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Town of  
**INDIAN TRAIL**  
north carolina

**Town of Indian Trail**  
**Minutes of Regular Council Mtg.**  
**January 26, 2010**  
**Civic Building**  
**6:00 P.M.**

The following members of the governing body were present:

Mayor: John J. Quinn

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

Staff Members: Town Attorney Keith Merritt, 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, Adam McLamb Engineering, Interim Town Clerk Trena Sims, and Interim Town Manager Peggy Piontek.

Media/Press: Marty Mitchen of the Charlotte Observer

**CALL MEETING TO ORDER**

Mayor Pro Tem Goodall announced that Mayor Quinn is attending a special meeting call for the Parks, Trees and Greenway Committee. He announced for the record that Mr. Hullinger is not currently present. He requested we perform the Pledge of Allegiance and hold a moment of silence for the citizens of Haiti.

Mayor Pro Tem Goodall announced that the presenter for the Carolina Thread Trail Regional Status Update is not able to attend the meeting tonight and it will be rescheduled for another meeting. He announced that there is hand sanitizer in the back of the room, will provide information on Public Comments when they are heard and pointed out the rest rooms and emergency exits for the audience.

**BIKE PLAN CONSULTANT PRESENTATIONS**

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Craig Thomas sent out RFP for consulting firms for the bike plan and introduced the bike plan consultants.

### **Alta Planning & Design**

John Cock presented the proposal from Alta Planning & Design. He provided background information. Collectively the firm has a great deal of experience in this region from towns to counties, school plans and they have also worked with MPO in the area. They have worked from planning stages to the conception stage and provide a great range of capabilities; with emphasis on finding innovative and cost effective measures. He explained the considerations for Indian Trail by focusing on facilities for families and seniors.

### **Greenways Inc.**

Chuck Flink presented Greenways Inc. background information and explained their project approach. He brought an example of a bicycle plan they developed for the Town of Davidson, which is a similar size town.

### **HadenStanziale, PA**

Jon Wood and Karen Weston Chien presented background and experience information regarding HadenStanziale. In developing the plan, emphasis would be placed on community involvement. They explained their knowledge of the components of successful bicycle systems and greenways and their understanding of the dynamics of the connectivity between the two.

Councilmember Hullinger entered the meeting during this presentation.

### **HNTB**

Padam Singh presented information on the qualifications and experience of HNTB. He also explained the characteristics that differentiates them from the competition; familiarity of issues the town is facing, understanding of issues, concerns of major stakeholders and previous plans, expert public involvement specialist and sustainable solutions.

Mayor Quinn entered the meeting during this presentation.

## **PRESENTATIONS**

### **Yearly Law Enforcement Report**

Lt. Chase Coble gave an update of the current structure of Indian Trail bureau staffing; they've are able to take more preventative measures than in the past. Highlights of completed projects for 2009 are renovation and moving into the former planning building, participation in the release of the new website for UCSO, purchase of a new radar trailer, and began using Citizen Observer. He recapped yearly total for service requests, traffic stops, preventative patrols, residential checks, business checks and alarms. He also informed Council of the number of

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other crime totals for Indian Trail, such as murder, rape, drug offense, missing persons, etc; crimes have decreased some from 2008. As there have been many vehicle break-ins; during the 4th quarter, they started using a bait car using video with some success. They have also been working on a presentation for HOA's regarding vehicle security. They are using every reserve available and he appreciates the additional manpower which has shown with the additional arrest they've been able to make. A warrant squad has been formed and this has put a good dent in issuance with the ability to be more aggressive. Lt. Coble would like to be able to let the Council know how many people were arrested in Indian Trail; the software in use does not yet have the capability to break down into categories.

Councilmember Goodall mentioned the citizens' approval of beer and wine referendum two years ago and in November a mixed drink referendum was passed. He questioned whether there has been a trend for alcohol related charges since the passage of the aforementioned referendums. Lt. Coble responded that there are some alcohol related charges that are done by ABC officers or ALE agents that are not included in the stats. There are establishments in town that are starting to identify themselves as a call for service area; but they also do preventative patrols for these areas more than before. On the drug side, for the protection of the agents, it's hard to come in and talk as they are always looking for a larger seizer. There was possibly only one home grow in 2009; which is a decrease from previous years.

