CERTIFICATION

I, Lori Canapinno, Town Clerk of the Town of Matthews, North Carolina, do hereby certify that the attached are true and exact copies of minutes of the following meetings of the Board of Commissioners of the Town of Matthews:

Closed session: October 13, 2003; opened February 11, 2014
Closed session: June 28, 2004; opened February 11, 2014
Closed session: July 26, 2004; opened February 11, 2014
Closed session: September 7, 2004; opened February 11, 2014
Closed session: December 13, 2004; opened February 11, 2014
Closed session: January 24, 2005; opened February 11, 2014
Closed session: February 7, 2005; opened February 11, 2014
Closed session: February 14, 2005; opened February 11, 2014
Closed session: February 28, 2005; opened February 11, 2014
Closed session: March 14, 2005; opened February 11, 2014
Closed session: May 9, 2005; opened February 11, 2014
Closed session: July 25, 2005; opened February 11, 2014
Closed session: September 12, 2005; opened February 11, 2014
Closed session: September 26, 2005; opened February 11, 2014
Closed session: July 24, 2006; opened February 11, 2014
Closed session: August 14, 2006; opened February 11, 2014

Does not apply to me Pursuer

WITNESS my hand and the corporate seal of the Town of Matthews, North Carolina, this the 11th day of February 2014.

Lori Canapinno, Town Clerk
TOWN OF MATTHEWS
232 Matthews Station Street
Matthews, North Carolina 28105

MINUTES
CLOSED SESSION
OCTOBER 13, 2003
5:30PM
JORDAN ROOM OF TOWN HALL

PRESENT: Mayor Lee Myers; Mayor Pro-Tem Kress Query; Commissioners Paul Bailey, Jack Davis, Suzanne Gulley, Paula Lester, James Taylor; Town Attorney Charles Buckley; Town Manager Hazen Blodgett

ALSO PRESENT: Planning Director Kathi Ingrish; Parks & Recreation Advisory Board members Nancy LaFond, Clark Holmes, Brian DeGeorge, Mary Ciminelli; Recreation Staff Geralyn Trellue, Corey King; Karl Froelich with Trust for Public Lands

Mayor Myers called the meeting to order.

The discussion focused on the direction the Town Board needs to give Staff regarding property in town. It was explained that a preliminary Open Space Plan needs to be developed in order for the Town to draw down the County Open Space/Park Land Acquisition Challenge Program. The Open Space Plan would focus on greenway development, existing open spaces, future open spaces, and connectivity.

The Board then discussed four properties:

1. Purser property. This is a 72 acre tract with an estimated value of $40,000 per acre. According to Karl Froelich, owner Neubert Purser is interested in having the property protected as open space and developed into a park. Mr. Purser is willing to discuss owner financing and phased take-down.

2. Boss property. The owner lives in South Boston, Virginia. This is 12 acres of property with an appraised value of approximately $120,000 per acre. According to Mr. Froelich, Mr. Boss wants to preserve the house. He may be willing to sell the property in whole or in part.

3. Fincher property. Mr. Froelich said the owner is interested in developing the property. There is a large family involved. Some willingness to preserve the
property has been expressed.

4. Hulsey Tract: This is a 27 acre tract. Kress Query was previously informed that the property could not be sold because it was tied up in an estate. Mr. Halsey’s attorney is now advising them they can go ahead and sell the property. The asking price is in the neighborhood of $30,000 to $40,000 per acre. Property across the street recently sold for $35,000 per acre.

By waiting the Town of Matthews puts itself in a difficult position. Many of these properties have constant development pressure. Once these properties are developed they will never be available for open space again.

The Next Step

The next step is for the Board to direct Staff to have a preliminary Open Space Plan prepared. The estimated cost is $3,000. This is a needed step in order to draw down on the County Open Space/Park Land Acquisition Challenge Grant.

Paula Lester said the value of the Bost property is how close it is to downtown. It would provide a place to relocate the Clark House.

Geralyn Trellue said the Open Space Plan is a critical step and described the components of the plan.

Hazen Blodgett said one of the steps that needs to come out of the meeting was that the Board needs to reach a consensus to request that Karl Froelich pursue a purchase option for the Purser/Halsey and Bost properties.

Mr. Froelich explained to the Board that the Trust for Public Lands would absorb the cost for the purchase options. At some point in the future the Trust would actually purchase the properties for resale to the Town of Matthews.

