

Mayor
Christy Clark

Mayor Pro Tem
Jennifer Hunt

Commissioners
Alisia Bergsman
Amanda Dumas
Edwin Quarles
LaToya Rivers
Nick Walsh



Town Manager
Anthony Roberts

Deputy Town Manager
Jackie Huffman

Assistant Town Manager
Bobby Williams

Town Attorney
Emily Sloop

Town Clerk
Janet Pierson

AGENDA
Regular Town Board Meeting
May 20, 2024 - 6:00 PM
TOWN HALL (101 Huntersville-Concord Road)

Live Stream available via YouTube
@townofhuntersvillenc28078

1. Pre-meeting - 5:30 p.m.

1.A. Discussion on NC115 at North Mecklenburg High School pedestrian crossing. *(Stephen Trott)*

2. Call to Order

3. Invocation/Moment of Silence

4. Pledge of Allegiance

5. Announcements

6. Public Comments, Requests, or Presentations

6.A. Recognition of Huntersville 101 Graduates. *(Ethan Smith)*

6.B. National Public Works Week Proclamation. *(Mayor Clark)*

6.C. Huntersville Fire Department Proclamation. *(Mayor Clark)*

7. Agenda Changes/Adoption of Agenda

8. Consent Agenda

8.A. Approve Property Tax Refund report from Mecklenburg County. *(Pattie McGinnis)*

9. Public Hearings

- 9.A. Conduct public hearing to receive comments on the proposed budget for FY25. *(Anthony Roberts)*
- 9.B. Conduct public hearing on Petition #ANNEX 24-01, a request by Shea Homes Carolina, LLC, to annex 59.462 acres into the Town of Huntersville. Staff requests this public hearing be continued to June 3, 2024. *(Lauren Speight)*

10. Other Business

- 10.A. Consider adopting Public Records Policy and Fee Schedule. *(Commissioner Walsh)*

11. Closing Comments

12. Adjourn

GENERAL MEETING INFORMATION

Town Board:

The Town of Huntersville Mayor and Board of Commissioners are elected for two-year terms. Huntersville operates under the council-manager form of government, which establishes the Town's policies that are carried out by the Town Manager and staff. For more information visit www.huntersville.org.

Meeting Time, Place and Agenda:

All meetings of the Board are open to the public and the public is invited and encouraged to attend. The Board meets in the Town Hall at 6:00 p.m. on the first and third Monday of each month (after July 1 it will be on the first and third Tuesday of each month) (unless otherwise posted). Agendas are published Thursdays before the meeting on our website. The Board reserves the right to deviate from the agenda.

Public Comment and Public Hearing Policy:

Persons desiring to address the Board during the public comment period or a public hearing shall sign up via the speaker sign-up sheet prior to the beginning of the meeting. Once the meeting has begun, a person may not sign up to speak. Persons who have signed up to speak shall be allowed to speak for up to three (3) minutes. The Mayor shall have the discretion to shorten the allotted speaking time depending on the number persons registered to speak and in consideration of the length of the agenda. (Public Comment and Public Hearing Policy - Amended February 19, 2024)

Special Accommodations:

Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format please contact the Town Clerk. The Clerk can be reached by phone or fax: 704-875-6541, email: clerk@huntersville.org or at 101 Huntersville-Concord Rd, Huntersville, NC 28078. We request at least 72-hours' notice prior to the meeting to make the appropriate arrangements.



Request for Board Action May 20, 2024

To: The Honorable Mayor and Board of Commissioners

From: Stephen Trott, Director of Engineering

Subject: NC115 at North Mecklenburg High School Pedestrian Crossing

EXPLAIN REQUEST:

Discussion on installation of an enhanced pedestrian crossing on NC115 (Old Statesville Road) at North Mecklenburg High School.

ACTION RECOMMENDED:

Discussion

FINANCIAL IMPLICATIONS:

To be determined

ATTACHMENTS:

None



A PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK

WHEREAS, Public Works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Huntersville; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Huntersville to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association be it now.

NOW, THEREFORE, I, Christy Clark, Mayor of Huntersville, do hereby proclaim the week of May 19 to May 25, 2024 as "**NATIONAL PUBLIC WORKS WEEK**" 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 20 day of May, 2024.

Christy Clark, Mayor



RESOLUTION RECOGNIZING THE HUNTERSVILLE FIRE DEPARTMENT

WHEREAS, the Town of Huntersville recognizes the invaluable contributions of the firefighters who have served our community with dedication, bravery, and selflessness; and

WHEREAS, many firefighters have given their time and expertise, serving with Huntersville Fire Department, Inc., since 1923 to ensure the safety and well-being of our residents, businesses and visitors; and

WHEREAS, the commitment and sacrifices made by these firefighters have been instrumental in protecting lives, property, and the environment from the devastating effects of fire and other emergencies many of these years in a voluntary capacity; and

WHEREAS, the Town of Huntersville is committed to providing the highest level of fire protection and emergency services to our community, recognizing that our firefighters are the backbone of this critical mission; and

WHEREAS, the decision to transition fire protection services from Huntersville Fire Department, Inc., to the Town of Huntersville reflects our deep appreciation for their service and acknowledges the importance of investing in their professional development, well-being, and continued dedication to public safety; and

WHEREAS, by becoming a municipal fire department, these firefighters will have greater direct access to Town resources and benefits, further strengthening our fire department and its ability to serve our community with excellence.

NOW, therefore, I, Christy Clark, Mayor of Huntersville, do hereby proclaim and recognize the dedication and commitment of the firefighters who have served our community as members of Huntersville Fire Department, Inc and those who will continue to serve under the Town of Huntersville.

I urge all residents to join me in expressing our deepest gratitude and appreciation to these firefighters for their selfless service, bravery, and unwavering commitment to the safety and well-being of our community.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 20 day of May, 2024.

Christy Clark, Mayor



Request for Board Action May 20, 2024

To: The Honorable Mayor and Board of Commissioners

From: Pattie McGinnis, Finance Director

Subject: Property Tax Refunds

EXPLAIN REQUEST:

Attached is the Refund report from Mecklenburg County. This report contains four refunds totaling \$36,535.74 which includes \$1,986.58 in interest. The refunds are the result of the Board of Equalization and Review.

ACTION RECOMMENDED:

Approve Refunds

FINANCIAL IMPLICATIONS:

Decrease in revenue.

ATTACHMENTS:

1. 5-20 Huntersville Refund with Interest 24 04 30

HUNTERSVILLE Refunds

Tax Year	Bill Number	Parcel #	Source Type	Adj. Reason	Date of Adj.	Recipient Name	Address	City	State	Zip Code	Refund Amount (\$)	Total Interest to Pay if mailed on or before 6/6/2024 (\$)
2023	0008192614-2023-2023-0000-00	01911159	REI	BER Decision	4/15/2024	MET LIFE INVESTMENT MANAGEMENT	929 GESSNER RD STE 1720	HOUSTON	TX	77024	21,534.48	1,238.23
2023	0007148622-2023-2023-0000-00	01913139	REI	BER Decision	4/15/2024	PR II/ FOUNDRY BRYTON INDUSTRIAL LLC	420 S ORANGE AVE STE 400	ORLANDO	FL	32801	6,011.63	345.67
2023	0008192760-2023-2023-0000-00	01913192	REI	BER Decision	4/15/2024	PR II/ FOUNDRY BRYTON INDUSTRIAL LLC	420 S ORANGE AVE STE 400	ORLANDO	FL	32801	5,991.75	344.53
2023	0001458325-2023-2023-0000-00	00917183	REI	BER Decision	4/15/2024	WALKER & DUNLAP (9728)	63 KENDRICK STREET	NEEDHAM	MA	02494	1,011.30	58.15
											34,549.16	1,986.58



Request for Board Action May 20, 2024

To: The Honorable Mayor and Board of Commissioners

From: Anthony Roberts, Town Manager

Subject: Public Hearing - Proposed FY25 Budget

EXPLAIN REQUEST:

Conduct public hearing to receive comments on the proposed budget for FY25.

