

**MINUTES OF THE MEETING OF  
THE BOARD OF COMMISSIONERS  
TOWN OF MINT HILL, NORTH CAROLINA  
July 19, 2018**

The Board of Commissioners of the Town of Mint Hill met in regular session on Thursday, July 19, 2018 at 7:00 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

**ATTENDANCE**

Mayor: Ted H. Biggers, Jr.  
Commissioners: Mike Cochrane, Dale Dalton and Richard Newton  
Town Attorney: Kevin Bringewatt  
Town Manager: Brian L. Welch  
Planning Director: John Hoard  
Fire Chief: David Leath  
Police Chief: Tim Ledford  
Finance Director: Naida Sergel  
Board Clerk: Cassie Crutchfield

**CALL TO ORDER, INVOCATION AND PLEDGE**

Mayor Biggers called the meeting to order, ruled a quorum present and the meeting duly constituted to carry on business. Following the invocation offered by Commissioner Newton, Mayor Biggers led the Pledge of Allegiance to the Flag of the United States of America.

**ORDER OF BUSINESS**

**Addition, Deletion or Arrangement of Agenda Items:** A Special Presentation for Commissioner Tina Ross, who passed away on July 6, 2018, was added to the agenda. The Appointment of a Commissioner to fulfill the term of Commissioner Ross was added to the agenda.

**Approve Amended Minutes of the April 18, 2018 Budget Workshop and June 14, 2018 Regular Meeting:** Upon the motion of Commissioner Dalton, seconded by Commissioner Cochrane, the amended minutes of the April 18, 2018 Budget Workshop and June 14, 2018 Regular Meeting were unanimously approved.

**Consent Agenda: (A) Accept Audit Contract with Rowell, Craven And Short; (B) Accept June Treasurer's Report And Financials; (C) Accept Budget Amendments, (D) Adoption Of 25 MPH Speed Limit For Telfair Neighborhood; (E) Approve Amendment To Construction Manager At Risk Contract For Edifice, Inc.; (F) Approve Amendment To Landscape Architect Contract For Wirth & Associates; (G) Approve Sewer Extension Agreement With Charlotte Water; (H) Accept June Tax Collector's Report; (I) Authorize The Town Manager To Execute An Agreement To Purchase Real Property Referenced As Mecklenburg County Tax Parcel #197-201-18 From Grace Phillips; And (J) Authorize The Town Manager To Execute An Agreement To Purchase Real Property Referenced As Mecklenburg County Tax Parcel #197-201-07 From Michael Louis White:** Upon the motion of Commissioner Dalton, seconded by Commissioner Cochrane, the Board unanimously approved the Consent Agenda as presented. (Copy filed with minutes)

**Special Presentation for Tina Ross:** Mayor Biggers stated Commissioner Ross typically would read things aloud on behalf of the Board because she did it so well. He first met her at Philadelphia Presbyterian Church when he was a substitute Sunday School teacher in Bryan's, her son, class. He stated the Board and Town Staff wanted to publicly express their condolences and sympathy to the family and friends of Commissioner Ross. She was a tireless worker of this community and Town. Her late husband, Steve Ross, and she were very active in all of the schools. She was diligent and always did her homework and research. She would read the minutes carefully and would correct any errors. She worked for her mother's flowers shop LaTisa Flowers. She volunteered with many groups and organizations such as the Mint Hill Business Association and the Arts and Science Council. She had been a liaison for the Planning Board. He stated the Town would miss her. The Mayor stated he loved Steve Ross and was inspired by Commissioner Ross when she spoke at his funeral so calmly and coolly. Mayor Biggers stated marrying Tom Duke was one of the smartest choices she made; she was a very smart woman. Mr. Duke had gone above and beyond as a son, father and a husband. Mayor Biggers said he didn't think Tina could have had better husband because Mr. Duke comforted and cared for her. Mr. Duke had near perfect attendance at the meetings and even the retreats. Mr. Duke would be rewarded for all he had done; Mayor Biggers saluted Mr. Duke.