Commissioner Taylor said he did not see a downside to moving forward with the purchase option at this point in time.

No formal action was taken on this matter. Mr. Froelich was asked to move forward on the purchase options for the Bost and Purser/Halsey properties.

As recorded by Town Manager Hazen Blodgett
TOWN OF MATTHEWS
232 Matthews Station Street
Matthews, North Carolina 28105

MINUTES
CLOSED SESSION
JUNE 28, 2004

PRESENT: Mayor Lee Myers; Mayor Pro-Tem Suzanne Gulley; Commissioners Paul Bailey, Jack Davis, Paula Lester, Kress Query, James Taylor; Town Manager Hazen Blodgett; Town Clerk Jill Pleimann.

ALSO PRESENT: Geralynn Trellue, Saxby Chaplin.

Town Manager Blodgett said that Mr. Chaplin had met with the Purser family. Mr. Chaplin said there were three issues that have come up. He asked what the Town’s position is on the properties. Are Purser and Hulsey properties tied together or would they go forward with one or the other. There are 70 acres in the Purser tract and 30 in the Hulsey tract.

Commissioner Davis said he does not have a problem with breaking them out. Mr. Chaplin said that the Purser property does have some road frontage – 100 to 150 feet. He said that Mr. Purser is amenable to the appraised value. The family wants $100 per acre. Mr. Chaplin said he estimates it would be $75,000 to $95,000 per acre; maybe a little less.

Mr. Chaplin said the Purser family agreed to a 90 day period to have the property appraised. He will then sit down with them. If the proposal comes close to what they are asking will the Town go forward with it? Mr. Chaplin said that Mr. Purser has said he can get $100,000.

Commissioner Taylor said the cost for the appraisal is between $1500 and $2500. He said he would like them to go ahead and get an appraisal. Commissioner Lester asked if they are going to leave the land there until it can be developed. Commissioner Bailey said they cannot buy the property and make it functional within a year. They need to buy the property.

Mr. Blodgett said there are a couple of options – they can do the polling and they can talk to the county commissioners about using the Mecklenburg Challenge Grant Program. They would need to adopt a resolution to move forward with a referendum by August 9. Commissioner Query said the bond election will tell whether people want the park land or not.

Mayor Myers said the consensus is that the Board is willing to move forward on this. If they cannot do the 100 acres go with Hulsey.

Mr. Chaplin said the other issue is that Mr. Purser wants to know if the Town would be willing to...
use his name on the property. Mayor Myers said they would entertain that.

Commissioner Lester asked about the Bost property. Mr. Chaplin said they have not pursued that. Commissioner Lester said she feels that this is one of the four in Town that really needs saving. Mayor Myers asked Mr. Chaplin if he would talk to Dan Morrill and see if there is some interest in this.

Mr. Chaplin said he would tell Mr. Purser that the Town would be more amenable to allow him naming rights if the price is reasonable.

Mr. Blodgett said the polling will survey 400 people. They will analyze the data and give the Board the results. It gauges the public sentiment. They will include the greenways in it. The cost for this is $10,000. He asked the Board to amend the budget for the $10,000 for the polling. If it passes it can come out of the bond. Mr. Blodgett said they can take the $10,000 out of contingency. Mr. Blodgett recommended that the Board take this step.

Motion by Commissioner Taylor, seconded by Commissioner Bailey to go out of Closed Session. Unanimously approved.

Respectfully submitted,

[Signature]

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
BOARD OF COMMISSIONERS MEETING
JULY 26, 2004

Motion by Mayor Pro-Tem Gulley to go into Closed Session with: Mayor Pro-Tem Suzanne Gulley; Commissioners Paul Bailey, Jack Davis, Paula Lester, James Taylor; Town Attorney Charles Buckley; Assistant Town Manager Kay Plyler; Town Clerk Jill Pleimann; Planning Director Kathi Ingrish; Public Works Director Ralph Messers and Saxby Chaplin. Seconded by Commissioner Lester and unanimously approved.

Mr Saxby Chaplin said the appraisals had come in. The Hulsey property was approved at $45,000 per acre – $1.1 million. He said the Purser proper is the big problem. The appraisal was $40,000 per acre – $2,850,000. Mr. Purser’s asking price is $100,000 per acre, Mr. Chaplin said.

Motion by Commissioner Davis, seconded by Commissioner Taylor to amend the motion to include Commissioner Query, Geralynn Trellue and Corey King in the meeting. Unanimously approved.