ACTION RECOMMENDED:

Conduct public hearing

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

None



Request for Board Action May 20, 2024

To: The Honorable Mayor and Board of Commissioners

From: Lauren Speight, Senior Planner

Subject: Public Hearing on Petition #ANNEX24-01 Trails End Residential Community

EXPLAIN REQUEST:

Staff requests the public hearing on Petition #ANNEX 24-01, a request by Shea Homes Carolina, LLC, to annex 59.462 acres into the Town of Huntersville, be continued to June 3, 2024.

ACTION RECOMMENDED:

Conduct a public hearing

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

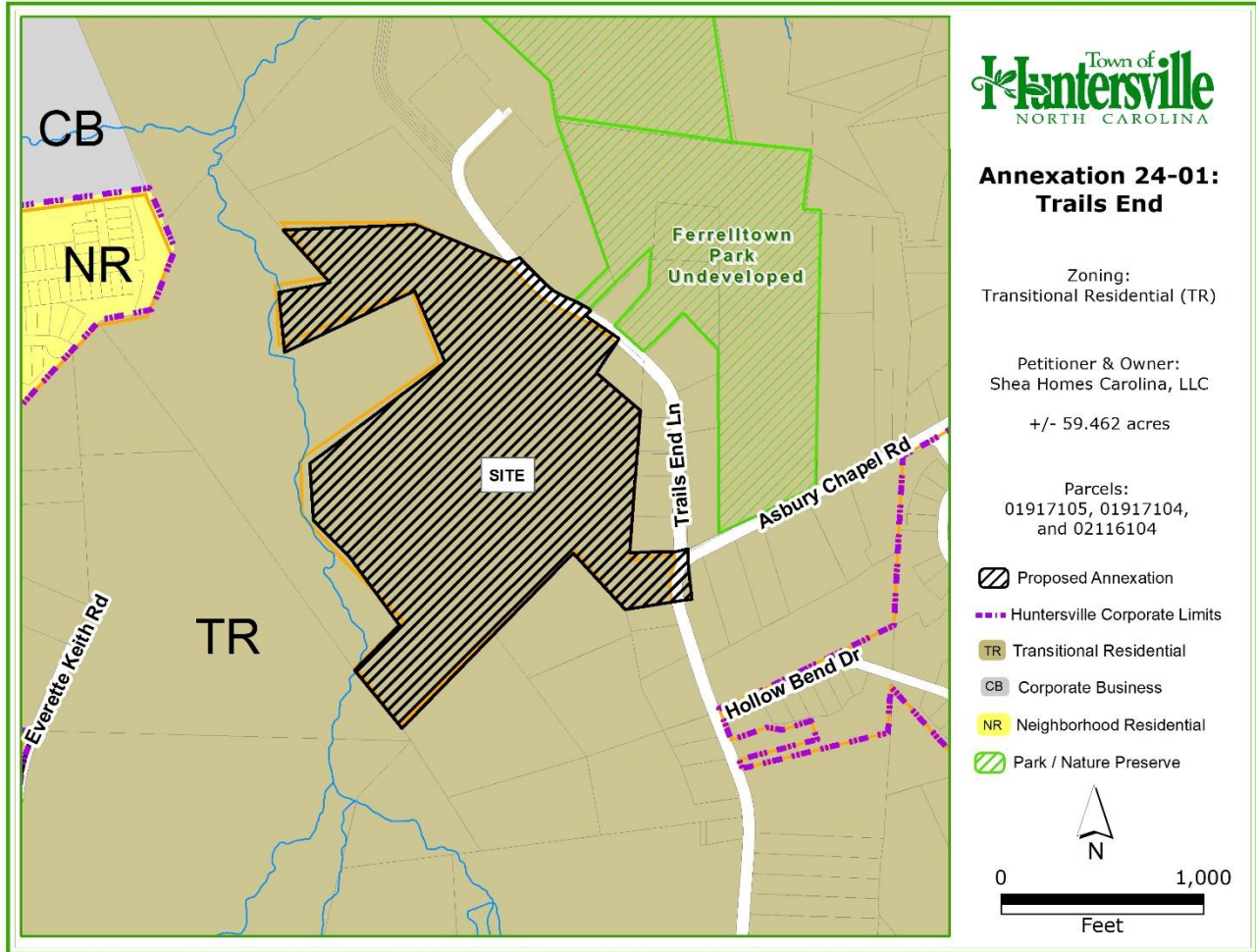
1. Annex 24-01 Trails End Staff Report
2. A - Annexation Petition
3. B - 4300 Annexation Plat 3-19-24
4. C - TrailsEndCOS
5. D - ANNEX 24-01 Resolution Fixing Public Hearing (Non-Contiguous)
6. E - Annex 24-01 Trails End Annex Ordinance
7. G - Trails End overall legal update 2024

Annexation Petition # 24-01 (Non-Contiguous) Trails End Subdivision

EXPLANATION OF THE REQUEST

Petition Annex #24-0 1 is for the non-contiguous annexation into the Town of Huntersville of 59.462-acres consisting of three (3) parcels that make up part of the Trails End Subdivision located south of Trails End Lane. Parcel IDs# (01917105, 01917104, and 02116104).

LOCATION



BACKGROUND

The petitioner, Shea Homes Carolina, LLC has filed a petition to consider voluntary, non-contiguous annexation pursuant to North Carolina General Statutes Section 160A-58.1 et seq. A Resolution of Intent to Annex was adopted by the Board of Commissioners on May 6, 2024, pursuant to N.C.G.S.160A-58.1; the proposed area to annex is 59.462-acres.

All statutory requirements for annexation have been met:

- The Petition Requesting Annexation was received on October 19, 2024 (see Attachment).
- The Town Clerk certified the sufficiency of the Petition on April 26, 2024 (see Attachment).
- The Town Board adopted a resolution of Intent to annex said property and set the date for the public hearing as May 20, 2024 (see Attachment).
- Notice of the public hearing has been placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer (see Attachment).

STAFF RECOMMENDATION

Since all statutory requirements have been met in full, staff recommends that the Town Board approve the petition with Mayor’s signature on the associated ordinance. If the final action of this annexation takes place on May 20, 2024, the voluntary, non-contiguous annexation would also become effective on May 20, 2024.

ATTACHMENTS

- A - Non-Contiguous Annexation Petition
- B - Annexation Plat
- C - Certificate of Sufficiency
- D - Resolution of Intent to Annex
- E - Non-Contiguous Annexation Ordinance
- F - Public Hearing Ad
- G – Metes & Bounds Description



Annexation **P**etition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.