Councilmember Goodall questioned whether the alarm fee is working out. Lt. Coble replied that there is an improvement as there are some establishments that no longer have the volume of alarm responses; registration is building up. Councilmember Goodall asked if the information regarding Indian Trail could be put in the Charlotte Observer crime section as other municipalities are able to do. Lt. Coble responded in the affirmative.

Councilmember Luther asked about the basis of the calls for determining whether a call originates in Indian Trail. Lt. Coble responded that geo software runs with the county map; integrated software. The CAD 911 links the deputies to the dispatch operations center in Monroe; the service request will pop up on the screen with more information than previously accessible; this feature has been in transition since 2008.

Councilmember Hullinger inquired whether the requests for service Lt. Coble referred to earlier was for 911 emergencies only. Lt. Coble stated that it was for all events that were logged into the software for 2009 including preventative checks, traffic stops, etc. There was additional discussion as to what could potentially be included in future reports; Lt. Coble will be presenting as much information as can be provided monthly during the Council meeting. Councilmember Goodall would like to see trends, spikes, whether it be business or residential; historical data. Councilmember D'Onofrio stated he would speak later as to what type of data he would look for.

### **Indian Trail Police Services - Sheriff Eddie Cathey/James Douglas, PhD**

Mayor Quinn introduced James Douglas, PhD., who with the help of Gerald Fox, who has over forty years experience in working with municipal government, worked with the UNCC MPA students in completing a project for Indian Trail regarding police needs; the project was

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completed about 1.5 years ago. Mayor Quinn read a letter from Mr. Gerald Fox, who was unable to attend tonight's meeting. In the letter Mr. Fox indicated the report includes good research, conclusions and recommendations, but because of time constraints, was only allowed to do a limited amount of citizens surveying. Both he and Mr. Douglas were pleased with the class product.

Mr. Douglas stated this is the presentation the students put together in the fall of 2008 and gave a brief background for himself and Mr. Fox. The students involved are completing their masters program and have already gone through their statistical and training. He is the instructor for the course and Mr. Fox the practitioner to help them with the practical aspects. The students work as the evaluation team. The data for the report was collected about September 2008. What they tried to do was first check to see what other similar sized governments in North Carolina are doing; those that have their own police departments and general characteristics to get a comparison. Included in the report is a costs analysis; how much it would cost to have a police department versus the current contract now in place, a citizens survey to see if they are happy with the services the Sheriff's office is providing and their recommendations. He briefly went over the report using a slide presentation. In effect the student's model lets the Town know they are saving about \$4.7 million a year by using the current contract, as opposed to having a police department. If a police department is the way the town wants to go and raise property taxes to do so, the assessed value would need to be raised to \$31.03.

Mayor Quinn asked if the number of officers comparison is based upon a statistical average of towns like ours with probable police departments. Mr. Douglas confirmed he was correct, they used benchmark towns for comparison; any error would not be off much, maybe 5-7 officers. This is if the town chooses to offer the same services.

Mr. Douglas continued by stating that the findings for the analysis showed the Town is doing very well in terms of costs savings and has the overall lowest cost per capita with fewest number of officers. The students felt they needed to survey citizens to find out if they thought the level of service was adequate/satisfactory. They surveyed 320 citizens in Indian Trail through various means. The response rate was 26%; typical response rates with this type of study is usually between 25-35%; there was not time for them to go back and get second level surveys. Most of those that responded to the survey lived here less than five years. Only 45% reported having any contact with UCSO in the last year; 12% reported they had been the victim of a crime in the last year with 90% of which were reported as property crimes. Response times were mostly rated as either excellent or good. He also showed graphs of citizen perception of most frequent type of crime in Indian Trail with most being property crime and traffic violation and the overall quality of police services in Indian Trail, which most rated as being excellent or good with only a few rating below average/poor. Also included is overall feeling of safety in Indian Trail in which 82% rated as excellent/good and 11% rated as below average/poor; not a sense being a high crime problem with those participating. Satisfaction with the visibility of law enforcement officers was rated very satisfied/satisfied being 68% and dissatisfied rating 15%; for retail 73% were very satisfied/satisfied and 11% dissatisfied. Satisfaction with enforcement of speed limits and traffic laws was 62% being very satisfied/satisfied and 27% being very dissatisfied/dissatisfied; some dissatisfied respondents felt speeding and other traffic issues were a large problem in their neighborhood, particularly where children are present. Some citizens

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did recommend some minor changes to improve police protection. Overall recommendations were that the current contract should continue as the citizens appear to be satisfied and the contract is cost effective. In terms of room for improvement, perhaps increase the number of officers and increase branding on patrol cars and officer uniforms.

