

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**September 19, 2022
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

PRE-MEETING

The Huntersville Board of Commissioners held a Pre-meeting at Huntersville Town Hall, 101 Huntersville-Concord Road, at 5:00 p.m. on September 19, 2022.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the Pre-meeting to order.

Debt Affordability Analysis. Mitch Brigulio, Davenport Public Finance, presented debt affordability analysis. *PowerPoint Presentation attached hereto as Exhibit No. 1.*

Closed Session. Commissioner Partee made a motion to go into closed session pursuant to N.C.G.S. 143-318.11(a)(5) to instruct staff or negotiating agents concerning the price and other materials terms for the acquisition of real property. Commissioner Boone seconded motion. Motion carried unanimously.

Upon return from Closed Session, there being no further comments, the Pre-meeting was adjourned.

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on September 19, 2022.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the meeting to order.

Mayor Bales called for a moment of silence.

Mayor Bales led the Pledge of Allegiance.

STAFF QUESTIONS

None

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Mayor Bales presented a Life Saving Award to Huntersville Police Officers Zach Duncan and Jeff Guertin for saving the life of a 2-year-old that was involved in a motor vehicle accident. Huntersville Police Officer Betty Anderson was awarded a Police Commendation for assisting on the scene, caring for a sibling and parent of the injured.

Huntersville Police Officer Evan Tortorelli was presented a Life Saving Award for saving the life of someone who had overdosed by administering Narcan.

Mayor Bales proclaimed September 21, 2022, as the International Day of Peace.

Town of Huntersville Proclamation

WHEREAS, Rotary as a humanitarian organization, peace is a cornerstone of our mission. We believe when people work to create peace in their communities, that change can have a global effect; and

WHEREAS, Rotary creates environments of peace by carrying out service projects and supporting peace fellowships and scholarships, our members take action to address the underlying causes of conflict, including poverty, discrimination, ethnic tension, lack of access to education, and unequal distribution of resources; and

WHEREAS, the issue of peace embraces the deepest hopes of all peoples and remains humanity's guiding inspiration; and

WHEREAS, in 1981 the United Nations proclaimed the International Day of Peace be "devoted to commemorating and strengthening the ideals of peace both within and among all nations and peoples"; and

WHEREAS, the United Nations expanded the observance of the International Day of Peace in 2001 to include the call for a day of global ceasefire and non-violence, and invited all nations and people to honor a cessation of hostilities for the duration of the Day; and

WHEREAS, there is growing support within our nation for the observance of the International Day of Peace, which affirms a vision of our world at peace, and fosters cooperation between individuals, organizations and nations; and

WHEREAS, global crises impel all citizens to work toward converting humanity's noblest aspirations for world peace into a practical reality for future generations; and

WHEREAS, the Rotary Club of Lake Norman-Huntersville, is one of over 60+ Rotary and Rotaract clubs throughout our Rotary District 7680 with over 2,300 members sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy, and the environment in their local communities, and abroad; and

NOW, THEREFORE, I, Melinda Bales, Mayor of Huntersville, do hereby proclaim September 21 "INTERNATIONAL DAY OF PEACE" in Huntersville, North Carolina.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 19th of September 2022.

Sandra Marks and Kenya Joseph of the Hearts & Hands Food Pantry provided update to the Board on the services Hearts & Hands Food Pantry provides. *Refer to PowerPoint attached hereto as Exhibit No. 2.*

Colonial Pipeline Update. Meg Blackwood, Public Affairs Director, Colonial Pipeline, said what I thought I would do tonight is spend some time giving you an update about the site since the last time that we were here, as well as tell you about some of our activities that we are doing now, maybe a few things that are on the horizon, and then also to talk about some lessons learned since the incident.

I would like to thank and recognize the NCDEQ for being here as well. We have a lot of respect for this agency and we appreciate being able to collaborate with you all throughout the response remediation process. I know that you work closely with our technical team and meet with them twice a week.

Since the last time we were here, just a couple of updates. We resolved our litigation with the NCDEQ back in June. As part of that we gave a revised volume estimation. Again, a volume estimation I do want to stress is an estimate. Each time that we make an estimate is based on the best available data that we have at the time.

Prior estimates that we made were based on an environmental model. An environmental model takes into account conditions at the site, a lot of soil data and things of that nature. As we were doing this new estimation, one of the things we realized was that conditions at that particular site are a bit different than what we had initially thought them to be. There are unique subterranean geological formations in that area that made rerunning an environmental data a bit challenging, so we have pivoted and our new estimate is based on operational data. Operational data really looks at the product that we move and it takes into account that data. The new volume estimate that we released in July is 2 million gallons. We have recovered about 75 percent of that volume.

This is a process that took quite a bit of time. One of things we needed to do was to validate a release date. We did that internally and then retained a third party expert to validate that. When we learned it was July 27, we then began to look through the detailed operational data and that's how we reached the 2 million gallons number.

Let me talk a little bit about the current situation at the site. We currently have about 400 subsurface monitoring and recovery wells in place and those wells allow us to have detailed data about the site that we analyze and then we collaborate with NCDEQ and provide that information, then we talk about remediation plans.

Recently we established an electrical service at the site. What that allowed us to do then was to take some of those generators away, so it helped with noise at the site, it helped with emissions, and it also helped with some of the truck traffic on the road. We think that's a positive development for citizens in the area.

I do want to stress that product remains in the general vicinity of the release site. I know that's been a question we've heard from the public, and it does. There have been no impacts to any active drinking water supply wells. We have since the incident started routinely on a weekly basis sampled all drinking water supply wells within 1,500' of the incident site. That's a radius that was established with DEQ, and there have been no detections in any of those samples.

We also continue to work very closely with the Oehler Nature Preserve. That's the property where the incident occurred. It's owned by Mecklenburg County and we work very closely and in collaboration with them on all the plans that are put in place at the site. I really want to stress our appreciation for Chris Matthews in particular, who has been a very good partner. We've worked with him to develop the site plans. There's a picture up here of the right-of-way. This is where it was just a few months ago. Actually, just a few weeks ago. This was a wildflower blend that we worked with the Oehler Nature Preserve to select and to put back at the site. Our goal has always been, and our commitment I should say, has always been to remediate the site fully, to put it back as it was, and to work in collaboration with the county on those plans.

Just a little bit about our engagement and where we are heading. We do meet with the Planning and Zoning staff of the Town here on things like landscaping plans, storm water treatment plans, those things. Those conversations continue on a frequent basis.

Next steps – we are in the process of applying for a permit that's called a NPDES permit and what that will allow us to do in part is to turn on some deep wells called hydraulic control wells. Those will help with product recovery. As we do that, there will be a fair amount of water generated from that. What we propose to do is to create a facility on the property that we own and treat that water and then discharge that back into the environment. I want to stress that this water will be treated and there will be a treatment plan put in place that NCDEQ will monitor. There will be samples taken to make sure any water discharged back into the community and the environment meets all quality standards.

A couple of points I want to talk about with respect to that permit, from a community perspective. If we didn't have the permit our option would be to truck that water offsite, so it would be going several hundred miles and you would probably see upwards of 200 trucks a day leaving the site. Again, we think it is less impactful for the community to treat it onsite. Also, we have been in communications with the local riverkeepers, we've talked to the Yadkin, the Pee Dee and the Catawba riverkeeper about the impact of putting this water back in the watershed and it's actually a value to the community because it keeps water here rather than taking it out and dewatering the site.

