



Town of
INDIAN TRAIL
north carolina

Town of Indian Trail
Minutes of Regular Council Mtg.
August 11, 2009
Civic Building
7:00 P.M.

The following members of the governing body were present:

Mayor: John J. Quinn

Council Members: Gary D'Onofrio, Jeff Goodall, Shirley Howe, Dan Schallenkamp, and John Hullinger.

Staff Members: Planning Director Shelley DeHart, Town Engineer Scott Kaufhold, Finance Officer Marsha Sutton, Tax Collector Janice Cook, Assistant to Town Manager Miriam Lowery, Senior Planner Katie Reeves, Junior Planner Jonathon Edwards, Adam McLamb Engineering, Interim Town Manager Peggy Piontek, and Interim Town Clerk Trena Sims.

Media: Marty Mitchin of the Charlotte Observer

CALL MEETING TO ORDER

Mayor Quinn called the meeting to order.

PRESENTATIONS

July 4th Float Contest Winners

Mayor Quinn presented the winners of the July 4th Float Contest plaques supplied by The UPS Store in Indian Trail as follows: Most Patriotic – Porter Ridge All Stars, Most Historical – John Payne, Most Creative- Lake Park Family Practice, Best Youth – Peaceful Warrior School, Best All Around – Lullaby's Consignment Store.

DeLane Sims - Eagle Scout

Mayor Quinn presented DeLane Sims a Certificate of Recognition for his recent receipt of the Eagle Scout Award. **(Copy attached hereto and made a part of these minutes.)**

ADDITIONS AND DELETIONS

John Hullinger made a motion pull Item 8a - Review Administration Building Renovation. Motion Passed 3 - 2 with Shirley Howe, and Dan Schallenkamp opposing.

John Hullinger made a motion advance 10b up to the time the attorney arrives. Motion Failed 3 - 2 with Jeff Goodall, Shirley Howe, and Dan Schallenkamp opposing.

MOTION TO APPROVE AGENDA

Dan Schallenkamp made a motion to approve Agenda. Motion Passed 4 - 1 with John Hullinger opposing.

PUBLIC COMMENTS

Carol Slifer, 4821 Secest Short Cut Road, spoke very favorably of Indian Trail and John Quinn and feels that Mayor Quinn does not deserve all the recent bad publicity against him.

Samantha Towns, 104 Pine Lake Drive, stated that John Quinn and all of Council were voted in by the public and personalities should not be involved; there is procedure. Whatever the ethics committee comes up with should be put on a referendum for the public to vote on.

Mercedes Cass, 428 Raintree Drive, feels that the Town should spend money wisely; a public relations person or billboard is not necessary and suggested forming a Public Relations Committee. She commented that the MUMPO Representative has always been the Mayor and the Council appointing an alternate. She also commented on the apparent friction between certain Council Members and Mayor.

There was a brief discussion of the MUMPO representation.

Lynne Hayes, 4917 Pioneer Lane, spoke in support the Mayor and his efforts. She expressed her disappointment at the Council's decision to disallow the Mayor to communicate with Town Staff.

Shirley Bossbach, 6132 Davidson Drive, expressed her extreme dissatisfaction with recent Council actions.

CONSENT AGENDA

- a. Tax Report - Month End Tax Report for July 2009**(Copy attached hereto and made a part of these minutes.)**
- b. Tax Settlement for 2008**(Copy attached hereto and made a part of these minutes.)**
- c. Charge Tax Collector with Collection of 2009 Taxes**(Copy attached**

- hereto and made a part of these minutes.)**
d. Approval of Minutes from April 28, 2009 and May 12, 2009
e. LDSA 2009-001 - Land Development Standards(**Copy attached hereto and made a part of these minutes.**)

Dan Schallenkamp made a motion to approve Consent Agenda.

Council voted unanimously in favor of the motion.

OLD BUSINESS

None at this time

DISCUSSION & POSSIBLE ACTION

Review Administration Building renovations (*This item was removed from the agenda by a previous motion.*)

PUBLIC HEARINGS

ZT 2009-005 DIVISION 400 TITLE CHANGE: BOA DECISION APPEALS PROCESS; BOA VOTING PROCEDURES; REZONING ACTUAL NOTICE REQUIREMENTS

Jonathan Edwards presented a request to amend the title of Division 400 of the Unified Development Ordinance (UDO) from its current title, "Administrative Permits," to "Administrative and General Permit Requirements" as it more adequately reflects the intent and spirit of the division as a whole. In addition, this text amendment is also adding UDO Section 310.080(D) which establishes a uniform appeal process by which any applicant, following a quasi-judicial hearing decision, can go to the Superior Court to seek redress. It allows for the preservation of the appeals process from a quasi-judicial decision, such as in decisions made by the Board of Adjustment. This amendment also addresses the amendment of UDO Section 230.040(A) to require that, by NCGS 160A-388(e), all decisions of the Board of Adjustment will require a 4/5's vote of the Board in order to proceed with any course of action.

