



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, January 17, 2023. Mayor Mayefskie presided, calling the meeting to order at 7 p.m. A quorum was established as the Mayor and four Council members were present in the Chamber as the meeting opened.

Council Members Present: Mayor Mayefskie, Mayor Pro Tem Dan Berry, Council members Aaron Wolff, Shaun McGrath, and Timothy Forrest. There is a vacancy on the Council.

Council Members Absent: none.

Staff Members Present in Chambers: Randy Harrington, *Town Manager*; Daniel Weeks, *Assistant Town Manager*; Scott Chase, *Assistant Town Manager*; John Schifano, *Town Attorney*; Linda McKinney, *Town Clerk* (recording the minutes); Mathew Mutter, *IT*; Corey Petersohn, *Budget and Sustainability*; Chris Hills, *Director, Development Services*; Sean Ryan, *Development Services*; Cheryl Caines, *Development Services*; LeeAnn Plummer, *Director, Parks and Recreation and Interim Finance Director*; Tim Athy, *Utilities and Infrastructure*; Aaron Levitt, *Utilities and Infrastructure*; LeRoy Smith, *Fire Chief*; Cassie Hack, *Director, Communications & Marketing*; Paul Liquorie, *Police Chief*; Irena Krstanovic, *Director, Economic Development*; Kathy White, *Deputy Clerk*.

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Pastor William F. Ball, of Holly Springs United Church of Christ.

4. Agenda Adjustment: The January 17, 2023 meeting agenda was adopted with changes, if any, as listed:

Motion: Berry
Second: McGrath
Vote: Unanimous

Public Comment: At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council, and the Clerk was asked for any written comments received prior to the meeting.

The following public comments were received in writing: one comment from Darlene Agle asking Council to choose a new member who shared Kristi Bennett's values; one anonymous comment thanking Council for not signing on to the Wake County NDO.

The following comments were received in person:

Kimberly Day said she was here to say thank you on behalf of the Holly Springs High School Band fundraising group for the grant that was given in 2022. She invited Council to come to the band competition in February.

Duane Hanson said we love our town and want her to be a wholesome home to pets and people. He told a parable of reacting to adversity.

Beth Richardson passed.

Michael Hale read the Emperor's New Clothes. He said that people who deny reality are like the emperor in the story.

Rob Nester said he loved the comment from the story that a child looked and saw what was really there. He asked people to ask a child if we should love, include, and treat everyone fairly. And they will say yes. We teach our children to be kind. When we talk about the NDO, people have a lot of reasons why and why not to sign on. Often it is a moral or religious reason. Leviticus and Mark both tell us "Love thy neighbor as you love yourself." Inherent in that is to love yourself. Love the people around you and give them equal access. To say "I love everybody but I don't want to protect everybody" is wrong.

Jack Turnwald said they were here to share some information they researched for professional development, for which they made Holly Springs their subject. When they talked with the Mayor he told them he didn't know of any data. They gave stories that were told to them of discriminatory acts carried out on them in Holly Springs, including the use of the "N word" toward black people, and instances of LGBTQ people feeling unsafe. The women's pay gap is larger in Holly Springs than the global average, at 58 cents to the dollar compared to the 77 cents to the dollar global average. They listed difficulties faced by females in employment. The cost of housing in Holly Springs has made the town a gated community without a physical gate. There are significant disparities in the town. Please address them with the NDO.

Donna Friend said Council has seen her here many times asking them to pass the NDO. Rather than speaking again she asked all present who were in favor of the NDO to stand. A large number of people stood.

Kathy O'Dette passed.

Carrie Curtis said they were a resident of Holly Springs. They would like to call Holly Springs beautiful, but beauty is subjective and for them beauty is acceptance and sharing an outpouring of love to those around you. The lack of action from Council on adopting an Ordinance on nondiscrimination is ugly. It is not beauty, acceptance, or love. They said they didn't want to continue to call Holly Springs home if they were not supported by the community and those in charge. It is unfair. We want to treat everyone with kindness, fairness, and love. Please revisit, revamp, or draft your own NDO to make others feel welcome in Holly Springs.

Linda Hewitt said she was here as a fairly new resident who found a lot to love about Holly Springs. But it pains her that Holly Springs has so much potential to be a truly welcoming, lovely, small town where everyone can enjoy what we have here. With no exceptions. To reach our potential we need action, not words. Actions such as the NDO and anything else we can do to find out what the problems are, to listen to the people telling you what the problems are, and then to take action.

