

SPENCER BOARD OF ALDERMEN
CALLED MEETING
THURSDAY, APRIL 23, 2009
6:30 P.M.

MEMBERS PRESENT: Mayor Jody Everhart
Mayor Pro-Tem Jeff Morris
Aldermen: Scott Benfield
Nick Bishop
David Smith
C. E. Spear

MEMBERS ABSENT: Alderman: Donnie Hinson

Also present were Town Manager Larry Smith, Land Management Director Dustin Wilson, and Town Clerk Lisa Perdue.

Mayor Everhart opened the meeting with prayer and the pledge of allegiance.

1. MUNICIPAL AGREEMENT WITH HIGH ROCK RACEWAY

Mayor Everhart explained that the purpose of the meeting is to review the rough draft of a proposed Development Agreement with High Rock Properties. A few changes have already been made in the proposed agreement per Spencer's requests and also from requests from Salisbury Rowan Utilities and the Town's attorney.

Town Manager Smith reviewed the specifics of the changes from the previous draft. Board members also requested a few other minor changes. Staff will check with the Town's attorney to see if the agreement can include a stipulation concerning the payments owed to former employees of North Carolina Finishing Company, to ensure that the employees get paid.

Dave Risdon, representing High Rock Properties, gave his input on the proposed changes, stating he would not want Salisbury Rowan Utilities to become a signatory to the agreement. Regarding Exhibit D, the Owner's Affidavit Regarding Liens, Risdon explained that there are liens on the property. They will pay off obligations when the money is available, but will still have a mortgage.

Risdon stated he is agreeable to adding the stipulation of payment to the Finishing Company employees. They will be paid before construction begins. Work will begin soon after the agreement is completed.

Mayor Everhart suggested that the start time of the Board of Aldermen meeting on May 12 be amended to 6:00 instead of 7:00 in order to allow time to hold the public hearing on the agreement with High Rock Properties (which will be first on the agenda).

MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE THE DEVELOPMENT AGREEMENT FOR PRESENTATION AT THE PUBLIC HEARING INCLUDING THE REQUESTS FOR INFORMATION AND POSSIBLE CHANGES. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

MOTION WAS THEN MADE BY ALDERMAN BENFIELD TO SET THE PUBLIC HEARING FOR TUESDAY, MAY 12, AT 6:00 P.M., WHICH WILL THEREBY CHANGE THE START TIME FOR THE ALDERMEN MEETING. MOTION SECONDED BY ALDERMAN SPEAR AND CARRIED UNANIMOUSLY.

Mayor Everhart recognized Town Manager Larry Smith for his graduation from the Municipal Administration course at the School of Government.

Mayor Everhart read an invitation to the Board from the Spencer Jaycees for the Distinguished Service Award banquet on April 29 at 6:30 p.m. at the Woman's Club.

With no further business, Mayor Everhart adjourned the meeting.

Respectfully submitted,

Lisa B. Perdue
Clerk to the Board