Councilmember D'Onofrio asked how the study came about. Mr. Douglas responded that prior to the semester they solicit local government or non-profits for projects that may be needed in the area. Councilmember D'Onofrio deemed that while studies are good, information can change over time. He addressed the costs savings of \$4.7 million; he does not feel that is applicable here. He feels that the weak part of the statistical data is with the survey and the level of service; 82 people is probably not enough of a sample. There was some additional discussion as to the number of respondents and the statistical analysis.

Councilmember D'Onofrio indicated that he will be asking for additional information from the Sheriff's office to be provided on a regular basis; such as response time data, arrest rates, etc. which would be helpful in comparison. The sending of a survey out to the citizens periodically would also be beneficial. Mr. Douglas stated he would expect the response percentage to be similar but perhaps the Town could find a more effective way to reach the citizens; it would be expensive to poll everyone each year.

Councilmember Luther indicated that the study uses 19 officers in comparison whereas at that time, the town only had 13 at the time with 6 zone officers included. It's unclear that our budget of \$1 million is paying for 13 officers; the town is not paying for zone officers, which the Sheriff deems where to put them. The other towns surveyed actually have the number of officers stated. Mr. Douglas recognized this fact and it was discussed, but the students felt if the 13 were put in there, it would not be an accurate description of what the Sheriff's department does; the overall effect. Councilmember Luther feels a true reflection would have been to use the 13 officers that the town is directly paying for in the comparison because the town is not paying for the zone officers. There was additional discussion as to what count should have been included.

Sheriff Cathey indicated that the information that is being asked for can probably not be provided; the zone officers answer calls in this zone, unless the town would like for those zone cars to not operate in this area until data can be provided. As long as detectives are working in Indian Trail, they are answering calls for Indian Trail; they don't separate the calls, but may be able to find a way to pull the data in the future. Additional discussion ensued as to the comparison of the number of officers.

Sheriff Cathey stated he did not have any influence on the outcome of the survey, his office provided requested data. He feels that if the Council does decide to do another survey, and then make a decision to do what the survey says; this is a political battle. To address something that was mentioned earlier, the Charlotte Observer has not had a reporter in Union County until recently and we might be able to get coverage now, the Sheriff's department sends information out, but it has not been printed. He noted that the town does not have control over the Sheriff's department. The Sheriff is the only one elected and he is the one that answers to the public; he does have the final say as he is civilly liable for everything that his officers do. His office tries to respond to everything that Indian Trail asks of them; they get very few requests. They will try

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to provide requested information; perhaps submit a form of what information is needed for consistency; would not be able to change monthly, some information may be harder to consolidate. Discussion continued on as to receiving a report from the Sheriff's office containing information that will help in making a determination; there was also continued discussion of the previous surveys.

### **Carolina Thread Trail Regional Status Update**

*(This matter was not heard because the presenter was not able to attend.)*

### **ADDITIONS AND DELETIONS**

Gary D'Onofrio made a motion to table 8a - Second Reading of Business Nuisance Ordinance

Council voted unanimously in favor of the motion.

Gary D'Onofrio made a motion delete 8b - Resolution to Union County.

Council voted unanimously in favor of the motion.

Gary D'Onofrio made a motion to approve add 9b - Law Enforcement Initiatives.

Council voted unanimously in favor of the motion.

Robert W. Allen made a motion add 9c - Discussion of Planning Board, Board of Adjustment, Public Safety Committee, and Events Committee.

Council voted unanimously in favor of the motion.

### **MOTION TO APPROVE AGENDA**

Gary D'Onofrio made a motion to approve agenda as amended.

Council voted unanimously in favor of the motion.

### **PUBLIC COMMENTS**

Jerry Farrell, 2003 Sugar Mill Road, addressed police protection. He stated that he sees their presence around Indian Trail and in their neighborhood. He feels safe here and believes the sheriff's department could adequately provide what is needed to keep Indian Trail safe for some time to come. He would not support a tax increase for implementation of a police department.

Kathy Broom, 4103 Runaway Circle, commented that it is political when it comes to whether to have our own police department. She also addressed the need for Council Members' involvement on town committees and feels all committee recommendations should be seriously considered.