Steve Bergstrom said he had lived here for about 5 years. He said that at every level of government overabundant and redundant legislation historically leads to inequitable application of the law. In this case the law being debated is meant to protect residents from discrimination. He said there was no evidence of discrimination but social media posts. Debating this NDO opens the door to inequitable justice and discrimination. He said protections already exist. He said Holly Springs is divided 50/50 on this issue. In the face of such debate he said less legislation should be the norm. He asked the Council to support each citizen, to speak out against discrimination, but not to implement new laws and regulations. He said the NDO opens the doors to bad actors.

Karyn Mulligan said she was a 22-year resident of Holly Springs. She said she was a survivor of childhood sexual abuse and that through her work with others who have suffered trauma she has

learned that laws, declarations, and proclamations are just words. She said Cary passed their own version of an NDO and according to the manager at Lifetime Fitness, a biological male who now identifies as female has now been given access to the women's locker room. She said that allowing biological men into women's locker rooms will cause sexual assault. She thanked the Mayor and Council for standing against the NDO.

Ginny Suever said she was here to oppose the NDO. She said it doesn't mean she dislikes anyone or anything. It just means she likes smaller government. She outlined the difference between a democracy and a republic and said that a republic protects people by putting constraints on the majority. She said Town Council was the final authority on adopting rules and was the last line of defense against mob rule.

Kristen Stocking said she was here to say that the traditional foundation was the reason she moved to Holly Springs 16 years ago. She said she is noticing a feeling of division which is poisoning Holly Springs over two issues. The appointment of Kristi Bennett's replacement and the NDO. She said the voters elected Kristi Bennett and she supports the appointment of someone who most closely aligns with her platform. She asked that Danielle Hewetson be appointed. She said there are already laws to protect people so we don't need an NDO. We need to fight together but we don't need to infringe on others.

Kevin Bolend, a resident of Apex, said he was here to share his concerns about the NDO. He thinks it will create a toxic environment for businesses. He thinks hiring decisions will not be based on performance but class. He thinks it will lead to environmental paranoia. He said signing on to it will not change people's attitudes. He said the NDO will not protect them and that he thinks it only pertains to employment situations. He said government has a responsibility to protect safety but not feelings. He stands against the NDO and thinks it is a form of tyranny.

Shaquanda Mack said she was here in December sharing her experience with Pine Springs. She said that during career week, her daughter and another student were approached by a student who threatened her. They recently had their grievance hearing and Mr. Friend said that Pine Springs uses the NC Resource Guide and under that a formal threat assessment should have been performed. But it became clear that it was not performed. She said her daughter feels unsafe returning to Pine Springs. She said the school has failed their daughter.

Laverne Cofield said she was here concerning the vacant council seat. She implored Council to appoint someone from the many applicants who represents the African American community, which feels unrepresented since Ham Womble retired. Years ago she applied for a vacant seat, and she didn't receive notice of who was appointed until she read it in Suburban Living. Please do the right thing and choose someone of color so her community can feel represented in their own town. We love this town. We grew up here, and we still want to be here. Do the right thing; consider the facts; and choose someone from our community.

RECOGNITIONS

5. Blood Donor Month Proclamation

Mayor Mayefskie proclaimed January as Blood Donor Month in Holly Springs and spoke about the importance of volunteer blood donations. He presented the proclamation to representatives of The Blood Connection.

6. Black History Month Proclamation

Mayor Mayefskie declared February as Black History Month in Holly Springs and presented the proclamation to Furman Beckwith, representing the Martin Luther King Jr. Committee in Holly Springs.

REQUESTS AND COMMUNICATIONS

7. Holly Springs Chamber of Commerce Update

Tonya Palumbo, Interim Executive Director of the Holly Springs Chamber of Commerce said she was here to give an update on the Chamber activities this year. She introduced the staff, executive committee, and board of the Chamber of Commerce and gave some highlights of Chamber activities since the last Council update. She discussed the Hometown Revitalization Grant and the Chamber's partnership with Duke Energy. She identified the "Chamber Champions" from 2022 and outlined the membership demographics. She highlighted some events from the past year including WinterFest, Economic Forecast, Casino Night, and the Women's Empowerment Luncheon and said how happy they were to be back to in-person events. She outlined the Chamber's communications strategy.