Mr. Chaplin said that Mr. Purser said there was nothing to talk about at that price. He told him that land nearby had sold for $110,000 per acre. Mr. Chaplin said the Town could pay what he is asking but could not use the county matching funds and not promote the bonds as such. It would also be a problem with Mr. Hulsey if Mr. Purser got that much more and it would affect the market. Mr. Chaplin said the appraisal assumed this was zoned R-15.

Mr. Chaplin said there are other options:

1. Get a second opinion.
2. Try to negotiate with Mr. Purser – maybe to Mr. Hulsey’s price or a little higher.
3. Try to get control of property – long-term option, wait and see what happens.
4. Walk – tell him to forget it.
5. Control property through right of first refusal.
6. Some combination of these.

Commissioner Taylor asked if they could condemn the property. Mr. Buckley said yes, but it is not the cheapest way.

Kay Plyler said they had a very good meeting with the County. Bobby Shields was asked to come back with options at the August 10th County meeting. There were four options. One option was 1-1 with the county owning a portion of the land.

Mr. Buckley said two appraisals makes it more marketable in his opinion. Commissioner Taylor
said they may need to speak to Mr. Purser and let him help select the appraiser.

Mayor Myers said his concern is the county matching. County matching expires in two years. Commissioner Query said if Mr. Purser has settled on it at $100,000 per acre they may need to do condemnation.

Motion by Commissioner Query, seconded by Commissioner Lester, to get a second appraisal for both the Hulsey and Purser properties. Unanimously approved.

Ms. Plyler said she is going to the LGC on Thursday. The bond referendum schedule is extremely tight. They will need to adopt a resolution at the August 9th meeting.

Mr. Chaplin reviewed the polling results, which were favorable. He said there are no guarantees. It would help if they had a citizens’ group to support this.

Bost property – Commissioner Lester asked about this property; could it be part of the bond money. Mr. Chaplin said it could be part of this bond money. He said that Mr. Bost would be willing to sell the house and land around the house. Ms. Plyler said buying the house would not fit within the parameters of the County matching money. Mr. Chaplin said County monies cannot be used for improvements – they might get money to acquire the land.

Ms. Ingrish said there is interest in preserving the Bost house. She wanted to know what the Board envisioned for this property. Commissioner Lester said personally she would love to see it saved. The Bost house was built before 1890. Commissioner Davis said Habitat could use it as a transitional residence. Commissioner Query said he feels like it would be best to approach the Landmarks Commission the same as was done with the grist mill. Commissioner Lester reiterated that it was worth saving. Ms. Ingrish said they can go ahead and have further conversations with the group and have someone look at the house and evaluate it.

Motion by Commissioner Query to pursue options for the Bost Houses with Dan Morrill. Seconded by Mayor Pro-Tem Gulley and unanimously approved.

Ms. Plyler said she had spoken briefly to Mr. Buckley about using Parker Poe as bond counsel. They will need approval of this tonight and she would like to have it added to the Consent Agenda.

Motion by Commissioner Taylor to go out of Closed Session. Seconded by Commissioner Bailey and unanimously approved.

Respectfully submitted,

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
SEPTEMBER 7, 2004

PRESENT: Mayor Lee Myers; Mayor Pro-Tem Suzanne Gulley; Commissioners Paul Bailey, Jack Davis, Paula Lester, Kress Query, James Taylor; Town Manager Hazen Blodgett; Town Clerk Jill Pleimann.

ALSO PRESENT: Dan Morrill, Historic Landmarks Commission; Kathi Ingrish; Geralynn Trellue.

Commissioner Query asked if they can see exit interviews. Commissioner Lester said they should know what is going on. Town Manager Blodgett said the employee survey will show any indications of problems.

Dan Morrill gave a brief background of the Historic Landmarks Commission. He said that Kathi Ingrish had called him regarding the Bost House in July. Mr. Morrill said they would do a historic documentation of the house and the Board would have to declare it a historic landmark. He said the Bost House is in extremely good condition. They went inside. It has a high degree of integrity, he said. It should have the historic landmark designation and also the national register of historic places.

Mr. Morrill said one of the keys is the willingness of the owner to sell. The first thing to decide is how much of the property they would want. Mr. Morrill said to bring the house to “shell” condition would cost $198,480. There will be some cost for the land, he said. The Town and HLC would share in the cost of acquiring the property and rehabilitating the house, he said. It would be acquired in the name of HLC because they have greater flexibility in acquiring and disposing of property. The Town of Matthews and the HLC would share equally in the proceeds of the sale. Mr. Morrill said the HLC would have the right of first refusal. He said they have not voted officially to do this but he feels they would be eager and happy to do this.