2. Parcels proposed to be Annexed:

01917104, 01917105, 02116104

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) Metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

SKETCH PLAN APPROVED 9-16-22

Petitioner & Owner Signature

Petitioner

Petitioner: SHEA HOMES CAROLINA, LLC

01917104, 01917105, 02116104

Parcel(s) Owned



Authorized Agent

10/10/2023

Signature of Petitioner

Date

Signature of All Owners of Property Proposed for Annexation

1. Property Owner(s): _____

Parcel(s) Owned

Signature of Property Owner(s)

Date

2. Property Owner(s): _____

Parcel(s) Owned

Signature of Property Owner(s)

Date

3. Property Owner(s): _____

Parcel(s) Owned

Signature of Property Owner(s)

Date

4. Property Owner(s): _____

Parcel(s) Owned

Signature of Property Owner(s)

Date

- GENERAL NOTES
- THIS SURVEY IS OF EXISTING PARCELS OF LAND.
 - THIS PLAT IS OF PARCEL ID #01917105, #01917104, & #02116104
 - ZONED: TR (PER MECKLENBURG COUNTY GIS)
 - ACREAGE OF THIS PLAT: 59.462 ACRES
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 - NORTH ARROW REFERENCE TIED TO NC GRID (NAD'83).
 - THIS SURVEY IS NOT AN ALTA/NSPS LAND TITLE SURVEY.
 - AREA COMPUTED BY COORDINATE METHOD.
 - DASHED LINES INDICATE LINES NOT SURVEYED.
 - THE PURPOSE OF THIS PLAT IS TO ANNEX PARCELS #01917105, #01917104, & #02116104 INTO THE TOWN LIMITS OF HUNTERSVILLE AS SHOWN ON THIS SURVEY.
 - IRON PINS AT ALL PROPERTY CORNERS, UNLESS OTHERWISE NOTED
 - PROPERTY SURVEYED WITHOUT THE BENEFIT OF A TITLE SEARCH, ADDITIONAL RIGHT-OF-WAYS, EASEMENTS OR ENCUMBRANCES MAY EXIST THAT ARE NOT KNOWN AT THIS TIME.

- LEGEND:
- NCGS MONUMENT/CALCULATED POINT
 - IRON PIN SET (#5 REBAR)
 - IRON PIN FOUND, AS NOTED
 - UTILITY POLE
 - R/W — RIGHT OF WAY
 - EOP — EDGE OF PAVEMENT
 - N/F — NOW OR FORMERLY
 - PROPOSED NEW CORPORATE LIMITS
 - ADJOINING PROPERTY LINES
 - RIGHT-OF-WAY
 - CENTER LINE ROAD
 - TOWN LIMITS

ANNEXATION LEGAL DESCRIPTION

BEING ALL THOSE CERTAIN PARCELS OF LAND, LYING IN THE TOWN OF HUNTERSVILLE, COUNTY OF MECKLENBURG, STATE OF NORTH CAROLINA, HAVING PARCEL IDENTIFICATION NUMBERS OF 01917105, 01917104, 02116104, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONUMENT "M022" HAVING NORTH CAROLINA GEODETIC COORDINATES OF NORTH=1,450,482.55' AND EAST=597,698.95', THENCE N75°11'30"E FOR A DISTANCE OF 8,349.25' TO A 1/2" PINCHED TOP PIPE FOUND, SAID POINT BEING THE POINT OF BEGINNING (POB);

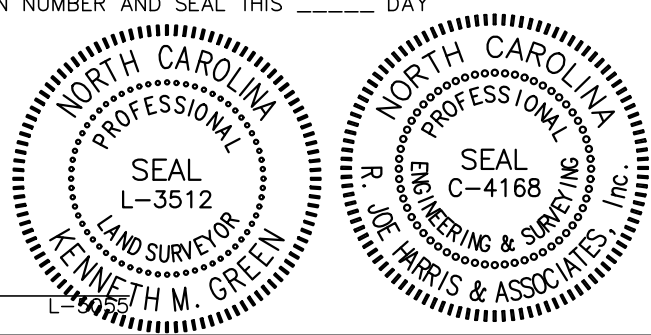
THENCE, FROM THE POB, N05°20'44"W FOR A DISTANCE OF 296.99' TO A #5 REBAR FOUND, THENCE N79°02'51"E FOR A DISTANCE OF 256.00' TO A #5 REBAR FOUND, THENCE N41°45'11"W FOR A DISTANCE OF 346.60' TO A 1/2" PINCHED TOP PIPE FOUND, THENCE N87°32'26"E FOR A DISTANCE OF 653.24' TO A 1/2" PINCHED TOP PIPE FOUND, THENCE S67°29'52"E FOR A DISTANCE OF 516.85' TO A 1/2" OPEN TOP PIPE FOUND (BENT, THENCE N44°14'00"E FOR A DISTANCE OF 47.79' TO A POINT ON THE NORTHERN RIGHT OF WAY OF TRAILS END LANE (SR 2445 60' PUBLIC RIGHT OF WAY), THENCE, WITH SAID RIGHT OF WAY LINE, THE FOLLOWING 6 CALLS:

1) S41°20'13"E FOR A DISTANCE OF 112.61' TO A POINT 2) S47°08'54"E FOR A DISTANCE OF 87.23' TO A #5 REBAR FOUND 3) S59°13'04"E FOR A DISTANCE OF 127.36' TO A #5 REBAR FOUND 4) S56°44'39"E FOR A DISTANCE OF 31.71' TO A #5 REBAR FOUND 5) S56°44'39"E FOR A DISTANCE OF 31.71' TO A POINT 6) S63°12'00"E FOR A DISTANCE OF 53.81' TO A #5 REBAR FOUND, THENCE, LEAVING SAID RIGHT OF WAY LINE, S46°01'31"W FOR A DISTANCE OF 34.81' TO A PK NAIL FOUND, THENCE S82°32'47"E FOR A DISTANCE OF 6.66' TO A PK NAIL FOUND, THENCE S54°33'07"E FOR A DISTANCE OF 194.71' TO A POINT, THENCE S33°29'00"W FOR A DISTANCE OF 28.22' TO A #5 REBAR FOUND, THENCE S33°29'00"W FOR A DISTANCE OF 180.59' TO A 1" OPEN TOP PIPE FOUND, THENCE S49°13'50"E FOR A DISTANCE OF 286.88' TO A 1" OPEN TOP PIPE FOUND, THENCE S04°24'11"W FOR A DISTANCE OF 382.09' TO A #4 REBAR FOUND, THENCE S04°28'58"W FOR A DISTANCE OF 80.71' TO A 1" OPEN TOP PIPE FOUND, THENCE S04°28'58"W FOR A DISTANCE OF 80.71' TO A 1/2" OPEN TOP PIPE FOUND, THENCE N89°40'04"E FOR A DISTANCE OF 95.69' TO A 1" OPEN TOP PIPE FOUND, THENCE S89°39'27"E FOR A DISTANCE OF 19.77' FEET TO A #5 REBAR SET, THENCE N66°54'00"E FOR A DISTANCE OF 63.61' TO A #5 REBAR FOUND, THENCE S05°56'12"E FOR A DISTANCE OF 98.96' TO A #4 REBAR FOUND, THENCE S05°56'12"E FOR A DISTANCE OF 160.36' TO A #4 REBAR FOUND, THENCE S82°32'27"W FOR A DISTANCE OF 37.40' TO A #4 REBAR FOUND, THENCE S80°59'11"W FOR A DISTANCE OF 294.20' TO A 1" OPEN TOP PIPE FOUND, THENCE N42°39'13"W FOR A DISTANCE OF 379.39' TO A #4 REBAR FOUND, THENCE S44°17'29"W FOR A DISTANCE OF 544.48' TO A #5 REBAR FOUND, THENCE S44°17'29"W FOR A DISTANCE OF 643.22' TO A POINT, SAID POINT BEING 4.55' SOUTHEAST OF AN IRON PIN FOUND AND 0.82' NORTHWEST OF AN IRON PIN FOUND, THENCE N39°12'41"W FOR A DISTANCE OF 369.73' TO A 1/2" PINCHED TOP PIPE FOUND, THENCE N44°32'00"E FOR A DISTANCE OF 313.52' TO A #5 REBAR FOUND, THENCE N36°16'31"W FOR A DISTANCE OF 412.70' TO A #5 REBAR FOUND, THENCE N44°30'24"W FOR A DISTANCE OF 256.20' TO A 1/2" OPEN TOP PIPE FOUND, THENCE N03°33'38"W FOR A DISTANCE OF 280.44' TO A 1/2" OPEN TOP PIPE FOUND, THENCE N53°04'53"E FOR A DISTANCE OF 832.72' TO A #4 REBAR FOUND, THENCE N22°54'11"W FOR A DISTANCE OF 382.09' TO A 1/2" PINCHED TOP PIPE FOUND, THENCE S65°15'44"W A DISTANCE OF 708.88' TO THE POB, CONTAINING 59.462 ACRES, MORE OR LESS.

