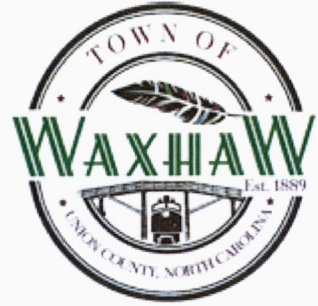


# Board of Commissioners

Regular Meeting - REVISED \* PD Community  
Room

Tuesday, January 23, 2024 @ 6:30 PM



The Board of Commissioners held a regularly called meeting at the Police Department Community Room located at 3620 Providence Road South. The following Board members attended this meeting:

**Present:** Mayor Robert J. Murray, III, Mayor Pro-Tem Brenda McMillon, Commissioner Jason M. Hall, Commissioner Susanna Wedra, Commissioner Richard Daunt and Commissioner Tracy Wesolek

**Absent:** None

**Staff:** Town Manager Jeffrey Wells, Town Attorney Charles Buckley and Town Clerk Barbara Bruce

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## **CALL TO ORDER**

Mayor Murray called the meeting to order at 6:30 pm. A quorum was established as all board members were present.

## **CEREMONIAL OPENING**

The Pledge of Allegiance to the American Flag was recited. Everyone remained standing for a moment of silence.

## **ADOPTION OF AGENDA**

Town Manager Wells requested adding as item G.1 under Presentation Proclamation (PRO2024003) In Memory of Commissioner David G. Barnes to the agenda.

**MOTION** was made by Commissioner Wesolek to adopt the agenda, as amended.  
**MOTION** carried unanimously (5:0).

## **GENERAL PUBLIC COMMENTS**

- Mr. Rich Geist - resides at 1805 Hoosac Dr. and owner of the Waxhaw Creamery - Expressed his opposition for the social district and encouraged the Board of Commissioners to deny approval.

- Mr. Edwin Elam - resident of Waxhaw - Provided clarification on social media posts related to several developments proposed in the Town of Waxhaw that were approved in compliance with the Town of Waxhaw's Land Development Code and NC General Statutes.

## **CONSENT AGENDA**

### **Approval of FY 2023-24 Budget Amendment Ordinance (ORD2024001) to Accept Federal DEA Funds for Waxhaw Police Department**

**MOTION** was made by Commissioner Wesolek to adopt the consent agenda, as presented. **MOTION** carried unanimously (5:0).

*Ordinance #ORD2024001 is hereby incorporated by this reference.*

## **RECOGNITIONS**

### **Recognition of Eagle Scout Project by Michael Cavallaro**

Ms. Dena Sabinske, Parks & Recreation Director recognized Eagle Scout Michael Cavallaro for his Eagle Scout project for installing three setting benches at Town Creek Park.

### **Introduction of Waxhaw's Newest Employees, Tony Helms and Mason Piddock, Park Cultural Technicians**

Andrew Abbul, Facilities Manager recognized Tony Helms and Mason Piddock as the new Park Cultural Technicians. He introduced Mason Piddock. Tony Helms was unable to attend due to illness.

### **Introduction of Waxhaw's Newest Employee, Morgan Miller, Program Coordinator**

Ms. Justine Haynes, Program Manger introduced Morgan Miller as the new Program Coordinator.

### **Introduction of Waxhaw's Newest Employee, Alara Baltmiskis, Business Development Coordinator**

Ms. Ashley Nowell, Business Development Director, introduced Alara Baltmiskis as the new Business Development Coordinator.

### **Introduction of Waxhaw's Newest Employee, Brandi Stroud, Deputy Clerk**

Ms. Barbie Bruce, Town Clerk, introduced Brandi Stroud as the new Deputy Clerk.

### **Recognition of Barbie Bruce for receiving Municipal Clerk Certification**

Mr. Jeff Wells, Town Manager, recognized Barbie Bruce, Town Clerk, for recently obtaining her designation of Certified Municipal Clerk (CMC) Certification from the International Institute of Municipal Clerks (IIMC).

