

REGULAR BOARD OF COMMISSIONERS MEETING

TOWN OF WAKE FOREST, NORTH CAROLINA

July 15, 2008

Mayor Jones called to order a regular meeting of the Board of Commissioners at 7:00 p.m. Present were Commissioners Frank Drake, Anne Hines, Chris Kaeberlein, Margaret Jones Stinnett and Pete Thibodeau as were Town Manager Williams, Town Clerk Wilson, Deputy Town Manager O'Donnell, Planning Director Russell, Public Works Director Barton, Planner Yokley, Planner Summers, Assistant Planning Director Ayers, Engineering Director Keravuori, and Town Attorney Vernon.

Mayor Jones led everyone in the Pledge of Allegiance.

1. **Approval of agenda.**

Mayor Jones reported that Item 3.A. - Presentation by Kevin Buckheit of Capital Trees Program would be delayed until the August meeting.

Mayor Jones reported that several items needed to added to the agenda:

3. **Presentations.**

B. Interview Advisory Board Candidates.

5. **Consent Agenda**

A. Approval of tax releases.

6. **Legislative Items**

C. Discussion concerning 55 mph speed limit. This item is placed on the agenda at the request of Commissioner Thibodeau.

7. **Planning Items**

F. Consideration of approval of Greenway Advisory Board Recommendation.

ACTION: Commissioner Drake made a motion to approve the agenda as amended. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0).

2. **Approval of minutes.**

A. **Meetings held June 3, 2008, (Budget Work Session, Work Sessions, and Joint Public Hearings), June 9, 2008 (Budget Work Session), and June 17, 2008 (Regular Board of Commissioners Meeting).**

ACTION: Commissioner Kaerberlein made a motion to approve the minutes of meetings held on June 3, 2008, (Budget Work Session, Work Sessions, and Joint Public Hearings), June 9, 2008 (Budget Work Session), and June 17, 2008 (Regular Board of Commissioners Meeting). Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).

3. **Presentations.**

A. **Interview Advisory Board Candidates.**

The following person(s) were interviews:

Megan Levy - spoke saying she would like to be reappointed. She is very interested in the drunk driving awareness program that the Youth Advisory Board has begun and she enjoyed participating.

Kiana Daniels - spoke saying that she would like to be appointed. She said that she believed in leadership and organization. The Youth Advisory Board was an inspiration to all teens everywhere. She said she is starting 9th grade this coming school year. Ms. Daniels also reported that she helped her sister, Kyra, with some of the things that happened with the Youth Advisory Board.

C. **Presentation by John Brewer concerning the Wake Forest Golf Course.**

Mayor Jones recognized Mr. Brewer, who spoke saying that he was a member of those trying to save the golf course. He said he would like answers to the following questions:

1. It is a golf course?
2. It is open space or a golf course?
3. What about the pool? Should Wake County Health Department be contacted. He said he knew that the pool was locked up with a fence around it. However, there are various concerns.
4. What about erosion of the watershed? Mr. Brewer reported that the sod was removed.
5. Has anyone contacted the Upper Neuse River Association? Mr. Brewer reported that there were approximately 200 taxpaying citizens with homes in the area.

6. What is the zoning and how do we attack this situation?
7. What is it? (The property - open space or golf course).

Mayor Jones reported that staff and the Town Attorney would respond to his questions.

Town Manager Williams suggested that questions be submitted to him ahead of time. He said he would try to get answers for the group.

Commissioner Thibodeau reported that the residents should try to contact the Upper Neuse River Association. They are an advocacy for the public.

4. Public hearings / Public Comment.

A. Public hearing and approval of ordinance for contiguous annexation submitted by Heritage Self Storage, LLC for property located off NC-98 By-pass comprising 7.75 acres.

At 7:15 p.m., Mayor Jones opened the public hearing for the contiguous annexation submitted by Heritage Self Storage, LLC for property located off NC-98 By-pass comprising 7.75 acres.

