

Mr. Allen stated he would be proud to serve, he believes it's something that would lend itself very well with some of the things he's done in Mecklenburg County. It's a great opportunity for us.

Darlene Luther made a motion to approve appointing Robert Allen as new representative to Union County Transportation Advisory Board effective immediately.
Council voted unanimously in favor of the motion.

Jeffrey Goodall made a motion to approve replacing resigning MUMPO Alternate Jeff Goodall with Council Member Robert Allen, effective immediately
Council voted unanimously in favor of the motion.

MANAGER'S REPORT

Mr. Fivas reported US 74 bus issue that was presented during public comments, we have done some research and it indicates that Union County notified Mecklenburg County that they won't be contributing to their system.

On the Red Lantern Drainage issue, he informed Council that everything has been formalized and approved by our legal staff to perform that, we do have easements to do the project and there is one person that is concerned about the project you may hear from, but we have legal approval to perform it.

PLANNING REPORT

Ms. DeHart had nothing to report.

ENGINEERS REPORT

Mr. Kaufhold had nothing to report.

COUNCIL COMMENTS

Mr. Allen thanked the Council for confidence and he will serve well. Every now and then they read that the Council is bickering but all of tonight's votes were unanimous.

Mr. D'Onofrio thought the conversation with Union County Commissioners went well tonight it was a better dialogue and more common ground than he anticipated. We need to make sure we continue to have those conversations to realize where the County concerns match our concerns. He requested that the Commissioners, when considering the school budgets, if there's one real shining star it's the schools. I am living proof of that, when we moved, we looked for something that we could be proud of to send our son to. We need to remain vigilant in this area and not short change the education of our children. Nothing is more important in this small world of local government than education. You need to let the voices be heard.

Mr. Goodall made a plea to the Commissioners; please do not cut the arts first when you look at the school system. He thanked the Chairman Jerry Simpson, County Commissioner Todd Johnson, County Commissioner Jonathan Thomas and County Commissioner Tracy Kuehler and all the staff that joined them for coming. We have similar concerns except we're looking at them differently.

Mr. Hullinger had nothing to report.

Ms. Luther feels the meeting with the Commissioners went well. It brought issues out into the open. She believes they understand the desperate need for economic development in Union County, especially with that study on Union County and the challenges we will face if we do not grow commercially. Ms. Luther stated that they understand that Indian Trail is of that same mindset and are willing to do what we can to help achieve that goal. She believes the Commissioners see that as a priority and is encouraged by it.

CLOSED SESSION

Robert Allen made a motion to enter closed session **143-318-11(a)(3)** to consider and give instructions concerning a judicial action titled by Keystone vs. Indian Trail and **143-318-11(a)(6)** consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

Council voted unanimously in favor of the motion.

John Hullinger made a motion to approve going back into open session.

Council voted unanimously in favor of the motion.

ADJOURN

John Hullinger made a motion to adjourn.
Motion Passed 4 - 1 with Jeffrey Goodall opposing.

APPROVED:

Jeffrey L. Goodall, Mayor Pro Tem

Attest:

Peggy Piontek, Town Clerk



DRAFT