Line Table		
Line #	Length	Direction
L1	47.79	N44°14'00"E
L2	37.99	S66°44'41"E
L3	31.71	S66°44'39"E
L4	53.81	S63°12'00"E
L5	34.81	S46°01'31"W
L6	6.66	S62°58'24"E
L7	28.22	S33°29'00"W
L8	19.77	S89°39'27"E
L9	63.61	N66°54'00"E
L10	98.96	S5°56'12"E
L11	160.36	S5°56'12"E

N/F
TAXID# 01934101
PAUL MATTHEW MARTIN &
LINDA S MARTIN
DB 3607 PG 424
11701 TRAILS END LN
HUNTERSVILLE NC 28078

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAP FOR MECKLENBURG COUNTY, NORTH CAROLINA, COMMUNITY NUMBER 3710455900K DATED NOVEMBER 16, 2020, & NUMBER 3710455900K DATED SEPTEMBER 9, 2015 AND HEREBY CERTIFY THAT THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE MECKLENBURG COUNTY I, KENNETH M. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 29953, PAGE 141); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED IS $\pm 1:10000$; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS _____ DAY OF _____, 2024.



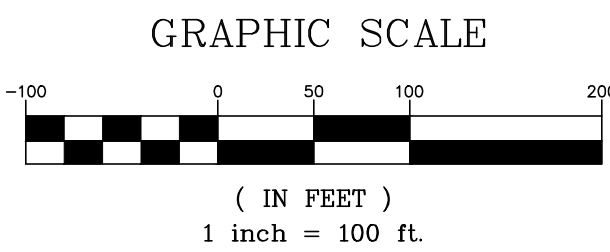
FOR REVIEW

KENNETH M. GREEN, PLS

THIS PLAT REPRESENTS ONE AREA BEING ANNEXED TO THE TOWN OF HUNTERSVILLE, NORTH CAROLINA PURSUANT TO NCGS 160A-31, BY ORDINANCE DULY ADOPTED AND IS NOT SUBJECT TO REVIEW OR APPROVAL BY THE CHARLOTTE MECKLENBURG PLANNING COMMISSION.

THIS, _____ DAY OF _____, 2024

MAYOR
TOWN OF HUNTERSVILLE
ATTEST:
TOWN CLERK



**ANNEXATION PLAT FOR
SHEA HOMES CAROLINA, LLC**

PARCEL ID #01917105, #01917104, & #02116104
TOWN OF HUNTERSVILLE ETJ
MECKLENBURG COUNTY, NORTH CAROLINA

SURVEYED FOR CURRENT OWNER:
SHEA HOMES CAROLINA, LLC
10130 PERIMETER PKWY, STE. 300
CHARLOTTE, NC 28216
PHONE: 980-380-3021

R. Joe Harris & Associates, Inc
Engineering • Land Surveying • Planning
Management

1186 STONE REST BLVD. TEGA CAY, SC 29708 P: (803) 802-1799

DWG:	ALTA PLAT
PROJECT #	4300
DATE	3-19-2024
DWG SCALE	1" = 100'
PREPARED BY	DC/KC
SURVEYED BY	K. GREEN
SHEET	1
OF	1

REFERENCES

DB 5657 PG 714
DB 30172 PG 662
DB 21473 PG 728
DB 5657 PG 714
DB 32635 PG 872
DB 37028 PG 642
DB 38414 PG 821

ACREAGE SUMMARY

TAXID# 01917104 = 34.074 AC±
TAXID# 01917105 = 25.271 AC±
TAXID# 02116104=0.117
TOTAL = 59.462 AC±



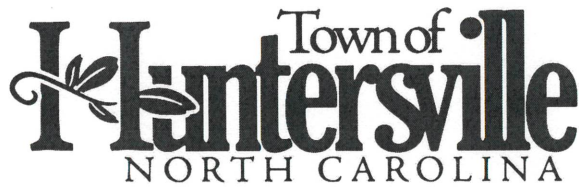
TOWN LIMITS INSET MAP NOT TO SCALE

REFERENCES

DB 5657 PG 714
DB 30172 PG 662
DB 21473 PG 728
DB 5657 PG 714
DB 32635 PG 872
DB 37028 PG 642
DB 38414 PG 821

ACREAGE SUMMARY

TAXID# 01917104 = 34.074 AC±
TAXID# 01917105 = 25.271 AC±
TAXID# 02116104=0.117
TOTAL = 59.462 AC±



CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Huntersville, North Carolina:

I, Janet Pierson, Town Clerk, do hereby certify that I have investigated the attached petition by Shea Homes Carolina, LLC for the non-contiguous annexation of certain property known as Trails End Residential Community Subdivision, and hereby make the following findings:

- a) The petition is signed by all the owners of real property lying in the area described therein in accordance with North Carolina General Statutes 160A-58.1.

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

- b) The nearest point on the proposed satellite corporate limits is no more than three miles from the primary corporate limits of the Town of Huntersville;
- c) No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of the Town of Huntersville;
- d) The area is situated so that the Town of Huntersville will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits;
- e) To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;

The undersigned therefore certifies that the petition is sufficient for the voluntary annexation of a non-contiguous area pursuant to NCGS §160A-58.1.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville this 26th day of April, 2024.




