

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, OCTOBER 12, 2009 - 7:00 P.M.  
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on October 12, 2009, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Robert Gilmartin, Councilmembers L.A. Smith and Tommy Price, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum.

Absent: Councilmember Jerry McKee

Visitors: William Price, Barbara and Pat Harrison, Larry Almond, Walker Davidson, Joyce Helms, Daniel Barry, Anne Pruitt, Gregg Wyant, Tracey Clinton, Melanie Kirdasi and Mike Kirdasi.

**Item No. 1. Open the Meeting – Invocation and Pledge of Allegiance – Girl Scout Troop 2868.**

Mayor Nancy D. Anderson called the October 12, 2009 Regular Town Council Meeting to order at 7:02 p.m. Mayor Anderson offered the Invocation and Girl Scout Troop 2868 led in the Pledge of Allegiance.

**Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda.** There was a quorum.

Town Administrator/Clerk Amy McCollum asked that Item 6D be removed from the agenda at the request of Ms. Kelly Cruz.

Mayor Pro Tem Robert Gilmartin moved to approve the agenda with the removal of Item 6D. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, Mayor Pro Tem Gilmartin  
and Mayor Anderson

NAYS: None

**Item No. 3. Public Comment - Speakers are limited to two (2) minutes or less and Large Groups are Encouraged to Designate a Spokesperson.**

Ms. Tracey Clinton – I currently serve as the President of the WCWAA. I am here tonight to ask for your help and support in keeping our park safe for the 2,700+ local families that are members of the WCWAA. When Weddington annexed the lower part of our facility, I am sure that none of you had any idea of the quagmire that Weddington was getting into related to the WCWAA floodplain issue. I appreciate your help in setting a plan toward resolution and I am confident that with us working together that we will get this issue behind us. I also recognize that the final resolution to the floodplain dispute is not going to occur quickly and this is where we need help. I am sure that your staff can attest to the fact that our current board is committed to ensuring that our association is following all of the applicable Weddington policies and procedures. I often call and email your staff asking whether we are allowed to do something or what policies Weddington has on a specific area. The Board of WCWAA wants to be a positive asset to the Town of Weddington and good neighbors to those that live around it all while providing a great service to the youth of Weddington and the surrounding areas. We have been told by your staff that until the floodplain issue is resolved that absolutely no work can be done in the floodplain area. We are following their directive but are now realizing without some maintenance in these areas our park is quickly becoming hazardous to our

members. I am hoping that you the Weddington Council can work with your staff and WCWAA to come up with some way to fix our safety hazards so that we can keep the park open while the floodplain issue is being resolved. A gravel ramp from the parking lot to the soccer fields has deteriorated to the point to where there are major ruts. In recent weeks we have had someone fall on this ramp and a wheelchair to almost tip over due to the wheels getting stuck on the ramp. We need approval to regrade the area and fix the ruts. We would fix this with material that already exists in the area. We would not be bringing in any additional fill. We have several potholes on our driveway and parking areas that are deep and fill with water when it rains. We have already had a child to slip and fall into one of these potholes filled with water. I have watched many cars suddenly swerve to avoid potholes and fear that this may cause an accident and result in injuries. We would like to have your approval to regrade the areas around these potholes using material that already exists in the parking lot. We would not add any additional material to the area. In our Little League Complex, we have had plans to put protective netting to prevent foul balls from hitting spectators. This has become a real issue in our lower fields. The safety netting would require a few poles to be placed next to the existing backstop to properly support the overhead netting. Again, we cannot proceed with this important safety project because of the floodplain issue. WCWAA and Weddington have always had a great relationship. We greatly appreciate the support the Town government gives to our association. We do our best to create the best youth sports experience in the area which reflects positively on Weddington. We are the 9<sup>th</sup> largest Little League in the world. Weddington is known far and wide for their Little League and the success they have there and the same goes for the other sports that we have. I know that both of us want to keep the children and their families as safe as possible. We have been getting many comments from the families using our parks expressing their concerns for the hazardous situations that are forming. It is hard for people to understand that administrative matters are prohibiting us from providing a safe environment for our members. Restricting our ability to do basic maintenance, especially that which is not likely to have any impact on the floodplain or proposed remediation, is pushing us towards having to make a decision on whether we can continue to provide an outlet for our youth to play sports until the situation is resolved. We do not want to have to make that choice which would be very unpopular and cruel to the youth in our community. Safety has got to be most important. We need you the Council to help us find an avenue that will allow us to fix our most critical safety issues so that we can continue to provide our services to the youth of this community.