This amendment is also to request the addition of UDO Section 320.020(E) due to recent NC State Law changes. This would require an applicant pursuing a zoning map amendment, who is not the property owner, to get actual notice that the property owner of the property being considered for rezoning receive: 1) the notice for rezoning itself and 2) the copy of the public hearing notice for the rezoning. This must be provided by the applicant prior to the rezoning being heard by the Council. The applicant would be charged with the cost of sending out notices.

Mr. Edwards read the findings into the record as follows:

- 1) The following findings were made consistent with the Comprehensive Plan:
1.3.1 of the Comprehensive Plan - Quality of Life; the proposed UDO ordinance amendments will help to streamline the current UDO and allow for the promotion of a greater quality of life for the citizens of the Town of Indian Trail.

1.3.2 of the Comprehensive Plan - Land Use; the proposed UDO ordinance amendments will help to promote a quality mix of different land uses while avoiding land use conflicts with neighboring properties and surrounding municipalities through a streamlined process of review. 2) This UDO ordinance amendment is in the best interest of the public because it promotes a more efficient development system and review process, while providing a greater quality of life for all residents of the Town of Indian Trail.

Mayor Quinn opened and closed the public comments section of the public hearing for this matter. No one had signed up to speak.

Jeff Goodall made a motion confirm the findings as read into the record and approve ZT 2009-005 as transmitted by the Planning Board.

Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THESE MINUTES.)**

ZM 2009-002 HARRELL REZONE

Craig Thomas presented a request for a zoning map amendment for a portion of 5625 Potter Road. This request is to rezone from SF-1 (Residential) to General Business (GBD). The portion of the parcel is 0.626 acre. This is needed for a lot line adjustment and in order to do a lot line adjustment the adjoining properties must be similarly zoned. The parcels are part of the Austin Village, Village of the Indian Trail Comprehensive Plan. He pointed out the location on a projected map. On these properties there are two structures that are non-conforming and this potential rezone would correct this situation. This originated with discussions from Mr. Harrell; site is used as office for his real estate business.

The Planning Board heard this matter on July 21, 2009. They were in general agreement that this would correct the non-conforming situation and recommended approval to the Town Council.

Mr. Thomas read the required consistency findings into record:

1.3.2 of the Comprehensive Plan - Land Use. The proposed rezoning to general business would allow a non-conforming situation to be corrected.

The request for this zoning reclassification is a reasonable request and is in the public interest because it promotes the goals of the adopted Comprehensive Plane in the area of Land Use and is consistent with the adopted plans within the Town.

Mr. Thomas referenced TC Attachment 1; an effective date will be inserted when the maps have been recorded.

Mayor Quinn opened up the public comments section of the public hearing.

Dean Harrell, 5615 Potter Road, stated he is here to answer any questions from Council.

Mayor Quinn closed the public comments section for this matter.

Councilmember Schallenkamp asked what date this would be effective. Mr. Thomas answered that August 30th should be sufficient.

Gary D'Onofrio made a motion to approve amendment of this rezone ZT 2009-002 with an effective date of August 30.

Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THESE MINUTES.)**

ZT 2009-004 DIVISION 1000 PARKING

Ms. DeHart presented a request to amend Division 1000 of the Unified Development Ordinance (UDO) which regulates parking requirements with Indian Trail. The amendment consist of a request to authorize the use of compact parking spaces within parking lots as well as correct the parallel parking dimensions currently found in the UDO. The proposed amendments would occur in Chapters 1070.020 and 1070.030 of this division. With regard to correcting parallel parking space dimensions, the Town is proposing that Table 10-1 of this amendment be modified to require 8' wide and 22' in length; which is typical standard for parallel parking space. Staff is of the opinion that the amendment proposed for the use of compact spaces will assist in reducing the overall impervious area within parking lots as well as reduce the visual impact of large paved areas. When considering allowing compact spaces certain criteria is considered; such as a qualifying factor - at what point do you allow compact spaces, there would be a need to evaluate a proposed width, a proposed length and an aisle width behind the parking space. In researching, Charlotte has a qualifying factor of 25 spaces, 7.5' width, 15-16' in length, the aisle length varied from 14-21'; it depended upon the orientation of the parking, with a maximum allowed of 25% of overall parking. The amendment originally proposed a 10 space qualifying factor, which is what was consistent with the previous zoning ordinance, 7.5' in width, 15' in length and a maximum of 25% of overall parking.