We also continue to work with Mayor Bales, the Town Commissioners. We give them communications and we update them as well as the public. We still have our Incident Response site up. If you Google Colonial Huntersville, you'll find that site and we regularly post updates to it. You can see a snapshot from an infographic here. We try to make that information easy to understand and readily available to the public. There's also a button on there, if anybody has a question at any point in time, you can ask a question. Those questions come to Colonial and we respond to all of them, so I would encourage anybody who has a question to use that mechanism as well. We also regularly communicate with Mecklenburg County Commissioners, the State Senators and the Federal counterparts as well.

I'd like to touch briefly on some lessons learned. I know that the last time we were here that was a question, so I'd like to talk a little bit about it today. The question we get sometimes is what are you doing to make sure this type of incident doesn't happen again. Colonial is committed to, we have a motto of zero is possible, and we live that motto and we are trying to achieve that every single day.

What caused the incident here? When we repaired a dent back in the 1990's we put over what is called a Type A sleeve. A Type A sleeve is an approved regulatory repair. It's an additional piece of pipe that goes over to strengthen and enforce. This particular one was a segmented sleeve, which meant that there were several pieces stacked on top of the others. Over time, because it wasn't welded on the ends, moisture intruded underneath the sleeve and then led to some corrosion and then that corrosion is what led to a crack that then product released from.

After the Huntersville incident, but prior to any regulatory enforcement action, we began to look across our system for similar conditions. We have repaired and replaced all of the Type A segmented and stack sleeves on our main lines. Those no longer exist. They've all been converted to Type B pressure containing sleeves. What that means is when you have a Type B sleeve that's welded on the ends, even over time if something were to happen to that issue that's being repaired, let's say it's a crack or a dent, the pressure is contained so the product cannot get out of the pipe.

We also have done some different tool runs. One of the ways that we look at our asset is we run what are called inline inspection tools. We've implemented a new tool. It's got a very big name, so forgive me as I read, but it's an ultrasonic wall loss measurement tool. What that means is it can see corrosion. As I mentioned earlier what happened here was there was corrosion that grew under a sleeve. This new tool allows us to see those types of situations and to prevent them before they ever occur. We also

have asked our Senior Vice President of Operations, Wesley Dunbar, to chair a committee with the American Petroleum Institute to work with our colleagues in the industry on leak detection and leak prevention.

We appreciate the opportunity to be here. We appreciate the patience and the cooperation from the Huntersville community. We have been in this community for more than 50 years. We understand that this incident may have caused you to question your trust of us. I'm here to tell you that we are committed to re-earning your trust and I hope that there are actions you will see that we are committed and we are a company that is dedicated to you and again to restoring the environment to the conditions that you had it before this release occurred.

Wayne Randolph and Vance Jackson provided update from North Carolina Department of Environmental Quality (NCDEQ). *PowerPoint attached hereto as Exhibit No. 3.*

Mr. Randolph said I'm the head of a section within DEQ and I'm also the Emergency Response Coordinator.

Mr. Jackson said I'm the Chief of the Underground Storage Tank Section, which has regulatory oversight for the release.

Mr. Randolph said we are going to go over the Colonial Pipeline Consent Order. NCDEQ and Colonial Pipeline entered into a Consent Order Motion on June 30, 2022. The Consent Order was filed with the Superior Court on July 7, 2022 and became effective on that date.

The Summary of the Consent Order is within 30 days of the entry into the Order, Colonial shall provide the Department with an updated estimate of volume of gasoline released from the Pipeline. As mentioned earlier that information was submitted on July 22, 2022.

Within 120 days of entry into the Order, Colonial shall provide the Department an addendum to the October 30, 2021 Revised Comprehensive Site Assessment. You also may have heard of it as a CSA. That is due in November 2022.

Within 60 days of entry into the Order, Colonial shall submit a plan to conduct further assessment of the free product in the bedrock. This was actually turned in September 2, 2022. Within 180 days of approval of the plan stated above, Colonial shall implement the plan to conduct further assessment of free product in bedrock at the site. This is tentatively due March 2023. You will see some of the due dates are tentative. That's because the plan that they have submitted September 2, they submit that date and then we review it and once we approve it then that 180 days begins. That's why you will see tentative dates moving forward.

Within 120 days of implementing the approved plan for free product assessment, Colonial shall submit a revised Conceptual Site Model and revised Comprehensive Site Assessment, tentatively due July 2023.

Within 90 days of approved Revised Conceptual Site Model and revised Comprehensive Site Assessment, Colonial shall submit a Corrective Action Plan (CAP), that's tentatively due October 2023.

Within 30 days of entry into the Order, Colonial shall commence sampling for PFOA, PFOS and related constituents in identified monitoring wells. This is done by quarterly sampling over the course of 18

months. Also, monthly sampling of surface water. Monthly Monitoring Data and Site Activities will be submitted to DEQ in Quarterly Monitoring Reports.

Mr. Jackson said a little bit about the penalties contained within the Consent Order. Within 30 days of the Consent Order, penalties were to be paid to the Department. The civil penalty was \$4.5 million. That has been received by DEQ. The Department also recovered the cost of \$250,000 into an account for staff time for the Division of Waste Management. That money is with the Department. Ultimately, the civil penalty goes to the school system and that's by State statute.

Other penalties are incorporated into the Consent Order for failure to meet any of the specified timeframes. Those will be \$5,000 per day for each one that is late or just for some reason fails to be submitted. It's a legal way of establishing our relationship with Colonial as what is expected and what is required and carries with it the weight of those additional penalties should they become necessary.

NCDEQ is committed to oversight of remediation of the site and ensuring public health and environmental protection during the clean-up of the site. To date, there have been no receptors, those things which are pathways for human health impairment or danger to the public. We do monitor routinely. I lead a team of seven environmental professionals, at least four of us who are professional geologists, licensed geologists in the state of North Carolina. We meet weekly with Colonial's management and technical staff to discuss the site and the activities that are occurring at the site. We also have the ability to call on additional staff within DWM and senior level management all the way up to the Assistant Secretary and this does include toxicologists and engineers.

Our routine activities, some of which were touched on by Colonial, since the I believe second week after the release was discovered, Colonial, at our direction, has been sampling every water supply well within 1,500' of the release on a weekly basis. To date, we have seen no petroleum impacts to any of those wells. That continues as we speak on a weekly basis. On a quarterly basis we expand that another 500', so quarterly we go out to 2,000' and likewise we have seen nothing in any of those wells.

All the monitoring wells at the site are sampled on a monthly basis and we see that data routinely and evaluate that as it comes in. There are two creeks nearby and both of those are sampled monthly in conjunction with the Division of Water Resources and Mecklenburg County at agreed upon sites. To date, we have seen nothing in any of those surface waters.

There's also daily air monitoring for petroleum vapors for both total volatile content and specifically for Benzene. There have been some excursions from the standards for those, but those have been very limited and very temporally limited when they have occurred.

There is also one new residence located very close to the free product plume at this site that had the misfortune of being actually completed and ready for occupancy as the release occurred. In order to protect that family, Colonial does monthly vapor monitoring around that property to ensure that there's no vapor intrusion into the house that would create a health problem. Colonial has also installed a vapor abatement system for that house to protect that family.