**Item No. 4. Approval of Minutes.**

**A. August 27, 2009 Special Town Council Meeting.** Councilmember L.A. Smith moved to approve the August 27, 2009 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price and Mayor Pro Tem Gilmartin  
NAYS: None

**B. September 4, 2009 Special Town Council Meeting.** Councilmember Smith moved to approve the September 4, 2009 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price and Mayor Pro Tem Gilmartin  
NAYS: None

**C. September 14, 2009 Regular Town Council Meeting.** Councilmember Smith moved to approve the September 14, 2009 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price and Mayor Pro Tem Gilmartin

NAYS: None

**Item No. 5. Old Business.** There was no Old Business.

**Item No. 6. New Business.**

**A. Mr. Barry Moose, NCDOT – Discuss Options for Access for Weddington Corners Shopping Center.** Mr. Barry Moose – We have completed the initial assessment as promised for additional access to the Weddington Corners Shopping Center. When I was here before, I listened to a lot of ideas and promised to go back and look at certain things and one of those things was a signal at the lower driveway of the shopping center. I did not give a lot of hope at that meeting for that particular signal but I did say I would go back and look. To my surprise the modeling and the analysis that we did basically shows that an addition of a signal there would not be a detriment to Highway 16. We can recommend a signal be installed at the lower driveway. I would like to keep on the table that it be a temporary signal so if we ever do build a connector road further up that we may be able to shift that signal. We are recommending that as part of the current project. We will design that and have it installed. In addition to that to help Highways 16 and 84 and try to keep as much traffic out of that intersection, we still recommend a back entrance as well. People that need to go east on Highway 84 with a signal could turn left on 16, go up to the signal at 84 and turn left again. That is still a somewhat cumbersome move. It can be done but not desirable. My intent would be that we would build that also with the current project. A lot of engineering still needs to be done on that back entrance and we do not know what kind of utilities we may encounter. We still do not have a good alignment as to how we would fit it through there. There are still some issues on the table with that but we will be recommending that as well. We do recommend keeping the island on Highway 84. We are still extremely concerned that people that want to turn left on Highway 84 to head east, with the queue of traffic that will be generated at the signal with 16, is an unsafe movement and we would still recommend the island to prevent that movement from occurring. We would also recommend that the shopping center remove the island at their first entrance on Highway 84 to allow people to turn left to get to the upper tier parking area of the shopping center where the medical offices are. Between those improvements we feel that will accomplish most of the issues with Weddington Corners. With regard to the Weddington Activity Center, we would recommend connecting the Activity Center into the parking area of Weddington Corners so that they would have access to the signal as well. Location of that is not necessarily the best or the most desirable. We would still have to do a lot of engineering on that to make sure that works.

Mayor Anderson read the following excerpt from the August 27, 2009 Meeting with Jim Trogdon, Chief Operating Officer with NCDOT: I think you are on the right track and keep up the dialogue and we can work from Raleigh to support a consensus that you come up with and to fund what should be our responsibility or even extend and go beyond to make it work.

Councilmember Smith - Connecting the Weddington Activity Center to the shopping center, do you see that as a private project or would there be any State money in that?

Mr. Moose - As I mentioned before, we have to go back and do some research on how we acquired all of the right-of-way. It is sort of an internal circulation issue. My first statement would be that I think it would be a private connection point.

Councilmember Tommy Price - What are you waiting on us for?

Mr. Moose - Since the Town has been very instrumental in this problem, we would like to at least have the endorsement of the concept. I would not recommend a signal on Highway 16 if I was not convinced that it was not going to be a detriment to the \$17 million improvements that we are making there. Regarding Weddington Church Road, the church has asked us to go back to our original design which

was to relocate Weddington Church Road basically out of the center of their campus to the farthest edge of their property line. We are actively pursuing that and it is our intention that we will build that as part of this project as well. That has taken longer because as a department we did not design this project. We actually contracted with a private professional engineering firm. Part of that alignment would be a signal there as well. I believe by that decision it helps the signal here. If that signal was not there and the only signal that we had to maneuver through was the 84 signal then probably the analysis would be completely different. As a result of everything that has transpired in looking at it holistically, I believe that is why the analysis yielded the results that it did. This project is scheduled to be completed late summer/early fall of next year and I would hope that we would have it built by then.