At 7:16 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

B. Public hearing and approval of ordinance for contiguous annexation submitted by Gateway Forest, LLC and Friendship Chapel Commercial, LLC for property located off NC-98 By-pass comprising 59.93 acres.

At 7:17 p.m., Mayor Jones opened the public hearing for contiguous annexation submitted by Gateway Forest, LLC and Friendship Chapel Commercial, LLC for property located off NC-98 By-pass comprising 59.93 acres.

At 7:18 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

C. Public hearing and approval of ordinance for contiguous annexation submitted by E. Hunt, LLC for property located off Jenkins Road comprising 55.05 acres.

At 7:18 p.m., Mayor Jones opened the public hearing for contiguous annexation submitted by E. Hunt, LLC for property located off Jenkins Road comprising 55.05 acres.

At 7:19 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

D. Action on Item 4.A., Item 4.B., Item 4.C.

ACTION: Commissioner Drake made a motion to approve the following annexations. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0).

- 4.A. Approval of ordinance for contiguous annexation submitted by Heritage Self Storage, LLC for property located off NC-98 By-pass comprising 7.75 acres resulting in the following ordinance:**

ORDINANCE 2008-27

ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 21)

- 4.B. Approval of ordinance for contiguous annexation submitted by Gateway Forest, LLC and Friendship Chapel Commercial, LLC for property located off NC-98 By-pass comprising 59.93 acres resulting in the following ordinance:**

ORDINANCE 2008-28

ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 21)

- 4.C. Approval of ordinance for contiguous annexation submitted by E. Hunt, LLC for property located off Jenkins Road comprising 55.05 acres resulting in the following ordinance:**

ORDINANCE 2008-29

ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 21)

E. Public Comment.

No one spoke.

5. **Consent Agenda.**

ACTION: Commissioner Hines made a motion to approve the Consent Agenda Items as amended. Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).

A. **Approval of tax releases (copy on file in Town Clerk's Office).**

6. **Legislative Items.**

A. **Consideration of approval of appointment/reappointment to Youth Advisory Board.**

Town Clerk Wilson distributed ballots for the selection of Youth Advisory Board members (copy of ballots on file in Town Clerk's Office).

ACTION: Commissioner Drake made a motion to a resolution for appointment/reappointment to the Youth Advisory Board with terms to expire August 1, 2009. Commissioner Kaerberlein seconded the motion, which carried unanimously (5-0).

RESOLUTION 2008-29

RESOLUTION APPOINTING/REAPPOINTING
MEMBERS TO THE YOUTH ADVISORY BOARD
(Body of resolution contained in Resolution Book 25)

Darnesha Adams
Kyra Daniel
Kiana Daniel
Felicia Fotsch
Davis Allen
Julia Jordan
Gabriel Lopez
Megan Levy
Christopher Dall

B. **Consideration of appointments/reappointments to Human Relations Council.**

Town Clerk Wilson distributed ballots for the selection of Human Relations Council candidates (copy of ballots on file in Town Clerk's Office).

ACTION: Commissioner Kaerberlein made a motion to appoint members to the Human Relations Council with terms expiring December 31, 2010 and December 31, 2009, respectively. Commissioner Hines seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2008-30

RESOLUTION APPOINTING MEMBERS TO THE
HUMAN RELATIONS COUNCIL

(Body of resolution contained in Resolution Book 25)

Allyson Rayfield Term to expire December 31, 2010

Richard Longhway Term to expire December 31, 2009

C. Discussion of reducing the speed limit to 55 mph per request of Commissioner Thibodeau.

Commissioner Peter Thibodeau spoke saying that he would like for the Board of Commissioners to send a resolution to the General Assembly supporting a change to a state-wide 55-mile-per-hour speed limit. He had been struck by watching stories about the dramatic effect lowering the speed limit could have on the nation's oil reserves and public safety, reducing highway fatalities by an estimated 4,000 a year.