You can find the Consent Order on our website and also any additional information. If you go on the DEQ website on the righthand side there is a ribbon that has a Colonial Pipeline selection and you can see everything that we have received.

Mayor Bales said I would like to open it up to the Board for questions.

Commissioner Partee said Ms. Blackwood, I believe there was questions that were forwarded to you from commissioners here on the dais. Are you prepared to address those questions?

Ms. Blackwood said I believe some of those were responded to in writing and those were sent out on Friday. Let me just say this, I would hopefully be prepared to answer your questions, so please feel free to go ahead and ask. If I don't know the answer to it, I would be happy to try to take that back.

Commissioner Partee said I have a few questions I would like to have addressed. The first question happens to be has the dollar amount of damage to property, to citizens, and the Town, been determined?

Ms. Blackwood said I will just say from the outset that out of respect for the privacy of individuals we have dealt with, I'm not prepared nor I intend tonight to discuss specific conversations we've had with landowners. I would like to talk a little bit about some things we have done that don't necessarily tie to a specific individual.

From the outset of the release, as we mentioned, we've been monitoring these water supply wells. We also made the offer to anyone within 1,500' who takes their drinking water from an active water supply well, to convert them to the public water source at Colonial's expense. Some people took us up on that offer and so that offer still stands to those folks who have not. Additionally, we purchased some properties. Some of those were to accommodate workspace needs that we had and some of those were because landowners had questions for us. As I mentioned as well, we are in regular communications with the Oehler Nature Preserve and conversations with them about work that we are doing on the property and also how we might be able to remedy some of the damages to them.

I would just like to say as well, if any members of the public ever have a question or want to have a conversation with us about a concern that they have and ways that they think they may have been impacted, our door is always open. We have that mechanism on our website and certainly they are welcome to reach out to me as well.

Commissioner Partee said will a third party be used to affix real property value of loss or damages to Huntersville land value?

Ms. Blackwood said again, I'm not going to go into details of any of those specific transactions, but I will say in all of those, third party appraisers were involved. Colonial doesn't have any appraisers on staff and we retain third parties.

Commissioner Partee said my third question has been answered as far as safeguards. Presently, are safe alarms being put into place to avoid another incident for damages and loss of property? Will the company make the people of the town of Huntersville whole in the future?

Ms. Blackwood said if I could address those. I think those may be in two parts. When we enter into conversations with homeowners or landowners we always do that from a position of making sure that we are accommodating them and we understand what their concerns are and we are dealing with them in that manner. Our commitment to Huntersville is unwavering. We are committed to restoring this site, but more deeply than that we've been here for 50 years, we have employees who live and work here as well, we support a lot of local organizations and again we are always looking to support communities, so I hope you will see by our actions that we live up to those commitments.

Commissioner Partee said will Colonial Pipeline acknowledge the severity of present and future contamination and compensate in good faith, and we talked about good faith, working with other organizations, the Town of Huntersville and its citizens i.e. donate or sponsor greenways or trailways.

Ms. Blackwood said we are involved with many different local organizations. A couple that come to the top of my mind we support the Catawba Riverkeeper. We also support the Davidson Land Conservancy and there are other organizations we work with as well. Just to say publicly, we have a program that's built around supporting public organizations, 501c3's, we are always interested in having conversations with local organizations, so information about how an organization can reach out to us is available on our website as well and we welcome those conversations.

Commissioner Partee said not to just tie you down, but the citizens here in Huntersville have been damaged emotionally, psychologically by this spill, and would it be appropriate, maybe not, for a company as huge as Colonial Pipeline in good faith to say look, we are going to donate this amount of money for whatever expense – recreation, trailways, and we'll sponsor this particular trailway or bikeway or any other area you feel that the citizens would appreciate. I just want to put that on the record and make Colonial think about that to satisfy and be as far as good faith for our citizens here.

Ms. Blackwood said I appreciate your question. I recognize what's at the heart of that question is concern for your constituents and making sure that Colonia is a company that listens to their concerns, and we are. A couple of things on that, we have a long-standing commitment to this community and we support many organizations, but that's not to say that we wouldn't support others and we welcome those conversations. I hope the individuals we deal with and we have conversations with those around the release site and we've had some conversations with some of those people on purchasing properties that they would say that we've dealt with them in a fair and forthright manner as well.

Commissioner Kidwell said thank you for the presentation from both groups. I did the site visit last week and first of all let me just say that the ground crew out there was very professional. I enjoyed walking with them, talking with them. One young man, I believe his name is Adam, actually referees high school football, lives over in Denver. We had a good conversation about the area and how we've seen it grow over the years. During my trip I saw some of the pumps working. You could see them still activating coming out pulling the gas out of the land and that brought up the conversation about the water. A truck was coming in to obviously be filled and take it, so I know that we are already using trucks. How many trucks are we utilizing as of today.

Ms. Blackwood said I really appreciate you recognizing the hard work of the people at the site. They are very dedicated to their work and it was our pleasure to host you. I invite all the commissioners, that's an open invitation Mayor Bales, all of you anytime you would like to come you would be welcomed. I actually don't know the number of trucks per day. I will take that question back and see if I can get an answer for you.

Commissioner Kidwell said in regards to the onsite process, because I know there's a number of trucks leaving there daily, we're driving our water up to another place to have it safely decontaminated. The onsite building that you guys are talking about putting there to basically recover the fuel and put the water back in our environment, I know that you guys are going through the permit process with the State of North Carolina right now. It's going to be across the site and you purchased that land, it's going to go there, I know you are working with the Town to put up nice berms to kind of keep it hidden, my

question is how long will that be there? How long will Colonial have that particular structure working to recover? What is the baseline to say okay, we got it all, we can start shutting down and moving on.

Ms. Blackwood said the simple answer is we will be there as long as it takes. The timeline, and if I could just briefly expand on that. Our remediation is not based on gallons released, it's based on impact to the environment. All that to say if we released five gallons of gasoline, we wouldn't just recover five and say we're done. We're going to look at the data at the site and say what does it tell us, how is the environment responding and being remediated, so we will be there as long as it takes. I think you probably heard a little bit about this, we did design this plan to sort of minimize the visual impacts and also just the impacts of the community, so in addition to landscaping screening our plan is to construct some facades around it to make it look sort of like an agricultural setting, a horse farm if you will, to try to minimize those visual impacts as well. I do want to reiterate, that's our commitment is we are going to be here as long as it takes until the data tells us that the work is done.

Commissioner Kidwell said this particular pipeline as I understand it, is about 5,500 miles long, serves the east coast, 42" or somewhere in that ballpark.....I think the estimate is roughly a million gallons every 15 minutes.

Ms. Blackwood said it's about 80 million gallons a day that go through.

Commissioner Kidwell said it's a lot. What devices or what do you have in place to help detect leaks in the future. I know you talked about the sonar type device. Is there anything else technological-wise that is being utilized in place to help.....maybe it's not Huntersville, it might be somewhere down in Florida or somewhere down in South Carolina or north of us. Is there anything else that's being utilized to help detect and minimize any type of impact to the environment.