**B. Discuss Scope and Funding for Rea Road Extension.** Mayor Anderson – Mr. Trogdon discussed at the meeting on the 27<sup>th</sup> that we need to think about, given the significant revenue issues that NCDOT is having, about doing Rea Road in phases similar to how we have Providence Road and that maybe it would be realistic to do two of the four lanes.

Mr. Moose - I am recommending that on several projects actually. When the traffic forecast modeling does not show needing the additional two lanes until some time into the future, given our revenue resources I am advocating acquiring the four lane right-of-way but only building two lanes and then coming back 20 years from now and building the other two lanes when they are needed. That is certainly a viable option for Rea Road. MUMPO would still have to endorse that idea and fund it or recommend that NCDOT fund it and prioritize it in their list of priorities. It would have to be funded before we could move forward with that concept and idea. It costs about 45% of the value to build two lanes versus a four lane divided highway. If the Town is interested in doing that, probably the first step is to present that to the MPO to see if they would be willing to consider that. I would prefer that the presentation be made by the representative to the MPO and then I would be there to give reassurance that NCDOT is in agreement with that.

**C. Discussion of Landscaping along Road Sides (Providence Road and Rea Road).** Mayor Anderson – Right now we have ditches on the side of the road but pretty soon we are going to have grassy medians that we are going to have to deal with. I wanted you to come and explain to Council what our options are for that.

Mr. Moose - As a budgetary item, we set aside for an urban roadway three quarters of one percent of the value of the contract that we can utilize for landscaping initiatives to soften the project. In this case I do not know the exact number but it is somewhere around \$170,000 that we can use for landscaping. That can be anything from a treescape to planted medians to anything that the local community would like to see. That is for the whole corridor. This project goes into Mecklenburg County. We would have to coordinate all that before we finally approve something. Things that I would like to see done is the replanting of trees that we cut down around the Town Hall. You can either strategically look at entrance ways into your Town and concentrate a large amount of money there as gateways to the Town or you can spread it throughout the whole corridor and try to have landscaping throughout. I am not advocating one is better than the other. It is not something that we have many restrictions as far as what landscaping will be approved. We do only allow certain species of trees adjacent to the roadways because when they mature they become hazardous. The timing of this project will probably be good because when we are completing this project we will be right on the heels of the planting season next year.

Mayor Anderson - What about the maintenance of all of those medians and landscaping?

Mr. Moose - As a department we typically mow five cycles in a mowing season and we use a mower that is basically a rotating mower that has chains with razorblades. The reason we use that type of mower is because it does not throw near the debris that may hit a traveling car. The tradeoff is that it does not give

you a finished cut. That is probably the look that you would have if we mow. A lot of towns will assume the maintenance of mowing within the town limits with the idea that they would provide a higher level of service and basically what we will do is enter into an agreement that will allow you do that. We will compensate the Town any value of the mowing that we would have done in the Town and then the Town could add to that if desired to provide a higher level finished mowing if needed. The amount of \$170,000 will not get you a completed median planted throughout this project. I like treescapes because they mature to a very nice landscape and they are very low maintenance and you do not have to expend a lot of public resources to maintain that as you do a planted bed. We received a request from a private citizen and they were concerned about the median at Hemby and Providence Roads. We looked at it again. We design things with concrete caps because long term it is lower maintenance. It is harsh and cold and it is a hard fixture but when you are looking at expending public dollars long term it is cheaper to maintain that than a planted bed. We have no problem in converting that island to a planted bed. We would look to the Town to maintain that.

Mr. Scott Cole - We had requested funds for turning lanes and a traffic signal at Hemby/Beulah Church Roads and Weddington-Matthews Road intersection and we got word that we can expect those funds to be approved at the January Transportation Meeting and construction to begin next summer. It will take at least six months to get right-of-way, relocate utilities, build the turn lanes and put up the signal.

Mr. Moose – We will also replace the island at Tilley Morris Road. I am not going to promise an exact time. We will replace sometime in 2010.

The Council thanked Mr. Moose and Mr. Cole for attending the Council Meeting.