Commissioner Drake asked Commissioner Thibodeau if he was driving in the seventies? Commissioner Drake spoke saying the reason he brought it up, he said he had read the same article and was struck by the same figures. He said he remembers those days when the 55-mph speed limit had about as much effect as the Volstead Act. (The Eighteenth Amendment of the United States Constitution along with the Volstead Act established Prohibition banning the manufacture, sale, transport, import and possession of intoxicating liquor in 1920. The Amendment was repealed in 1933.)

Commissioner Drake went on to say that the 55-mph limit proved to be unenforceable. He also stated that it is an admirable thing, a rational thought to address what may be a pernicious problem.

Commissioner Kaerberlein spoke saying that your goal is admirable but added he thought the cost of gas is going to cause people to conserve.

Consensus of the Board of Commissioners was that the Mayor Jones should send a letter to the local state legislators recommending the speed limit.

7. **Planning Items.**

- A. **Consideration of approval of Case SU-08-03: A request filed by Cavaliere Companies for a special use permit for a child care facility located in the NB, Neighborhood Business District for property located at 1212 Heritage Links Drive, being Tax PIN 1749-79-0639.**

Commissioner Thibodeau reported that he was absent at the Joint Public Hearings but that he had reviewed the tape prior to the meeting.

ACTION: Commissioner Kaeberlein made a motion to approve Case SU-08-03: A request filed by Cavaliere Companies for a special use permit for a child care facility located in the NB, Neighborhood Business District for property located at 1212 Heritage Links Drive based on the findings of fact. Commissioner Drake seconded the motion, which carried unanimously (5-0).

Finding 1: The proposed use or development is located, designed, and proposed to be operated so as not to be detrimental to the public health, safety, and general welfare, in that child care facilities are not known to be detrimental to public health, safety and general welfare and all designs of site and building will be in accordance with all federal, state and local rules and regulations.

Finding 2: The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities, in that the development is located in an area currently served by municipal protection services, with access to public water and sewer, and adequate access to public streets. Waste disposal is handled by an on-site dumpster.

Finding 3: The proposed use will not substantially injure the value of adjoining or abutting property, in that the proposed development is to be designed within the architectural context established in the area and is separated from other land uses by public streets.

Finding 4: The proposed use will not cause undue traffic congestion or create a traffic hazard, in that the traffic impacts of this child care facility are minimal. Driveways are located so as to minimize conflicts on public roadways. Proposed development is accessed via a driveway onto a private access easement which connects to the public roadway system. The site is designed to accommodate vehicles during drop-off and pick-up times.

Finding 5: The proposed use will not create undue noise, dust, and gasses, in that the proposed use is a child care facility use to which dust and gasses are not normally associated. All vehicle access areas will be paved thus alleviating potential dust problems.

- Finding 6: The proposed use, if developed accordingly to the plan submitted and approved, will be in harmony with the area in which it is located, in that the design and proposed land use is consistent with the context of the surrounding buildings and land uses.
- Finding 7: The proposed use or development conforms with the general plans for the physical development of the town, in that the proposed development is consistent with the Land Development Plan, Land Use Management Plan and Transportation Plan.
- Finding 8: The proposed use or development meets all other rules and regulations within the zoning ordinance and all existing Town polices, in that the proposed development is consistent with the applicable sections of the Zoning Ordinance and the Construction Plans, Sediment and Erosion Control Permits and Development Permits will further assure full compliance with the plans, ordinances and regulations of the Town of Wake Forest.

B. Consideration of approval of Case SU-08-04: A request filed by Precision Franchising, Inc. for a special use permit for an auto repair shop located in the NB, Neighborhood Business District for property located at the junction of Rogers Road and Old Forestville Road, being Tax PIN(s) 1840-41-2420 & 1840-41-2259.

ACTION: Commissioner Stinnett made a motion to approve Case SU-08-04: A request filed by Precision Franchising, Inc. for a special use permit for an auto repair shop located in the NB, Neighborhood Business District for property located at the junction of Rogers Road and Old Forestville Road based on the findings of fact. Commissioner Kaerberlein seconded the motion, which carried unanimously (5-0).