### **Recognition of Planning Staff Certification**

Ms. Lisa Thompson, Planning & Inspections Director, recognized Blair Israel, Senior Planner, for recently obtaining his Geographic Information Systems Professionals Certification (GISP).

## **PRESENTATIONS**

### **Adoption of Proclamation (PRO2024003) In Memory of Commissioner David G. Barnes [ADDENDUM]**

Town Manager Wells read, aloud for the record, the Proclamation (PRO2024003) In Memory of Commissioner David G. Barnes and presented a copy of the proclamation and the Key to the City to his daughter Ms. Melissa Barnes.

**MOTION** was made by Commissioner Wesolek to adopted Proclamation (PRO2024003) In Memory of Commissioner David G. Barnes. **MOTION** carried unanimously (5:0).

*Proclamation #PRO2024003 is hereby incorporated by this reference.*

## **NEW BUSINESS**

### **Consider Adoption of Resolution (RES2024003) Declaring Intent in Support of Authorizing NCDOT to consider abandonment of a portion of Pine Oak Road**

The Board of Commissioners considered for adoption Resolution (RES2024003) Declaring Intent in Support of Authorizing NCDOT to consider abandonment of a portion of Pine Oak Road.

Mr. James Kelly, Traffic-Transportation Project Engineer, provided an overview of the request. He noted that the Town was requesting that NCDOT abandon a portion of Pine Oak Road (0.431 miles) from east of existing bridge to NC-16 to allow the adjacent development to construct a mini roundabout on the proposed town-maintained portion of Pine Oak Road.

**MOTION** was made by Commissioner Wesolek to adopt Resolution (RES2024003) Declaring Intent in Support of Authorizing NCDOT to consider abandonment of a portion of Pine Oak Road. **MOTION** carried unanimously (5:0).

*Resolution #RES2024003 is hereby incorporated by this reference.*

### **Recreation Barn Rules and Procedures**

The Board of Commissioners consider for adoption the Rules of Procedures for the new Recreational Barn Facility.

Ms. Dena Sabinske, Parks & Recreation Director, provided an overview of the request. She noted the new facility was recently added to the town's recreational offering. These rules and procedures establishes the foundation and guidance for the new facility to operate successfully and were vetted by the NC League of Municipalities Risk Management Division, Town Attorney, Parks, Cultural & Recreation Board, and Town Staff.

## **Discussion**

- Mayor Murray asked who can rent the Recreation Barn? Ms. Sabinske answered, all citizens and staff could rent the Recreation Barn for a monomial fee. She added that a ribbon cutting was planned for March 8th at 3:00 pm followed by a movie night.

**MOTION** was made by Commission Wedra to adopt the Recreation Barn's Rules and Procedures, as presented. **MOTION** carried unanimously (5:0).

## **TOWN LEADERSHIP REPORTS**

### **Town Manager Jeffrey Wells**

Town Manager Wells provided the following updates and reminders:

- Reminded the Board of Commissioners of the Annual Board Retreat scheduled for Thursday, January 25th and Friday, January 26th.
- A tour of the Rec Barn will be conducted on Friday, January 26th if time permits.
- The 2024 Elected Officials Reception will be held on February 15th from 5pm-7pm at the Union County Agricultural Center.
- The Town and State Dinner will be held March 6th in Concord.
- The City Vision Conference will be held April 23-25 in Winston Salem.
- Fiscal Year 2023 Audit Presentation will be conducted at the next Board of Commissioners meeting on February 13th.

### **Business Development Director Ashley Nowell**

- Ms. Ashley Nowell provided update on Business Development Programs.

### **Waxhaw Police Chief Dexter Wilson**

- Chief Dexter Wilson provided an update on Police Department Projects.

### **Waxhaw Volunteer Fire Department Fire Chief Greg Sharpe**

- Chief Greg Sharpe provided an updates on the Volunteer Fire Department Programs.

### **Planning & Inspections Director Lisa Thompson**

- Ms. Lisa Thompson provided updates on Planning and Inspections projects.

### **Parks & Recreation Director Dena Sabinske**

- Ms. Dena Sabinske provided an update on Parks & Recreation Programs and events.