**D. Presentation at the Request of Ms. Kelly Cruz Regarding Potters Creek Estates Subdivision.**

This was removed from the agenda at the request of Ms. Kelly Cruz.

**E. Consideration of Approval of Amended Interlocal Agreement between Union County and the Town of Weddington.** The Town Council received a copy of Amendment #2 to the Interlocal Agreement by and between Union County and the Town of Weddington. A copy is attached to the minutes as Exhibit A.

Attorney Fox - You may recall that we had discussions about an Interlocal Agreement between Union County and the Town with respect to the Optimist Park situation. Part of the agreement provided for the ability to retain outside consultants to assist in the review of the conditions that exist at the Optimist Park. The original agreement had an amount in there of \$25,000 with the total aggregate participation being no more than \$50,000. We had received a proposal and report which suggested that the amount would need to be increased and Union County has taken action to amend the Interlocal Agreement by replacing the \$25,000 with \$31,000.

Mayor Anderson - There has been concern that tax dollars are being used to do this project. You made a very convincing argument to the Council as to why we needed to move forward with this and how this all came about. Why does Weddington have to do this?

Attorney Fox - You may recall that the Town engaged in an involuntary annexation of an area that included the Optimist Park area. At the time the annexation was occurring, the Mayor asked the question of me and I responded with regards to the alleged or rumored violations that existed at the Optimist Park and what if anything would happen upon the involuntary annexation of the area. The North Carolina General Statutes provide that upon annexation a Town has the ability to apply its zoning to the area. It must do so within a certain time period. The statutes as I read them state that the Town may assume responsibility for preexisting violations. There is not a requirement that they do. The annexation occurs,

the conditions at the Optimist Park continue and the County was taking the position that the Town annexed the property and it is their problem. We took the position that it is not our problem and this problem occurred under the County's watch. They communicated to the State that the Town has annexed the property and it is our problem. We communicated to the State that it is their problem because it occurred on their watch. The State has taken the position and issued a notification of violation that we are not taking a position about whose problem it is and we are looking to both you, the Town, and the County to correct the problem. They have communicated that to us previously and that they would send a formal notification to that affect. The formal notification was issued by the North Carolina Department of Crime Control and Public Safety – Division of Emergency Management - Office of Geospatial and Technology Management. That notification was received by the County on October 5, 2009. The notification says that the Town and County must provide to the State a timetable of how we plan to address the conditions that exist at the Optimist Park, conditions being that the determination whether a no-rise had occurred and a timetable and strategy about addressing that situation. That letter gives us 30 days to respond. In anticipation of the letter being received, the Town and the County entered into this Interlocal Agreement which is before you. This Interlocal Agreement recognizes that the County and the Town have not resolved the issue that exists between them but recognized that there has been a notification from the State that groups the two of them together to develop a strategy on how to deal with this. The Interlocal Agreement further says that the County and the Town are going to work together and the Town will take the lead on it and the County will participate with the costs at a 50% sharing arrangement.

Councilmember Smith – The State seems to advise that they will request FEMA to formally assume responsibility and resolution if the Town and County does not move forward.

Attorney Fox - It would affect the insurance policies for flood for the homeowners in the County and the Town.

Mayor Anderson - I think we were a little dismayed when the County who issued the permit was not actually going to enforce their permit or citation. Given the circumstances that we are in and your advice, we decided that we need to get moving on this.

Councilmember Price moved to approve the amended Interlocal Agreement between Union County and the Town. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price and Mayor Pro Tem Gilmartin  
NAYS: None

Councilmember Price moved to amend the agenda to add Consideration of Approval of a Contract with US Infrastructure. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price and Mayor Pro Tem Gilmartin  
and Mayor Anderson  
NAYS: None

Attorney Fox - We had received a proposal from US Infrastructure to assist the Town and the County in addressing the situation at the Optimist Park. The proposal was to provide engineering services for a flood study and remediation plan along Twelve Mile Creek located at the Optimist Park property in Weddington. The scope of work includes a site survey and then they would develop corrective models to determine how to address the situation. They would look at models that have minimal disturbance to achieve compliance and then they would look at alternate site impact evaluations. They would submit this information to the State. They would also include in their approach meetings with appropriate

stakeholders as part of the process. The amount of the contract is \$62,000. This agreement is just developing the plan that will gain State approval and recognizes the approach that will be done.