Ms. Palumbo discussed some of the Chamber's goals for 2023 and outlined how the Governmental Programming dollars were spent. She gave a brief outline of the calendar of events for 2023 and asked for Council's questions. She encouraged people to go to the website and look for events.

Council member McGrath asked her to expand on the workforce development events. Ms. Palumbo said they worked with the Town to choose topics, and looked for quality speakers. There will be one on Valentine's Day on conflict resolution. In March there will be one on Value Based Leadership and in April a session on Diversity, Equity and Inclusion in the workplace. MPT Berry asked where the membership numbers were compared to last year. Ms. Palumbo said they were up 2 members this year. They expect that getting a new Executive Director will help with increasing membership. Also many restaurants dropped their memberships during 2020 due to the pandemic, and they hope to regain some of those memberships.

Council member Forrest said he looked forward to receiving calendar invitations to events. Ms. Palumbo said she would check the email list and be sure it was correct.

Mayor Mayefskie said that stability was a goal and he looked forward to being at their events this year.

Consent Agenda

The Council passed a motion to approve all items on the Consent Agenda. The motion carried following a motion by MPT Berry, a second by Council member McGrath and a unanimous vote. The following actions were affected:

8. Minutes – Council approved the minutes of the December 13, 2022 workshop meeting and the December 20, 2022 business meeting.

9. Municipal Concurrence for Speed Limit on Honeycutt Road – The Council adopted Ordinance 23-01 setting speed limits on Honeycutt Road.
A copy of Ordinance 23-01 is attached to these minutes.

10. Voluntary Annexation of 4200 Beech Creek Court – The Council adopted Resolution 23-03 directing the Town Clerk to investigate the sufficiency of annexation petition A22-05 and setting the public hearing for February 21, 2023.
A copy of Resolution 23-03 is attached to these minutes.

11. Personnel Policy Updates – The Council approved amendments to the Town Personnel Policy Article III, Section 18 Acting Assignment and Pay, and Article VII, Section 13 Transfer of Sick Leave from Previous Employer.

12. Resolution Endorsing NCDOT Paved Trails and Sidewalk Feasibility Study – The Council adopted Resolution 23-01 endorsing the NCDOT's Paved Trails and Sidewalk Feasibility Study Grant Proposal for the Town of Holly Springs.

A copy of Resolution 23-01 is attached to these minutes.

13. Purchase of a New Ladder Truck – The Council approved a budget amendment and authorized the Town Manager to enter into a contract with Fire Connections for the purchase of a Ladder Tower Truck in an amount not to exceed \$1,572,497.

A copy of the budget amendment is attached.

14. Temporary Relocation of Fire Station 3 – The Council approved a budget amendment and adopted PAYGO Project Ordinance 23-02 to transfer \$200,000 for the purpose of a temporary relocation of Fire Station 3, and authorized the Town Manager to approve any contracts within the project budget and consistent with this action for the temporary relocation of Fire Station 3 personnel and apparatus.

A copy of Ordinance 23-02 is attached to these minutes.

PUBLIC HEARINGS

15. Voluntary Annexation 4113 Deer Path Road

Bronwyn Redus said this item was for the annexation of 95.59 acres along Woods Creek Rd, formerly known as 4113 Deer Path Road. She showed where the property is located, across from Carolina Springs, and near Woods Creek Elementary School. The property is the future location of Holly Springs Fire Station 3, and the Duke Ops and Training Center.

Mayor Mayefskie opened the public hearing and the following input was received: none.

There being no input, Mayor Mayefskie closed the public hearing.

Council member McGrath asked if there was an estimate of how much it would cost to get a pathway from Carolina Springs to the elementary school. He said it was an unfunded cost. He would like the estimate but he knows staff doesn't have it tonight, so later would be fine.

Action: Motion to adopt Annexation Ordinance A22-07 to approve annexation of the properties included in the application,

Motion by: Berry

Second by: Forrest

Vote: unanimous

A copy of Ordinance A22-07 is attached to these minutes.