This item was heard by the Planning Board at their June meeting. The discussion by the Board centered around the use of compact spaces. The Board unanimously had an opinion that the spaces are often misused by the general public and there is no enforcement that could be utilized to prevent the misuse; the Planning Board did not make the required findings, therefore recommended disapproval. While preparing the transmittal for Council, staff recognized that the issue of correcting the parallel parking space dimensions was not addressed. This was sent back to the Planning Board in July and after deliberation, the Board modified the amendment to exclude the use of compact spaces. Therefore, what is coming before Council tonight is the correction for parallel parking spaces.

Based on the modification the Planning Board made the required findings which Ms. DeHart read into the record as follows:

1. The proposed amendment, as modified, is consistent with the Goal 1.3.2 of the Comprehensive Plan - Land Use because it provides the use of a parallel parking space for

development within our town; and

2. The proposed amendment, as modified, is in the best interest of the public because the intent is to provide parking standards that will meet the business needs of today.

Mayor Quinn opened and closed the public comments section of this public hearing; no one signed up to speak.

Dan Schallenkamp made a motion concur with Planning Board transmittal and approve ZT 2009-004.

Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THESE MINUTES.)**

**ZT 2009-001 CLUSTER SUBDIVISIONS: BOA POWERS;
LANDSCAPING OF SHARED DRIVEWAYS.**

Jonathan Edwards presented a request for various amendments to the UDO. The first is a proposed amendment regarding cluster subdivision section of the UDO for the purpose of adding a baseline minimum standard for open space subdivision that are not served by public water and sewer. This will establish at least 30% of the open space to be set aside for open space subdivisions of this type; this would be above and beyond what is typically required for open space.

The second part of the proposed amendment is basically a power that was in the old ordinance. The purpose would be to allow the Planning Director the ability to "bump up" an unallowable use in a nonresidential zone or a nonconforming use in a residential area up to that of an SUP, which would subject to hearing by the Board of Adjustment. This determination, which would be rarely used, would be based on several factors including whether the use is proposed for an undeveloped or previously developed lot among other factors which is in the report included in the information packet.

The last proposed amendment is in regards to landscaping of shared driveways, which basically would allow for the relocation of the required ten foot vegetative buffer strip to either side of a lot of the front side of a lot and helps to promote shared driveways in nonresidential areas. He then showed a projected picture which gave a visual example of this.

The Planning Board unanimously recommended approval to the Town Council provided that the landscaping of shared driveways be limited to non-residential uses only. Mr. Edwards read the consistency findings into the record as follows:

1) The following findings were made consistent with the Comprehensive Plan:

1.3.1 of the Comprehensive Plan - Quality of Life; the proposed UDO ordinance amendments will help promote a healthier and more sustainable community for the residents of the Town of Indian Trail.

1.3.2 of the Comprehensive Plan - Land Use; the proposed UDO ordinance amendments will

provide a quality mix of different land uses while avoiding land use conflicts with neighboring properties and surrounding municipalities;, and,

2) This UDO ordinance amendment is in the best interest of the public because it promotes a more efficient, practical, and sustainable development system, while providing a greater quality of life for all residents of the Town.

Mayor Quinn opened and closed the public comments section of this public hearing as no one had signed up to speak.

Jeff Goodall made a motion confirm the findings as read into the record and approve ZT2009-001 as transmitted by the Planning Board.

Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THESE MINUTES.)**

Mayor announced the second meeting on August 25 at 6 pm

NEW BUSINESS

FY 09-10 STREET RESURFACING CONTRACT

Mr. Kaufhold presented a proposal for the FY 09-10 Street Resurfacing Contract. At last month's meeting, at Council direction, the Town added 30 miles of streets for town maintenance responsibilities; for a total of 37 miles of Town maintained streets. This is a direct application of the recent survey results; ongoing maintenance to streets to improve quality of life, improve community appearance and improve driver frustrations. The proposed contract includes a variety of street maintenance repair and resurfacing operations on a minimum of seven streets; totals about 5 miles in length; funding source is the Powell Bill. He projected a map showing ten streets; the list of the seven streets proposed for maintenance is included in the information packet - if there are additional funds, they would continue on with the other three streets. This is addressing the worst streets within the Town particularly in the Beacon Hills area. Resources are also dedicated to the most heavily traveled town maintained road; Brandon Oaks Parkway; this road was also used as a construction haul road. He is requesting approval from Council to put this contract out for bid; the low bid would be brought back to Council for action.

