

Davidson, NC 28036  
November 14, 2006

**PUBLIC HEARINGS AND REGULAR MEETING OF THE  
TOWN OF DAVIDSON BOARD OF COMMISSIONERS SITTING JOINTLY  
WITH THE MECKLENBURG COUNTY HISTORIC LANDMARKS COMMISSION**

The Board of Commissioners of the Town of Davidson, sitting jointly with the Mecklenburg County Historic Landmarks Commission, held six Public Hearings and a regular meeting on November 14, 2006 at 7:00 p.m. in the Town Hall Board Room.

Present were Mayor Randy Kincaid, Commissioners Bruce McMillen, Evan Webster, Cary Johnston, Margo Williams, and John Woods, Town Manager Leamon Brice, Assistant Manager Dawn Blobaum, Town Attorney Richard Kline, Planning Director Kris Krider, Planner Lauren Blackburn, Fire Chief Bo Fitzgerald, Assistant Chief Wilson Sadler, and a number of Police Officer and volunteer Firefighters.

Mayor Kincaid called the meeting to order. Sergeant Barney Poole introduced new Police Officer Ivan Deloatch. Mayor Kincaid presented volunteer Firefighter Richard Rudisill with an award for Employee of the Second Quarter and Officer James J. Stokes with an award for Employee of the Third Quarter. Also introduced was Thom Tillis, newly elected representative to the NC House of Representatives.

Planning Director Kris Krider announced a Letter of Intent with the Davidson Lands Conservancy for a conservation easement on the Abersham Subdivision.

Mayor Kincaid announced the second G. Jackson Burney award ceremony to be held on Wednesday morning, November 22<sup>nd</sup>, at 9:00 a.m. in the Town Hall Board Room.

Changes to the Agenda included removing Item 6 (c) (Public Hearing for rezoning of four parcels located south of the Griffith Street and Davidson Gateway Drive intersection), removing Old Business Item (b) (approval of the Davidson East Master Plan), and placing Public Hearings Items (e) and (f) for action under New Business. A presentation by Rusty Rozzelle on the proposed Post Construction (Phase II) Stormwater Ordinance was added to Presentations.

Dan Morrill, Consulting Director of the Mecklenburg County Historic Landmarks Commissioner, and Stewart Grey gave an overview of the Commission's responsibilities and process for historic landmarks designation.

Rusty Rozzelle, with Mecklenburg County Water Services, gave an update and review of a proposed joint *Post Construction (Phase II) Storm Water Ordinance* that Mecklenburg County, City of Charlotte, and the five Towns are required to adopt by July, 2007. A short discussion followed.

Mayor Kincaid opened the first Public Hearing to receive citizen comment on four proposed historic landmark designations:

- the Armour-Adams house located at 626 North Main Street
- Restormel property located at 829 Concord Road,
- the Holt-Henderson-Copeland house located at 305 North Main
- the Cashion and Moore Family Cemetery located northwest of the intersection of McAuley and Davidson/Concord Road

Mr. Morrill reviewed each property and answered questions from Board members and interested citizens. The Public Hearing was then closed.

A second Public Hearing was opened by Mayor Kincaid to receive citizen comment on proposed allocations of HOME funds for 2006/07 and use of the funds in 2005/06. Marcia Webster presented information and answered questions from Commissioners. The Public Hearing was then closed.

Mayor Kincaid opened a third Public Hearing to receive citizen comment on a proposed *Post Construction Storm Water Ordinance*. Comments were received from Frank Jacobus and, there being no additional comments, the Public Hearing was closed.

A fourth Public Hearing was opened by Mayor Kincaid to receive citizen comment on proposed rezoning of property located at 128 Cedar Grove Circle to *Conditional Planning Area*. Planner Lauren Blackburn gave a brief explanation of the request and answered questions from Board members. The Public Hearing was then closed.

Mayor Kincaid opened a fifth Public Hearing to receive citizen comment on proposed rezoning of property located at the corner of Dogwood Lane and Ney Circle to *Conditional Planning Area*. Information on this request was also presented by Planner Lauren Blackburn. Following brief comments and questions, the Public Hearing was closed.

The sixth Public Hearing to receive citizen comment on closing of unused portions of streets in Hudson Place and Patrick Johnston Lane was opened by Mayor Kincaid. There was no comment and the Public Hearing was closed.

Upon a motion by Commissioner Johnston and unanimous vote, the Consent Agenda consisting of the following was approved:

- (a) Approved Minutes of October 10<sup>th</sup> and 24<sup>th</sup>.
- (b) Approved a proposed *Interlocal Agreement with the Town of Cornelius for The Pines*.
- (c) Approved *Order Closing Street* for unused portions of a street in Hudson Place and Patrick Johnston Lane.
- (d) Approved a *Resolution Endorsing Application for NCDOT Bicycle Planning Grant Funds*.
- (e) Approved restriction of Allison property.
- (f) Adopted a *State Records Retention Guideline*.
- (g) Approved a *Lease Agreement* for the White property.

Planner Lauren Blackburn gave an update and review of a proposed Spring/Walnut Master Plan. A short discussion followed. Commissioner Williams asked that a note be added to include a mitigation plan with an arborist and designation of trees to be saved. A motion was made by Commissioner McMillen to approve the Spring/Walnut Master Plan with the addition of notes for a mitigation plan and designation of trees to be saved. The motion carried by unanimous vote.

Commissioner Williams moved to approve front set-back changes to 20 feet from either street on property at the corner of Dogwood Lane and Ney Circle. The motion carried unanimously.

Commissioner McMillen moved to defer action on a request for rezoning property located at 128 Cedar Grove Circle until a future meeting. The motion was unanimously approved.

Upon a motion by Commissioner Webster and unanimous approval the Board moved to closed session to discuss property. In closed session Commissioner Williams moved to return to open session and the motion passed unanimously. Upon return to open session Commissioner Woods made a motion to authorize the Town Attorney to proceed with condemnation of the Ballard property to complete acquisition of the right of way required for the greenway along the south prong of the Rocky River. The motion carried by unanimous vote.

There was no other business and the meeting adjourned at 10:05 p.m.

---

Town Clerk