16. Housing Affordability Study

Sean Ryan, Development Services, said this item was to consider acceptance of the Housing Affordability Study. He gave an overview of what the study looked at, and the housing affordability challenges that were identified, and the opinions of residents and other stakeholders. He explained that this was a study, not a plan. He said policy would be left to Town Council and that there would be further discussion of this at the upcoming Retreat. He said the study identified housing needs, outlined possible strategies, and identified tools to assist those strategies.

Rick Madoni, Planning Board Representative, said that the Planning Board recommended adoption with a vote of 6-0-3. He said the Planning Board asked what partners were available and how the town would reconcile building quality and infrastructure with affordability, and their concerns were answered. They talked about various sizes of dwelling units, including ADU.

Mayor Mayefskie opened the public hearing and the following input was received: none.

There being no input, Mayor Mayefskie closed the public hearing.

Action: Motion to adopt Resolution 23-02 to accept the Housing Affordability Study.

Motion by: Wolff

Second by: Forrest

Vote:

Yea: Wolff, Forrest

Nay: Berry, McGrath

MPT Berry said Council was going to discuss the topic and the retreat and it was asked if they could table the acceptance of the report until that time. Council member Forrest said he could agree with that. Randy Harrington, Town Manager said they could accept the report without indicating any endorsement of the policies in the report. Or they could table and still discuss it at the retreat, and adopt it then or later. Council member Wolff asked for clarification on what adopting a study meant. John Schifano, Town Attorney, said that adopting the study does not mean that they are adopting any particular tool in the study, but it will become an adopted plan like your Transportation Plan, etc. If there is anything in the plan that any of you find not-adoption worthy, you can edit out parts or not. There is no requirement to adopt it in total. But the statute doesn't talk about accepting a plan, it uses the term "adopting". So it might be a little more formal. Council member Wolff asked if anything in this precludes any future action. Mr. Schifano said you can adopt any policies in this plan without adopting this plan. But in theory you should act within your policy. So you should act according to your policy, but you can change those policies at any time.

Mayor Mayefskie asked if, in light of Mr. Schifano's explanation did anyone want to change their vote. Council member McGrath said he wanted to state that he opposed the study from the beginning and said if we were going to do a study it should be unique to Holly Springs. This plan did not meet that request. He said a lot of the recommendations are not in line with our Future Land Use Plan. So he does not feel it is worth the cost.

Mayor Pro Tem Berry said he also was not in favor of the study, since the time it was funded. Some of the recommendations that he doesn't agree with are still in the study. He said that his understanding was that if the adoption fails, this study sits on the shelf and does not end up on our website as an official adopted plan.

Mayor Mayefskie asked if this could have further discussion at the retreat. Council member McGrath said we need to discuss this topic because we still have to address this issue, just not this study. Mayor Mayefskie asked if we do that, can this come back to a future meeting?

Council member Wolff said that saying nothing in the plan is specific to Holly Springs is hyperbolic and he doesn't agree with it. He supports the plan and doesn't want to table it.

Council member Forrest said he was not on the Council when this study was ordered. He said he didn't agree with the way this study was conducted. It is similar to the Apex and Raleigh studies. It is not unique to Holly Springs. The contractor did meet the requirements of the contract. But the study doesn't help him figure out the things we need to spend money on. We have infrastructure projects that have to be done. How can we afford that and affordable housing? He said he grew up in subsidized housing and is in support of it. He doesn't believe this meets Holly Springs' needs so he understands all his colleague's points. We need a plan for Holly Springs and we need to figure this out at the retreat and find a way forward. With that said he is fine with removing his second as long as we discuss this at the Retreat. An honest discussion about how to move Holly Springs forward with all the competing requirements. He said he would change his vote to a Nay.

Mr. Harrington pointed out that this would not come back to a meeting unless Council directed that it return.

Mayor Mayefskie called for the vote again.

Action: Motion to adopt Resolution 23-02 to accept the Housing Affordability Study.

Motion by: Wolff

Second by: Forrest

Vote:

Yea: Wolff
Nay: Berry, McGrath, Forrest
The motion failed.

Council member Wolff requested a facilitator be brought in for this discussion at the retreat.

17. Goodwin Major Subdivision 22-MAS-03

Cheryl Caines, Development Services, said that this item was a quasi-judicial hearing to consider a request for a major non-residential subdivision plan. She showed the location of the property at 7511 Woods Creek Road, and said that the property was on both sides of that road. The property is designated Innovation Village on the Land Use and Character Plan and zoned BRT Business Research Technology. She said the property had been rezoned by Council in June of 2022, was now at the major subdivision stage, and that Development Plans would come next.