Janet Pierson, Town Clerk

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-58.2

(Trail's End Subdivision Property, petition by Shea Homes Carolina, LLC)

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Board of Commissioners have directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Huntersville, North Carolina:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at the Huntersville Town Hall located at 101 Huntersville-Concord Road Huntersville NC 28078, at 6:00 p.m. on May 20th, 2024.

Section 2. The area proposed for annexation is described as follows:

(Metes and bounds description attached hereto as Exhibit A.)

Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

Mayor

Town of Huntersville, North Carolina

ATTEST:

Town Clerk

Exhibit A: Trail's End Subdivision Property Metes & Bounds.

BEING ALL THOSE CERTAIN PARCELS OF LAND, LYING IN THE TOWN OF HUNTERSVILLE, COUNTY OF MECKLENBURG, STATE OF NORTH CAROLINA, HAVING PARCEL IDENTIFICATION NUMBERS OF 01917105, 01917104, 02116104, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT NGS MONUMENT "M022" HAVING NORTH CAROLINA GEODETIC COORDINATES OF NORTH=1,450,482.55' AND EAST=597,698.95', THENCE N75°11'30"E FOR A DISTANCE OF 8,349.25' TO A ½" PINCHED TOP PIPE FOUND, SAID POINT BEING THE POINT OF BEGINNING (POB); THENCE, FROM THE POB, N05°20'44"W FOR A DISTANCE OF 296.99' TO A #5 REBAR FOUND, THENCE N79°02'51"E FOR A DISTANCE OF 256.00' TO A #5 REBAR FOUND, THENCE N41°45'11"W FOR A DISTANCE OF 346.60' TO A ½" PINCHED TOP PIPE FOUND, THENCE N87°32'26"E FOR A DISTANCE OF 653.24' TO A ½" PINCHED TOP PIPE FOUND, THENCE S67°29'52"E FOR A DISTANCE OF 516.85' TO A ½" OPEN TOP PIPE FOUND (BENT, THENCE N44°14'00"E FOR A DISTANCE OF 47.79' TO A POINT ON THE NORTHERN RIGHT OF WAY OF TRAILS END LANE (SR 2445 60' PUBLIC RIGHT OF WAY), THENCE, WITH SAID RIGHT OF WAY LINE, THE FOLLOWING 6 CALLS 1)S41°20'13"E FOR A DISTANCE OF 112.61' TO A POINT 2)S47°08'54"E FOR A DISTANCE OF 87.23' TO A #5 REBAR FOUND 3)S59°13'04"E FOR A DISTANCE OF 127.36' TO A #5 REBAR FOUND 4)S66°44'41"E FOR A DISTANCE OF 37.99' TO A #5 REBAR FOUND 5)S66°44'39"E FOR A DISTANCE OF 31.71' TO A POINT 6)S63°12'00"E FOR A DISTANCE OF 53.81' TO A #5 REBAR FOUND, THENCE, LEAVING SAID RIGHT OF WAY LINE, S46°01'31"W FOR A DISTANCE OF 34.81' TO A PK NAIL FOUND, THENCE S62°58'24"E FOR A DISTANCE OF 6.66' TO A PK NAIL FOUND, THENCE S54°43'30"E FOR A DISTANCE OF 194.71' TO A POINT, THENCE S33°29'00"W FOR A DISTANCE OF 28.22' TO A #5 REBAR FOUND, THENCE S33°29'00"W FOR A DISTANCE OF 180.59' TO A 1" OPEN TOP PIPE FOUND, THENCE S49°13'50"E FOR A DISTANCE OF 286.88' TO A ¾" OPEN TOP PIPE FOUND, THENCE S04°24'13"W FOR A DISTANCE OF 521.44' TO A #4 REBAR FOUND, THENCE S04°28'58"W FOR A DISTANCE OF 80.71' TO A 1" OPEN TOP PIPE FOUND, THENCE S04°28'58"W FOR A DISTANCE OF 98.35' TO A ½" OPEN TOP PIPE FOUND, THENCE N88°46'29"E FOR A DISTANCE OF 106.16' TO AN AXLE FOUND, THENCE N89°40'04"E FOR A DISTANCE OF 95.69' TO A ¾" OPEN TOP PIPE FOUND, THENCE S89°39'27"E FOR A DISTANCE OF 19.77' FEET TO A #5 REBAR SET, THENCE N66°54'00"E FOR A DISTANCE OF 63.61' TO A #5 REBAR FOUND, THENCE S05°56'12"E FOR A DISTANCE OF 98.96' TO A #4 REBAR FOUND, THENCE S05°56'12"E FOR A DISTANCE OF 160.36' TO A #4 REBAR FOUND, THENCE S82°24'27"W FOR A DISTANCE OF 37.40' TO A #4 REBAR FOUND, THENCE S80°59'11"W FOR A DISTANCE OF 294.20' TO A ¾" OPEN TOP PIPE FOUND, THENCE N42°39'13"W FOR A DISTANCE OF 379.39' TO A #4 REBAR FOUND, THENCE S44°17'29"W FOR A DISTANCE OF 564.48' TO A #5 REBAR FOUND, THENCE S44°17'29"W FOR A DISTANCE OF 643.22' TO A POINT, SAID POINT BEING 4.55' SOUTHEAST OF AN IRON PIN FOUND AND 0.82' NORTHWEST OF AN IRON PIN FOUND, THENCE N39°12'41"W FOR A DISTANCE OF 369.73' TO A ½" PINCHED TOP PIPE FOUND, THENCE N44°32'00"E FOR A DISTANCE OF 313.52' TO A #5 REBAR FOUND, THENCE N36°16'31"W FOR A DISTANCE OF 412.70' TO A #5 REBAR FOUND, THENCE N44°50'24"W FOR A DISTANCE OF 256.20' TO A ½" OPEN TOP PIPE FOUND, THENCE N03°33'38"W FOR A DISTANCE OF 280.44' TO A ½" OPEN TOP PIPE FOUND, THENCE N53°04'53"E FOR A DISTANCE OF 832.72' TO A #4 REBAR FOUND, THENCE N22°54'11"W FOR A DISTANCE OF 382.09' TO A ½" PINCHED TOP PIPE FOUND, THENCE S65°15'44"W A DISTANCE OF 708.88' TO THE POB, CONTAINING 59.462 ACRES, MORE OR LESS.

AN ORDINANCE TO ANNEX CERTAIN NON-CONTIGUOUS AREAS
TO THE TOWN OF HUNTERSVILLE, NORTH CAROLINA

ANNEXATION ORDINANCE 2024-01
(Trails End Subdivisions)

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Huntersville Town Hall at 6:00 p.m. on the 20th day of May 2024, after due notice by publication in The Charlotte Observer; and

WHEREAS, the Board of Commissioners does hereby find as a fact that said petition meets the requirements of G.S. 160A-58.1, as amended, namely (i) the area described herein meets all of the standards set out in G.S. 160A-58.1; (ii) the petition bears the signatures of all of the owners of real property within the area proposed for annexation; (iii) the petition is otherwise valid; (iv) the public health, safety, and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina;

Section 1. By virtue of the authority granted by G.S. 160A-58.1, as amended, the following described territory is hereby annexed and made part of the Town of Huntersville as of the 20th day of May 2024:

See Exhibit A attached hereto for a metes and bounds description of the subject tract

Section 2. Upon the effective date, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Huntersville and shall be entitled to the same privileges and benefits as other parts of the Town of Huntersville. Said territory shall be subject to municipal taxes according to G.S. 160A-31(e).