Commissioner Query asked how much land they would need. Mr. Morrill said one acre would be adequate for the house.

Mayor Pro-Tem Gulley asked if he envisioned it as a home. Mr. Morrill said the only thing they are interested in is the preservation of the structure.

Discussion ensued about swapping property with Mr. Bost and driveway access. Consensus of the Board was to contact Mr. Bost. Mr. Morrill said he would like to have something from the Town to say they are interested in preserving the Bost House in partnership with the HLC.

Re: connecting Matthews Station Street to Matthews Street. The property for sale — one house on one acre—$280,000. Mr. Blodgett suggested determining how much they need to build the road and
find out the fair market value for a small part (the triangular portion in the front). He suggested they approach the owner and see if they are willing to sell it. Board was agreeable to this suggestion.

Purser-Hulsey property. Purser property estimated at $38,000; Hulsey property at $42,000 per acre. Mr. Blodgett said Mr. Purser will not sell at that price. Does the Board want to think about condemning the property? Consensus was to let the Town Manager talk to Mr. Hulsey and let him know of the Town’s interest. They may need to get an option on it.

Clark House – First find out if it can be moved. Get structural engineer to look at it. Discussion ensued as to where the Clark House could be placed.

RECONVENE REGULAR MEETING

Motion by Commissioner Davis, seconded by Mayor Pro-Tem Gulley, to reconvene the regular meeting. Unanimously approved.

ADJOURNMENT

Motion by Mayor Pro-Tem Gulley to adjourn. Seconded by Commissioner Lester and unanimously approved. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
DECEMBER 13, 2004

PRESENT: Mayor Lee Myers; Mayor Pro-Tem Suzanne Gulley; Commissioners Paul Bailey, Jack Davis, Paula Lester, Kress Query, James Taylor; Town Manager Hazen Blodgett; Town Clerk Jill Pleimann.

Motion by Mayor Pro-Tem Gulley to go into closed session to discuss real estate acquisition. Those to be included: Geralynn Trellue, Kathi Ingrish and Saxby Chaplin. Seconded by Commissioner Lester and unanimously approved. Mr. Blodgett said the county money runs out November 2005. He asked the Board if they were interested in condemning the property. The other option he said is to abandon the large park and concentrate on smaller areas.

Mr. Chaplin said he had the second appraisal done. The second one came in lower on the Purser property than the first. Mr. Chaplin said that Mr. Purser feels that he can get way more money. Mr. Chaplin said one option may be to offer for the back half and connect with the Hulsey property. Mayor Myers suggested they move forward with the Hulsey property and talk to Mr. Purser about the back half of the property which they can use as a passive area. Commissioner Bailey asked if the Town could get an offer of first refusal. Mr. Blodgett said it seems reasonable to purchase the back half of the property. He asked if the Board would feel comfortable about condemning that part of the property. Commissioner Lester said she feels Purser is not going to want to sell it. Mr. Blodgett said the Board needs to decide if they want to condemn the property.

After some discussion Mayor Myers said the consensus is to try to purchase the back half of the property (about 20 acres). He asked Mr. Chaplin to pursue this. Mr. Blodgett said they need to make a decision by January. The consensus was to move forward with the Hulsey property and condemn the back half of the Purser property if he is not willing to sell it a reasonable price.

Motion by Commissioner Davis, seconded by Commissioner Lester, to go out of Closed Session. Unanimously approved.

CLOSED SESSION

Motion by Commissioner Taylor, seconded by Commissioner Lester, to go into Closed Session to discuss personnel issues. The Closed Session to include Hazen Blodgett and Jill Pleimann.
MINUTES
CLOSED SESSION
JANUARY 24, 2005

PRESENT: Mayor Lee Myers; Mayor Pro-Tem Suzanne Gulley; Commissioners Paul Bailey, Jack Davis, Paula Lester, Kress Query, James Taylor; Town Attorney Charles Buckley; Town Manager Hazen Blodgett, Town Clerk Jill Pleimann.

Motion by Commissioner Davis to go into Closed Session to discuss acquisition of real property. Those to be included: Geralynn Trellue, Corey King, Kathi Ingrish. Seconded by Commissioner Query and unanimously approved.

