



TOWN OF PITTSBORO

The Pittsboro Board of Commissioners met in Regular Session on **Monday, October 25, 2021** at 7:00 pm by electronic means via Zoom with Mayor James Nass presiding. The meeting was called to order at 7:05 pm. Mayor Perry requested a moment of silence with the recitation of the Pledge of Allegiance following led by Commissioner Farrell.

ELECTED TOWN OFFICIALS PRESENT: Mayor James Nass, Mayor Pro Tem Pamela Baldwin, Commissioner John Bonitz, Commissioner Jay Farrell, Commissioner Kyle Shipp, and Commissioner Michael Fiocco.

TOWN STAFF PRESENT: Town Attorney Paul S. Messick, Chief of Police Shorty Johnson, Planning Director Theresa Thompson, Senior Planner Victoria Bailiff, and Town Clerk Cassie Bullock.

ADOPTION OF THE AGENDA

Mayor Nass called for a motion to either approve or modify the agenda as proposed.

Commissioner Shipp made a motion to approve the Regular Agenda, seconded by Commissioner Fiocco.

Vote: Aye-5 Nay-0 Motion carried unanimously.

CITIZEN MATTERS

1. Manager Updates

Town Manager Kennedy shared the specs for development that were moved from September 27, 2021, BOC meeting has now been moved to November 8, 2021, to allow staff to finalize and allow the Board to review.

Sanford Force Main bids were received, bids were over budget and the Town is working with consulting firm Wooten Company and Chatham Park Investors.

Pittsboro Street Fair is this weekend on Saturday October 30, 2021, from 10-4pm located at the new Town Hall site on West Salisbury Street.

2. Mayor and Commissioner Updates and Concerns

Mayor and Board members gave updates on the committees and boards on which they serve.

3. Public Comment

1. Jimmie Vaughn, 325 Wagon Trace, Pittsboro, NC, discussed implementation of a reverse osmosis system necessary to remove toxins in Pittsboro water. And asked what legal actions were planned against the upstream discharges to mitigate these costs to residents.



2. Dr. Jessica Merricks, 126 Evergreen Drive, Pittsboro, NC, formally asked for a short-term plan for a centralized R. O. fill station to allow access to clean and safe drinking water for Pittsboro residents.
3. Mark Pavao, 421 Haven Road, Pittsboro, spoke about his concerns regarding the NC DOT, Northwoods-North Chatham Parkway situation.
4. Katie Bryant, 53 Clarks Creek Road, Pittsboro, NC, requested the Town of Pittsboro to consider providing an alternative filtered water option while waiting for the GAC system to be installed.

CONSENT AGENDA

Mayor Perry called for action on the Consent Agenda

The Consent Agenda contained the following items:

1. Town of Pittsboro Curbside Leaf Collection Schedule-Winter 2021-2022
2. Set Public Hearing for REZ-2019-01-Industrial Park Drive (Roberson's Walk), Hall Company
3. Board of Commissioners Future Agenda Item "Look Ahead" Tentative Schedule

Commissioner Shipp made a motion to modify the consent agenda and move item #3 Fast-Track GAC Advanced Treatment to New Business item #1, seconded by Commissioner Fiocco.

Commissioner Farrell made a motion to approve the consent agenda with the modification of moving Fast-Track GAC Advanced Treatment to New Business item #1, seconded by Commissioner Bonitz.

Vote: Aye-5 Nay-0 Motion carried unanimously.

NEW BUSINESS

1. Fast-Track GAC Advanced Treatment Contract Amendment with CDM Smith

Town Manager Kennedy stated given the current materials sourcing market across all sectors of the economy, the volatility of which has been well publicized, the OPCC is now \$3.4M, or \$800,000 over the budgeted project cost estimate. In order to proceed forward with the project, the Town appropriated an additional \$800,000 from our retained earnings reserves in our Enterprise Fund on September 27, 2021.

Town staff has continued to work with CDM Smith on the pricing and design components to lessen the cost escalations, and the Guaranteed Maximum Price (GMP) for the Fast-Track GAC project is now \$3,093,001.



Town staff recommends that we hold the project budget for the water treatment plant efforts at the \$3.4M to account for any unexpected change orders or for an engineering and design project for the addition of UVAOP measures at the facility to address our 1,4 dioxane concerns.