Mayor Biggers asked the family to come forward. He presented her daughter, Allyson, with flowers and her mother's name plate. He presented Mr. Duke with a plaque that stated: In Memory of Katrina (Tina) Weaver Ross, Town of Mint Hill Board of Commissioners, 2003-2018. He gave the family a gift card for dinner after the meeting.

Mayor Biggers said the Board and Staff had discussed how to pay tribute to Commissioner Ross and decided the Art in the Park should be renamed. Upon the motion of Commissioner Cochrane, seconded by Commissioner Newton, the Board unanimously renamed the event to the Annual Tina Ross Afternoon in the Park event.

Commissioner Cochrane had known Commissioner Ross nearly all of his life. He had been ahead of her in school but beneath her in wisdom. Commissioner Ross was involved in many groups such as Rotary and Levine Senior Center; she loved a challenge. Commissioner Cochrane said there would be a special place in heaven for Mr. Duke because he supported his wife in everything. Commissioner Cochrane said he had never seen a man love his wife as much as Mr. Duke had loved Commissioner Ross. Mr. Duke had been an inspiration to him. He commended the family on the way they had taken care of their mother. Commissioner Cochrane said Commissioner Ross loved her grandson Ross so much.

The audience gave Commissioner Ross' memory a standing ovation.

**Public Hearing on Bond Order Authorizing the Issuance of \$3,000,000 General Obligation Public Facility Bonds of the Town of Mint Hill, North Carolina:**

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$3,000,000 GENERAL OBLIGATION**

**PUBLIC FACILITY BONDS OF THE TOWN OF MINT HILL, NORTH CAROLINA**

**WHEREAS**, the Board of Commissioners (the “*Board of Commissioners*”) of the Town of Mint Hill, North Carolina (the “*Town*”) has ascertained and hereby determines that it is necessary to pay the capital costs of acquiring, constructing, reconstructing, renovating, improving, expanding, furnishing and equipping facilities for exhibitions, cultural events, shows, and public gatherings, including the acquisition of land, rights-of-way and easements in land; and

**WHEREAS**, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Public Facility Bonds hereinafter described as required by the Local Government Bond Act, and the Town Clerk has notified the Board of Commissioners that the application has been accepted for submission to the Local Government Commission.

**NOW, THEREFORE, BE IT ORDERED** by the Board of Commissioners of the Town of Mint Hill, North Carolina, as follows:

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Public Facility Bonds of the Town are hereby authorized and will be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such Bonds authorized by this order will be \$3,000,000.

Section 2. Taxes will be levied in an amount sufficient to pay the principal and interest on the General Obligation Public Facility Bonds.

Section 3. A sworn statement of the Town’s debt has been filed with the Town Clerk and is open to public inspection.

Section 4. This bond order will take effect when approved by the voters of the Town at a referendum scheduled for November 6, 2018.

The foregoing order was adopted on the 19th day of July, 2018, and is hereby published on the 23rd day of July, 2018. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice. The finance officer of the Town of Mint Hill, North Carolina has filed a statement estimating that the total amount of interest that will be paid on the bonds over the expected term of the bonds, if issued, is \$1,575,000. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on the bonds.

/s/ Michelle Wells  
Town Clerk  
Town of Mint Hill, North Carolina

Denise Fohr, 6812 Old Persimmon Drive, stated she had been a member of the committee to save the Bain School Auditorium for five years; she got involved when her 10-year-old son asked if they could hold a bake sale after reading an article with Commissioner Ross to save the Bain School Auditorium. She said her son was a theater kid; he didn't want to go to Matthews to see a show, he wanted a stage in Mint Hill. He wanted to learn about the Town and community because he was born here. She concluded by saying the businesses would benefit from having shows in Mint Hill.