Mr. Blodgett said a couple of weeks ago the school system approached staff about their long term plan for an elementary school. They heard we were interested in the Purser property, he said. They talked about joint use facilities. They could use an area between eight to ten acres but 18 is optimal he said. They do have money to purchase a site. Mr. Blodgett pointed out the prime area of the property. He said this is an opportunity to partner with the school system and have another recreational facility. CMS staff will bring it to their staff on the 28th, he said.

Geralynn Trellue said this would speed up the process of a facility on the site and would cost the Town a lot less money. Mr. Buckley said the Town does have the authority to condemn the whole 71 acre parcel. Nothing prohibits the Town selling a portion to CMS. Mr. Buckley said the school would only be interested in straight R-I zoning.

Mr. Blodgett said the county would like to get the zoning issues straight. It would be the Town's property and they could sell it to the county. Mayor Myers asked if they can come with an agreement to sell this acreage and have them agree to pay “X%” because the front parcel would cost more.

Ms. Trellue said the elementary school would only have one field. She said the Town needs to decide what they want.

Mayor Myers asked about future fire stations. Mr. Blodgett said they would set aside something for a future fire/EMS building. He said the Town needs to move forward on this. Commissioner Bailey said before condemnation he would like to pursue all avenues. Mayor Myers said the purpose of this meeting was just to inform Board members of this.

Motion by Commissioner Davis to adjourn. Seconded by Commissioner Taylor and unanimously approved.

Respectfully submitted,

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
TOWN BOARD OF COMMISSIONERS
FEBRUARY 7, 2005

Motion by Commissioner Lester, seconded by Commissioner Query, to go into closed session to discuss acquisition of real property. Those to attend: Mayor, Board members, Town Attorney Charles Buckley, Town Manager Hazen Blodgett, Town Clerk Jill Pleimann, Planning Director Kathi Ingrish, Parks and Recreation Member Nancy LaFond, Saxby Chaplin, Kevin Bringewatt and Mike Gaebel from CMS.

Absent: Mayor Pro-Tem Gulley and Commissioner Paul Bailey.

Mr. Blodgett pointed out the Hulsey property. He said they are willing to sell for $43,000+ an acre. He also pointed out the Purser property. Mr. Blodgett said the school system needs an elementary school site of about 18 acres. Mr. Bringewatt said the Board has a difficult decision to make on eminent domain of the Purser property. He said CMS has no funding to date to build a school. He said this is a good opportunity for a joint project between the school and Matthews Parks and Recreation. Mr. Bringewatt said that CMS has had good experience with joint uses. They need to do due diligence. They met with staff and now wanted to meet with the Town Board. He said if the Town Board does make an eminent domain decision they would be happy to move along as a project. There would be four points of negotiation he said:

1. Purchase price – appraised price
2. Due diligence period
3. Closing contingent on mutual joint use agreement
4. Zoning

General discussion of use of the gym: the school would use the facilities during the school day; Parks & Recreation after school hours. Parks & Recreation would be the master scheduler. With construction funding Parks and Rec could upgrade the facility. They could also upgrade the fields. Parks and Rec would get the opportunity to decide if they wanted to go above the base line. E.g. Standard elementary gym is 2/3 the size of a high school gym, with a tile floor.

Time line: Open in eight years. Construction would start in 6/-12 years.

Footprint of elementary school and parking would be five acres.

Mr. Blodgett said one of the concerns is time. They have to sell the bonds in November 2005. They have to take their proposal to LGC by July. Is the Board interested in condemning 72 acres he asked. If they are they should go ahead and condemn it with the idea of a final price. It will give everybody time to look at price and zoning. The key issue is condemnation, Mr. Blodgett said.

Commissioner Query said he would feel more comfortable if they could say this condemnation is
for a park and school. Mr. Buckley said they cannot condemn for a school. Mr. Blodgett said he would like to see the Town move forward. Zoning is going to take time.

Mr. Bringewatt said they are flexible on the time line. Mike Gacebcl said there is a site for a middle school in Matthews.