Kennedy shared that the Town has been notified that the GAC vessels are delayed in delivery. The manufacturer is now presenting a guaranteed delivery date of June 2022. It is the Town's understanding that the remainder of the work expected of CDM Smith will be conducted well in advance of this GAC vessel delivery, but given the shift in delivery date, the Town and CDM Smith agree to amend the contract to allow for a 215-day extension to the original substantial completion date of December 17, 202, which pushes the expected completion to late July 2022.

Commissioner Bonitz made a motion to approve the Contract Amendment Language and authorize the Town Manager to Execute the Documents with CDM Smith, seconded by Commissioner Farrell.

Vote: Aye-5 Nay-0 Motion carried unanimously.

OLD BUSINESS

1. Special Use Permit-SUP-2021-02 Townsend Tract-Sanford Road (PARID 60774, 89720, 7413) Jamie S. Scwedler

Planning Director, Theresa Thompson, presented the staff analysis. The Special Use Permit application originally came before the Board of Commissioners (BOC) on August 9th and September 13th for evidentiary public hearings. The applicant updated their application based on comments made at those hearings.

The Planning Board reviewed and recommended approval of the Special Use Permit at its October 4th meeting in a 4-0 vote. However, the BOC cannot base evidentiary decisions on the Planning Board's legislative recommendations.

Theresa Thompson noted that the applicant revised the fee-in-lieu language regarding sidewalks and corrected an error in the color coding on the map in the narrative.

Jamie Schwedler with Parker Poe represented the applicant and presented two other changes. Specifically, the language in conditions 4 and 7 were adjusted to address sewer allocation limitations.

Commissioner Fiocco noted that according to NC GS Chapter 160D, if construction on the project begins within seven years of approval, the Special Use Permit and site plan will be vested.

Commissioner Bonitz expressed concerns with the Special Use Permit. Bonitz felt the project was being rushed, did not have enough public input, and posed significant adverse impacts to the surrounding area, particularly in terms of traffic. Commissioner



Bonitz was also concerned that the development did not include any commercial uses like grocery stores.

Commissioner Fiocco noted that Special Use Permits go through a rigorous review process with significant public review and comment. Fiocco anticipated that the increase in residential units would help existing businesses and attract new business to the area.

Commissioner Fiocco made a motion to approve SUP-2021-02, seconded by Commissioner Shipp.

Vote: Aye-4 Nay-1 Commissioner Bonitz Motion carried.

2. Rezoning – REZ-2021-06 – 1911 NC Hwy 902 (PARID 7037) – R-A2 to M1-CZ, Evergreen Forest, Inc. (3DFS)

Victoria Bailiff, Senior Planner, presented the staff analysis for the project. The applicant was requesting to rezone Parcel ID 7037 from Residential Agricultural – 2 acres (RA2) to Light Industrial Conditional Zoning (M1-CZ). The applicant agreed to all the conditions of approval detailed in the Resolution of Approval. A public hearing was held on September 27th, but no members of the public signed up to speak. The Planning Board recommended approval of the project with a 4-0 vote.

Commissioner Shipp made a motion to approve REZ-2021-06, seconded by Commissioner Fiocco.

Vote: Aye-5 Nay-0 Motion carried unanimously.

3. Text Amendment – ZTA-2021-04 – UDO Amendments: Parking Lot List Series #1

Planning Director Theresa Thompson presented the staff analysis. This was the first quarterly “Parking Lot List” update, and it was to be the first of many. Ms. Thompson described the “Parking Lot List” as a list of prioritized text amendments based on feedback from the Board of Commissioners, staff, Planning Board, and the public.

The Public Hearing for this item was held on September 27, 2021. Board comments included a request to update the definition of townhomes. Staff revised the amendment accordingly. The Planning Board reviewed the amendment on October 4, 2021, and recommended approval.

Commissioner Fiocco sent some additional comments to staff in advance of the meeting. Theresa Thompson shared those comments with the Board. The Board discussed these changes, particularly the minimum length of driveways. The Board agreed with Commissioner Fiocco’s comments. Commissioner Fiocco requested that the revised text amendment be included on the consent agenda for the next meeting for the Board’s review and confirmation.



Motion from Commissioner Fiocco to approve with the proposed edits, seconded by Mayor Pro Tem Baldwin.

Vote: Aye-5 Nay-0 Motion carried unanimously.

4. Text Amendment – ZTA-2021-05 – Town of Pittsboro Affordable Housing Incentives

Town Manager Chris Kennedy presented. He noted that when the Board held the Public Hearing on this item, the Board agreed it wanted to increase the numbers in Table 7.2.1 in hopes of making the incentives more appealing to developers. Staff made the requested revisions and brought the text amendment to the Planning Board. Although the Planning Board thought the percentages were perhaps too high, it still recommended approval with a 5-0 vote.