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### **CONSENT AGENDA**

- a. Budget Amendments
  1. Reallocate funds for Holly Villa Circle
  2. Reallocate funds within Department for Town Manager search expenses
  3. Christmas bonus overage
  4. Establishing an account to detail costs associated with collection of taxes
  5. Increased cost in advertising sanitation issues and cost of mailing inserts
  6. Reallocation of wages for PT position
  7. Reallocate funds in sanitation for additional advertising
  8. New account reallocation in the Public Works Department
  9. Additional property taxes paid on Town owned property
  10. Cost increase for Town defibrillators
  11. Reallocation of funds within Sanitation Department

Gary D'Onofrio made a motion to approve the Consent Agenda.

Council voted unanimously in favor of the motion.

### **OLD BUSINESS**

#### **Second Reading of Business Nuisance Ordinance**

*This matter was tabled as a result of a motion made by Council Member D'Onofrio under the Additions and Deletions portion of the agenda.*

#### **Resolution to Union County**

*This matter was deleted as a result of a motion made by Council Member D'Onofrio under the Additions and Deletions portion of the agenda.*

#### **Discussion of Appointment of Councilmembers as Chairperson to the Transportation Committee and Stormwater Committee**

Councilmember D'Onofrio stated he is leaning against having a council member as chairperson to these committees; as the Public Safety Committee has been able to function without a council member. It is also a resource problem as the council members are spread thin, as they also serve on other committees; for example, governance committee, MUMPO, Parks Trees & Greenway. He feels the political aspect is taken away from the committee when the council member is removed; uncertain of the value of a council member having to be on either of these committees.

Mayor Quinn questioned whether Councilmember D'Onofrio was questioning the effectiveness or the value of a member being on the committee. Councilmember D'Onofrio responded that there could be effectiveness and value or not; no evidence has been presented to support either. Mayor Quinn feels a council member as chairperson is vital to the operation of all committees because Council members are elected by the people to represent their interest and also as members of the committee, they can pinpoint the direction of council and ensure the committee carries out the direction of the council. Mayor Quinn also feels the folks are looking to serve

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and support; they're looking for direction and leadership and that should come from Council, not staff. Councilmember D'Onofrio questioned the need for the Transportation Committee as has not seen many results from it. The Stormwater Committee is federally mandated.

Ms. DeHart added that she was here when the committee concept first developed here and it was based upon important issues going on in the Town such as Transportation. Initially looked at the formation of a committee it was purposely designed for a council member to stand on the committee. There is potential of residents bringing different aspects and come from all works of life and having a chair from the Council to ensure that whatever the committee may be working on is conceptually in keeping with the direction of the Council. Not everything the committees work on comes before Council; for example, transportation policy adoption, accepting roads for acceptance, etc. all goes through the Transportation Committee, so they do have a full agenda. She feels that a council member on the committees does play an important role; the council member can fill in grey areas during discussions.

Councilmember Goodall would like to see the new Town Manager, Mr. Fivas, review and determine the effectiveness of some of these committees. There should not be undue influence on these committees; looking for unbiased recommendation based on factual data and solid research. In his opinion it needs a fresh look and the new Town Manager has already said he would do a top to bottom review of town staff and administration and the spectrum of committees should be looked at also.

Ms. DeHart stated it would be helpful to get an annual report of task completed and a work program before council to see what they plan on working on for the following year; show what is being done within the committees. The work that is done may not come before Council; it could be project ranking where it is used at the MUMPO level to try to get the Town's projects on the list and funded by the DOT, there's a lot of work that is done and used. Councilmember D'Onofrio indicated that a list accomplishments would be great; he questioned whether the project list ranking that goes before MUMPO comes to Council; that's not a task that needs to be outsourced to a committee. Mr. Kaufhold responded that when projects are ranked on the LRTP, it's the Town's Technical Coordinating representative's job to rank those projects. It's a two day workshop where numbers are assigned with the rest of the committee in agreement on all the criteria for all the projects and end up with a listing of the projects. That is the role as the TCC representative, what we do; most of the work is done in workshops with other TCC representatives. There is a lot of discussion with surrounding neighbors; that's how projects are ranked higher or projects are moved around, for example, that is how Faith Church Road got put on the stimulus plan and how it got funding. Ms. DeHart stated that the Town, in the past, has adopted its own high priority roadway list, which came through the Transportation Committee, and then to Council. When Council is in workshop they have a list that went through the entire process; so Council is involved.

Councilmember D'Onofrio stated that it seems a little unclear where council involvement is on this. As they are talking about project ranking that could go up to the MPO; how can that be an unclear situation?