- Finding 1: The proposed use or development is located, designed, and proposed to be operated so as not to be detrimental to the public health, safety, and general welfare, in that properly designed auto repair facilities are not known to be detrimental to public health, safety and general welfare and all designs of site and building will be in accordance with all federal, state and local rules and regulations.
- Finding 2: The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities, in that the development is located in an area currently served by municipal protection services, with access to public water and sewer, and access to public streets. Waste disposal is handled by an on-site dumpster.
- Finding 3: The proposed use will not substantially injure the value of adjoining or abutting property, in that the proposed development is to be designed within the architectural context established in the area and

is separated from other land uses by public streets, streetyard buffers and a separation buffer to be planted along the edges.

- Finding 4: The proposed use will not cause undue traffic congestion or create a traffic hazard, in that the traffic impacts of this auto repair facility are minimal. Driveways are located so as to minimize conflicts on public roadways. Site is accessed by a drive off an existing improved private easement. This easement connects to Rogers Road. Proposed development does not include any new curb cuts directly on to a public street.
- Finding 5: The proposed use will not create undue noise, dust, and gasses, in that the proposed use is designed to minimize the impact of dust and gasses. All vehicle access areas will be paved thus alleviating potential dust problems.
- Finding 6: The proposed use, if developed accordingly to the plan submitted and approved, will be in harmony with the area in which it is located, in that the design and proposed land use is consistent with the context of the surrounding buildings and land uses.
- Finding 7: The proposed use or development conforms with the general plans for the physical development of the town, in that the proposed development is consistent with the Land Development Plan, Land Use Management Plan and Transportation Plan.
- Finding 8: The proposed use or development meets all other rules and regulations within the zoning ordinance and all existing Town polices, in that the proposed development is consistent with the applicable sections of the Zoning Ordinance and the Construction Plans, Sediment and Erosion Control Permits and Development Permits will further assure full compliance with the plans, ordinances and regulations of the Town of Wake Forest.

C. Consideration of approval of Case SU-08-05: A request filed by the Electric Motor Shop for a special use permit for the expansion of an existing warehouse facility in the I, Industrial District for property located at 1225 North White Street, being Tax PIN 1851-07-2029.

ACTION: Commissioner Hines made a motion to approve Case SU-08-05: A request filed by the Electric Motor Shop for a special use permit for the expansion of an existing warehouse facility in the I, Industrial District for property located at 1225 North White Street based on the findings of fact. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0).

- Finding 1: The proposed use or development is located, designed, and proposed to be operated so as not to be detrimental to the public health, safety, and general welfare, in that the request is for the expansion of an existing Industrial zoned facility. The proposed addition will be built

to current building code standards and will not be a detriment to the public health, safety and general welfare and will be in conformance with all local, federal and state guidelines.

- Finding 2: The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities, in that the proposed expansion is located within the Town of Wake Forest ETJ and has adequate access to North White Street. Water and sewer service will be handled by a private well and septic system. Waste disposal is handled by an on-site dumpster.
- Finding 3: The proposed use will not substantially injure the value of adjoining or abutting property, in that the request is for the expansion of an existing facility and is adjacent railroad right-of-way, and the proposed warehouse shall obtain all local, state and federal permits required for operation. The proposed expansion is buffered from any conflicting land uses.
- Finding 4: The proposed use will not cause undue traffic congestion or create a traffic hazard, in that the requested expansion is located in an area with access to North White, where the required road improvements will further support traffic impacts.
- Finding 5: The proposed use will not create undue noise, dust, and gasses, in that the requested expansion will not employ undue noise or gasses, and the proposed warehouse shall obtain all local, state and federal operational permits and continually adhere to these requirements.
- Finding 6: The proposed use, if developed accordingly to the plan submitted and approved, will be in harmony with the area in which it is located, in that the request is for the expansion of an existing facility located in an Industrial zoning district.
- Finding 7: The proposed use or development conforms with the general plans for the physical development of the town, in that the requested expansion is located in an industrially zoned area and surrounded by similar uses. The proposed expansion is in conformance with the requirements of the Zoning Ordinance.
- Finding 8: The proposed use or development meets all other rules and regulations within the zoning ordinance and all existing Town polices, in that the requested expansion will obtain all required operating permits and the plan submitted with the special use permit application conforms to all existing regulations and policies.