Earl Rogers, 12207 Jumper Drive, stated he wasn't from Mint Hill but always felt welcomed here. When he moved here, he researched and investigated the Bain School Project. He said, in his travels, most places no longer tried to preserve "what was" but instead placed emphasis on "what is". He stated we had a habit of turning down old stuff and replacing it with new stuff. He got involved with the committee to save the building; he was willing to help renovate it. In conclusion, he stated Mint Hill was an impressive community.

Gail Honeycutt, 10600 Brief Road, stated she was born and grew up in Mint Hill. She said the Town was treelined and was much different than it was today; it truly was a Mayberry kind of Town. She would love to go back to the 1950's and have a virtual tour. She thought we were losing our history. She appreciated the Mint Hill Historical Society and Becky Griffin for saving the history of Mint Hill. She said Bain School and Philadelphia Presbyterian Church had served the community for more than 125 years. Many lives were changed because of Bain School. We could not afford to let the school be demolished and to have our history taken away, she stated.

Jerry Helms, 13008 Giovanni Way, supported the effort to save the school. His wife, Sue Helms, had attended Bain and her mother, Minnie Lemmond, taught there. He stated his wife had designed the Town Seal where Bain Academy was in the forefront. She also designed the Matthews Town Seal. He said he would like to see Bain Academy saved because it was in the forefront of the Town Seal.

Carol Timblin, 3045 Coventry Commons Drive, said she moved to Mint Hill in 1971. Her children and grandchildren had attended Bain School. She had volunteered there for many years and had been on the committee to save the school for five years. She thanked Commissioner Ross for leading the way; she would like to see this be a part of the Tina Ross legacy.

There being no further comments from the public or the Board, the Mayor closed the public hearing.

**Public Hearing on Bond Order Authorizing the Issuance of \$15,000,000 General Obligation Park and Recreation Bonds of the Town of Mint Hill, North Carolina:**

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$15,000,000  
GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE TOWN  
OF MINT HILL, NORTH CAROLINA**

*WHEREAS*, the Board of Commissioners (the "*Board of Commissioners*") of the Town of Mint Hill, North Carolina (the "*Town*") has ascertained and hereby determines that

it is necessary to pay the capital costs of acquiring, constructing, reconstructing, renovating, expanding, furnishing and equipping parks and recreation facilities, including acquiring land for future parks and recreation facilities, rights-of- way and easements in land; and

**WHEREAS**, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Parks and Recreation Bonds hereinafter described as required by the Local Government Bond Act, and the Town Clerk has notified the Board of Commissioners that the application has been accepted for submission to the Local Government Commission.

**NOW, THEREFORE, BE IT ORDERED** by the Board of Commissioners of the Town of Mint Hill, North Carolina, as follows:

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Parks and Recreation Bonds of the Town are hereby authorized and will be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Parks and Recreation Bonds authorized by this order will be \$15,000,000.

Section 2. Taxes will be levied in an amount sufficient to pay the principal and interest on the General Obligation Parks and Recreation Bonds.

Section 3. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 4. This bond order will take effect when approved by the voters of the Town at a referendum scheduled for November 6, 2018.

The foregoing order was adopted on the 19th day of July, 2018, and is hereby published on the 23rd day of July, 2018. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice. The finance officer of the Town of Mint Hill, North Carolina has filed a statement estimating that the total amount of interest that will be paid on the bonds over the expected term of the bonds, if issued, is \$7,875,000. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on the bonds.

/s/ Michelle Wells

Town Clerk

Town of Mint Hill, North Carolina

Sandy Barnett, 10926 Redgrave Lane, stated she had lived in Mint Hill for over 20 years and was the co-founder of Carolina Crush Lacrosse and the volunteer coordinator for Independence High School Lacrosse. She was very passionate about recreational facilities and programs for Mint Hill.

Currently, there was not adequate field space. She was strongly in favor of the bonds to enhance the recreational facilities for all of the Mint Hill residents.

