



MINUTES

The Holly Springs Town Council met in a workshop session on Tuesday, January 12, 2021 at the Holly Springs Law Enforcement Center and via video conferencing. Mayor Sears presided, calling the meeting to order at 6:00 p.m. A quorum was established as four Councilmembers and the Mayor were present as the meeting opened.

Council Members Present: Mayor Sears, Mayor Pro Tem Dan Berry, Councilmen Peter Villadsen, and Aaron Wolff, and Councilwoman Christine Kelly

Council Members absent: Councilman Shaun McGrath was absent for the open portion of the meeting, but joined by conference call for the closed session.

Staff Members Present in the room: Randy Harrington, Town Manager; Linda McKinney, Town Clerk (recording the minutes); Daniel Weeks, Assistant Town Manager; Antwan Morrison, Finance Director; Jeff Wilson, IT Director; John Schifano, Town Attorney; Paul Liquorie, Chief of Police; Corey Petersohn, Finance; Beth Trautz, Development Services.

2. Workshop Overview

Mr. Harrington gave an overview of the items on the agenda.

3. Body Worn Cameras

Chief Liquorie said that the purpose of this item was to provide Council with an overview of body worn and in-car camera systems, the associated costs and proposed policy implementation. At the June 4, 2020 workshop, Council directed the Police Department to begin drafting policies and studying and testing body-worn camera systems subject to a mid-year review to assess budgetary considerations. The Department is following an aggressive project management schedule, but are on schedule. The Department has tested and evaluated various systems and is working with Finance and the procurement officer and are prepared to recommend a projected implementation timeline.

Chief Liquorie said that the goals of a body-worn and in-car camera program would be to meet community expectations and modern professional best practices, strengthen public trust and transparency with the Police Department, give enhanced accuracy in reporting and evidence collection, increase agency accountability; and to enhance officer training and evaluation. He discussed the various parts of the body-worn camera system and showed examples of what they might look like.

Chief Liquorie said that all vendors reviewed by the Department used similar cloud-based architectures with redundancy of data and frequent backups. Videos are accessed through secure websites and uploaded via docking stations and Town Department would start with 60 in-car cameras and 76 body-worn cameras, to reflect further growth in the department and to have redundancy in case of damage.

Daniel Weeks, Assistant Town Manager thanked Antwan Morrison, Finance Director, and Corey Petersohn and Brent Quick in Finance for assisting them to get to this point. He then outlined the cost, spread over the next five fiscal years, with an initial payment for hardware, vehicle upfit, and infrastructure in this fiscal year, with a six-year total cost of \$840,800. He said that the first installment would come from the salary lapse for four positions which were to be filled in October but have not been filled yet.

Chief Liquorie outlined the limitations of these camera systems. For example, the camera angle and view can be limited or obstructed; the camera can fail to activate, due to human error; the suddenness of the incident, or stress of the officer; the camera can fall off or be deactivated during a struggle or other wise malfunction; or the video can be improperly tagged for retention and be deleted before it should be.

Councilwoman Kelly asked if the sound would be recorded even if the camera view was obstructed. Chief Liquorie said that once the camera is activated it would preserve the two minutes prior to activation, and those two minutes would not have sound. But there would be sound from the moment of activation forward.

At this point the meeting paused for 5 minutes to watch the WRAL interview with Mayor Sears regarding downtown development during COVID.

Chief Liquorie showed a video demonstrating what the camera shows, and some photographs of what is and is not visible from in-car and body-worn cameras in typical situations.

Next Chief Liquorie gave some highlights of the proposed policy, noting that it meets professional best practices and national accreditation standards and the state retention and deletion schedule requirements. Supervisors and the training coordinator will review random videos from every officer on a monthly basis to evaluate performance and the need for training, and the accountability for officers not activating the camera, if it is not activated automatically. An 80% camera activation rate is considered a good percentage. Holly Springs Police Department will strive for greater than that, but that is considered a nationally accepted percentage.