Councilmember Hullinger asked if bids other than just the low bid can be brought before Council, as the low bid may not equal quality work. Mr. Kaufhold stated yes.

Mr. Kaufhold stated that some of the streets taken over were left in an inferior state; what the Town is proposing should have up to a 14 year life span; not just tar and gravel. The Engineering Department decided on the roads with help from outside consultants based on pavement condition rating. Mr. Kaufhold provided a brief overview of the rating process.

Mayor Quinn asked if there was a plan to revisit the assessment process periodically. Mr. Kaufhold recommends doing this on a periodic basis with a number assigned to each road; perhaps every other year.

Mr. Kaufhold stated that one of the other efforts the Town is undertaking is out in the Beacon Hills Subdivision; a contractor is addressing the big pothole issues; roads not worked on with this proposed contract will be taken care of by the contractor.

Dan Schallenkamp made a motion to approve contract to put out for bid.

Council voted unanimously in favor of the motion. **(COPY ON FILE IN THE ENGINEERING DEPARTMENT.)**

REVIEW CODE OF ETHICS; DISCUSS
PUBLIC INFORMATION REQUEST RESPONSE TIME;
DISCUSS COUNCIL COMMENTS TIMING

Councilmember Howe assured those present that a rumor circulating about the Council doing something special to remove the Mayor is untrue. When the Council discussed the Town Charter recently, it was mentioned that they should review the Code of Ethics. She is proposing two options and is open to other suggestions: 1) request that the council members review the code and send any recommendations/changes to the Town Manager to forward to the Town Attorney for inclusion and bring back to Council; 2) review and send recommendations/changes to the Town Manager to forward to the Town Attorney and schedule a workshop to discuss.

Mr. Merritt addressed the changes regarding the Code of Ethics requirement recently enacted by the General Assembly. The requirement is for specific governing boards to adopt a Code of Ethics and for the members of those governing boards to receive education in ethics. It requires a Code of Ethics to be adopted on or before January 2011. Particular items to be addressed within the policy at a minimum, such as: the need to obey all applicable laws regarding official actions taken as a board member, the need to uphold the integrity and independence of the board members' office, the need to avoid impropriety and the exercise of the board members official duties, the need to faithfully perform the duties of the office and the need to conduct the affairs of the governing board in an open and public manner, including complying with all applicable laws governing open meetings and open records. The other item that the act adds is the requirement that each member of the board would be required to receive a minimum of two clock hours of ethics education within 12 months after their initial election or appointment and again within 12 months within each subsequent election or appointment to the office. Education could be provided by the League of Municipalities, the Association of County Commissioners, the North Carolina School Board Association, School of Government or any other qualified source. The Town currently has an adopted Code of Ethics; need to look at and make sure it reflects the minimum requirements as set forth in the new statute.

Councilmember Hullinger asked if our current Code of Ethics is in compliance with the new statute. Mr. Merritt stated that it probably does cover the minimum standards, but he has not specifically reviewed the document to compare with the statute requirements as of yet.

Councilmember Schallenkamp provided a brief history of the current Code of Ethics. He feels it covers good areas, but has no teeth in it. He's noted different inclusions within some other

municipalities Code of Ethics that we may want to include; specifically addressing Holly Springs Code of Ethics Item I "Whistle-blowing is appropriate on unlawful or improper actions; however, public officials bear the responsibility of avoiding accusations of wrong-doing without substantiated and validated facts."

Councilmember Goodall commented that in reviewing the current policy it seemed to not address the Council/Manager form of government, which would be inconsistent with our charter.

General discussion regarding the Code of Ethics was continued. There was also discussion of a statute that could be used to declare a council member or mayor incapacitated by unanimously vote of the Council.

Councilmember Goodall suggested that an official acknowledgement, as shown by an example from Holly Springs, be signed by council members as well as committee member and employees, which would indicate that the Code of Ethics and other pertinent documentation has been read and will be adhered to.

Jeff Goodall made a motion Council to instruct Town Manager to gather input on Code of Ethics and forward to Town Attorney for review and select a date for a special workshop.

Council voted unanimously in favor of the motion.

Councilmember Howe addressed the three minute commenting time. She would like to clarify that the clerk will keep the time for both the public comments and council comments.