Keenan Harward, 7320 Pine Lake Lane, spoke on behalf of the Mint Hill Athletic Association. He stated there were currently not enough facilities in Mint Hill; especially multi-purpose fields for lacrosse, football and soccer. The Town had 23 baseball fields; four full sized soccer fields. There were currently over 500 youth enrolled in soccer through MHAA; there were more children than facilities available. Space was limited; MHAA depended on schools to use any available space they had. The soccer programs spent over \$7,000 a year with Mecklenburg County Parks to reserve facilities outside of Mint Hill. MHAA saved the Town at least \$250,000 a year in park staff and maintenance. He said MHAA had been in existence since 1972.

Stu Brown, 9831 Thorn Ridge Drive, stated he was the manager of the Mint Hill Legion Baseball team. He was speaking on the concept plan that included a baseball stadium and multi-purpose fields. They fully supported the plan to bring these facilities to Mint Hill. They had the pleasure of playing at the Forest City Owls stadium recently; they averaged about 500-600 patrons each night and it would be a great opportunity for the Town.

Dave Martinson, 10620 Hanging Moss Trail, had lived in the Town for 30 years. He had attended Independence High School and owned Create A Video in Mint Hill. He supported both bond proposals. He said Bain Academy was important for history and the future. He said recreational facilities were important and should be supported.

There being no further comments from the public or the Board, the Mayor closed the public hearing.

**Public Comments\*\*:**

Jerry Mullis, 7730 Happy Hollow Drive, stated he came on behalf of the Fire Department to thank the Board and Staff for their support. He thanked the public for their support as well. He noted Ms. Honeycutt had spoken about the trees and he had ridden by two locations, just that day, where beautiful tracts of trees had been cut down. He hoped the Town would try to limit that if they could. He thanked the Town for supporting the bond proposals, so the citizens could vote on them in November. Chairman Mullis thanked the Town for their recognition of Commissioner Ross.

**Life Saving Award Presentation by Chief Tim Ledford:** Chief Ledford wanted to honor Officer Andrew Humm, Sergeant Stephen Lang and Officer Corbin McInnis. He asked Officers Humm and McInnis to come forward.

On Friday, July 6, 2018 at 11:32 a.m. Officer Humm responded to a call related to a possible heroin overdose. Upon arrival a 27-year-old man was found unresponsive at the residence. Officer Humm administered Narcan to the patient. Shortly after, the Mint Hill Fire Department arrived to find the patient breathing and conscious. The patient was transported to the hospital. If it weren't for the quick actions of Officer Humm the outcome may not have ended well for the patient. Officer Humm received his Narcan training just eight days before the incident.

Sergeant Lang responded to a cardiac arrest and located a 71-year-old male unconscious and not breathing on the bathroom floor. Sergeant Lang began chest compressions as Officer Humm placed the AED pads on the victim. Officer McInnis took over the chest compressions between the first and second AED shock. These officers worked on the patient until Mint Hill Fire arrived at the scene to transport the patient.

Chief Ledford thanked the officers for their actions.

**Adopt Bond Order Public Hearing on Bond Order Authorizing the Issuance of \$3,000,000 General Obligation Public Facility Bonds of the Town of Mint Hill, North Carolina:** Upon the motion of Commissioner Dalton, seconded by Commissioner Cochrane, the Board unanimously voted to adopt the Bond Order Authorizing the Issuance of \$3,000,000 General Obligation Public Facility Bonds of the Town of Mint Hill, North Carolina.