Elizabeth Goodson, Development Services, said that the public utilities extension for this project would bring an additional approximately 400 acres of potential future service area, with an on-site pump station. She showed the location of the pump station and the route of the water, potable and reclaimed, and sewer lines along Woods Creek Road and internally into the site.

Ms. Goodson said that a Traffic Impact Analysis was approved with the rezoning last June. There were minor revisions to the plan to reduce the number of access points. A subsequent Traffic Assessment Report studied five intersections. She said that Woods Creek Road would be widened along the property frontage according to the Comprehensive Transportation Plan, including a side path. She showed where internal streets would be constructed.

Ms. Goodson said the Development Agreement included proportionate fee-in-lieu for signals at Old US 1/Friendship Rd., Friendship Rd./Holly Springs New Hill Rd., and Woods Creek Rd./Friendship Rd. intersections; a proportionate fee-in-lieu of intersection improvements at Woods Creek Rd./Old Holly Springs Apex Rd. and Old US 1. The Developer will construct a watermain loop connection along Friendship Rd and Woods Creek Rd with reimbursement for upsizing, and accepted restricted land uses with the rezoning.

Rick Madoni, Planning Board Representative, said that Planning Board recommended approval with a vote of 5-1-3. The no vote was related to the 30' stream buffers along the Cape Fear River Basin.

Mayor Mayefskie opened the public hearing and the following sworn testimony was received:

Lynn Andreas said she and her husband Mike live at the corner cut out of the property. They run a small farm. While they are trying to keep up with the development plans, the one thing that is unclear is the road widening. She asked if it was coming onto their property to handle the widening to affect this development. Mike Andreas said the developer has been upfront about buffers, but the one thing they don't know is how they are going to run water etc. in front of their property. Ms. Andreas said if this development is infringing on their 4 acres, every bit they lose impacts their farm. Mr. Andreas said he would like to be kept informed.

There being no further testimony, Mayor Mayefskie closed the public hearing.

Chase Kerley of Crescent Communities spoke for the applicant. He gave an overview of Crescent Communities and their Four Pillars of Stewardship: Environment, Community, Wellness, and Resiliency. He lined out the various Yield projects that Crescent Communities is involved in here in Holly Springs. He said they were targeting technology and life science industries. He said that staff did a good idea on explaining their plan so he wouldn't go into those same details. He said they would work with the Andreas family on their concerns.

Council member McGrath asked how the Comprehensive Plan would affect the Andreas property. Ms. Goodson said the improvements would be property line to property line of this development with a tie-back taper to the adjacent property. The applicant would need to obtain any rights of way for that. In the future that road is supposed to be widened but there are no current

projects on the books to widen the road. Council member McGrath said we are talking about major developments on either side. He thinks that needs to be widened sooner rather than later. This is an unfunded mandate, due to the elementary school frontage. And he would like staff to consider how we can connect with those property owners sooner in the process.

Action 1: Motion to make and accept the Findings of Fact for Major Non-Residential Subdivision 22-MAS-03 that proposed a minimum and maximum number of lots, transportation network, utilities, perimeter buffer, and architectural standards that meets the applicable Unified Development Ordinance standards for incremental, non-residential subdivision.

Motion by: Forrest

Second by: Berry

Vote: unanimous

Action 2: Motion to approve Major Subdivision 22-MAS-03 for Goodwin Subdivision (Yield North) as submitted by Timmons Group, Project Number 54318, with the conditions listed in the staff report.

Motion by: Forrest

Second by: Berry

Vote: unanimous

Action 3: Motion to approve Development Agreement with Crescent Communities for Goodwin (Yield North).

Motion by: Forrest

Second by: Berry

Vote:

Yea: Forrest, Berry, Wolff

Nay: McGrath

The motion passed.

NEW BUSINESS

18. Appointment of Council member to fill vacancy

Mayor Mayefskie said that this item was to discuss filling the vacancy left by Kristi Bennett's resignation until the next municipal election. He said that at the direction of Council the Clerk's office advertised for applications to fill the vacancy. He said that 15 applications were received and forwarded to Council on January 4, 2023. One application was later withdrawn from consideration at the request of the applicant. He discussed the process of nominations and discussion. The applicants were Craig Ashby, Jahmar Cobb, Michael Costello, Chris Deshazor, Eugene Ebersole, Christian Hendricks, Danielle Hewetson, Sarah Larson, Adrian Mack, Richard Madoni, Kevin Mantovani, Thomas Rushing, Chanel Wilkins, and Glenn Wrap.