Councilmember Price moved to enter into a contract with US Infrastructure to provide an engineering flood study remediation plan for the Optimist Park property in an amount not to exceed \$31,000 each for the Town and the County. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price and Mayor Pro Tem Gilmartin  
NAYS: None

**Item No. 7. Update from Town Planner.** The Town Council received the following update from Town Planner Jordan:

- The Helms Property Conditional Zoning/Rezoning proposal is currently scheduling their Public Involvement Meetings. The applicants for this rezoning are working closely with the Weddington Town Core consultants for input and feedback on their project.
- The Town Council approved the LARTP at the September 14<sup>th</sup> Town Council meeting. Currently Town staff is reviewing possible Text Amendments to add to the *Code of Ordinances*. These amendments were recommended by the consultant. Each municipality may pick and choose which amendments suit their town and current ordinances. The Town Attorney will have to approve the draft language and the Text Amendments should be on the October 26<sup>th</sup> Planning Board agenda.
- The Weddington Town Core Plan Public Kick-Off Meeting was held on September 29<sup>th</sup> at Weddington Swim & Racquet Club. The next meeting will be a day long Charrette from 9:00am-8:00pm at Weddington Swim & Racquet Club on Thursday, October 22<sup>nd</sup>.
- The Planning Board issued a Temporary Use Permit for the AdamFest event that was held on Saturday, October 3<sup>rd</sup>.
- Staff has received a Conditional Use Permit Application from Weddington Corners Shopping Center for a temporary access road/driveway across Town owned property to provide access to Weddington-Matthews Road and to construct a new permanent sign along Providence Road (NC 16). Town Staff, NCDOT and Weddington Corners business owners met on Thursday, August 20 to discuss possible ideas and solutions to improve access into and out of Weddington Corners Shopping Center after NC 16 and NC 84 construction is complete. Barry Moose with NCDOT is currently evaluating the feasibility of this access road/driveway. This CUP is currently scheduled to be on the October 26<sup>th</sup> Planning Board agenda.
- Staff has received a Conditional Use Permit Application from American Tower Corporation for a 160' Telecommunication Tower at 3016 Twelve Mile Creek Rd. The CUP is currently scheduled to be on the October 26<sup>th</sup> Planning Board agenda.
- The Order to take Corrective Procedure for the WCWAA violation has been drafted. This is in response to the violation that took place at the Optimist Park in April 2009. This Order requires the owner to remedy the violation in no more than 180 calendar days or appeal to the local elected governing body. The Order is currently being reviewed by the Town Attorney.

Mayor Anderson - Have you had any conversations with Ms. Clinton on the maintenance items addressed with the Town Council tonight? How can we allow her to make routine maintenance if we do not have our floodplain plan yet?

Attorney Fox - It is a sensitive subject because we do have a pending issue relating to the Optimist Park that may come to this Board for resolution. I do not want to get ahead of that discussion. If there is indeed a situation of a rise at the park relating to placing fill into the floodplain, then do we contribute to

it by allowing activities that may add to the violation and how do you allow the maintenance of something that perhaps should not be there or unpermitted until that has been corrected?

Mayor Anderson - I am concerned about the wheelchair ramp. Is it possible to build a temporary wooden ramp without putting in fill there?

Attorney Fox - What I have heard is some new detailed information with regards to the maintenance issues. I think perhaps because there is a pending issue that may come before you that Mr. Cook can take the information that has been provided to see if there is anything further that can be done to accommodate the concerns that we have heard here tonight.

**Item No. 8. Update from Town Administrator/Clerk.** The Town Council received the following update from Town Administrator/Clerk Amy McCollum:

- We received the most recent population estimates from the Office of State Budget and Management. The July 1, 2008 certified estimate of population for Weddington is 11,420.
- In your Town Council packet is the latest supplement to the Code of Ordinances. Please update your book so that it is kept up to date. If you need any assistance, Town Hall staff would be happy to help with the update.
- The Town is proceeding with participation in the Union County Thread Trail Master Plan. Jordan Cook is the Town's representative on the Steering/Technical Committee. Indian Trail and Union County are the lead agencies on this effort.
- The deputies have asked that the Town contact NCDOT to inquire about 25 mph speed limit signs being placed in several subdivisions in the Town who do not currently have any speed limit signs posted.
- Councilmember Tommy Price is working on receiving quotes for painting of the Town Hall and approval for that project will be considered in November.
- The Town Attorney is working on proposed bond/letter of credit language for the Town and should be to the Planning Board in October for their review.
- The house on Beulah Church Road that the Town has dealt with for several months over minimum housing issues has a new owner. The new owners have until March 22, 2010 to get their certificate of occupancy and will give updates to the Town Planner every 60 days on their progress.
- Attorney Fox has been working with Union County and US Infrastructure on the final revisions to the Proposal for Professional Engineering Services regarding the Optimist Park Flood Study/Remediation Plan. The Town and County have received the official letter from the North Carolina Department of Crime Control and Public Safety dated September 29, 2009. Within 30 days of the date of the letter, the Town and the County must prepare a response to include the timeline needed to develop and share the model results; reach concurrence with the property owner; and begin and complete construction for mitigation. A copy of the letter is attached for your review. Amy Helms with Union County will be drafting a response to the State on behalf of all of the parties.
- Tree Lighting to be held Sunday, December 6, 2009 from 5:00 p.m. to 6:00 p.m.

**Item No. 9. Public Safety Report.**

**Deputies**

363 Calls

**Providence VFD**

**Monthly Call Responses**

Union County                      Fire: 17                      EMS: 9                      Total: 26

Mecklenburg County Fire: 2 EMS: 0 Total: 2  
 Monthly Total 28

Monthly Training Hours

Fire - 118.5 Hrs.

EMS - 18 Hrs.

Run Times:

6A-12N: 19% 12n-6P: 30% 6P-12M: 44% 12M-6A: 7%

Run Data:

Avg. Turnout: 1 min. 42 sec.

Avg. Response Time: 4 min. 42 sec.

Avg. On Scene Time: 19 min. 54 sec.

Avg. Members On Scene: 4.5 members

Providence VFD responded to the following significant events.

9/1/2009 - Motor Vehicle Accident Providence Road and Weddington Road (One Priority Patient).

9/29/2009 - 5924 Potter Road, Assist Station 20 with a Heart Attack/CPR

The Town Council received the Financial Statements from the Providence VFD as information.

Wesley Chapel VFD

107 Calls

**Item No. 10. Transportation Report.** Mayor Anderson stated, “I cast the Town’s vote in favor of the Monroe Bypass Route that was endorsed by the Turnpike Authority and by NCDOT. Also, as you know, the LARTP was approved at the last meeting and I wanted to talk about how we can implement parts of that plan. There is one thing that we could do to greatly help. The Transportation Plan calls for an intersection improvement at Deal Road and Highway 84. By adding turning lanes on Deal Road, which we own property there, would be an easy fix and could be done for not much money. I ask that we direct our Town Planner to talk with our engineers about doing a design build for that.”

**Item No. 11. Update from Finance Officer and Tax Collector.**

**A. Finance Officers’ Report.** The Town Council received the Revenue and Expenditure Statement and the Balance Sheet for the period 09/01/09 to 09/30/09.

**B. Tax Collector’s Report.** Monthly Report – September 2009

2009 Utilities Charge	\$4,277.81
2009 Late List Penalty	\$28.04
Adjust Under \$5.00	\$(.21)
Interest Charges	\$112.36
Pay Interest and Penalties	\$(95.96)
Refunds	\$1,114.58
Overpayments	\$(12.49)
Taxes Collected:	
2009	\$(65,593.98)
2008	\$(941.97)
2006	\$(210.43)
2005	\$(209.62)
2004	\$(300.20)

As of September 30, 2009; the following taxes remain Outstanding:	
2001	\$9.18
2002	\$89.53
2003	\$210.27
2004	\$290.19
2005	\$355.20
2006	\$302.76
2007	\$1,832.87
2008	\$12,816.45
2009	\$499,945.60
Total Outstanding:	\$515,852.05

The Town Council received a copy of the Unpaid Balance Report by Receipt Number for information.

**Item No. 12. Council Comments.** There were no Council Comments.

**Item No. 13. Adjournment.** Councilmember Price moved to adjourn the October 12, 2009 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price and McKee  
 NAYS: None

The meeting adjourned at 8:16 p.m.

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Nancy D. Anderson, Mayor

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Amy S. McCollum, Town Clerk