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John Hullinger made a motion not have a council member on these two committees and instruct the Planning Department to advertise the two positions and instruct these two committees to elect a Chairperson from the members.

Council voted unanimously in favor of the motion.

### **DISCUSSION AND POSSIBLE ACTION**

#### **Selection of Consulting Firm for the Bike Plan**

After a brief discussion by Council, the following motion was made:

Jeff Goodall made a motion to approve HNTB for the Bicycle Plan.

Motion Passed 3 - 2 with John Hullinger, and Robert W. Allen opposing.

#### **Law Enforcement Initiatives**

*(This item added as a result of motion made under additions and deletions by Mr. D'Onofrio.)*

Councilmember D'Onofrio stated that as the Town considers the money; from \$300,000 plus four years ago to \$1.3 million this year. He would like to know what the measurable effect of these changes have been; it's helpful to him as a council person to have supporting documentation. Cost is an important factor for consideration also, but it is not the only factor for consider. The UNCC study is a useful data point; its major conclusion was that what we're doing now takes less money than starting a police department would be. He would like to know if the citizens want something that we're not giving them. The Council needs more definition and more clarity than what the survey conducted two years ago provides. Another part is that whereas employees and elected officials of the Town are directly accountable to the citizens, whereas the deputies received their directive from Sheriff Cathey and are not directly accountable to Town management; how do the citizens feel about that? He would like to have an analysis regarding the start up cost for police department and also a trend forecast as to how much it would cost to maintain the department. The Council needs to be able to let the citizens know an estimated cost and whether it matters, would they be willing to pay, are they happy with what they have now, or do more of what they have now. Once the lines are clearly defined, an informed decision can be made. Although he has estimated deadlines, that can be discussed.

The first step would be to request the monthly data from UCSO so that we can monitor where we are and where we've been. Secondly, we need as much historical data as possible in order to assess what has changed. Thirdly, a citizen's survey should be mailed to all taxpayers of Indian Trail; he feels this should have been done at the last survey conducted, and that this could be done perhaps annually when conducting a survey regarding citizens' interaction with employees. And lastly, a financial analysis of cost to start an Indian Trail Police Department and how it would effect taxes.

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Councilmember Goodall agrees with his colleague. There was a brief discussion of maintenance cost involved with the deputies and potential maintenance cost there may be with an Indian Trail Police Department.

Mayor Quinn inquired as to how the Council believes they are capable of assessing the data when it is compiled. The Town has hired consultants for bicycle plans, sidewalk studies, a proposed park plan, etc. It has not been suggested that the Town do the same for the most critical that government provides; public safety. He feels the Sheriff's office can provide additional services, if we ask them to. The Town has a study that was performed by credible people and overseen by a PhD and a 40 year veteran in government management. If it was not the end all to let the Council commit to the Sheriff's office, then perhaps another study should be done. Additional discussion ensued.

Robert W. Allen made a motion to approve The following recommendations presented by Council Member D'Onofrio to be implemented by Town Manager Joseph Fivas:

1. Direct the Town Manager to request the Union County Sheriff's Office provide monthly data to include any and all questions from the quantitative section above, as well as any he deems necessary to perform his duties as Town Manager. Compliance with request to be obtained no later then April 30th. 2. Direct the Town Manager to request from the Union County Sheriff's Office historical data going back to the inception of the contract practice with Indian Trail. Compliance with request to be obtained no later then April 30th.

3. Direct the Town Manager to conduct a Citizen Survey mailed to ALL taxpayers of Indian Trail to include any and all questions from the qualitative section above, as well as any others he feels are necessary to evaluate law enforcement in Indian Trail. This should be mailed no later then August 31st.

4. Direct the Town Manager to work with the UCSO to develop a citizen interaction survey to be completed each time an Indian Trail resident requires service. This should be completed no later then June 30th.

5. Direct the Town Manager to conduct a financial analysis of cost to start an Indian Trail Police Department, to be completed no later then July 31<sup>st</sup>. This should include accurate cost estimates of start up, forecasting of costs over the next several years, and the bottom line cost to the average taxpayer.

Motion Passed 4 - 1 with John Hullinger opposing.

### **Discussion of Planning Board, Board of adjustments, Public Safety Committee and Events Committee.**

*( This matter was added as a result of a motion made by Council Member Hullinger under the Additions and Deletions portion of the agenda.)*

Robert W. Allen made a motion to table this matter until the next meeting.