Section 3. The Mayor of the Town of Huntersville shall cause to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 20th day of May 2024.

Mayor: _____

ATTEST:

APPROVED AS TO FORM:

Town Clerk

Town Attorney

NOTICE OF PUBLIC HEARING ON REQUEST FOR ANNEXATION
(Magnolia Huntersville II, LLC Subdivision)

The property subject to the Petition consists of +/- 59.462-acres, (Meck Co. PIN are 01917105, 01917104, 02116104) and described as follows documents are on file in the Huntersville Planning Dept.

LEGAL DESCRIPTION (ANNEX 24-01)

BEING ALL THOSE CERTAIN PARCELS OF LAND, LYING IN THE TOWN OF HUNTERSVILLE, COUNTY OF MECKLENBURG, STATE OF NORTH CAROLINA, HAVING PARCEL IDENTIFICATION NUMBERS OF 01917105, 01917104, 02116104, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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THENCE, FROM THE POB, N05°20'44"W FOR A DISTANCE OF 296.99' TO A #5 REBAR FOUND, THENCE N79°02'51"E FOR A DISTANCE OF 256.00' TO A #5 REBAR FOUND, THENCE N41°45'11"W FOR A DISTANCE OF 346.60' TO A ½" PINCHED TOP PIPE FOUND, THENCE N87°32'26"E FOR A DISTANCE OF 653.24' TO A ½" PINCHED TOP PIPE FOUND, THENCE S67°29'52"E FOR A DISTANCE OF 516.85' TO A ½" OPEN TOP PIPE FOUND (BENT, THENCE N44°14'00"E FOR A DISTANCE OF 47.79' TO A POINT ON THE NORTHERN RIGHT OF WAY OF TRAILS END LANE (SR 2445 60' PUBLIC RIGHT OF WAY), THENCE, WITH SAID RIGHT OF WAY LINE, THE FOLLOWING 6 CALLS 1)S41°20'13"E FOR A DISTANCE OF 112.61' TO A POINT 2)S47°08'54"E FOR A DISTANCE OF 87.23' TO A #5 REBAR FOUND 3)S59°13'04"E FOR A DISTANCE OF 127.36 TO A #5 REBAR FOUND 4)S66°44'41"E FOR A DISTANCE OF 37.99' TO A #5 REBAR FOUND 5)S66°44'39"E FOR A DISTANCE OF 31.71' TO A POINT 6)S63°12'00"E FOR A DISTANCE OF 53.81' TO A #5 REBAR FOUND, THENCE, LEAVING SAID RIGHT OF WAY LINE, S46°01'31"W FOR A DISTANCE OF 34.81' TO A PK NAIL FOUND, THENCE S62°58'24"E FOR A DISTANCE OF 6.66' TO A PK NAIL FOUND, THENCE S54°43'30"E FOR A DISTANCE OF 194.71' TO A POINT, THENCE S33°29'00"W FOR A DISTANCE OF 28.22' TO A #5 REBAR FOUND, THENCE S33°29'00"W FOR A DISTANCE OF 180.59' TO A 1" OPEN TOP PIPE FOUND, THENCE S49°13'50"E FOR A DISTANCE OF 286.88' TO A ¾" OPEN TOP PIPE FOUND, THENCE S04°24'13"W FOR A DISTANCE OF 521.44' TO A #4 REBAR FOUND, THENCE S04°28'58"W FOR A DISTANCE OF 80.71' TO A 1" OPEN TOP PIPE FOUND, THENCE S04°28'58"W FOR A DISTANCE OF 98.35' TO A ½" OPEN TOP PIPE FOUND, THENCE N88°46'29"E FOR A DISTANCE OF 106.16' TO AN AXLE FOUND, THENCE N89°40'04"E FOR A DISTANCE OF 95.69' TO A ¾" OPEN TOP PIPE FOUND, THENCE S89°39'27"E FOR A DISTANCE OF 19.77' FEET TO A #5 REBAR SET, THENCE N66°54'00"E FOR A DISTANCE OF 63.61' TO A #5 REBAR FOUND, THENCE S05°56'12"E FOR A DISTANCE OF 98.96' TO A #4 REBAR FOUND, THENCE S05°56'12"E FOR A DISTANCE OF 160.36' TO A #4 REBAR FOUND, THENCE S82°24'27"W FOR A DISTANCE OF 37.40' TO A #4 REBAR FOUND, THENCE S80°59'11"W FOR A DISTANCE OF 294.20' TO A ¾" OPEN TOP PIPE FOUND, THENCE N42°39'13"W FOR A DISTANCE OF 379.39' TO A #4 REBAR FOUND, THENCE S44°17'29"W FOR A DISTANCE OF 564.48' TO A #5 REBAR FOUND, THENCE S44°17'29"W FOR A DISTANCE OF 643.22' TO A POINT, SAID POINT BEING 4.55' SOUTHEAST OF AN IRON PIN FOUND AND 0.82' NORTHWEST OF AN IRON PIN FOUND, THENCE N39°12'41"W FOR A DISTANCE OF 369.73' TO A ½" PINCHED TOP PIPE FOUND, THENCE N44°32'00"E FOR A DISTANCE OF 313.52' TO A #5 REBAR FOUND, THENCE N36°16'31"W FOR A DISTANCE OF 412.70' TO A #5 REBAR FOUND, THENCE N44°50'24"W FOR A DISTANCE OF 256.20' TO A ½" OPEN TOP PIPE FOUND, THENCE N03°33'38"W FOR A DISTANCE OF 280.44' TO A ½" OPEN TOP PIPE FOUND, THENCE N53°04'53"E FOR A DISTANCE OF 832.72' TO A #4 REBAR FOUND, THENCE N22°54'11"W FOR A DISTANCE OF 382.09' TO A ½" PINCHED TOP PIPE FOUND, THENCE S65°15'44"W A DISTANCE OF 708.88' TO THE POB, CONTAINING 59.462 ACRES, MORE OR LESS.

OVERALL LEGAL DESCRIPTION

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Request for Board Action May 20, 2024

To: The Honorable Mayor and Board of Commissioners

From: Nick Walsh, Commissioner

Subject: Public Records Policy and Fee Schedule

EXPLAIN REQUEST:

The Board requested that staff prepare a Public Records Policy and Fee Schedule for consideration.