Ms. Blackwood said leak detection is certainly something we are focused on, but perhaps more importantly I guess your question is leak prevention, release prevention, what can we do to prevent the releases from happening. That's some of the work I was talking about earlier and forgive me I am not a technical expert, so I'll explain it to you the way that I best understand it. This ultrasonic wall loss measurement tool is one of them. When our program involves running a variety of what we call again inline inspection tools, or you might have heard the term PIGS before and that's what these are, these are tools that run through the pipe. We've added some new things and that includes this ultrasonic wall loss measurement tool as well as some other things. We are kind of piloting some use of some things called smart balls that were developed originally in the water industry and they roll along and they listen acoustically for the sound of a release, and then other things as well and I'm not the technical expert but I will tell you that we have spent a lot of time and energy to look at those technologies and again part of our plan with remediating those stacked and segmented sleeves was a lesson learned from here. What happened here was a failure under a stacked sleeve and so again you look at how you can prevent an incident, taking those steps and going and remedying those on your system I think is a good step.

Commissioner Munger said I do want to acknowledge and appreciate the staff that is out there. Their professionalism and dedication has been fantastic. I've been out to the site a couple of times. They are really wonderful individuals. I kind of got the answer on it, pipeline is 5,500 miles and a lot of these are going to be just give me an approximate.

Ms. Blackwood said that's the pipeline system. That includes all the stub lines and the main lines. It's not 5,500 linear miles.

Commissioner Munger said one of the things that I was told and maybe you can tell me if it has changed, is one of the ways that they were using to check to see leaks was a flyover along the length of the line. Is that done by a plane or is that done by a drone?

Ms. Blackwood said at the time it was done by a plane and we are exploring other technologies to use as well. What you are talking about is our aerial patrol program. I believe under the regulations from FEMSA we are required to do that every 15 days, but we actually do it every week. We fly the main lines every week.

Commissioner Munger said can you tell me approximately how high that plane is.

Ms. Blackwood said I do not know that answer off the top of my head.

Commissioner Munger said no approximates?

Ms. Blackwood said I apologize, but I don't.

Commissioner Munger said the next question you probably don't know either, the speed of that plane.

Ms. Blackwood said I don't know. Good questions and I'm happy to take those back to our Technical Team and get back to you.

Commissioner Munger said switching gears into what I referred to as the line crawlers and hopefully you understand what I'm saying that whatever is going through that pipeline to check.

Ms. Blackwood said the inline inspection tools.

Commissioner Munger said how many of those exist in that pipeline.

Ms. Blackwood said they are tools that we launch at various intervals, so they are not constantly in the pipeline, they are running a regulatory interval and I don't know that one off the top of my head either.

Commissioner Munger said my next question might be a little bit difficult, too. I'm just trying to figure out how much ground they cover. Overall, I guess what I'm trying to say is if you have 5,500 miles of line and you insert these things in, how much ground are they able to cover and how long before they come back to Point A where they started. Is that like a month, a year?

Ms. Blackwood said they don't make a roundtrip. I can explain this a little bit. When we launch a tool, our pipeline is one directional so we may launch it in one location and then it will run to another location and then it's removed from the pipe. The data from those inspection reports is generated by a third party vendor. It's analyzed by them and then sent to us as well and our internal team of experts looks at that data. From that data they make assessments around what do we need to do, is this something we need to go out and look at, are we going to monitor this over time. It's quite a complex program and again I apologize but I'm not a technical expert that can sit here and tell you how often we run each kind of tools. There are some regulatory requirements around the timing of it and I know in some cases we exceed those.

Commissioner Munger said is it potential or do you know for a fact that there are portions of the pipeline that are not actually monitored at any point in time. If you are saying they don't go the entire length, is it possible that there are portions of that pipeline that are not monitored by that device at all.

Ms. Blackwood said all segments of our main line are what we call piggable, that means that inspection tools can run through them.

Commissioner Munger said can, but do they.

Ms. Blackwood said they do at certain intervals, yes.

Commissioner Munger said all portions of that pipeline are covered at one point in time.....

Ms. Blackwood said yes, all sections of the main lines are inspected at different intervals.

Commissioner Munger said I share Commissioner Kidwell's concern, I doubt it will ever happen in Huntersville again, it happened, we hit it, we got nailed, whatever. I am very concerned about the next place and where that happens. The idea that a plane flies overhead to look for puddles of gas frightens me. I would like that system to be addressed. I bring it back to the lessons learned. This would be something I would say is a lesson that should be learned, even if you hired individuals to walk that line. The odds are they are going to find a 2 sq. ft. puddle rather than the plane flying let's say 500' overhead at 100 mph. That would be my takeaway to you, please consider doing something a little bit more intensive to find those leaks the next time it happens.

Ms. Blackwood said I appreciate that feedback and I appreciate the comment. If I may, aerial patrol is just one aspect of our leak detection systems. We have several different.....we have technologies that are analyzed from our Control Center. We have aerial patrol. We have a public awareness program as well that's built around educating the public, but I definitely understand and appreciate your concerns.

Commissioner Kovacs said sorry, I didn't send it my questions, but I know you said that the process I heard you tell Commissioner Kidwell it's until the environment is okay. What will happen with the land afterwards when you no longer have to be here. Will all of that be removed? Is it going to be there just in case it happens again? What will happen to all of that?

Ms. Blackwood said are you talking about on the Oehler Nature Preserve or on the properties that we own?

Commissioner Kovacs said properties that you own.

Ms. Blackwood said at this point in time we have not made a plan for the longer term than that, because again we are focused on the remediation and recovery and it would be a bit premature for us to sort of make that next step without knowing and frankly we are very focused on being here as long as it takes, so we are not looking at this as a short-term plan with an end game. We are here as long as that takes.

Commissioner Kovacs said I guess just because I'm new to all of this, I don't know if that's 5 years, 10 years, 30 years. I can't even fathom how long that could be. I guess my last question is for the DEQ. I heard you say that the \$4.5 million will be going to the local school system. When that is sent to them is there anyway to make sure that it actually goes to this portion of the school system or is it just sent as a whole to the school system.

Mr. Jackson said DEQ has no control over that whatsoever. That would come through the public school system.

Commissioner Kovacs said is that to the state or to actual local.

Mr. Jackson said state.

Commissioner Boone said I've got several questions and I'll start with Ms. Blackwood and in case you don't have a copy of the questions, here they are. I'm going to start out with your comment earlier, I believe it was your second paragraph, where you said there was 400 working wells. Out of those wells, how many are working as we speak, all 400?

Ms. Blackwood said yes, they are all either recovery or monitoring wells.

Commissioner Boone said you said at this time there was no drinking water to show contaminants.

Ms. Blackwood said that's correct. No active drinking water supply wells have been impacted.

Commissioner Boone said how about irrigation wells.

Ms. Blackwood said I do not know the answer to that question.

Commissioner Boone said that's a very important question for people who have irrigation wells where they want to irrigate their gardens and then we might have some brown areas, then we have a whole different problem, so you are saying right now that you don't think there's any problems with the irrigation wells.

Ms. Blackwood said I'll defer to my colleagues at DEQ who are much more into the weeds so to speak about the details of the water assessment.

Mr. Jackson said in our receptor survey we did not find any irrigation wells within 1,500' of the release.

Commissioner Boone said if there's a well that's at 2,000' and that water was tested on a quarterly basis and then it stopped and there was a chemical found that was not originally found, would you know that at this time.