Commissioner Davis said he feels the condemnation will kill him (talking about Mr. Purser). Mayor Myers asked if they could have an agreement with the school. Mr. Buckley said the question is if they are going to get the 72 acres and work from there. If they purchase the 72 acres then can then sell the acres to CMS and use the funds to upgrade the facilities. Mr. Buckley said his only concern would be the zoning. Mayor Myers said his feeling is to move forward on this. He said it is a win/win situation. Commissioner Taylor said he would love to do this. Maybe they can offer a little more to Mr. Purser. Mr. Blodgett said they have two current appraisals from Saxby Chaplin – $43,000 an acre for the Hulsey property; $38,000 an acre for the Purser property.

Mr. Blodgett asked if it was the consensus of the Board to condemn the property and then work out details with the school system. Commissioner Taylor said he was comfortable with this. Mayor Myers said as long as they have an understanding with CMS he is comfortable with this. Mr. Chaplin said he has not told Mr. Purser about the possibility of condemnation. Commissioner Lester asked if he thought they could offer $43,000 per acre and say there is a vision for the schools and name it after Mr. Purser. Mr. Bringewatt said he does not have the authority to commit naming rights. Commissioner Lester said they could name the park after him.

Commissioner Query said he is not comfortable with the appraisal. He said there is so much road frontage on the Purser Property which has to be considered. Mayor Myers asked Mr. Chaplin if he could go back to Fitzhugh and see what the front area would cost and how much the back area would cost. Question was raised if they could allow Mr. Purser a life time tenancy in his home.

Mayor Myers summarized: Authorize Saxby Chaplin to go and tell Mr. Purser that we are moving under eminent domain. Get with Fitzhugh to break down price. Move forward on the 14th. Town vision to put school on the property ($43,000 cushion, life estate and naming park).

Motion by Commissioner Davis to adjourn, seconded by Commissioner Lester, and unanimously approved. Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION - BOARD OF COMMISSIONERS MEETING
FEBRUARY 14, 2005

Motion by Mayor Pro-Tem Gulley to go into Closed Session. To include: Mayor and Board members; Town Manager, Town Clerk, Kathi Ingrish and Geralynn Trellue. Seconded by Commissioner Lester and unanimously approved.

Mr. Blodgett said two Board members were not in attendance when they last met. He said that CMS would like to acquire about 18 acres for an elementary school. They want a joint use agreement. They need to address the zoning issue and the cost of the land. The Town could condemn the entire property, he said, and then if the school wants to come to them they can discuss zoning, cost and an agreement. Mr. Blodgett said he would like the Board to go ahead with the condemnation of the property. He would ask Mr. Chaplin to go and tell Mr. Purser of the intent of the Town.

Mayor Myers said that Mr. Blodgett has written a letter and Mr. Chaplin will take it to Mr. Purser. Mr. Blodgett said he would like the Board to direct Town staff to proceed with the condemnation. They will tell Mr. Purser there is a vision to have a school on this property.

Motion by Commissioner Taylor, seconded by Commissioner Query, to add Mr. Buckley to the meeting. Unanimously approved.

Motion by Mayor Myers to direct staff to move forward with condemnation of the Purser tract. Seconded by Commissioner Taylor. Commissioner Taylor said he thinks this is the best thing for the Town. Mr. Purser will get fair market value for his land. Commissioner Query said they had also talked about offering Mr. Purser a life estate. Mr. Buckley said they could give Mr. Purser a lease for ten years under the condemnation process.

Commissioner Bailey said he is not keen about forcing people off their land. He said he is struggling with this versus the good of the community. They need to exhaust every avenue, every possibility first, he said. Ms. Trellue said that Mr. Purser has no motivation to sell the land. He does not need the money, she said. Mayor Myers said he would like to avoid condemnation if possible.

Mr. Blodgett said the Trust for Public Land has worked with the Town on this. They will purchase the land and sell it to the Town.

Motion passed on a vote of 6-1 with Commissioner Davis opposed. Motion by Commissioner Lester to adjourn. Seconded by Mayor Pro-Tem Gulley and unanimously approved.

Respectfully submitted,

[Signature]

Ph. Piemann,
Town Clerk
MINUTES
CLOSED SESSION
BOARD OF COMMISSIONERS MEETING
FEBRUARY 28, 2005

Motion by Commissioner Taylor, seconded by Commissioner Query, to go into closed session to discuss land acquisition. Those to attend: Mayor and Board of Commissioners, Town Manager Hazen Blodgett; Town Clerk Jill Pleimann and Geralynn Trellue. Unanimously approved.

Mr. Blodgett talked about the property behind Stumptown Park. Commissioner Query said that Lee Simpson called and said he would like the Town to make an offer. They would also sell that triangular piece of property (there are six heirs to the triangle piece). He said they have continued to pay taxes on it. It is appraised at $25,000.