He said that the policy mandates that all citizens who are not suspects will be informed that they are being recorded. Citizens in consensual, non-adversarial encounters may request that they not be recorded, and video from all incidents resulting in a complaint or a use of force are mandated to be reviewed at the command level.

Chief Liquorie explained that state law NCGS 132-1.4A regulates the disclosure or release of video from body-worn or in-car camera systems. They are not considered public records. He explained the legal definition of “disclosure” is to make a recording available for viewing or listening, as opposed to “release” which is to provide a copy of a recording pursuant to a Superior Court Order. He explained that recordings may be disclosed or released only to a person whose image or voice is in the recording or a personal representative of a consenting adult; a personal representative of a minor adult under lawful guardianship, or a personal representative of a deceased or incapacitated person whose voice or image is in the recording. He outlined the many factors laid out in NCGS 132-1.4A that the Court must take into consideration in deciding whether or not to issue such an order, particularly the consideration of whether release would create a serious threat to the fair, impartial, and orderly administration of justice; and whether confidentiality is necessary to protect either an active or inactive (or potential) internal or criminal investigation.

He said the community roll out of the program would include working with Communications and Marketing on virtual and/or in-person community open houses; providing presentations to community organizations; producing an educational video; utilizing social media platforms for information and FAQs, and a formal press release at the time of full implementation. Next steps would be Council approval of a contract in February, finalization of the policy in February and March, community engagement from March through July, and full implementation in the summer of 2021.

There were questions about who would have access to the data. Chief Liquorie said that officers would have access to their own recordings, for the purpose of filling out reports, but they do not have access to other officer’s recordings without the permission of a supervisor. There are audit trails that allow the Department to know who is looking at any recording to track that.

Questions were asked about upgrades to the hardware and how the program was being received by the members of the Department. Chief Liquorie said that at the three-year mark on the body-worn cameras there is an option to upgrade, much like a cell phone service offers. The technology for the in-car cameras does not change as quickly, but there would be the option to upgrade those at the end of the five-year contract. He said that the officers are on board with the program, realizing that it is a community expectation and professional best practice. They are trying to make sure the policy clearly shows that recordings will be used to evaluate on an overall performance level, not used to track every slight misstep.

There was discussion about why cloud-based systems were being considered over a server-based system. Chief Liquorie explained that there was not as much difference in price as you would think, because of the need for technical support and upgrades, and that most vendors were moving away from server-based system. Some are only offering cloud-based system. John Schifano, Town Attorney, said that the proposal they are looking at splits the cost over five years, but it is approximately half for hardware and half for data storage.

Chief Liquorie was asked to make all this information available to the public as the process is rolled out, particularly addressing residents' concerns about who will be able to see the recordings. He was also asked to bring back to Council after the retreat, a list of his budget priorities along with where this program ranks on that list.

Consensus was to keep moving forward, but there was no action taken at this time.

4. Mid-Year Budget Review

Antwan Morrison, Finance Director, said the purpose of this presentation was to give Council an overview of the first six months of FY20-21. No action is requested at this time. He said that as of December 31st the Town had received 60.79% of budgeted revenues. He showed how much had been collected in property taxes and sales tax at the six-month mark compared to this time in the four previous fiscal years, both of which were considerably higher. He said staff is keeping its eye on sales tax because that depends so much on what residents do. But at this point sales tax revenues are looking good. He said the sales tax monthly report has a two-month lag, so that section is only four months of data. He said that the statute that mandates collection of sales tax for online purchases has helped the town.

He showed the same data for Parks and Recreation, which was more variable over all fiscal years, and was lower for this year due to the impacts of COVID. If the pandemic lets up, this may trend upward. However, this is better than what staff anticipated, due to the pandemic. They have benefited from facility rentals, which have remained steady.

Mr. Morrison said that utility revenues have increased slightly (5.3%) over where they were last year. He discussed the impact of the Governor's Executive Orders 124 and 142, which prevented disconnecting utilities or charging late fees. This initially cost the Town around \$182,000. Once people began their payment plans, that revenue was recouped, and there is now only \$5,000 still owed, which is a good turnaround.