Mr. Kennedy noted that staff and the Board had previously considered offering ad valorem rebates as another incentive. However, it does not appear that the statutes clearly allow the Town to do this. Staff will continue to research the topic. If deemed allowable, staff will propose this in another text amendment in the future.

Mr. Kennedy also made note of previous comments from Richard Angino with Third Wave Housing about income averaging in IRS Section 42. Mr. Kennedy did not see any prohibitions in that section of the IRS code.

Commissioner Farrell asked if the rebate would be 100% for projects in which all units were affordable. Mr. Kennedy confirmed. Commissioner Farrell expressed concern that a 100% rebate would mean the cost of staff's review time would not be covered. Mr. Kennedy said that was part of the incentive, and the idea was that the Town would absorb that time and cost in the interest of creating affordable housing.

Commissioner Shipp said he would like information on income averaging included somewhere in the text. He also said he felt the language about expedited review was ambiguous and would like to see that clarified. Mr. Kennedy agreed that the language was nebulous but at the core, it indicated that staff would prioritize affordable housing projects to the highest extent possible.

Mayor Pro Tem Baldwin discussed density bonuses. Specifically, she did not think that a developer should be able to transfer density to another project. Mr. Kennedy explained that some developments reach a point of saturation; the developer may not be able to add any more affordable units to their site but may still want to contribute to affordable housing efforts in Pittsboro. He also noted that any density transfer would have to be approved by the Board.

Commission Bonitz expressed several concerns. He indicated he would like to see UDO standards on land donations for affordable housing. He also noted that the amendment



indicated that proposed affordable units should remain affordable for at least 10 years. However, he thought the Town was aiming for 30 years.

There was much discussion on the number of years that affordable units should remain affordable. Mr. Kennedy recommended including language saying how long qualifying projects must remain affordable in Section 7.2.2. Mr. Kennedy said staff was flexible on the number of years and would revise if the Board desired.

Mayor Nass asked staff to think more about land donation standards. Commissioner Bonitz agreed and expressed concerns about the building height section.

Commissioner Fiocco suggested that staff make the proposed changes and bring the amendment back to the Board for review and asked for staff to include a mathematical example in the methodology section for density credits associated with land contributions.

Commissioner Shipp was in favor of voting on the amendment and then including the proposed changes in the next Parking Lot List amendment.

Commissioner Bonitz agreed with Commissioner Fiocco about delaying the vote until the revisions were made. Commissioner Fiocco asked if the changes could be made by the next meeting, and Mr. Kennedy confirmed. Mr. Kennedy then summarized the proposed changes:

- Add a 30-year provision to Section 7.2.2;
- Add the phrase “or, with the approval of the Board of Commissioners, a land donation” to Section 7.2.3 (a)(1);
- Include a mathematical example in Section 7.2.3 (a)(1)(c); and
- Reference income averaging somewhere in the section.

No vote was held. Staff agreed to make the revisions and bring the item back to the Board at the next meeting.

Commissioner Fiocco made a motion to take an eight-minute break, seconded by Commissioner Bonitz.

Vote: Aye-5 Nay-0 Motion carried unanimously.

The Board took a brief break before beginning the public hearings.

PUBLIC HEARINGS

Commissioner Fiocco made a motion to open the public hearing, seconded by Commissioner Shipp.



Vote: Aye-5 Nay-0 Motion carried unanimously.

1. Chatham Park Affordable Housing Element

Speakers:

1. Mark Korell, 97518 Franklin Ridge, Chapel Hill, NC, suggested five changes to the Chatham Park Affordable Housing Element:
 - Rather than 5%, the petitioner should commit at least 10-15% affordable and workforce units with at least half of the total being in the affordable category.
 - Affordable housing should be defined as less than 30% of median income (as opposed to 80%) and workforce housing as less than 60% of median income (as opposed to 120%).
 - If the petitioner does not build said affordable units, then they should contribute \$85,000 per unit to the new housing trust or another entity so that another entity may build these units in Chatham County.
 - At least 65% of affordable or workforce units should be built within Chatham Park.
 - No land donation equivalent should be allowed.
2. Tandy Jones, 1496 Lamont Norwood Road, Pittsboro, NC, noted that the scale of the projects under Pittsboro's review will have impacts that reach beyond the Town limits. He agreed with the five points laid out by Mr. Korell.
3. Bobby Nicholas, 14 I.E. Taylor Road, Pittsboro said he believes Chatham Park will exacerbate the affordable housing problem in Chatham County. He suggested that at least 50% of required affordable housing for Chatham Park be built within the project, and stated land equivalent donation should not be allowed.
4. Henry Foust, 429 Oak Hill Road, Pittsboro said that he believes there should be affordable housing units inside Chatham Park. He encouraged the Board to set policy that attracts people of all income levels to Pittsboro and Chatham Park.
5. Liz Cullington, 390 Rocky Hills Road, Pittsboro, NC, asked the Board to hold workshops with local affordable housing professionals to make sure it is done right and found problems throughout the element and had submitted written comments detailing the issues she found.
6. Susan Levy, 652 Mill Road, Pittsboro, NC, agreed that the affordable units should be in Chatham Park, integrated into the neighborhoods, and have access to amenities. She encouraged the Board to reject the current version of the Affordable Housing Element.
7. Rachel Thomas Levy, a Pittsboro resident, echoed the comments of the other speakers.



8. Jessica Merritt, 126 Evergreen Drive, Pittsboro, NC, had to leave early, but she gave her written comments to the Town Clerk to give to the Board.
9. Karl Kachergis, 615 Stonewall Road, Pittsboro, NC, emphasized the value of essential workers and the need to provide housing for them in the community.
10. James Vose, Thompson Street, Pittsboro, NC, noted that the first draft of the element was submitted four years ago and now it appeared to be a rush for approval. He encouraged the Board not to sacrifice quality and said he did not want to see a “repeat of Briar Chapel.”

Commissioner Bonitz wanted to get a better understanding of the measured need for affordable housing in Pittsboro. He said he would like to invite experts, such as Third Wave Housing, to a meeting to explain the depth of the affordable housing problem in Pittsboro.

Chuck Smith spoke for the petitioner, Chatham Park Investors. He said he was available to answer questions from the Board.

The Board workshopped the proposed element with Mr. Smith. The discussion resulted in the Board delaying the vote on the proposed element so that revisions could be made, including changes to the percentage of affordable housing and workforce units, as well as standards for land donations. The Board said Chatham Park was not responsible for solving the Town and County’s affordable housing problem. However, Chatham Park is responsible for addressing affordable housing needs and impacts associated with the Chatham Park development.

The Board also requested to hold a special session on November 8th at 6 pm to meet with Stephanie Watkins-Cruz (Chatham County Fair Housing Officer) and Erica Brown (Triangle J Council of Governments). Ms. Watkins-Cruz and Ms. Brown were on the call and agreed to attend. They said they would gather data to discuss with the Board at the special session, specifically data to help define the extent of the affordable housing situation in Pittsboro.

2. Special Use Permit – SUP-2021-03 Mellott Tract – 1108 Russet Run (PARID 7146, 75037), 15-501 East LLC

Mayor Nass explained the nature of the quasi-judicial proceeding.

Commissioner Shipp made a motion to continue the hearing to the November 8th meeting, seconded by Commissioner Bonitz.

Patrick Bradshaw, the attorney representing the applicant, noted that his clients had been waiting on the call for five hours to be heard. The Town Clerk noted that two members of the public signed up to speak on this item, and they were still on the call. Commissioner Shipp then withdrew his motion.

The following individuals were sworn/affirmed:



- Robin Rose
- Nick Antrilli
- Ben Latino
- Kevin Dean
- Robbie Oldham
- Alicia Albini
- Richard Kirkland
- Mike Scisciani
- Theresa Thompson
- Chris Kennedy

Mayor Nass asked if any Board members had objections or needed to recuse themselves due to conflicts. No Board members objected or recused themselves.

Patrick Bradshaw pointed out that the members of the public who signed up to speak had not been sworn. The Town Clerk swore/affirmed Diana Dalsimer and Mark Pavao.

Theresa Thompson, Planning Director, began presenting the staff analysis. This Special Use Permit application proposed a Planned Unit Development (PUD). It proposed a maximum of 127 lots (75 single-family detached and 52 townhomes) on approximately 43.22 acres. Ms. Thompson requested to enter the following items into evidence:

- Staff analysis as Exhibit 1;
- Application Package as Exhibit 2;
- Staff PowerPoint presentation at Exhibit 3;
- Applicant's presentation as Exhibit 4; and
- Updated Traffic Impact Analysis as Exhibit 5.