D. Consideration of approval of Case ZA-08-04: An amendment to the Wake Forest Zoning Ordinance: Article III. Definitions of Terms Used in this Ordinance.

ACTION: Commissioner Drake made a motion to approve Case ZA-08-04: An amendment to the Wake Forest Zoning Ordinance: Article III. Definitions of Terms Used in this Ordinance - Section 2. Definitions of Specific Terms and Words by adding the words: for pay at the end of the sentence. Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).

ORDINANCE 2008-30

ORDINANCE AMENDING ARTICLE III. DEFINITIONS OF TERMS
USED IN THIS ORDINANCE - SECTION 2. DEFINITIONS OF
SPECIFIC TERMS & WORDS OF THE ZONING ORDINANCE
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 21)

Boardinghouse. A residential building with at least five (5) bedrooms and not more than one kitchen where meals are not prearranged and provided and residents occupy the living units on a weekly basis or longer for pay.

E. Consideration of extension of Case SU-07-06: A request filed by Regency Centers for a special use permit for Purnell Place Shopping Center.

ACTION: Commissioner Kaeberlein made a motion to approve the extension of Case SU-07-06: A request filed by Regency Centers for a special use permit for Purnell Place Shopping Center with an expiration date of August 20, 2009. Commissioner Hines seconded the motion, which carried unanimously (5-0).

F. Consideration of approval of Greenway Advisory Board Recommendation.

Assistant Planning Director Ayers explained the City of Raleigh plans to build the Neuse Trail along the south side of the Neuse River from the Falls Lake Dam to the Johnston County line and has committed \$13 million, nearly half the cost, for the 28-mile project. The first eight (8) miles will go from the dam to the CASL Soccer Complex on Perry Creek Road by fall of 2009 and the final section will be complete in 2013. She called it an amazing opportunity. The City of Raleigh is only asking the Town of Wake Forest to provide the connection to the trail, which includes the bridge. The City of Raleigh has agreed to include cost of the bridge design and construction in its budget with the town repaying the cost, most likely without interest, over four year or possibly ten. And Raleigh has agreed to maintain the bridge.

The Greenways Advisory Board, which was all set to pursue construction of a soft trail around the Smith Creek Reservoir as its first priority this year, changed course when the members heard of Raleigh's proposal.

Earlier this month, the City of Raleigh recommended the town agree to pay to build the Neuse River bridge, connect the town's Smith Creek Greenway from its current end near the Smith Creek Wastewater Treatment Plant to Raleigh's Neuse Trail, design and build parking near Capital Boulevard and build a trail on the north side of the Neuse River linking that parking lot to the Smith Creek Greenway. The cost is about \$1.6 million.

Assistant Planning Director Ayers spoke saying that the Town of Wake Forest will still have adequate funds to pay for design of both and to design the reservoir trail. It will enable the Town to get started on the soft trail around the reservoir – it was always planned as a volunteer effort – and not affect construction of Dunn Creek (Greenway) next year. The Dunn Creek Greenway will be built with bond and grant money. She said that the agreement with Raleigh would make any future segment of the Smith Creek Greenway a part of the East Coast Greenway. It gives us a leg up for funding (grants).

Commissioner Thibodeau spoke saying that Assistant Planning Director Ayers needs to be highly commended for her negotiating with the City of Raleigh. The connections to the state and national greenway systems will give the town amazing leverage for funding future greenway sections.

Commissioner Margaret Stinnett asked if the change in priorities will affect other projects? Assistant Planning Director Ayers said the worse case would be that some would be delayed a couple years. The best case (would be we had) leveraged our effectiveness. When it becomes part of a regional or national greenway, there will be more funds available.

Commissioner Frank Drake spoke saying that we have to write the check to build the bridge over the Neuse, then we're done. We've pretty much defined our greenway spending for the next four years.