Mr. Jackson said there have been no detections in any of the water supply wells or even the expanded radius we have seen no petroleum compounds in any of those wells.

Commissioner Boone said what is the current horizontal and vertical size of the flume of the spill site and has it grown or decreased in size since the Consent Order was signed.

Mr. Jackson said no, that is the simple answer. The flume covers aerially roughly 11 to 12 acres. There has been some minor horizontal expansion over the last two years, but currently that entire area is contained in the monitoring system, so nothing is getting beyond the monitoring system at this point. We are still working on the vertical delineation of the flume. There is free product present in at least two locations in the bedrock, which is of concern to us and that is the next thing that Colonial will be doing. They had submitted a plan to us. We should finish our review of that plan this week.

Commissioner Boone said have you seen any additional contaminants in that vertical study at this time.

Mr. Jackson said no.

Commissioner Boone said is Colonial self-insured or are they underwritten by an insurance company for liability coverage.

Ms. Blackwood said Colonial has an insurance tower, yes.

Commissioner Boone said so you are underwritten with other insurance companies.

Ms. Blackwood said yes.

Commissioner Boone said I just want to be sure that I've got this straight. Since the original oil spill and this is a DEQ question, no new chemicals have been identified in the soil within 2,000' of this spill.

Mr. Jackson said not within soil. That is different than groundwater, but we have not seen anything new within the soil profile either. There has been about 7,800 tons of soil removed from the site associated with the repair and that has been taken away for proper disposal and we have done investigation of the soil. As far as I know, there is no surface contamination soil there and we have not seen any expansion of soil contamination.

Commissioner Boone said if a citizen has an irrigation well and Colonial has tested it and they said you know what I'm going to go ahead and just do my own well – I'm going to drill a new well right next to it so I can water my garden. Well, guess what, Mecklenburg County has said no to that permit. Why is that.

Mr. Jackson said that's a question for Mecklenburg County, but I am aware that Mecklenburg County has the authority within their well ordinance to determine areas of impaired groundwater in which they will not permit a well.

Commissioner Boone said so you said impaired groundwater, so they did find something that they would not issue a permit for a brand new irrigation well.

Mr. Jackson said if it's next to a well within the potential scope of the release, yes they have that authority. Whether or not they are exercising that, that is Mecklenburg County's to deal with.

Commissioner Boone said you've heard two or three commissioners up here saying that all the fines are going to North Carolina educational system in Raleigh and I think you say there's four pillars of pots that Colonial can give back to the community, but you are sitting here with what might be the largest land spill in the United States and that doesn't fit in any of those four pillars in my view. I'll just leave it at that.

Ms. Blackwood said we have a program that encompasses four pillars of giving as you and I have talked about before and we would welcome any organizations that want to partner with us to talk with us about that. We are always looking for opportunities to engage.

Commissioner Phillips said I was curious how did you guys identify the parcels of land you bought on Huntersville-Concord Road and Asbury Chapel and how many parcels have you bought thus far.

Ms. Blackwood said as I mentioned earlier some of them were identified as needed for workspace for us, so if you drive by the site you will see that we have equipment there. A couple of others were landowners who approached us.

Commissioner Phillips said were they required to sign an NDA after they sold to you guys.

Ms. Blackwood said as far as I know, again I'm not going to speak about specifics of deals with different landowners or rather transactions. I believe that there were confidentiality agreements put in place, but I don't know specific details.

Mayor Bales said I would like to say, Ms. Blackwood, thank you so very much for being present at all the tours and for allowing not only myself but other Board members to come out to the site. I've been out there I couldn't tell you how many times to this point, but I was out there just recently within the last few weeks and there were definitely things that I noticed different. I noticed the noise and you addressed that with the fact that you removed the generators etc. off the site. It was more quiet. It did seem like I was in a nature preserve again. The other thing that I noticed was the flowers and I think that you did have a picture of that, but the bees, the insect life, the ecosystem, all of that looked pretty healthy. I would say a year ago when I was out there, the flowers didn't quite take so this time around I did notice that and one of the questions that I have really is around the groundwater and as you are continuing to pump all of the water out of our ecosystem, are we seeing any damage to the trees, especially those trees with the deep roots. Where are we at with that currently.

Ms. Blackwood said we did just recently do a tree survey in collaboration with the Oehler Preserve and the reason we did that is because we are wanting to just monitor the trees over time. The roots of those trees are very deep and so the good news is there haven't been any impacts to those trees. That's why we did the assessment is so we can continue to monitor them.

Mayor Bales said is there any concern from DEQ's perspective, and I guess I will ask this question of Mr. Randolph and Mr. Jackson. The new remediation where they are able to process onsite, as that water is then released back into the environment, is there any concerns with the impact of that additional water going into the streams, etc.

Mr. Jackson said that will be released under a permit issued by the Division of Water Resources and the treatment system will be designed to meet specific criteria set in that permit and that permit will be public noticed perhaps this week, so you can certainly look at that and it will probably be on Water Resources website. What has been relayed to us is the same thing that has been relayed to Colonial, that the riverkeepers and the people who monitor surface water actually thinks that this will be beneficial to the watershed because it will increase the flow in those creeks certainly during drought conditions and so forth. That's as we understand it. We have yet to see the permit. It's being issued by another division. We are anxiously awaiting that also. It will be pretty rigorously controlled and it is a large volume of water and will be a large system.

Mayor Bales said do you have concerns about the underground system as they are pulling all of this water out, because it's almost like we're taking and we're giving away.

Mr. Jackson said the object is to create an artificial drawdown of the water table to create an area in which in itself creates a barrier to any continued migration of contaminants and at the same time to do

additional remediation. I can't really do anything but give you an opinion. A hydrologist rather than a geologist would be the person to consult regarding that.

Mayor Bales said earlier this evening Ms. Blackwood you talked about the lessons learned and I know that was my question however long ago that was, what are we learning through this process and we talked about replacing the stack sleeves. Has Colonial replaced the stack sleeves throughout the entire 1,500 miles.

Ms. Blackwood said yes, all of the stacked and segmented A sleeves on main lines have been converted to pressure containing Type B's.

Mayor Bales said are there any along the lines that are not the main line.

Ms. Blackwood said yes, and we are assessing those and making those evaluations of whether those need to be monitored or whether they should be converted, but that's risk based assessment that we do in our integrity group.

Mayor Bales said I would like to also thank you and Colonial for continuing to look for other solutions to leak detection as well as leak prevention, because to Commissioner Munger's point, we don't want to see another community have to go through this and I'm sure Colonial doesn't want to have to go through this either. I'm just looking through here really quick to make sure I don't have any other questions before I finish up.

Commissioner Boone said you said that you monitored all the D clamps, right. Is that correct?

Ms. Blackwood said I'm sorry, I don't think I'm familiar with the term D clamps.

Commissioner Boone said what clamp did you just say, C.

Ms. Blackwood said I believe what I said is we've converted all the stacked and segmented A sleeves on the main lines to pressure containing B sleeves.

Commissioner Boone said there's a C clamp and a D clamp I believe on that pipeline.

Ms. Blackwood said I'm not familiar with those terms and I don't know that they exist on our system either.

Commissioner Boone said is there any other type of patchwork that you have on your pipelines other than what you just stated.