The items were entered into evidence. Ms. Thompson continued with the staff analysis. The parcels in question were zoned R-10, which required a Special Use Permit for Planned Unit Developments. The applicant proposed this subdivision as an age-restricted community. The application requested to use the recreational amenities in Chatham Park Section 7.1 to serve this development (as opposed to building its own amenity or paying a fee-in-lieu).

A "Type A" buffer was proposed to screen the development from adjacent properties. The "Type A" buffer was consistent with the Chatham Park Elements. It was more restrictive than the "Type A" buffer described in the Town's Zoning Ordinance. The applicant intended to use existing vegetation towards the buffer requirements. Ms. Thompson said staff would perform a landscaping inspection at the appropriate time to determine if additional plantings were necessary to meet the buffer requirements.

Ms. Thompson reviewed the setbacks and height requirements in the narrative. She also covered the required Findings of Fact for Special Use Permits listed in Section 5.3.2 (D) of the Zoning Ordinance. She also confirmed that the proposal was consistent with the various strategic plans for the Town of Pittsboro, specifically the Bicycle and Pedestrian



Plan; the Parks and Recreation Master Plan; the Land Use Plan; and the Comprehensive Transportation Plan.

Ms. Thompson noted that the Transportation Impact Analysis (TIA) had been updated to remove Phase 2. The TIA was sent to NC DOT and Town staff for review.

There were two recommended conditions for the SUP, which the applicant had already reviewed and agreed to:

1. Establish adequate access to adjacent lots; and
2. Establish Russett Run as only an emergency access easement and specify who can access the gate.

The applicant requested the following variations:

1. Request to *not* provide a community building or clubhouse; and
2. Request to *not* provide recreational space within the Mellott Subdivision.

Commissioner Farrell asked about the condition regarding emergency access. Ms. Thompson showed him the location of the access in question. Commissioner Farrell also noted that he thought subdivisions of 100+ lots needed two means of emergency access. Ms. Thompson explained that this application was submitted before those changes were made to the Zoning Ordinance. She also noted that the applicant was proposing an additional turn lane onto Aspen Avenue. Per the Fire Marshal, that would provide adequate emergency access. Commissioner Farrell said he felt the design endangered public health and safety.

Commissioner Fiocco asked how much of Grant Drive was already built. Ms. Thompson said she did not think that portion had been built yet. She believed the area had been graded. Commissioner Fiocco asked if Grant Drive and Aspen Avenue would be constructed concurrently with Phases 1A and 1B. Ms. Thompson confirmed.

Commissioner Fiocco also asked about the 15' opaque buffer. He asked if that was 15' tall and if so, how wide the buffer was. Ms. Thompson said the proposed buffer was at least 15' tall and 20' wide. She also confirmed that plantings would be required if staff found the existing vegetation was not opaque enough.

The applicant's attorney, Patrick Bradshaw of 128 Hillsboro Street in Pittsboro, presented for the applicant. He explained he would present competent, substantial, and material evidence that the application met the requirements of the Town's Zoning Ordinance. He noted that the ordinance indicated that if compliance was proven, then the Board was to issue the Special Use Permit. He also reviewed reasons the Board could deny the permit.

Nicholas Antrilli with WithersRavenel of 115 McKenan Drive, Cary was called as the applicant's first witness. When asked, he described his qualifications. He holds a bachelor's degree in Civil Engineering, a license in civil engineering in North Carolina,



and has worked as a civil engineer for 14 years. Mayor Nass ruled Mr. Antrilli to be an expert witness in civil engineering.

Mr. Antrilli said the proposal complied with the Town's Zoning Ordinance and Land Use Plan. He said the development would comply with the Special Use Permit. He described the proposed development and design. He concluded that in his professional opinion, the project would meet or exceed all necessary criteria for issuance of the permit. In response to Commissioner Farrell's previous question, Mr. Antrilli also pointed out that each of the two phases shown included fewer than 100 lots.

The next witness was Ben Latino, Jr. with McKim & Creed of 1730 Varsity Drive, Suite 500, Raleigh. When asked, he described his qualifications. He holds a bachelor's degree in civil engineering, a license in civil engineering in North Carolina, and has worked as a civil engineer for over 20 years. Mayor Nass ruled Mr. Latino to be an expert witness in civil engineering.

Mr. Latino testified to the utility systems in the proposed project. He shared a conceptual water and sewer layout for the project. He said the project would require an estimated 34,000 gallons of water per day. Mr. Latino testified that the Town had sufficient capacity to serve the project with extension of the water main.