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Council voted unanimously in favor of the motion.

### **NEW BUSINESS**

#### **Stormwater Maintenance Contract Renewal**

Joe Tolan, Field Operations Manager, explained how the contract operated. They put together about eight of the most commonly used items of construction in a drainage scenario; pipe, seeding, masonry drainage structures, items that are used in the handling of stormwater. This is written as a one year contract with three renewals that would be allowed by the Town Council. The contract created a pool of money with the low bidder amount of \$224,170; this works like a draw down account. All work is performed written on NCDOT specifications and documented, all request are citizen driven. The requests are then categorized either a, b or c with a being the most critical; the water has to have passed off of a publically maintained street to qualify for the stormwater program.

They advertised for bidders, opened bids on August 18th with Bullseye Construction as low bidder at \$224,170. The contract was awarded September 14th and issued the notice to proceed on October 1st and they went to work on October 8th. He gave a brief overview of the work completed to date throughout the town to improve the water quality and public safety.

At the last Stormwater Advisory Committee meeting they recommended along with staff the renewal of the contract in the amount of \$216,822.77, which would bring the contract back to the original bid price of \$224,170.

Mr. Merritt brought to Council's attention a provision in the contract where it states the Engineer can terminate the contract without additional authorization from the Council. That is an issue the Council may want to address. Mr. Kaufhold agreed that the contract should not include that statement. The Council discussed this briefly.

Jeff Goodall made a motion to approve Stormwater Maintenance Contract Renewal with the removal from page 17 the 2nd sentence of paragraph three "the Town Engineer shall have authority to terminate the contract without additional authorization by Town Council " and paragraph 2 under Termination by the Town for convenience "the Town Engineer shall have authority to terminate the contract without additional authorization by the Town Council"

Council voted unanimously in favor of the motion.

#### **2010-2011 Goals and Initiatives**

Councilmember D'Onofrio ask for Council to schedule a Goals and Initiative Workshop, usually called a retreat. This would be to identify five major goals and initiatives that the Council would like to see accomplished for the upcoming budget session. He will be out of state at the next meeting, but would like for Council and staff to schedule the workshop.

John Hullinger made a motion to table Items 10b, 10c and 10d.

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Council voted unanimously in favor of the motion.

### **Granicus Use for all Committee Meetings**

*(This matter was tabled as a result of a motion made by Council Member Hullinger.)*

### **Budget Calendar for 2010-2011**

*(This matter was tabled as a result of a motion made by Council Member Hullinger.)*

## **MANAGER'S REPORT**

Ms. Piontek reminded Council that Mayor Quinn, Councilmember Luther and Councilmember Allen of the training session this Friday and Saturday. At the end of the session they will be given verification of their fulfillment of the ethics training requirement; please give a copy to the clerk, as it is the clerk's responsibility to have documentation of completion of the ethics requirement for each council member. She provided information for other ethics training opportunities. She received a consensus from Council to put out an RFP for a roof for the Development Services building. Starting at the February 9th Council meeting, Lt. Coble will be providing a report to Council regarding the prior month.

## **PLANNING REPORT**

Ms. DeHart advised due to the late hour, she will not be providing a Planning Report.

## **ENGINEERS REPORT**

Mr. Kaufhold advised due to the late hour, he will not be providing an Engineers Report.

## **COUNCIL COMMENTS**

Mayor Quinn quickly updated Council regarding MUMPO activities.

No other council members had comments.

## **CLOSED SESSION**

John Hullinger made a motion to enter closed session pursuant to NCGS 143-318-11 (a)(5) - To establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property and To establish or instruct the staff or agent concerning the negotiations of the amount of compensation or other terms of an employment contract and NCGS 143-318.11(a)(6) - To consider the qualifications, competence, performance, condition of appointment of a public officer or prospective public officer or employee.  
143-318.11 (a)(6)

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Council voted unanimously in favor of the motion.

John Hullinger made a motion to approve returning to Open Session

Council voted unanimously in favor of the motion.

John Hullinger made a motion to approve paying Cobra insurance for the Town's new Town Manager Mr. Fivas for 31 days, beginning March 1, 2010

Council voted unanimously in favor of the motion.

**ADJOURN**

Gary D'Onofrio made a motion Adjourn.

Council voted unanimously in favor of the motion.

APPROVED:

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John J. Quinn, Mayor

Attest:

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Trena Sims, Interim Town Clerk