Corey Petersohn, Finance, discussed where the Town is budget-wise with both revenues and expenditures, at the six-month mark. Things are looking better on the revenue side than originally projected when COVID hit. Sales tax is better than thought, and while Parks & Recreation revenue is lower than usual, there is still money that was held, and expenditures are down. Staff is still recommending caution because there are unknowns, but he projected that year-end revenues would be over budget, and expenditures under budget.

Mr. Petersohn said that staff recommendations were for a release of PayGo funds that were not released in October, a partial release of funds held due to COVID concerns, and the funding of the body-worn cameras. There are still some unknowns, but staff is positive moving forward.

Mr. Morrison said that Development Services revenue is expected to be above expectation. They told him that this was the second highest year of permit issuances over the last 30 years. The Town is in a strong financial position, with some revenues above

expectations. He thanked the department directors for strong leadership and willingness to assist during the current environment.

Councilman Wolff said there were certain projects that were put on hold when the pandemic arrived and asked if they could be discussed. Randy Harrington, Town Manager, said he thinks revenues are going to be above predictions, but he does not have enough confidence to release any new expenditures. Things that are already approved, he feels comfortable moving forward with.

5. Draft 2021 Legislative Agenda

Randy Harrington, Town Manager, said he would turn this discussion over to Mayor Pro Tem Berry and Councilman Wolff. Councilman Wolff said that he, MPT Berry, and Mr. Harrington had been in discussion surrounding a legislative agenda for 2021. They discussed potential items Council might want to address in 2021 with County, State, and Federal counterparts, and came up with some potential areas for Council's consideration. There are new representatives and senators who are being sworn in at the General Assembly and Council wants to work with them to advance the interests of Holly Springs. These are proactive issues, and do not preclude taking reactive action if it was felt necessary due to the action of another governmental body.

The proposed goals were:

County Level

- Landfill malodor reduction – specifically things that need funding
- Public transit – ½ cent sales tax increase passed, and Holly Springs needs to look at ridership on the new bus and make sure that the funding continues to flow for a reasonable time to give the program time to work
- Land use – ensure PLANWake and the Town's Comprehensive Land Use Plan and Character Plan provide complimentary continuity of development
- Economic development – leveraging partnerships

State Level

- Enclave Annexation Authority – ask state representatives to give us authority to annex “doughnut holes” that meet certain criteria, or specific pieces of property to simplify service delivery, improve service efficiency and support development consistent with Town standards.
- Charter Amendments to
 - obtain Transportation Impact Fee Authority, and
 - to enhance Tree Preservation and Stream Buffers
- Transportation Investments
 - State funding of NCDOT Road projects impacted by COVID19;
 - Capacity, congestion mitigation and motorist/pedestrian/bicycle safety work
- Economic Development

Federal Level

- Cultivate congressional relationships
- Economic development

Consensus was that these were areas Council wanted to address, and they would like to put it on the Consent agenda of the next meeting to approve formally.

6. Bennet Knoll Street Rename

Beth Trautz, Development Services, said that the purpose of this item was to discuss road name modifications for Old Holly Springs – Apex Road and Holly Springs New Hill Road to improve traffic flow and clarify the connection from NC 540 to NC 55. She said that this would

also be the time to petition the U.S. Post Office to change ZIP codes in this area to Holly Springs rather than Apex.

She outlined the area where this name change would occur. Staff recommends changing the name of Old Holly Springs-Apex Road from the intersection of GB Alford to NC540 to Bennet Knoll Road. The fragment of road connecting Bennet Knoll Parkway and New Hill Road could be named Woodson Road after Woodson Clements who was a Wake County Sheriff in the early 1800s and donated land to start the Holly Springs Baptist Church.

She said that this would be a multi-jurisdictional name change involving both NCDOT and Wake County. The first step would be a coordination meeting with the other jurisdictions to establish the processes, order of name changes, and timelines. Both Holly Springs and Wake County would need to hold public hearings on the name change, after which the process of the name change could begin. This is not a quick process; it can take two to four months.