ACTION RECOMMENDED:

Consider adopting Public Records Policy and Fee Schedule.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Town of Huntersville Public Records Policy and Fee Schedule 4-26-24
2. Public Records Request - Fee Estimate Form and NTP 5-7-24 EAS
3. Public Records Policy and Fee Schedule Presentation



RESOLUTION OF THE TOWN OF HUNTERSVILLE TO ADOPT A PUBLIC RECORDS POLICY AND FEE SCHEDULE

Resolution No. R-2024-15

WHEREAS, it is the policy of the state of North Carolina that “public records” made in connection to the transaction of public business be available to the public upon request; and

WHEREAS, Section 132-1 of the North Carolina General Statutes defines “public records” as all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions; and

WHEREAS, certain records are excluded from the statutory definition of public records and/or are considered confidential by law; and

WHEREAS, responses to requests for public records must be manually reviewed to ensure that excluded and confidential records are removed or redacted, as necessary, prior to the release of public records; and

WHEREAS, N.C.G.S. § 132-6.2(b) allows the Town to assess a fee for copying and certifying public records; and

WHEREAS, pursuant to N.C.G.S. § 132-6.2(b), a special service charge may be assessed if the request for public records: 1) requires the extensive use of information technology resources or clerical or supervisory assistance or 2) results in a greater use of information technology resources for reproduction of the volume of information requested; and

WHEREAS, the Town Board desires to adopt a Public Records Policy and Fee Schedule in accordance with Chapter 132 of the North Carolina General Statutes to set forth its policy for responding to public records requests and to establish fees for producing public records.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Public Records Policy and Fee Schedule (the “Policy”) attached hereto and incorporated herein as **Exhibit A** is hereby approved and effective as of the date of this resolution.
2. The Town Manager, acting on the advice of counsel, is hereby authorized to make administrative updates to the Policy as necessary in order to comply with applicable law.

Adopted this 20 day of May, 2024

ATTEST:

Janet Pierson, Town Clerk

Christy Clark, Mayor

APPROVED AS TO FORM:

Emily Sloop, Town Attorney

	Title: Public Records Request Policy and Fee Schedule
	Description: Outlines procedures for responding to public records requests and associated fees for production of public records
	Adopted By: Town Board of Commissioners
	Date: XXXX, XX, 2024



Public Records Request Policy

I. Policy Purpose

This policy provides a uniform process for the Town of Huntersville (the “Town”) to manage, process, and respond to public records requests in compliance with the North Carolina Public Records Act (N.C.G.S. § Chapter 132 et seq) and other applicable laws.

In the event of a conflict between this policy and local, state, or federal law, the applicable law shall supersede this policy.

II. Introduction to Public Record Requests

Chapter 132 of the North Carolina General Statutes (the “Public Records Act” or the “Act”) sets forth the general requirements for the Town’s response to public records requests. A public records request is a request to inspect, or obtain a copy of, any public record.

Requirements for the Town’s retention of public records are governed by rules promulgated by the State Division of Archives and History, Government Records Branch. These rules apply based on the content, not the form of the record.

The Act requires a response to a public records request “as promptly as possible,” but it does not set forth a required time limit to provide a response. What constitutes a reasonable or prompt response will depend on the nature of the request and the available personnel and other resources available to the Town for responding to the request.

III. General Definition of “Public Record”

Any record made or received in connection with the transaction of public business is a public record unless a statutory exception provides otherwise.

Specifically, the Act defines “public records” to include all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary materials, regardless of physical form or characteristics made or received in connection with the transaction of public business.

Records of a purely personal nature do not constitute public records.

IV. Requests Requiring Creation of Records

The Act does not require creating or compiling records that do not exist. Therefore, the Town is not obligated to provide a response to requests for records that do not already exist. Examples of such records may include lists or databases that are not maintained by the Town.

V. Identification of Records Being Requested

The Act does not require custodians of public records to perform research to determine which records are being requested. Requests should identify the records being requested with as much specificity as possible to ensure that the custodian may reasonably identify responsive records in an efficient manner.

VI. Request Scope

To the extent possible, all requests should include the following information:

1. Date of the request.
2. Name of the requester (First Name and Last Name).
3. Phone number of the requester.
4. Mailing address of the requester.
5. Email address of the requester (if available).
6. The preferred medium or format for record delivery or inspection.
 - a. The available formats may be limited for records that require redaction.
 - b. The Town is not required to put into electronic medium any records that are not kept in electronic medium.
 - c. If an email address is provided, the requested records will be provided in electronic format, unless otherwise requested.
7. A description of the requested records with sufficient detail to enable the location of the requested information to be determined and to avoid inclusion of

nonresponsive records in the response to the request. The description should include:

- a. The presumed custodian of the record;
- b. Name or title of the record;
- c. Source of the record; and
- d. Date or date range of the record(s).

VII. Exceptions

By statute, various records are excepted from the definition of public records and/or may only be disclosed to certain persons or entities with express authorization.

Below is a non-exhaustive list of common exceptions:

1. Personnel File Information.
 - Other than the information set forth in N.C.G.S. § 160A-168(b), personnel file information is exempted from public access.
2. Social Security numbers, other personal identifying information, and billing information.
3. Trial preparation materials.
 - These records may include records created prior to the actual commencement of a legal action.
4. Criminal investigation records.
 - Certain information set forth in N.C.G.S. § 132-1.4(c) is included in the statutory definition of public record.
5. Medical information.

VIII. Process for Receiving and Responding to Public Records Requests

The process for responding to public records requests is generally as follows:

1. Public records requests made to any Town employee or Town Department shall be directed to the Town Clerk for response and tracking.

2. The Town's preferred method for receiving public records requests is via townofhuntersville.nextrequest.com.
3. For any requests that are expected to result in fees exceeding twenty-five dollars (\$25.00), or as otherwise requested by the requestor, the Town Clerk will provide the requestor with a fee estimate form prior to responding to the request. The Town's standard fee estimate form is attached hereto and incorporated herein as **Exhibit A**. If the requestor wishes to proceed with the request after reviewing the fee estimate form, the requestor shall sign and return the notice to proceed ("NTP") contained in the fee estimate form to the Town Clerk within ten (10) days of receiving the fee estimate.
4. When estimated fees are fifty dollars (\$50.00) or more, the requestor shall submit a deposit of fifty percent (50%) of the estimated fees with the NTP. The Town will not proceed with the request until it has received the signed NTP and applicable deposit.
5. The requestor shall receive a response as promptly as possible, based on the specificity and scope of the request.
6. A log shall be maintained to track all public records requests the Town receives. This log will be used to assist in managing requests and to support the efficient use of Town resources.
 - a. It will include such information as the status of the Town's response, the date the documents are produced and the fees and payments, if any, associated with the production.
 - b. Records requests and related responses will be kept in accordance with the state's records retention schedule.
 - c. The Town Clerk shall oversee the storage of records requests, responses, and invoices for records.
7. All records must be reviewed prior to release.
 - a. Complex records requests, requests that result in a large number of records, and records that need redaction are reviewed on a first-come, first-served basis.

- b. Simple records requests may be responded to before more complex, time-consuming requests requiring additional review prior to release due to the volume of records or necessary redactions.
- 8. Prior to the release of records, applicable fees shall be assessed in accordance with the Town's public records fee schedule set forth below, as may be amended from time to time.
- 9. Once records have been released, the Town Clerk documents the request as resolved in the Town's public records log.

IX. Public Records Fee Schedule

Item	Fee
Paper copies	\$.10 per black and white page; \$.50 per color page
Certified copies	\$3.00 per page
Flash drives	\$7.00 each
Information technology fee (see below)	Cost incurred by the Town
Special service charge (see below)	\$18.00 per hour

In accordance with N.C.G.S. § 132-6.2(b), the actual cost incurred by the Town for extensive use of information technology in responding to a public records request, shall be charged to the requestor. Such costs shall include, but not be limited to, costs for producing records that exceed the Town's information technology resources.