Commissioner Davis said they could make an offer of $50,000. Commissioner Query said they may need to have an appraisal on the property. Commissioner Davis said this is a 13,000 square foot lot. They can make an offer subject to the appraisal. It was suggested that offer up to $55,000 and see if they can include the triangle piece.

Motion by Commissioner Query to authorize the Town Manager to negotiate this. Seconded by Mayor Pro-Tem Gulley and unanimously approved.

Motion by Commissioner Davis, seconded by Commissioner Lester, to adjourn. Unanimously approved.

Closed session reconvened.

Motion by Mayor Pro-Tem Gulley to go into closed session. Those to attend: Mayor and Board of Commissioners; Town Manager Hazen Blodgett; Public Works Director Ralph Messera, Town Attorney Charles Buckley; Parks & Recreation Director Geralynn Trellue; Town Clerk Jill Pleimann. Seconded by Commissioner Davis and unanimously approved.

Mr. Messera displayed a map of a proposed road design for Matthews Station Street which would go through Hobart Smith's property. Mr. Blodgett said it is zoned residential. The fair market value is about $138,000. Mr. Messera said they need to make a reasonable offer. If he did not accept it they could go through condemnation. Mr. Messera said an appraisal was done about two weeks ago. They probably need to offer between $140,000 and $145,000. Commissioner Bailey said no more than $150,000. Mr. Messera said they could move the house over and sell a portion of the lot. Another option is to purchase the right-of-way and relocate the house.

Motion by Commissioner Taylor to authorize the Town Manager to purchase the property up to $150,000. Seconded by Commissioner Lester and unanimously approved. Mr. Blodgett said this would be purchased from the road bonds.
Motion by Commissioner Bailey, seconded by Commissioner Davis to go out of closed session. Unanimously approved.

Closed session reconvened during the regular meeting.

Motion by Commissioner Bailey to reconvene the closed session. Seconded by Commissioner Query and unanimously approved.

Commissioner Query said he thought they would hear from Saxby Chaplin and then make a decision on the Purser property. Mr. Blodgett said he talked to Mr. Chaplin and he had not been able to speak to Mr. Purser. Commissioner Query said that is was his understanding that Mr. Chaplin was going to talk to Mr. Purser first. Mayor Myers said that it was his assumption that he was not able to talk to him. Geralynn Trellue said that there was some conversation on Thursday with the son-in-law and Mr. Purser would not talk to them.

Commissioner Bailey said he does not like condemnation with an elderly gentleman. What is the real necessity and how does it benefit Matthews, he asked. Geralynn Trellue said they would give him a living trust. Demographics show that this part of the Town is under served. If there were another location that would better serve the community in no way would they recommend taking that property.

Commissioner Query said he just wants the man to have the knowledge of what is going to happen. His understanding was that this was going to take place before they acted on it.

The Board adjourned to the Mayor’s office for phone access.

Motion by Commissioner Taylor, seconded by Commissioner Bailey to add Saxby Chaplin to the closed session, via telephone. Unanimously approved.

Mr. Chaplin said he left a message for Mr. Purser to see if they can come to some compromise. He did not hear back from him so he talked to the daughter to see if they could reach an agreement with the Town. The daughter said she would talk with him. In the meantime he had a message from Mike Purser that said 12 people would not agree that this was a fair price. Commissioner Taylor asked if the Purisers are aware that he is an agent for the Town. Mr. Chaplin said no, he said he was representing the Public Trust for Land but there was no question about it that they are aware that the Town was the one who wanted to purchase it. He said he went over the life estate. The offer was to pay 10% above appraised value and let him stay on the property for life and the park would be named after him. His daughter said he was not willing to sell at that price. He was cutting articles out of the paper that showed they were selling property at I-485 and felt they could get that price. Mr. Buckley said only consummated sales are evidence.

Commissioner Query said that he has heard that Mr. Purser has had two offers on the property. Mayor Myers asked if Mr. Purser knows the Town is actively seeking condemnation. Mr. Chaplin said his understanding was that the matter of condemnation was on the agenda for discussion tonight. He said he knows the Town is serious about it.
Motion by Commissioner Bailey to go out of closed session. Seconded by Commissioner Davis and unanimously approved.