Assistant Planning Director Ayers said Wake Forest people drive to Raleigh, park their cars and ride their bikes for miles and miles on the city's greenways. She said that the Town and the Greenway Advisory Board would be working on the volunteer-built trail around the reservoir and that Wake County has agreed to help fund a project to identify the route for the rest of the Smith Creek Greenway.

ACTION: Commissioner Thibodeau made a motion to approve the Greenway Advisory Board recommendation as follows to proceed with the design of Project 1 and 2 - the Wake Forest bridge and trail connection to the current end of the Smith Creek Greenway near the Smith Creek Wastewater Treatment Plant, parking near Capital Boulevard and a trail linking the parking to the Smith Creek Greenway using the current budget allocation and negotiate an Interlocal Agreement with the City of Raleigh to fund the

construction of Project 1 through allocation of capital funds or through bond funds. Commissioner Drake seconded the motion, which carried unanimously (5-0).

8. Administration and Financial Items.

None.

9. Public Services Items.

A. Consideration of approval of 3-way stop at Hempton Cross Drive and Coach Lantern Avenue (Stonegate at St. Andrews Subdivision).

ACTION: Commissioner Hines made a motion to approve the 3-way stop at Hempton Cross Drive and Coach Lantern Avenue (Stonegate at St. Andrews Subdivision). Commissioner Kaerberlein seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2008-31

ORDINANCE AMENDING CHAPTER 30. TRAFFIC AND VEHICLES
ARTICLE VI TRAFFIC SCHEDULES SECTION 30-256 SCHEDULE X
STOP INTERSECTIONS OF THE CODE OF ORDINANCES
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 21)

B. Consideration of approval of request submitted by Haddock Collision Center for emergency hook-up of water and sewer.

ACTION: Commissioner Thibodeau made a motion to approve the request submitted by Haddock Collision Center for emergency hook-up of water and sewer and petition for annexation. Commissioner Kaerberlein seconded the motion, which carried unanimously (5-0) resulting in the following resolutions:

RESOLUTION 2008-31

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1
(Haddock Properties III, LLC - 2.99 acres
for property located at 10412 Capital Boulevard
approximately 1200 feet north of Burlington Mills Road)

RESOLUTION 2008-32

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED

((Haddock Properties III, LLC - 2.99 acres
for property located at 10412 Capital Boulevard
approximately 1200 feet north of Burlington Mills Road)

- C. Consideration of approval of resolution accepting North White Street from Spring Street north to the corporate limits on the Town Street System for maintenance.**

ACTION: Commissioner Drake made a motion to approve a resolution accepting North White Street from Spring Street north to end of corporate limits on the Town Street System for maintenance. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2008-33

RESOLUTION ACCEPTING NORTH WHITE STREET
FROM SPRING STREET NORTH TO THE CORPORATE
LIMITS TO THE TOWN STREET SYSTEM FOR MAINTENANCE

(Body of resolution contained in Resolution Book 25)

- D. Consideration of approval of amendments to electric rate schedule.**

Town Manager Williams reported that staff has not had time to prepare for this item. He also suggested that after the closed session, the meeting be continued until 5 p.m. on August 5, 2008.

10. Parks and Recreation Items.

None.

11. Public Safety Items.

None.

12. Closed Session: N.C.G.S. 143-318.11(a)(3): Consultation with Town Attorney

1. Settlement Agreement with IDC
2. Approval of minutes from previous Closed Sessions.

ACTION: At 8:45 p.m., Commissioner Kaeberlein made a motion to go into Closed Session for the purpose of N.C.G.S. 143-318.11(a)(3): Consultation with Town Attorney: (1) - Settlement Agreement with IDC and (2) Approval of minutes from previous Closed Sessions. Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).

At 9:10 p.m., Commissioner Stinnett made a motion to return to the regular meeting. Commissioner Drake seconded the motion, which carried unanimously (5-0).

13. Adjournment.

ACTION: At 9:11 p.m. Commissioner Stinnett made a motion to continue the meeting to 5:00 p.m. on August 5, 2008. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0).