The requestor shall also be charged a special service charge in accordance with N.C.G.S. § 132-6.2(b) for any request that requires extensive clerical or supervisory assistance by Town personnel. The special service charge will accrue at a prorated, hourly rate of \$18.00 per hour for any time expended on the request in excess of four hours.

Any assessed information technology fee and/or special service charges will be in addition to fees assessed for copying and certifying records.

Multiple requests regarding the same topic made within a short period of time from the same individual or organization will be treated as a single request for the purposes of determining whether information technology fees and/or special service charges are assessed.

X. Applicability

This policy applies to all public records requests received by the Town.

XI. Amendments

This administrative policy may be amended by the Town Manager, acting on the advice of counsel.

EXHIBIT A
Fee Estimate Form



Public Records Request Fee Estimate and Notice to Proceed

Within ten (10) calendar days of receiving this fee estimate form, the requestor must sign, date, and return the form to the Town Clerk with any applicable deposits.

Request #: _____ Request Date: _____

Requestor Name: _____

Per the Town of Huntersville's Public Records Request Policy and Fee Schedule, the estimated fee for fulfilling the above-referenced public records request is set forth below. The estimate is subject to change and Town staff will send the requestor the final cost for fulfilling the request once the records have been compiled for release.

Item	Fee	Fee Description	Quantity	Estimated Cost
Paper copies - black and white	\$ 0.10	per page		\$
Paper copies - color	\$ 0.50	per page		\$
Certified copies	\$ 3.00	per page		\$
Flash drives	\$ 7.00	each		\$
Information technology fee				\$
Special service charge	\$ 18.00	per hour		\$
Total Estimated Cost				\$
50% deposit (if estimate over \$50)				\$

Based on the above fee estimate, Requestor hereby provides the Town with Notice to Proceed ("NTP") with responding to the above-referenced public records request. If applicable, this NTP is accompanied by a deposit of 50% of the total estimated fees. I understand that all fees must be paid prior to the release of public records responsive to the request.

Requestor Signature

Date

Public Records

Town of Huntersville Board of Commissioners

May 20, 2024

Topics

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Public Records Defined

N.C.G.S. § 132-1. "Public records" defined.

"Public record" or "public records" shall mean all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, **regardless of physical form or characteristics**, made or received pursuant to law or ordinance **in connection with the transaction of public business** by any agency of North Carolina government or its subdivisions. Agency of North Carolina government or its subdivisions shall mean and include **every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government.**

Public Records Limitations

- ◆ Pursuant to N.C.G.S. § 132-1(b), the public records and public information compiled by the agencies of North Carolina government or its subdivisions are the property of the people and may be requested by anyone.
- ◆ However, N.C.G.S. § 132-6.2 contains the following limitations:
 - Nothing in this section shall be construed to require a public agency to respond to a request for a copy of a public record **by creating or compiling a record that does not exist**...Nothing in this section shall be construed to require a public agency to put into electronic medium a record that is not kept in electronic medium.

Non-Public and Confidential Records

- ◆ Certain information is non-public or confidential per statute, including:
 - Information protected by attorney-client privilege and trial preparation materials
 - Tax information, enterprise billing information, electronic payment account numbers
 - Proprietary information (trade secrets, design work, computer code)
 - Criminal intelligence information, 911 database, sensitive public security information
 - Social security numbers and other personally identifying information
 - Protected medical information
 - Information contained in personnel files

Redaction Process

- ◆ Records containing non-public records and confidential records must be redacted accordingly.
- ◆ The typical redaction process requires review by the department from which the records are being produced, the Town Clerk, and the Town Attorney.
- ◆ Each redaction must be made manually.

Number of Requests

- ◆ Based on a five-year average, the Town receives 88 Public records requests per year.
 - As of May 23, 2023 the Town had received 35 requests.
 - As of May 14, 2024 the Town has already received 43 requests (approximately a 23% increase).
- ◆ The breadth and complexity of the requests vary.
- ◆ The Town has seen an upwards trend in the number of broad, complex requests that produce voluminous results due to lack of specific search parameters being included in the request.
- ◆ The redaction process requires multiple levels of review prior to records being released.
- ◆ Due to the increased number of broad, complex requests received by the Town, the Town's average response time for responding to public records requests has increased.

Examples of Recent Requests and Redactions

- ◆ The Town received a request for emails from a lieutenant of the Huntersville Police Department for a three (3) month period.
 - The request did not include, and the requestor refused to provide, any keyword search terms or topics to narrow the parameters of the request.
 - The request produced approximately 4,200 responsive records (includes attachments) during the requested time period.
 - The responsive records contained numerous non-public records and included confidential information that required multiple hours of review and manual redactions.
- ◆ The Town received a request for all communications related to dedication of sidewalks and their maintenance and repair in a particular subdivision, as well as removal, repair, or remediation of sewer cleanouts in the same subdivision. The same request also requested communications with developers, contractors, HOA and property management, and minutes of public meetings.
 - Originally, the request did not include a specific date range or any keyword search terms or topics to narrow the parameters of the request.
 - The initial search to fulfill the request included multiple unrelated documents more than doubling the number of documents that would require review and redaction.
 - The requestor agreed to narrow the request to a specific date range with keyword search terms and topics thereby narrowing the parameters of the request. The more precise search drastically reduced the number of responsive records required to be reviewed and assisted to filter unrelated documents that would require redaction.
 - Ultimately, the associated document files included approximately 4,500 documents.

Cost of Production and Special Service Charges

- ◆ Pursuant to N.C.G.S. 132-6.2(b), a municipality may charge for:
 - 1) The actual cost of producing copies of public records;
 - 2) The cost for certification when producing certified public records;
 - 3) The cost for greater use of technology resources than available to the agency for reproduction of the volume of information requested; and
 - 4) A special service charge based on the cost incurred for extensive use of information technology resources or the labor costs of the personnel providing extensive clerical or supervisory assistance.

Fees in Other Jurisdictions

Jurisdiction	Special Service Charge	Extensive IT Charge	Deposit required
Mooreville	\$38.00/hr over 4 hours	\$46.00/hr	Yes, 50% if estimate over \$25.00
Indian Trail	\$18/hr over 4 hours	Total cost to town	Yes, if estimate over \$25.00
Greensboro	Hourly rate of employee doing the work over 4 hours	Hourly rate of employee doing the work over 4 hours	Payment in full required in advance
Troutman	Total cost to the Town over 2 hours	Total cost to the Town over 2 hours	Yes, 50%
Onslow County	Hourly rate of pay for employee doing the work over 3 hours	Hourly rate of pay for employee doing the work over 3 hours	N/A
Pinehurst	If over 2 hours	If over 2 hours	Unknown

Public Records Policy and Fee Schedule

- ◆ Highlights of the Town's proposed Public Records Policy and Fee Schedule include:
 - Most responses to public records requests will continue to be produced in electronic format and be free to the requestor.
 - Requests requiring extensive use of information technology and/or extensive clerical or supervisory staff time will be assessed an information technology fee and/or special service charge, whichever may apply.
 - The special service charge will be \$18.00/hour for time expended on the request in excess of four (4) hours (as may be prorated).
 - Fee estimates will be provided for requests that are estimated to exceed \$25.00 in assessed fees.
 - A 50% deposit will be required for all requests expected to exceed \$50.00