Shirley Howe made a motion the clerk will be responsible for the timing of council comments, which consist of a three minute time limit, unless additional time is requested and granted by the Council majority.

Councilmember Hullinger while agreeing in principal, expressed his concern with the clerk taking notations of comments and also keeping up with the timer, that perhaps there may be a better way; perhaps a countdown that the commenter can see. Councilmember Goodall suggested using colored cards, one to show the commenters they have thirty seconds left and a second one to flash when their time is up. There was additional discussion of this matter.

Council voted unanimously in favor of the motion.

Councilmember Howe addressed public records request and asked the Town Manager if there was a time frame in which to provide the requested information. Ms. Piontek explained that the Town gets the requested information as soon as possible; usually within the week, but it does depend on what's involved with the request.

Councilmember Howe requested information in April and is still waiting on information requested from the Mayor and would like to know what her options are. Mr. Merritt stated there is generally no time frame set out within the statutes as to when the information must be provided. The Town can charge a minimal cost, or the actual cost of producing the record, back

to the requester. If there are records that the town is refusing to produce, the requestor can file suit against the Town for failure to comply with the public records request. If there are documents in the Town's possession, then they should be turned over. If a person is conducting Town business on their personal computer, it is still considered public record and is subject to being produced; can't hide something on a personal computer.

Councilmember Schallenkamp confirmed that the Town did their part and it is alleged e-mail on personal computer that has not been produced.

There was continued discussion of this matter.

Mayor Quinn stated that he will put this on the agenda for the September 8th Town Council meeting and if there is any problem he will let Council know.

LAW ENFORCEMENT PAYMENT AND DETAILS

Ms. Sutton stated that information given to Council in the past has indicated that at the end of the year the fund balance will be \$242,000. There has been a subsequent bill/invoice from Union County that they are owed a \$66,000 payment. She has researched and has verified that amount is owed and has now been paid. The amount remaining for law enforcement at the end of June 30, 2009 is approximately \$175,900. When she first came here an invoice was given to her to pay by the previous Town Manager, which she did; but no subsequent notice of payment had been received until this was received seven months later. Her recommendation is that we have not hired the five officers that have been approved in the budget and those funds are sufficient to cover this in the current fiscal year's budget.

Also, there is a note in the packet about the lateness of their request of this payment and also when we were preparing the budget the County should be providing information in April or May, but Ms. Sutton did not receive formal notification until July 27th; which was after our budget adoption; although there was informal mention by Sgt. Coble. This is being brought before Council in an effort to be forthright with information.

MANAGERS REPORT

Ms. Piontek directed attention to framed Family Circle article which has been hung in the Civic Building and stated that there is also one in the Administration Building. She attended the Managers/Clerks meeting this past Friday and issues discussed were 1) that the General Assembly will be reducing the income to municipalities from beer and wine sales by two-thirds, this means a reduction of income for Indian Trail of about \$68,000; and 2) 14 of 15 municipalities in Union County have signed on for the Carolina Thread Trail; and 3) the County is looking to see if municipalities will help keep David Grant, Urban Forester; 4) they are hoping to get the league or COG to offer ethics classes locally; 5) legislation was passed for each municipality to adopt golf cart ordinances instead of getting approval legislatively; and 6) the new Public Works Director for Union County was introduced at the meeting. Ms. Piontek stated that we would be hosting the November meeting of the Union County Manager/Clerks. The auditors report should be in by the end of October. She updated Council on Mr. Mercer's

progress in preparing a brochure for the Town Manager search. Information regarding the upcoming candidates' forum is included in their information packets. Councilmember Goodall suggested information regarding the census and the upcoming referendums would be put on the website. Mr. Merritt stated that anything put on the website would need to be neutral. Councilmember Hullinger stated that he agrees the referendum should be put on there and also a list of the candidates to inform the voters.

PLANNING REPORT

Ms. DeHart informed the Council that the Union County Chamber will be holding the 2009 showcase in Indian Trail on September 15th at Carolina Courts anticipate about 1000 attendees. If the Council agrees, the Town will have an exhibition booth in the event and place a branding ad in the event program. Mayor Quinn will also be speaking at the event. The total cost: information booth \$200.00 and a 1/2 page ad is \$250.00. The Town is processing a Special Use Permit in the amount of \$315.00 and using a like kind service exchange with the Chamber for a total out of pocket cost of \$185 for the booth and the ad. After a brief discussion the following motion was made.