Mayor Mayefskie asked each Council member to share their nomination and explain why they preferred that applicant.

Council member Wolff asked Town Attorney, John Schifano if a simple majority of Council was needed to appoint, or if it required a larger majority. Mr. Schifano said three votes were needed. Council member Wolff said that because of the accelerated time line he agreed to only people who had served on a board or committee. Those people are already up to date on the issues and ready to hit the ground running. He interviewed the 5 on boards plus Jahmar Cobb, who ran for a seat in the last election. He asked each of them the same open-ended questions. He said he won't summarize their answers, but he was very impressed with the quality of people who applied and the quality of people who are volunteering to serve this community. He said he tried to be as objective as he could, and he found that Chris Deshazor was above the rest. He outlined why

he thought he was the most qualified. He said that three other members of the Planning Board reached out and recommended Mr. Deshazor, which speaks very highly of his ability to work with others. He nominated Chris Deshazor.

MPT Berry said he approached this like any other item he deals with. He said that Kristi Bennett was elected and NC Law requires the remaining Council to fill the vacancy until the next scheduled election, when the people will elect their representatives. This is an appointment for a 10-month term. It is not a political campaign or time to divert from the will that the voting people of the town established. He will not use this appointment for political gain or placate a base that is not supported by the majority of the people he represents. He said he would not succumb to misleading characterizations of how he does or does not represent certain groups within the Town of Holly Springs. He said he would make this selection from a pool of qualified candidates established by criteria set by this Council. He nominated Danielle Hewetson.

Council member Forrest said he met with the five candidates who met the selection criteria and all five are phenomenal. He has encouraged many of them to run for office in the fall. With that said his nomination is based on his opinion of the needs of the town. The town would benefit from a wide variety of backgrounds and experiences. But at this time he said he was convicted that we need to focus on an appointee similar to Kristi Bennett's philosophies, particularly when it comes to Parks and Rec, growth, and other items. He nominated Danielle Hewetson.

Council member McGrath said everyone knows this is a decision with consequences. We didn't expect to make this decision. But his litmus test of this was to not overthrow last year's election as others would have suggested. He chose to look at the five candidates that made the criteria and decide on the content of their character, not any other identity or personal characteristic. All of them reached out to him and he received emails from supporters of various candidates. He met face to face with each candidate to talk about their perspectives and get an idea of who they were and where they want to go with the Town. Our council has appointed these five to our boards who are all passionate about our town. He said he was thankful that, no matter who we appoint, that we have these people who are willing to work for our town. The voters spoke 14 months ago and will have the chance again in 10 months. He appreciated Kristi Bennett's perspective on this board. And he appreciated the emails he received asking to have someone who had her values appointed. He outlined what he considered her qualifications and nominated Danielle Hewetson.

Council member Wolff asked for further discussion of the nominees and to address accusations made by other members. Mayor Mayefskie said unless someone made a motion to continue discussion he did not want to get into why one candidate was better than another. He asked if anyone wanted to make such a motion and no one spoke. Mayor Mayefskie closed the discussion and called for a motion.

Action: Motion to appoint Danielle Hewetson to serve on Town Council until the next Council organizational meeting in December 2023.

Motion by: Berry

Second by: Forrest

Vote:

Yea: Berry, Forrest, McGrath

Nay: Wolff

The motion passed.

19. Annual Appointments to Planning Board and Board of Adjustment

Linda McKinney, Town Clerk, said this item was to make the annual appointments to the Planning Board and the Board of Adjustment. Applications were advertised on the Town website, through Town social media accounts, and with a mailing to residents of the ETJ. For Board of Adjustment, 6 in-town applications were received for two positions, one regular and one alternate; 3 ETJ applications were received for one position. For Planning Board 7 in-town applications were received for two positions, and 3 ETJ applications were received for one position. In addition,

Council needs to appoint someone to fill the remainder of Danielle Hewetson's term on Board of Adjustment ending February 28, 2025.

Mayor Mayefskie asked for nominations.