In terms of sewer, Mr. Latino said the project would also produce an estimated flow of 25,000 gallons per day. He said the project could be adequately served by the Mellott pump station and force main, which would ultimately discharge to the Chatham Park Water Recovery Center. Mr. Latino testified that in his professional opinion, the project met the necessary requirements for permit issuance.

Kevin Dean with Kimley Horn of 421 Fayetteville Street in Raleigh testified next. Mr. Dean holds a bachelor's degree in civil engineering, a license in civil engineering in North Carolina, and has worked in civil engineering and traffic analysis for ten years. Mayor Nass ruled Mr. Dean an expert witness in civil engineering and traffic analysis.

Mr. Dean reviewed the revised Traffic Impact Analysis. He testified that the improvements shown on the plan would accommodate the site traffic. He expressed his professional opinion that the project would not threaten public health and safety and would meet the necessary traffic demands.

Mr. Bradshaw closed by saying that based on the documents and expert testimony presented, the applicant proved that the proposed project met the required Findings of Fact.

Mr. Pavao spoke next and said he represented Peacock Haven, LLC of 735 Russett Run, an adjacent property. Mayor Nass ruled that Mr. Pavao had standing. Mr. Pavao spoke against the project and expressed these concerns:

- He objected to the late hour of the proceedings.



- He stated he did not receive adequate notice of the proceedings. The notice was sent to the previous property owner. Peacock Haven, LLC acquired the property in June 2021.
- He requested additional time to research the potential adverse financial impact the development could have on his horse farm.
- He requested a condition that Mellott residents have no access to Russett Run and that construction vehicle traffic also be prohibited on Russett Run.
- He expressed concerns over stormwater management, noting increased turbidity downstream of the Mosaic development since construction began.
- He requested conditions that included penalties and remediation for stormwater violations.
- Finally, he expressed concern over the Type A buffer. He worried that the applicant would clear-cut the property and install saplings. He requested a condition that healthy trees in the buffer area be saved.

Diana Dalsimer, owner of adjacent property at 60 Haven Road in Pittsboro, also spoke against the project. She expressed concerns over the proposed buffer and subdivision in general. She said that based on her reading of the Unified Development Ordinance, the buffer needed to be at least 50' wide. She also noted that the Mellott subdivision would be adjacent to a more residential neighborhood with farm animals, so screening was imperative. She encouraged the preservation of existing trees.

Mr. Bradshaw noted that this project was not to be reviewed under the UDO. It was subject to the Zoning Ordinance, which did not require any screening in this case. He indicated what was being provided was greater than the requirement.

Commissioner Fiocco asked again if existing vegetation was being preserved. Ms. Thompson confirmed that was what was on the plat and what was discussed with the applicant. Mr. Antrilli confirmed that most of the required buffer would be preserved. The small portion being disrupted would be replanted. Ms. Thompson confirmed this was written in sheet L.2 of the submitted plans.

Mr. Antrilli also reiterated his previous comments on phasing and emergency access. He confirmed that this was reviewed and approved by the Fire Marshal.

Mayor Nass closed the Public Hearing.

Mayor Pro Tem Baldwin made a motion to send the item to the Planning Board for recommendation, seconded by Commissioner Fiocco.

Vote: Aye-5 Nay-0 Motion carried unanimously.

3. Annexation – A-2021-04 Mellott Tract – 1108 Russett Run (PARID 7146, 75037), 15-501 East LLC

Motion to open the Public Hearing from Commissioner Fiocco. Second from Mayor Pro Tem Baldwin. The Public Hearing was opened.



The Town Clerk, Cassie Bullock, presented the annexation request. She recommended the Board hold the Public Hearing and vote on the attached ordinance to extend the corporate limits.

Commissioner Fiocco suggested delaying vote to coincide with Special Use Permit, which was consistent with how annexations had been handled previously.

Commissioner Fiocco made a motion to close the Public Hearing and delay the vote until the Special Use Permit came to the Board of Commissioners for decision, seconded by Mayor Pro Tem Baldwin.

Vote: Aye-5 Nay-0 Motion carried unanimously.

CLOSED SESSION

The Board discussed going into closed session as listed on the agenda. Mr. Kennedy said he believed that discussion could be delayed, especially due to the late hour. There were no objections from the Board.

ADJOURNMENT

Commissioner Bonitz made a motion to adjourn at 1:19am, seconded by Commissioner Fiocco.

Vote: Aye-5 Nay-0 Motion passed unanimously.

ATTEST:

Cindy S. Perry, Mayor

Carrie L. Bailey, Town Clerk