**Adopt Bond Order Authorizing the Issuance of \$15,000,000 General Obligation Park and Recreation Bonds of the Town of Mint Hill, North Carolina:** Upon the motion of Commissioner Cochrane, seconded by Commissioner Newton, the Board unanimously adopted the Bond Order Authorizing the Issuance of \$15,000,000 General Obligation Park and Recreation Bonds of the Town of Mint Hill, North Carolina

**Adopt Resolution Setting A Special Bond Referendum and Directing the Publication of Notice of a Special Bond Referendum and Notification of the Mecklenburg County Board of Elections:**

**RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE MECKLENBURG COUNTY BOARD OF ELECTIONS**

**WHEREAS**, the Board of Commissioners (the “*Board of Commissioners*”) of the Town of Mint Hill, North Carolina (the “*Town*”) has adopted the following bond orders and such bond orders should be submitted to the voters of the Town for their approval or disapproval in order to comply with the constitution and laws of North Carolina:

**“BOND ORDER AUTHORIZING THE ISSUANCE OF \$3,000,000 GENERAL OBLIGATION PUBLIC FACILITY BONDS OF THE TOWN OF MINT HILL, NORTH CAROLINA;”** and

**“BOND ORDER AUTHORIZING THE ISSUANCE OF \$15,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE TOWN OF MINT HILL, NORTH CAROLINA;”**

**NOW, THEREFORE**, be it resolved by the Board of Commissioners of the Town of Mint Hill, North Carolina, as follows:

(1) For the purpose of determining the question whether the qualified voters of the Town shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Public Facility Bonds of the Town authorized by said bond order, which indebtedness will be secured by a pledge of the Town’s full faith and credit and (b) the levy of a tax for the payment thereof, said bond order will be submitted to the qualified voters of said Town at a special bond referendum to be held in said Town on November 6, 2018.

(2) For the purpose of determining the question whether the qualified voters of the Town shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the

General Obligation Parks and Recreation Bonds of the Town authorized by said bond order, which indebtedness will be secured by a pledge of the Town’s full faith and credit and (b) the levy of a tax for the payment thereof, said bond order will be submitted to the qualified voters of said Town at a special bond referendum to be held in said Town on November 6, 2018.

(3) The Town Clerk is hereby authorized and directed to publish a notice of said referendum which will be in substantially the form entitled “**TOWN OF MINT HILL, NORTH CAROLINA NOTICE OF SPECIAL BOND REFERENDUM,**” attached hereto. Said notice of referendum will be published at least twice. The first publication will be not less than 14 days, and the second publication will be not less than 7 days before the last day on which voters may register for the special bond referendum.

(4) The Mecklenburg County Board of Elections is hereby requested to print and distribute the necessary ballots and to provide the equipment for the holding of said referendum and to conduct and to supervise said referendum.

(5) The ballots to be used at said referendum will indicate that it is being held on behalf of the Town of Mint Hill, North Carolina and will contain the following words:

“*SHALL* the order authorizing \$3,000,000 of bonds plus interest to provide funds to pay the capital costs of acquiring, constructing, reconstructing, renovating, improving, expanding, furnishing and equipping facilities for exhibitions, cultural events, shows, and public gatherings, including the acquisition of land, rights-of-way and easements in land, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”;

with squares labeled “**YES**” and “**NO**” beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

“*SHALL* the order authorizing \$15,000,000 of bonds plus interest to provide funds to pay the capital costs of acquiring, constructing, reconstructing, renovating, expanding, furnishing and equipping parks and recreation facilities, including acquiring land for future parks and recreation facilities, rights-of-way and easements in land, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”;

with squares labeled “**YES**” and “**NO**” beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

(6) The Town Clerk will mail or deliver a certified copy of this resolution to the Mecklenburg County Board of Elections within three days after this resolution is adopted.

***BE IT FURTHER RESOLVED*** that this Resolution will become effective on the date of its adoption.

STATE OF NORTH CAROLINA )

) ss:

TOWN OF MINT HILL )

I, Michelle Wells, Town Clerk of the Town of Mint Hill, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE MECKLENBURG COUNTY BOARD OF ELECTIONS**” adopted by the Board of Commissioners of the Town of Mint Hill, North Carolina, at a meeting held on the 12th day of July, 2018.

