



April 3, 2018

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, April 3, 2018 in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and five council members were present as the meeting opened.

**Council Members Present:** Mayor Sears, Councilmen Tom O'Brien, Dan Berry and Peter Villadsen and Councilwomen Christine Kelly and Cheri Lee.

**Council Members Absent:** None.

**Staff Members Present:** Charles Simmons, town manager; John Schifano, town attorney; Linda Harper, deputy town clerk (recording the minutes); Gina Clapp, director of planning and zoning; Kendra Parrish, director of engineering; Mary DePina, project engineer; Daniel Weeks, assistant town manager; Paul Allen, real estate acquisition agent; Tina Stroupe, senior accountant; Mark Andrews, public information officer; John Herring, police chief; Adam Huffman, assistant parks and recreation director; Carolyn Couch, bass lake park manager; Seann Byrd, water quality director; LeRoy Smith, fire chief; Tamara Ward, communications specialist; and Billy Whitehead, information technology analyst.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Horace Ferguson, retired pastor of Holly Springs United Methodist Church.

**4. Agenda Adjustment:** The April 3, 2018 meeting agenda was adopted with changes, if any, as listed below:

Remove from Consent Agenda: 8e. Holly Springs Road Widening contract with Bass, Nixon & Kennedy to be heard at a later meeting.

**Motion by:** O'Brien

**Second by:** Villadsen

**Vote:** Unanimous

**5. Public Comment:** At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council on any variety of topics not listed on the night's agenda. The following comments were recorded:

Horace Ferguson, 5024 Sunset Walk Lane, said that he is a long-time resident and shared good observations of the community. He wanted to give a big thank you to the public works department for an outstanding job attending to the Town's needs. He thanked Luncie McNeil, public works director, and Angelia Zollicoffer and others who work in the public works department that caused that group to function effectively in all weather conditions. He said he was proud to be part of the community.

**6a. Oath of Office -** Mayor Sears said on March 19 the Wake County Board of Commissioners re-appointed Lois (Lisa) Semmens as the extraterritorial jurisdiction (ETJ) member on the Holly Springs Board of Adjustment.

Ms. Harper administered the oath of office to Ms. Semmens.

**Action:** None.

**7a. Public Hearing: Property Exchange** – Mr. Schifano said that, pursuant to a developer agreement with Malbec Properties, LLC, the Town has agreed to exchange parcels in order to accommodate the construction of West Rogers Street and to assist in providing parking for the Malbec commercial building.

An appraisal of both the Town's parcel and Malbec's parcel was obtained by the Town. In addition to exchanging the tracts, the Town will receive a 20-year lease on a fully constructed parking lot. The appraiser estimated the Town's tract's value at \$149,300 and Malbec's tract at \$57,291, and the value of the lease back to the town at \$65,100.

Mr. Schifano said the end result of the appraiser's analysis is that the Town is contributing \$149,300 and the developer is contributing \$122,400; therefore, there is a differential of \$26,900 in the swap. The appraiser's determination of the fair market value of the lease of the parking area can be valued differently. If the Town were to lease real property and construct a parking lot (as it did for the Methodist and Baptist churches downtown), the costs would greatly exceed the sum of the value placed by the appraiser and the differential (i.e., \$92,000.)

Therefore, in the opinion of the town attorney, the Town would be receiving full and fair consideration in the proposed property swap.

Council members discussed lease terms and value of the properties and agreed with the town attorney's opinion that the Town would be receiving fair consideration in the property swap.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded: None.

There being no input, the public hearing was closed.

**Action:** The Council approved a motion to adopt Resolution 18-13 authorizing the land exchange.

**Motion by:** Lee

**Second by:** Berry

**Vote:** Unanimous

*A copy of Resolution 18-13 is attached to these minutes.*

**8. Consent Agenda:** The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman O'Brien, a second by Councilman Villadsen and a unanimous vote. The following actions were affected:

**8a. Minutes** – The Council approved the minutes of the Board's recent regular and special meetings.

**8b. Wake County and City Raleigh PSTS Agreement** – The Council approved to an agreement with Wake County and the City of Raleigh for public safety telecommunications services.

**8c. South Wake Waterline Meter Repair** - The Council approved to retain Highfill Infrastructure Engineering for South Wake Waterline meter repair and funding in amount of \$30,000 from water reserves. *A copy of the project budget is attached to these minutes*

**8d. Budget Amendment, \$500** - The Council adopted an amendment to the FY 2017-18 budget to transfer \$500 from Parks and Recreation Reserves to Maintenance and Repair Grounds for purchase of flight field enhancements.

**8e. Holly Springs Road Widening Project** - The Council removed this item during agenda adjustment to be heard at a later meeting.

**8f. Crossway Drive Project**- The Council approved the installation of stop signs, stop bars and crosswalk on Crossway Drive.

**9a. Town's Financial Audit Contract** - Ms. Stroupe said the Town has retained Petways Mills and Pearson for the last five years to perform the annual audit. Generally, the Local Government Commission recommends proposals for audit services should be requested every 5 years. Requests for proposals were sent to firms who provide services to towns of our size. Five of eight firms responded with proposals. These firms were interviewed and references were contacted for each of the firms. After a thorough review of the materials, staff recommends hiring the firm Elliott Davis, PLLC to complete the Town's audit and financial statement preparation.

<b>Audit Proposal Bids:</b>	<b>First Year Cost Amount:</b>	<b>Three Year Cost Amount:</b>
Cherry Bakaert, LLP	\$36,000	\$111,000
Petway Mills & Pearson, PA	\$32,000	\$ 97,500
Joyce & Company CPA	\$34,800	\$105,400
Rives & Associates, LLP	\$33,797	\$103,081
Elliott Davis, PLLC	\$36,100	\$110,460

There was discussion regarding the need for a larger accounting firm for a growing community and having the software knowledge to satisfy the Town's financial audit services.

**Action:** The Council approved a motion to retain Elliott Davis, PLLC to conduct the Town's annual financial audit and financial statement preparation for a three-year term, with an option to extend for 2 additional one-year terms.

**Motion by:** Kelly

**Second by:** Lee

**Vote:** Unanimous

**9b. Bass Lake Park Project -** Ms. Couch gave an update of the restoration of Bass Lake damages from Hurricane Matthew. She said the Town received Jewell Engineering contract that includes additional engineering design services and construction bidding services in regard to the stream channel repair at Bass Lake Park is attached. The funds to pay for these services was previously requested and approved based off the initial cost estimate that was sent to FEMA, and no additional funds are needed at this time.

She said this stream channel restoration follows damage from Hurricane Matthew.

**Action:** The Council approved a motion to retain Jewell Engineering for Bass Lake Park stream channel repair engineering design and construction administration services.

**Motion by:** Berry

**Second by:** Lee

**Vote:** Unanimous

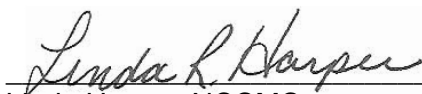
**10. Other Business:** None that resulted in Council action.

**11. Manager's Report:** Mr. Simmons invited the Council Members to the Outdoor Winter Farmers Market on Saturday, April 7, and the Shred with the Police Bike Rodeo on April 14, at Daniel Dhers Action Sport Complex starting at 9:00 a.m.

**12. Closed Session:** none.

**13. Adjournment:** There being no further business for the evening, the April 3, 2018 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, April 17, 2018.



Linda Harper, NCCMC

Deputy Town Clerk



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