Ms. Blackwood said the B sleeves are the primary type of repair that we do or a cut-out, which is to remove the pipe and put a new segment in.

Commissioner Boone said but you are not familiar with a C or a D clamp.

Ms. Blackwood said I apologize, Commissioner Boone, those are not familiar terms to me.

Commissioner Boone said it upsets me that the flowers look great, but nobody can drink the water, unless it's coming in from Charlotte Water.

Ms. Blackwood said again, there have been no impacts to active drinking water supply wells and there are several people who still have those.

Commissioner Boone said I'm sure they are pretty nervous when they start drinking it.

Mayor Bales said I do not have any other questions for either organization, but I do want to thank you both for taking the time this evening to come and speak to this Board and to our community. I want to thank you for working together to truly remediate and clean this up. Just know that our community, our Board members, we are all continuing to watch and want to be part of the process and be able to share with our residents the clean-up that is actually happening and where you currently are. Again, thank you for taking the time out. It's greatly appreciated. I know that's something that we've been asking for quite some time.

Ms. Blackwood said thank you very much for the opportunity and for having us here tonight. I appreciate that as well.

Bob Creighton, 8523 Flanagan Court in Cedarfield, said I'm the President of the Cedarfield II HOA. We have a new development, I don't know if it's 58 or 78 homes, that there has been a request submitted to the Planning Council for additional homes. The only access for that development is on a residential street which is Angel Oak which goes through the heart of Cedarfield and approximately 30 percent of our residents are off that street. Angel Oak is not striped. There are four speed bumps on there. There are people walking their dogs. There are children playing along the street. It is inappropriate to have all the construction traffic and then years of 58 or 78 more homes and all the traffic without having any other way to get into that development. I understand that recently the Board made a change so that projects like this are not weighed by the Board and I do understand the need to delegate, but we are very concerned that a brand new process is in place here without adequate consideration for our input. We know that the developer has to have a public hearing, but there's no obligation for them to act on anything that we present to them. We rely on you the elected officials to watch out for and to balance the relationship of commerce and residential amenities and I need to ask you to play that role. We would like to have a traffic count to get a baseline number of cars going along Angel Oak before this development starts. I understand that there is also a traffic impact analysis that is required. Keep us involved, please. We will continue to monitor this, but we are very concerned with a new process that is going to create a lot of construction activity, especially during the first one, two years, when the land is cleared, when you've got workers going in there, moving trucks. It's going to be an interesting time.

John Carruthers, 13006 Angel Oak Drive, said I'm also a member of the Cedarfield II HOA Board. I'll try not to repeat everything that Bob said about Angel Oak, but I want to just tell you a few things about it. It is a lovely street. It's not a very wide street. It's less than 24' wide. It constantly has worker vans because people there maintain their homes. It's constantly got foot traffic. There's a sidewalk there. A good bit of our neighborhood uses that as the main access to the Torrence Creek Nature Trail. Where I live we are just past a blind curve down a hill from it and if you go two houses either direction from me on both sides of the street, there are 13 children ranging in ages from 1 to 12. The street is really the only access for already a large number of people and I would echo what Bob said, I think it horrifies many people on our street that would be the only access to another 58 or another 78 homes, primarily for the construction. I've never lived in a neighborhood where there's only one access before to the entire neighborhood. I don't know what that would mean for fire protection. I don't know what it would mean for the number of people who ultimately end up living there. I can imagine what it would mean for construction if there's no other access. I'm concerned, too, that it doesn't seem like there is a

way for us to have conversations with elected officials who are accountable now that the process has changed. Maybe I'm wrong about the process. I want to ask the Board to make sure that there is a way to weigh the feelings of the citizens who live in that area about public safety and just about the quality of living that this would cause. I'm hoping that there is some way.....I appreciated some of your campaigns, speaking about balancing the positives of development with the amenities of living in a desirable community. I know that everybody campaigned on a platform of listening to the community, so I just hope there's a way to do that.

AGENDA CHANGES/ADOPTION OF AGENDA

Commissioner Boone a motion to adopt the agenda. Commissioner Partee seconded motion. Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes – September 6, 2022. Commissioner Phillips made a motion to approve the minutes of the September 6, 2022 Regular Town Board Meeting. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution – Huntington Green Sidewalk Project. Commissioner Phillips made a motion to adopt Resolution to acquire right-of-way and easements for the Huntington Green Sidewalk Project. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 4.

Acceptance of Streets – Arrington Subdivision. Commissioner Phillips made a motion to accept the following streets in the Arrington subdivision for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Caledonia Dr	Bud Henderson	Approx 160' NW of Grenfell Ave	900
Grenfell Ave	122' W of Caledonia Ave	Approx 60' NW of Barnmore Dr	705
Barnmore Dr	Grenfell Ave	Approx 190' NE of Grenfell Ave	190

Acceptance of Streets – Bryton Ridge. Commissioner Phillips made a motion to accept the following streets in Bryton Ridge for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Bryton Ridge Pkwy	Old Statesville Rd / 115	Bryton Pkwy Roundabout	1460

Acceptance of Streets – Farrington Subdivision. Commissioner Phillips made a motion to accept the following streets in the Farrington Subdivision for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
McDowell Crossing Place	Tullamore Glen Drive	Approx 607' N of Tullamore Glen Drive	610
Tullamore Glen Drive	Approx 75' E of McDowell Crossing Place	Dunloe Wood Drive	490
Dunloe Wood Drive	Journey's End Trail	Approx 75' S of Tullamore Glen Drive	1925
Adair Cross Place	Approx 185' S of Dunloe Wood Drive	Dunloe Wood Drive	185
Glenroe Drive	Approx 180' S of Dunloe Wood Drive	Dunloe Wood Drive	180
Journey's End Trail	Approx 110' NE of Dunloe Wood Drive	Approx 216' SW of Dunloe Wood Drive	325

Acceptance of Streets – Walden Phase 1. Commissioner Phillips made a motion to accept the following streets in the Walden Phase 1 subdivision for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Morningate St	Huntersville Concord Rd	Ferrelltown Pkwy	1850
Bedford Hills Dr	Morningate St	Dead End	85
Devon Forest Ln	Morningate St	Dead End	100

Acceptance of Streets – Walden Phase 2. Commissioner Phillips made a motion to accept the following streets in the Walden Phase 2 subdivision for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Morningate St	Ferrelltown Pkwy	Approx 230' W of Ferrelltown Pkwy	230
Keyes Meadow Way	Approx 750' E of Beecher Commons Dr	Approx 680' W of Chopin Ridge Rd	1835
Beecher Commons Dr	Keyes Meadow Way	Approx 315' N of Keyes Meadow Way	315
Ellery Channing Dr	Chopin Ridge Rd	Approx 200' W of Chopin Ridge Rd	200
Chopin Ridge Rd	Keyes Meadow Way	Approx 130' N of Ellery Channing Dr	615

Resolution – Use of State Fiscal Recovery Funds. Commissioner Phillips made a motion to adopt Resolution authorizing use of State Fiscal Recovery Funds on General Government Services. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 5.

PUBLIC HEARINGS

Historic Designation – Blythe House. Mayor Bales called to order public hearing on designating as a historic landmark the property known as the “Blythe House,” including the first and second level interior hallways and staircase of the building, the exterior of the building, and the approximately 0.397 acres of land listed under Tax Parcel 01711623.