Dan Schallenkamp made a motion pay \$200 for the booth and \$250 for the ad to participate in the event.

Council voted unanimously in favor of the motion.

Ms. DeHart indicated that the owners of Extreme Ice brought up the idea of Skate - IT. This will treat residents to free ice skating day for one day on the first weekend after school starts - on August 29th. The Town would like to be involved in this event. The Farmer's Market will be held there that day. The owners would like for this to be annual event in Indian Trail.

The Farmer's Market will be closing for the season but with participation in the Skate-IT and Family Fun Day; they are in process of planning for next year with lessons learned from this year's event. Planning is looking at utilizing street light banners to go up with the branding logo utilizing sponsors so there would be no cost to the Town; this would allow for branding of village centers. They are also finishing up a street map book similar to books at bookstores; it would include streets, commercial centers, subdivisions and other points of interest and be more of a picture version than what the Rotary had.

ENGINEERS REPORT

Mr. Kaufhold presented the new draft sign showing the branding logo, the Family Circle "Ten Best Town for Families" and Tree City USA included. This sign is proposed to replace the signs we currently have. On August 31 in the Civic Building from 4-7 pm, MUMPO will hold a drop in meeting where the draft long range transportation plan will be made available for public review and comment.

The Chestnut Connector was discussed in Stallings; there is to be a special meeting held between now and their next council meeting to discuss with business owners and property owners. In

order to move forward, it does need formal endorsement from both Stallings and Indian Trail. In Raleigh they continue to work on the feasibility study to develop a cost estimate. He drew Council's attention to the draft letter of endorsement included in their information packets and requested comments from Council. After a brief discussion, the following motion was made.

Dan Schallenkamp made a motion instruct Mr. Kaufhold to make the final letter include a time frame in which the money is to be spent based on the horizon years as we understand them now and to change the word request in the third paragraph to recommend and add the Town of Stallings to the list.

Council voted unanimously in favor of the motion.

COUNCIL COMMENTS

Councilmember Howe thanked the Ms. DeHart and Mr. Edwards for their their efforts regarding the opening of the Goddard School. She complimented Susan Didier creating the advertisement in trying to get people to join the committees. She congratulated those running for office. She reminded Council of the chance to contribute to the David Lawrence Scholarship.

Mayor Quinn commented that any ethics policy adopted by the Council should be, if not drafted by, then reviewed by a citizens committee. This would perhaps encourage citizen participation and monitoring. He also thanked those citizens that came to his defense tonight. He also addressed his perception that the Council may try to have him declared mental incompetent, as previously mentioned.

Councilmember Goodall reminded those present of Family Fun Day on October 10th and the addition of the Corn Hole game. He also congratulated those running for Council and encouraged citizens to research each candidate so they can be well informed. He also mentioned the proposed candidate forum proposed by the League of Women Voters.

Councilmember D'Onofrio stated it was great to see the citizens here tonight, but to be well informed one needs to attend the meetings; which not everyone has the time to commit to coming to two four hour meetings a month. The Union County Governance Committee has asked for an alternate representative member. They are currently making a recommendation to the Board of Commissioners about what to do about governance in general; whether to expand the size of the board or expand the size of board and go to districts; all are being considered. His feeling is that the committee seems to be moving toward recommending seven members, with five districts and two at-large members.

Councilmember Hullinger clarified that at no time did was it expressed to him by any council member that if they had his vote they could rule the Mayor mental incompetent to rule; he did share with the Mayor that based on recent actions of this Council, that he wouldn't put it past them, that may be why the Mayor drew that conclusion. In reference to Family Circle, he addressed that he did contact Family Circle and the person he spoke with indicated their conversation with the Mayor in no way derailed the chances of Indian Trail being chosen.

Councilmember Schallenkamp thanked the candidates. He also supports the League of Women Voters in having a candidate forum, recommends they work with the county to record and perhaps broadcast. He thanked the speakers that spoke during the public comments section; but an attempt should be made to get the other side of the story.

CLOSED SESSION

Gary D'Onofrio made a motion enter into Closed Session pursuant to NCGS 143-318.11(a)(3) to Consult with the Attorney to order to protect the attorney-client privilege.

Council voted unanimously in favor of the motion.

Dan Schallenkamp made a motion to approve enter into Open Session.

Council voted unanimously in favor of the motion.

ADJOURN

Gary D'Onofrio made a motion to adjourn

Council voted unanimously in favor of the motion.

APPROVED:

John J. Quinn, Mayor

Attest:

Trena Sims, Interim Town Clerk