### **Public Services Director Todd Matthews**

- Mr. Todd Matthews provided an update on Public Services Projects.

### **Board of Commissioners**

- Commissioner Daunt expressed his gratitude to the residents both attending in-

person and remotely and to Town Staff for their hard work in the preparations of these meetings. and all online for the participation. He noted that he participated in a 2x2 meeting process that staff organizes. He explained the process of the 2x2 meetings, which splits the board in two groups to avoid the limits of open meetings statutes. These statutes are intended to ensure that decision making on public matters is public by specifying a maximum number of officials who can meet privately to discuss government business. The rationale for the 2x2 meetings is that they allow the staff to take the temperature of the board on various matters before discussing them publicly. The idea is that it would save the staff from spending too much time on matters that would not survive public presentation before the board. Additionally, the 2x2 process also costs the staff time because they have to make the same presentation three times before 3 different pairing of board members. He added that a lot of public resources are being spent on avoiding public scrutiny. The 2x2 process also violates the spirit of the open meeting statutes and that consensus is developed behind closed doors. His opinion in this manufactured consent has the effect of suppressing citizen engagement in our local government and people feel left out of the decision making process. He also added, that the BOC will be discussing the 2x2 meetings at their Annual Retreat on Thursday and Friday and encouraged everyone to attend in person or remotely.

## **CLOSED SESSION**

### **Personnel Matters**

Pursuant to NCGS 143-318.11(a)(6) to discuss personnel matters. Mayor Murray entertained a motion to recess into Closed Session and invited Town Manager, Town Attorney, and Town Clerk.

**MOTION** was made by Mayor Pro Tem McMillon to recess into Closed Session inviting the Town Manager, Town Attorney, and Town Clerk pursuant to NCGS 143-318.11(a)(6) to discuss personnel matters. **MOTION** carried unanimously (5:0).

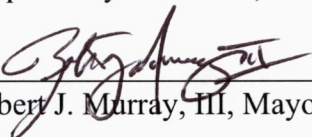
**MOTION** was made by Commissioner Daunt to reconvene into Open Session stating no action was taken. **MOTION** carried unanimously (5:0).

## **ADJOURNMENT**

Being no additional business, Mayor Murray entertained a motion to adjourn. **MOTION** was made by Commissioner Hall to adjourn the regular meeting. **MOTION** carried unanimously (5:0).

The meeting was adjourned at 8:16 pm.

Respectfully submitted,

  
\_\_\_\_\_  
Robert J. Murray, III, Mayor

ATTEST:

*Barbara Bruce*  
Barbara Bruce, Town Clerk





**Proclamation In Memory of**  
**Commissioner David G. Barnes**

**WHEREAS**, the Town of Waxhaw and its citizens lost a dedicated public servant with the passing of David G. Barnes;

**WHEREAS**, David G. Barnes served multiple terms as a Commissioner and Mayor Pro Tempore from 1979 – 2007 as well as serving on many town committees;

**WHEREAS**, David G. Barnes was a great advocate for the Town and its citizens, carrying out his responsibilities as a public servant with a dedication to the Town of Waxhaw and its citizens as he sought continuously to make Waxhaw a better place to live and visit;

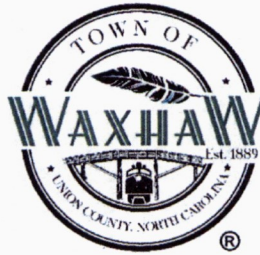
**WHEREAS**, David G. Barnes exemplified the true meaning of a “dedicated public servant.” He was instrumental in several town projects including the pedestrian bridge reconstruction, the Harvey Clay Nesbit Park dedication, water and sewer system improvements throughout town, and several annexations and subdivision developments;

**WHEREAS**, David G. Barnes served as a teacher for 28-years at Waxhaw Elementary. He was a role model, mentor, cheerleader, helper to all his students, and he remains one of the most highly respected educators in the history of Waxhaw;

**WHEREAS**, On August 28, 2009, David G. Barnes was honored for his impact on the lives and history of Waxhaw with the dedication of the David G. Barnes Park; and

**WHEREAS**, David G. Barnes was devoted to his family, friends, and students and will be missed by all those whose lives he touched during his life.