Council member Wolff nominated Joe Cimino, Ben Copeland and David Williams to fill out Danielle Hewetson's term, and Michael Anderson for ETJ.

MPT Berry nominated Ben Copeland, Joe Cimino to replace Ms. Hewetson, Yan Higgins alternate, and Herman Goldstein for ETJ member.

Council member Forrest nominated Joe Cimino and Ben Copeland, and Yan Higgins for the alternate, and Herman Goldstein for ETJ.

Council member McGrath nominated Ben Copeland and Joe Cimino, and David Williams as the third, and ETJ Herman Goldstein.

Mayor Mayefskie said that Mr. Cimino and Mr. Copeland were nominated unanimously, but there appears to be an even split on whether to appoint Ms. Higgins or Mr. Williams, and three to one for Mr. Goldstein.

There was discussion of who would be the alternate, who would replace Ms. Hewetson, and who would be the in-town regular member.

Council member Forrest said he doesn't believe having an attorney on the Board of Adjustment is a good thing because we have a town attorney to guide the legal action. There are only so many outcomes and we don't need an attorney to sit on the board and interpret for that. He thinks it is counterintuitive to have an attorney on the board because it allows the residents who are appointed to that board who are making quasi-judicial decision for the town to actually think about the full picture not hampered by any legal training. That's why he thinks Yan Higgins would be a great addition to the Board of Adjustment.

Mayor Mayefskie asked if anyone else wanted to change their mind for the third Board of Adjustment spot. MPT Berry said he would not. No one else spoke. Mayor Mayefskie said that in that case he would support Yan Higgins, breaking the tie.

Action 1: Motion to appoint Ben Copeland to a term ending February 28, 2026 as in-town member of the Board of Adjustment.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

Action 2: Motion to appoint Yan Higgins to a term ending February 28, 2026 as in-town alternate member of the Board of Adjustment.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

Action 3: Motion to appoint Joe Cimino to fill the remainder of Danielle Hewetson's term on the Board of Adjustment ending February 28, 2025.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

Mayor Mayefskie then asked for nominations for Planning Board.

Council member Wolff nominated Van Crandall and Chris Deshazor for in-town members, and Karen Abt for the ETJ.

MPT Berry nominated Van Crandall and Chis Deshazor for in-town members, and Roger Best for ETJ member.

Council member Forrest nominated Van Crandall and Chris Deshazor for in-town members and Roger Bess for ETJ.

Council member McGrath nominated Chris Deshazor and Daniel Smith for in-town members, and Roger Bess for ETJ.

Action 4: Motion to appoint Chris Deshazor and Van Crandall to terms ending February 28, 2026 as in-town members of the Planning Board.

Motion by: Berry

Second by: Forrest

Vote: unanimous

Action 5: Motion to recommend that the Wake County Board of Commissioners appoint Roger Bess as Extra-Territorial Jurisdiction member of the Planning Board, and Herman Goldstein as Extra-Territorial Jurisdiction Alternate member of the Board of Adjustment, with terms ending February 28, 2026.

Motion by: Berry

Second by: McGrath

Vote: unanimous

OTHER BUSINESS

Council member Wolff said that after the Tree Advisory Committee (TAC) meeting this week, which was rescheduled because there wasn't a quorum in December, he had discussion with staff regarding attendance. Meetings of TAC and Board of Adjustment have been cancelled due to lack of a quorum. There are vital, time sensitive matters before these boards. Those who are appointed need to prioritize their work on these committees and boards, because it is happening a little too frequently and makes life difficult for staff and for the residents putting in requests through the Board. He said that to finish his thoughts from earlier, it is very important to him that each of them at the dais understands the responsibility to mean what they say, and say what they mean. He said it often happens that when there is a disagreement, there is an accusation of being self-serving. He listens to his colleagues and tries to find consensus when he can. His vote did not win and he is OK with that, but he explained his reasoning, and it was not self-serving or political. This is a nonpartisan board, and the issues that are before it are nonpartisan. But, he said, Council members were all endorsed by political parties. He said he hadn't heard Kristi Bennett's values articulated by those who said they were guided by her values. This came down to partisan decisions, but please have the courage to be honest about your own reasons instead of trying to say what his reasons are.