Kayleigh Mielenz, Planner I, entered the Staff Report into the record and reviewed request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

The Blythe House c. 1910, located at 121 Gilead Road, is a prominent two-story residence now used as commercial office space, located just west of Huntersville’s downtown district. The house has local historic significance as the family homestead of the William Brevard (W. B.) Blythe family for 60 years, including as the childhood home of William LeGette Blythe (1900-1993), a prolific novelist, esteemed journalist, enthusiastic local historian, namesake of a prominent Huntersville elementary school, and inductee of the North Carolina Literary Hall of Fame. The proposed designation is for the first and second level interior hallways and staircase of the building, the exterior of the building, and the entire tax parcel.

There being no further questions or comments, Mayor Bales closed the public hearing.

OTHER BUSINESS

Historic Designation – Blythe House. Commissioner Boone made a motion to approve the Blythe House, located at 121 Gilead Road, here in Huntersville, North Carolina as a historic landmark. This approval shall include the first and second level interior hallways, the staircase of the building, the exterior of the building and approximately 0.397 acres of land, listed under the Tax Parcel No. 01711623 in the Mecklenburg County Tax Office. The property is owned by HFH Investments, LLC.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 7.

Petition #S22-02. Petition #S22-02 is a request by Novant Health Special Sign District, a request by Lockwood Identity Inc. (SignArt) to amend the plan for the Special Sign District Overlay for Novant Health Hospital located at 10030 Gilead Road, Tax Parcel 01716601.

Kayleigh Mielenz, Planner I, entered the Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 8.*

SignArt is requesting to amend the Novant Health Special Sign District Overlay to designate an exterior wall of a completed canopy addition as eligible for a wall sign.

The Planning Board recommended approval by a 9-0 vote at the August 23, 2022, meeting.

Commissioner Munger made a motion in considering the proposed Petition #S22-02, Novant Health Special Sign District, the Town Board recommends approval based on the Special Sign District complying

with Article 10.11.1 and being consistent with the Huntersville 2040 Community Plan Policies LU-8 and LU-8.1 It is reasonable and in the public interest to approve the Special Sign District plan because it is consistent with the greater flexibility in form and style desired by the Huntersville 2040 Community Plan and the sign itself is not to exceed 50 sq. ft.

Commissioner Boone seconded motion.

Motion carried unanimously.

Town Manager Merit Increase/Bonus. Commissioner Phillips made a motion to ratify previous action of the Town Board taken in Closed Session allowed under the North Carolina Open Meetings Law to award a 4.5 percent merit increase effective August 1, 2022 and a \$5,000 bonus for the Town Manager based on market analysis and performance evaluation. Commissioner Partee seconded motion.

Motion carried 5 to 1, with Commissioner Kidwell opposed.

Amendment to Preliminary Services Agreement for New Town Hall. Bobby Williams, Assistant Town Manager, reported that on September 6, Commissioners voted to approve and fund Option 4B for a new town hall complex, keeping the existing Town Hall and building a new annex on property owned by the Town to the immediate north. This request brings forth an amended contract to resume work with design-builder, incorporating advanced planning work already completed and beginning new preliminary services for Option 4B at the new site. As proposed in new preliminary scope, staff would be in the new town hall by the end of 2024 and final completion of the project would be January 2025. *Refer to slide attached hereto as Exhibit No. 9.*

Mayor Bales said does this include a public input session.

Mr. Williams said that is part of the schematic design. We do have a public input process to be defined.

Commissioner Kovacs said on this slide it says new town hall annex four stories 54,500 sq. ft. total and then this contract says square footage goals are 62,000 sq. ft.

Mr. Williams said that is adding this building into the new building.

Commissioner Kovacs said when looking between the old contract and the new one, I wanted to ask what a construction administration service fee of \$429,000 is, because it wasn't in the previous contract.

Mr. Williams said if you are looking at the Exhibit C, the last line on the clarifications, there's a section that's called clarifications that outlines costs that the Town would be responsible for and then the last item in there it talks about a construction administration fee for both Creech as the architect and Edifice as the builder. That was included in the first one, but they didn't call out the specific amount. For transparency purposes, it's called out in this one.

Commissioner Kovacs said under clarifications it says storm water design is now included.

Mr. Williams said that would be a redesign. That would be something the Town would be responsible for. The previous site was storm water ready.

Commissioner Partee said what would be the cost for that storm water assessment on this site.

Mr. Williams said I don't know that we have that yet. That will come as we get further through the site work and the design.

Commissioner Partee said to date what has the Town paid to Edifice in total.

Mr. Williams said we've spent about \$242,000 on the original \$960,000 contract that got put on pause. The remainder of that \$960,000 contract was the money that was used to acquire the land just north of Town Hall. We were about 25 percent through that original contract.

Commissioner Partee said that \$240,000 was for the site on the southwest corner, correct?

Mr. Williams said it was. It got us through the advanced planning and some of the initial schematic design, which from talking with the team we think we will be able to certainly that advanced planning rolls right over and some of that initial schematic design how we were laying out office space for departments, some of that will roll over as well, so not completely lost.

Commissioner Partee said I know we talked about this before, but just for the record, that \$1.9 million in cost is that included in the \$28 million as proposed.

Mr. Williams said it is. It would be \$29 million all in including the roughly \$1.9 million for the preliminary services.

Commissioner Munger said just for clarification, the presentation we had at the pre-meeting on debt issuance, my understanding and my takeaway from it was that if we want to keep the tax rate at its current level, we can afford to issue debt of up to \$25.825 million and this might be a Jackie question. If we need to fund a town hall of \$29 million, I would need to raise the tax rate 0.32 to zero this out.

Jackie Huffman, Deputy Town Manager, said we discussed at the pre-meeting the possibility of issuing \$20 million in debt in FY24 that could be used toward town hall. That would not complete this \$29 million project. We would need \$9 million from some other place. A potential place might be the ARPA funds. I would caution you about trying to balance the FY24 budget right now. I'm not sure how we will agree to use the ARPA funds. I'm not sure what else we might fund in the FY24 budget. Is it possible....it is possible. Is that the best method.....depends on who you ask maybe.

Commissioner Munger said just to remind me real quick, we have roughly \$100 million total in CIP projects.

Ms. Huffman said I think it's \$205 million.

Commissioner Munger said that would be a lot of tax increase to be able to cover that, especially if we are going to spend \$29 million on a town hall.

Ms. Huffman said during the pre-meeting presentation, wasn't it \$243 million, which would be ballpark a \$0.15 tax increase to fund \$243 million.

Commissioner Kidwell said how long has the Town had a CIP list.

Ms. Huffman said we have had a list for a very long time.

Commissioner Kidwell said and we'll continue to have a CIP list probably 50 years from now.

Ms. Huffman said I would recommend it and it will help you for bond issuance purposes.

Commissioner Kidwell said at any point in the history of the Town of Huntersville have we completed every project on the CIP list.

Ms. Huffman said and on time, no.

Commissioner Kovacs said I know we said we have \$12 million in ARPA funds. That does not include the ARPA funds that we supplanted that we received already, correct.

Ms. Huffman said true.

Commissioner Boone made a motion to approve the amendment to the Preliminary Services Agreement with Edifice, LLC incorporating advanced planning work already completed and begin new preliminary services for Option 4B of the new town hall site.