She said that Woodson Road is a proposed name. There are other possibilities of names that would honor the community that is there. Another consideration is getting affected parcels that have Apex ZIP codes changed to Holly Springs 27540, so that if we are going to do it, it would be better to change the road name and ZIP code at the same time. Mayor Sears asked about United States Postal Service's (USPS) response to ZIP code changes. Ms. Trautz said that Apex post office is at capacity, so the USPS is willing to make the change when development is under consideration. It is more difficult if there are occupied parcels.

Next steps would be to schedule a coordination meeting; establish a timeline; determine a budget, and schedule community engagement workshops. Council discussed that having continuity of a name is a good idea, but asked Ms. Trautz to find the origin of the name "Bennet Knoll" and to look into other possible road names that would reflect that particular community, and whether roads should be named after people or some other criteria.

Ms. Trautz was asked about the opinions of residents along that stretch of road. She said that the Wake County Firing Range is addressed there, but uses a PO Box and has no objection to the name change. Most of the houses are unoccupied and slated for development. There is only one occupied house on that stretch of road.

There was discussion about how roads get named and when it comes before Council and when it does not. Ms. Trautz explained that developers choose the names for streets within a development, but that name changes of existing roads come before Council.

Randy Harrington, Town Manager, clarified with Council that there were questions around the name "Bennet Knoll", the segmented road, and community engagement. Council agreed that these were the items they wanted investigated.

7. Open Discussion:

Mayor Sears apologized for breaking up the meeting for the short video. He said the interview had lasted 40 minutes, and he expected more of it to be shown on the news. The reporter was invited to come downtown, bring her camera, and see in person what has been done and she said she would come sometime.

Councilwoman Kelly spoke about the County Commissioners' landfill meeting. She thinks it shows significant progress that they will have monthly meetings with all parties at the table. Mayor Sears said that they asked the County for a timeline so that they had some way of seeing that progress is being made, and he heard back from two commissioners that agreed with him. He felt that the Town has good support on that.

Randy Harrington, Town Manager, discussed a draft agenda for the upcoming Annual Retreat. He told Council about who some panelists could be and what topics would be discussed.

8. Closed Session:

The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(4) to discuss economic development prospects and incentives, N.C.G.S. 143-318.11(a)(3) to confer with the

attorney on potential litigation matters, and N.C.G.S. 143-318.11(a)(6) to discuss the Town Clerk's Annual Review.

Motion by: Berry
Second by: Kelly
Vote: Unanimous

At this point Councilman McGrath joined by conference call. The audio connection with Councilman McGrath was established and verified prior to commencement of the closed session portion of the meeting.

General Account of Closed Session:

Economic Director Irena Krstanovic gave Council an update on the new project that the Town is in competition for, and asked for guidance. Council's consensus was for Ms. Krstanovic to continue in negotiations with the company and potential County and State partners along the lines presented to them in closed session.

Town Attorney, John Schifano, updated Council on two lawsuits which had been filed, *Southern Crossroads, Inc. v. Town of Holly Springs, Dunn Investments, LLC, Elizabeth Y. Barnes, Patsy Y. Edwards, Jackie Y. McLean, Madge Y. Hinsley, Betty Y. Holleman, Nancy Y. Perry, James F. Yarborough, Jr., and Kimbrette Y. Vuncannon, and Meritage Homes of the Carolinas, Inc. v. Town of Holly Springs*. He informed Council on the bases for the suits, his views on the correct strategies to pursue, and the Town's position in these suits.

Council conducted the review of the Town Clerk.

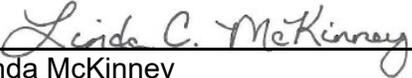
-End of General Account

Motion to return to open session was made by Councilman Villadsen seconded by Councilwoman Kelly and passed with a unanimous vote.

9. Adjournment:

Motion to adjourn was made by Councilman Wolff seconded by Councilwoman Kelly, and passed with a unanimous vote. The January 12, 2021 workshop meeting of the Holly Springs Town Council was adjourned at 8:50 pm.

Respectfully Submitted on Tuesday, January 19, 2021.



Linda McKinney
Town Clerk