MPT Berry said he was honest and if Council member Wolff implies that his words were otherwise it was on him. He wants to clarify that his motion to appoint Ms. Hewetson mentioned November 2023, but the motion should be the first meeting of December 2023.

MPT Berry then said that since he missed this in December, he wanted to thank Mr. McConnell at Holly Springs High School for having him in to talk to civics classes. It was an amazing discussion. Finally, he wanted to clarify that Council has no authority to talk to Pine Springs about the things being said in public comment. John Schifano, Town Attorney said that it is outside your authority to get into school disciplinary matters. He suggested that the commenter was not imploring your help on a specific issue, but maybe to suggest why the NDO might have had an impact on a particular event. We can't go to Pine Springs and get information unless a criminal act had occurred, at which point the police would investigate. This was a disciplinary matter within the school and Town Council has no authority. MPT Berry asked if staff knew whether a criminal complaint had been filed. Mr. Schifano said we can look into it, but we don't know. Council member McGrath asked if this would be public because a juvenile was involved. Mr. Schifano said that the fact that a parent filed a complaint would be public knowledge. Council member McGrath said this would be covered under the Civil Rights Act, Title 2, not a local NDO. Mr. Schifano said it would be

Title 9. Council member Forrest asked if the Holly Springs Police Department was called to investigate. Mr. Schifano said that's what we are going to find out. Council member Forrest asked if Ms. Mack was contacted. Council member Wolff said he followed up with her and she is working through that process.

Council member Forrest said 2023 will be an interesting year between inflation, recession and other woes. We should not let this become a dividing rod. We can't control what the federal government does, or what another nation does. We all live in Holly Springs and we need to remember that. We all want what is best for the town. He will welcome open discussions and different thoughts. But this town faces huge gaps in what we should be providing before the new taxes come on line. We have to have priorities. If you are interested in running for Town Council, please get out there and run. It is a commitment, but please run for office if you want to. The filing period is in July. He said that Wake County has candidate training available on their website for anyone interested in running.

Council member McGrath said he can't disagree with Council member Forrest. As much as we say these are apolitical positions, we all know there is some bias in all of us in how we look at things. Does that mean you can't look at topics in a different light? No. I hope that keeps us away from the polar lefts and rights of the world. We can't be distracted by those issues because of the mountain of issues we have in front of us in this Town. For those who are in here and don't see what goes on behind the scenes, our staff does a tremendous amount of work to answer the questions we have, to provide us with solid and competent guidance, and they are about to undertake a herculean effort to prepare for the retreat to discuss where we go as a town. He thanked the staff in advance and asked those listening to acknowledge the work that goes on.

Mayor Mayefskie congratulated those appointed to the Board of Adjustment and Planning Board, as well as Ms. Hewetson. He said he spent the weekend with the MLK committee. The breakfast was great. There was a packed house at the Cultural Center and the Walk was well attended. He reminded Council of the due date of January 30th for the evaluations which will take place at the February 7th meeting.

MANAGER'S REPORT

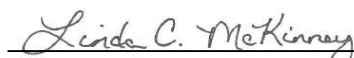
Randy Harrington, Town Manager, said he wanted to thank the community. The Governor declared this the Year of the Trail. Forty participants showed up on January 1st to help start the celebration with a two-mile guided walk. Yesterday the MLK Jr. Day of Service had 70 volunteers make Valentines Cards for seniors, and 25 volunteers to help mulch the trail. Looking forward to this Saturday, January 21st Holly Springs Police Department awards and promotions ceremony. He said that on the evening of January 31st is joint dinner and meeting with Apex Town Council. Mayor Mayefskie and I discussed some potential topics with Apex Mayor and Manager to find potential topics where the two communities can find common ground and issues we can support each other on. He said the Chamber of Commerce awards are coming up on February 3rd. On February 7th at 6 pm is a closed session to perform two performance evaluations. Finally, the annual retreat is February 9th -11th and we are looking forward to that.

Mayor Mayefskie said Mayor Gilbert from Apex came down for the MLK Jr. Day walk and it was a great to have him here.

CLOSED SESSION: none.

Adjournment: Berry made a motion to adjourn at 9:26 pm. It was seconded by Forrest and passed with a unanimous vote.

Respectfully Submitted on Tuesday, February 21, 2023.



Linda C. McKinney, Town Clerk

Addenda pages as referenced in these minutes follow and are a part of the official record