Commissioner Kovacs seconded motion.

Commissioner Partee said I have a question for Edifice. On your owner contingency sheet, Creech and Associates, potential cost and budget, you stated in the first paragraph, the design and construction cost plus or minus \$29 million has been based on utilizing a portion of the building as shell space for future growth used by the Town. Can you define shell space.

Representative from Edifice said shell space would be areas of the building that could be utilized later as the Town grows, but right now in the \$29 million we have that fully built out.

Mayor Bales called for the vote to approve the amendment to the Preliminary Services Agreement with Edifice LLC.

Motion carried 4 to 2, with Commissioners Munger and Partee opposed.

Amendment to Preliminary Services Agreement with Edifice LLC attached hereto as Exhibit No. 10.

Reimbursement Resolution – New Town Hall. Pattie McGinnis, Finance Director, said based on the contract you just approved from the architect, approval of this Reimbursement Resolution preserves our flexibility to use debt proceeds to minimize the impact of Fund Balance for design and site preparation. Approval of this Resolution does not commit us to issue debt, however if this Resolution is not approved, design and prep will be funded out of Fund Balance.

Commissioner Boone made a motion to approve the Reimbursement Resolution for design and construction of the new town hall.

Commissioner Phillips seconded motion.

Mayor Bales called for the vote to approve Reimbursement Resolution.

Motion carried 4 to 2, with Commissioners Munger and Partee opposed.

Reimbursement Resolution attached hereto as Exhibit No. 11.

Budget Amendment – New Town Hall. Pattie McGinnis, Finance Director, said this is appropriation of \$3 million to allow the Town to pay for architectural services and site prep as explained in the contract.

Commissioner Boone made a motion to approve budget amendment appropriating Fund Balance in the General Fund in the amount of \$3 million for the site preparation and design expenses of the new town hall.

Commissioner Kovacs seconded motion.

Mayor Bales called for the vote to approve budget amendment.

Motion carried 4 to 2, with Commissioners Munger and Partee opposed.

Abernathy Park Master Plan. Michael Jaycocks, Parks & Recreation Director, reviewed the Abernathy Park Masterplan. *Refer to PowerPoint attached hereto as Exhibit No. 12.*

Mayor Bales recognized Parks & Recreation Commission members who were present at the meeting.

Commissioners expressed concern about the elimination of the baseball field.

Commissioner Munger said one thing I had heard on the current configuration that the lights that are in existence cannot be upgraded due to property line issues.

Mr. Jaycocks said about two or three years ago we had funds to replace Waymer and Abernathy lights. The bids came back so high we just did the Waymer lights. We had ElectriCities inspect the poles at Abernathy last year and they felt safe with their current conditions.

Commissioner Munger said one of the things that I noticed is a complaint about the dust. Is there anything we can do in terms of controlling that.

Mr. Jaycocks said we try to go early in the morning when there's a dew. We haven't had as many as complaints recently.

The Parks & Recreation Commission unanimously approved the Abernathy Park Master Plan at their September 7 meeting. The community gave us positive feedback at our public input meeting in regards to removing the baseball field, which allows for a large open field with walking trails, fitness stations and seating areas. This change also allows for locating the new playground and basketball court away from the busy road that fronts the park. This layout also provides room for a covered shelter.

Anthony Roberts, Town Manager, said based on all this feedback, if the feedback from the Board is to sort of keep the baseball/softball field, maybe we can go back to the drawing board and come up with some better pictures for you to consider and seek feedback from the public.

Commissioner Partee made a motion that we have Mr. Jaycocks and the Parks & Recreation Commission go back and reconfigure the Abernathy Park and bring back their results to the Board.

Commissioner Munger seconded motion.

Commissioner Phillips said haven't we already approved that in the past, like the minor upgrades with keeping the baseball field, fence or getting a fence, the cosmetics and upgrading the playground.

Mr. Jaycocks said part of the budget was doing the playground, the fence and landscaping was originally part of the budget.

Ms. Sloop said if you are asking them to come back with a reconfiguration of the layout, that's something that could be incorporated in the motion as to wanting to see different renderings. Was that the purpose and intent.

Commissioner Partee said yes, it was.

Ms. Sloop said and you wanted to see the reconfiguration with the baseball field remaining.

Commissioner Partee said the baseball field yes, correct.

Commissioner Munger said I'm going to jump ahead to the next item. The next item pertains to a grant. Is there a specific timeline on when that grant might have to be filed for us to take this action.

Mr. Jaycocks said that grant is due November 1. My pre-review was due last Friday, so the state is reviewing it. It doesn't mean we can't change it.

Mayor Bales called for the vote to request the Parks & Recreation staff and the Parks & Recreation Commission go back and look at including the ballfield in the upgrades, then bring it back to the Town Board.

Motion carried unanimously.

Accessibility for Parks Grant Application for Abernathy Park Project. This request is to allow staff to submit a grant application for the Accessibility for Parks Grant for the Abernathy Park Project. The Town will use the \$200,000 approved in FY23 as its match. Our grant request will be for \$212,000. This grant request will help fund a new accessible playground, new walking trails, new accessible fitness stations, a basketball court and an accessible covered shelter. The state will announce grant recipients in the spring of 2023.

Commissioner Phillips made a motion to authorize staff to submit an application for the Accessibility for Parks Grant for the Abernathy Park project, if they deem it necessary and worthy.

Commissioner Munger seconded motion.

Motion carried unanimously.

Application attached hereto as Exhibit No. 13.

MAYOR AND COMMISSIONER REPORTS/CLOSING COMMENTS

Mayor Bales

- Lake Norman Economic Development Corporation is currently working 43 projects.
- Next Metropolitan Transit Commission is September 28. That evening there will be a vote on the update for the 30 percent design for the Red Line.

Commissioner Phillips

- Provided update from Visit Lake Norman.

Commissioner Kidwell

- No Report.

Commissioner Partee

- Spoke to the Rotary Club on September 8.
- Attended Pottstown Public Input Meeting on September 14.
- Habitat for Humanity Information Session on critical home repair is September 24 at the Dellwood Center.
- Advocate for gun safety. Huntersville Police Department has free gun safety locks.
- Bring awareness to Cool Kids Clubhouse.

Commissioner Kovacs

- Provided update from Lake Norman Chamber of Commerce.

Commissioner Munger

- Public Arts Commission meeting was canceled.
- Angels & Sparrows had fundraising event last Friday that was a success.
- Consider supporting local non-profits.

Commissioner Boone

- Asked the Mayor if she was still taking the stand that she would not support the rail line they are studying to come up this way unless she has a seat at the table. Mayor Bales explained that the vote at MTC that she referred to in her report is for the update to the 30 percent design study in 2009, not the study where they were looking at alternative placements for the line, which she agreed with the decision of former Mayor Aneralla to vote no.

Commissioner Phillips expressed appreciation to Major Graham for his work in getting Narcan for arming police officers with Narcan.

Commissioner Kidwell expressed appreciation to his wife for allowing him the opportunity to serve on the Board.

CLOSED SESSION

Commissioner Munger made a motion to go into Closed Session pursuant to N.C.G.S. 143-318.11(a)(6) to consider the qualifications, competence, and performance of an employee.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Upon return from closed session, there being no further business, the meeting was adjourned.

Approved this the 7th day of November 2022.