**NOW, THEREFORE BE IT PROCLAIMED**, that the Waxhaw Board of Commissioners hereby memorializes David G. Barnes for his distinguished and impressive career in education and local government, his life and memory will be sorely missed but highly cherished and revered; and



**FY 2023-2024 Budget Amendment Ordinance**  
**Acceptance of DEA Funds for Waxhaw Police Department**

WHEREAS, Waxhaw Police Department has received a cash distribution in the amount of \$81,431.65;

WHEREAS, the distributed funds will be received as Revenue and the budget account updated;

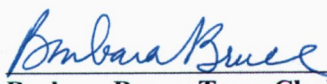
NOW, THEREFORE, BE IT ORDAINED, by the Waxhaw Board of Commissioners of the Town of Waxhaw, North Carolina that:

<u>Donation Funds</u>	<u>Total Received</u>
Revenues:	
Federal DEA Distribution	\$81,431.65

Duly adopted and effective this the 23rd day of January, 2024.

  
Robert J. Murray, III, Mayor

ATTEST:

  
Barbara Bruce, Town Clerk

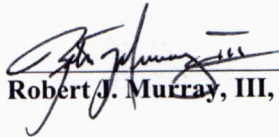




PRO: PRO2024003

**FURTHER, BE IT PROCLAIMED**, I, Robert J. Murray, III, by virtue of the authority vested in me as Mayor of the Town of Waxhaw, in the State of North Carolina, that this Proclamation be forwarded to the family of David G. Barnes with the deepest respect and utmost sympathy of the members of this Board.

**Duly Adopted on this the 23<sup>rd</sup> day of January 2024.**

  
Robert J. Murray, III, Mayor

ATTEST:

  
Barbara Bruce, Town Clerk



Resolution: RES2024003



**A Resolution Declaring Intent of the Board of Commissioners of the Town of Waxhaw in Support of Authorizing North Carolina Department of Transportation to Consider the Abandonment of a Section of Pine Oak Road**

**WHEREAS**, North Carolina General Statute 160A-299 authorizes the Town of Waxhaw Board of Commissioners to close streets and public alleys;

**WHEREAS**, the Waxhaw Board of Commissioners fully supports NCDOT abandoning a section of Pine Oak Road to allow the Town of Waxhaw to accept said street into the Town's roadway system;

**WHEREAS**, the Waxhaw Board of Commissioners intends to authorize NCDOT to abandon a section of Pine Oak Road allowing the Town of Waxhaw to accept and maintain improvements and maintenance of said road; and

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Waxhaw Board of Commissioners to authorize NCDOT to abandon a section of Pine Oak Road allowing for the Town of Waxhaw to accept said road for improvements and maintenance and add said road to the Town's roadway system.

**Duly adopted and effective this 23<sup>rd</sup> day of January 2024, in Waxhaw, North Carolina.**

  
Robert J. Murray, III, Mayor

ATTEST:

  
Barbara Bruce, Town Clerk





**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION REQUEST FOR  
ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM  
TOWN OF WAXHAW, NORTH CAROLINA**

**(Resolution RES2024003)**

**North Carolina**

**County of: Union**

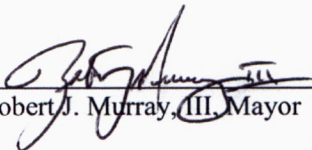
**Road Descriptions: Pine Oak Road SR-1304, 0.431 miles from intersection of S. Providence Road to Waxhaw-Marvin Road, leaving NCDOT 0.829 miles.**

**WHEREAS**, the attached petition has been filed with the Town Council of the Town of Waxhaw, Union County, requesting that the above-described road, the location of which has been indicated on the attached map, be added to the Secondary Road System; and,


**WHEREAS**, the Town of Waxhaw is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Waxhaw of the County of Union that the Division of Highways is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

Duly adopted this 23rd day of 2024, in Waxhaw, North Carolina

  
Robert J. Murray, III, Mayor

Attest:

  
Barbara Bruce, Town Clerk