**WITNESS** my hand and the corporate seal of the Town of Mint Hill, North Carolina, this the 19<sup>th</sup> day of July, 2018.

Upon the motion of Commissioner Cochrane, seconded by Commissioner Dalton, the Board unanimously adopted the Resolution Setting A Special Bond Referendum and Directing the Publication of Notice of A Special Bond Referendum and Notification of the Mecklenburg County Board of Elections.

**Appointment of Commissioner:** Commissioner Newton stated Carl M. “Mickey” Ellington would be a great choice to fill the remaining term since he had years of experience and was familiar with the issues.

Upon the motion of Commissioner Newton, seconded by Commissioner Cochrane, the Board unanimously voted to appoint Carl M. Ellington as Commissioner for the Town of Mint Hill to replace the late Commissioner Katrina (Tina) W. Ross.

Mayor Biggers said several Town citizens had reached out to the Board and had offered to serve the duration on the term; the Board was very appreciative for the offers. Commissioner Ellington had only been off the Board for six months and he would not be running for election in November 2019.

**Other Business/Council Matters:** Commissioner Cochrane said July was an exciting month. He said the Queen City Brass Band concert on July 3, 2018 honored the First Responders. He thanked the Police, Fire and Public Works. He attended the Chamber of Commerce luncheon. He participated in a ride along with Officer Kelly and Sergeant Mahmutovic; he appreciated all they did for the Town. He thanked Chief Ledford for the quality of our officers and his leadership. He said the Fire Department was great as well. Mayor Biggers wanted to assure the public that the Police didn’t discriminate as his late father and wife had received tickets from our Police Department.

Commissioner Dalton participated in his second ride along. He noted Chief Leath and Chief Ledford had created a great comradery between the two departments. He attended the Family Fun Night and the Historical Society board meeting. On August 9<sup>th</sup>, Novant would be coming to help clean around Bain and the Historical Society. On August 7<sup>th</sup>, National Night Out would be held at Veterans Park from 6-8 p.m. He was asked to have three bike helmets to give out that evening; he challenged the other two Commissioners to donate a helmet for National Night Out. Commissioner Dalton paid tribute to Commissioner Ross; he said she was a true help to him. He and Commissioner Ross had watched the previous election results at Big Guys Pizza and he would miss her but hoped Mr. Duke would join him again. He stated Mr. Duke was the true definition of marriage.

Commissioner Newton attended the Family Fun Night and stated the Queen City Brass Band was excellent. Commissioner Ross had helped him when he was diagnosed with cancer; she brought him candy to take with him to Chapel Hill for treatments.

Manager Welch said it was fitting the Board approved the agenda items because Commissioner Ross was 100% behind the bonds. Manager Welch said Commissioner Ross would be proud.

Attorney Bringewatt said he would miss Commissioner Ross and appreciated her dedication to the Town. Attorney Bringewatt said she always asked about the family and he would miss her personal touches.

Mayor Biggers said the bond packages were a big step for the Town. The Board supported the bonds because they would be good for the Town. Mayor Biggers said when Charlotte Mecklenburg Schools had told the Board they were planning to demolish the building, or the Town could take control of it, the Town stepped in. Commissioner Ross was very passionate about supporting the bond packages. Commissioner Ross had told the Board that she had a battle ahead of her when she first got sick but they all thought she would make it. She had always beaten the odds before. Once things got bad, she declined rapidly. The Mayor said she would be greatly missed and would continue to be an influence on the Town.

**Closed Session for Approval of June 14, 2018 Closed Session Minutes and for a Personnel Matter:** The Board agreed by consensus to postpone the Closed Session to August 16, 2018.

**Adjournment:** Upon the motion of Commissioner Cochrane, seconded by Commissioner Dalton, the Board unanimously agreed the meeting be adjourned. Mayor Biggers adjourned the meeting at 8:02 p.m.

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Michelle Wells, CMC, Town Clerk