Respectfully submitted,

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
BOARD OF COMMISSIONERS MEETING
MARCH 14, 2005

Motion by Mayor Pro-Tem Gulley to go into Closed Session to discuss acquisition of real property. Those to attend: Mayor and Board of Commissioners, Town Manager, Town Attorney, Town Clerk and Parks and Recreation Director.

Mr. Blodgett said he wanted to update the Board on the Stevens’ property behind Stumptown Park. He said he spoke to the daughter and her husband who felt that the Town has not dealt fairly with them in the past. The property is under contract but they would like to sell it to the Town, along with the triangular piece of property, for $96,500 and the Town would recognize $44,000 as a donation. Mr. Buckley said he has a real problem with the Town paying that price up front.

Discussion ensued and consensus was that they would sit tight until they hear from them.

Purser property – Mr. Blodgett said they gave notice of condemnation and started doing the preliminary title search. The Purser family has 71 acres. The condemnation is for everything but the house, he said—the house and a little more than 1-1/2 acres on the Matthews-Mint Hill roadway. Does the Board want to go ahead and condemn it or wait, he asked. The house and lot would be valued less if this is separate. If they do nothing they will not condemn his house. If nothing more is done his house and lot is not condemned. Consensus is to leave it the way it is.

Mr. Buckley said they may need to go to the expense of a survey.

Motion by Commissioner Taylor to go out of closed session. Seconded by Mayor Pro-Tem Gulley and unanimously approved.

Respectfully submitted,

[Signature]
Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
MAY 9, 2005

PRESENT: Mayor Lee Myers; Mayor Pr-Tem Suzanne Gulley; Commissioners Paul Bailey, Jack Davis, Paula Lester, Kress Query, James Taylor; Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Town Clerk Jill Pleimann.

ALSO PRESENT: Ralph Messera, Geralynn Trellue.

Mr. Blodgett said, regarding the Russ Gill property (formerly the Stevens property), the owners have no interest in selling. He said his recommendation is not to condemn it. When the Nancy Williams' property becomes available they can pursue it then, he said.

Mayor Pro-Tem Gulley asked about the Masonic Lodge property. Commissioner Davis said they are waiting to get costs to renovate the new lodge. If they decide to sell it they would come to the Town first, he said.

Consensus was to let the Russ Gill property go. Contact Nancy Williams and see if they can get a right of first refusal on her property. Town Attorney Buckley said a right of first refusal may have a time limitation. Commissioner Lester said she thought it may be a good idea to pursue it.

Re Hobart Smith property: Mr. Messera said Mr. Smith is willing to sell the right-of-way without condemnation. (50’ x 200’ strip) Mr. Messera said that Mr. Smith confirmed he would sell what we need for the values listed in the appraisal:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>$64,257</td>
</tr>
<tr>
<td>Shed</td>
<td>3,500</td>
</tr>
<tr>
<td>Land</td>
<td>20,900</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>88,657</td>
</tr>
</tbody>
</table>

The offer of $156,000 for the entire property was not acceptable to Mr. Smith, Mr. Messera said. Mr. Buckley said they would need a public purpose for condemning the entire property. Mr. Messera said Mr. Smith wants $190,000 for the entire property, which he said is what Lat Purser & Associates offered him.

Consensus was to buy the right-of-way and look at purchasing the other part of the property at a later
time. The Town will be responsible for demolition and disposal of the house, Mr. Messera said.

Motion by Commissioner Davis, seconded by Commissioner Lester, to direct the Manager to move ahead with the purchase of the property at a cost of $88,657. Unanimously approved.

Update on Purser property: Mr. Buckley said that Sam Malone is working on the survey. It will be less than 72 acres he said.

Commissioner Query asked how they would handle the encroachment of two properties (talking about the Hulsey property). Mr. Buckley said they can sell it at a fair market price.

Motion by Commissioner Davis to go out of closed session. Seconded by Commissioner Bailey and unanimously approved.

Respectfully submitted,

[Signature]

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
JULY 25, 2005

Motion by Mayor Pro-Tem Gulley to go into closed session to discuss property acquisition. Those to attend: Mayor, Board members, Town Manager, Christine Surratt, Kathi Ingrish and Town Clerk. Seconded by Commissioner Lester and unanimously approved.

Absent: Commissioner James Taylor

Town Manager Blodgett said they followed up on appraisals for the Purser property. They came in at $43,000 per acre. The original appraisal was $39,000 an acre, which was a year ago, Mr. Blodgett said. In their agenda packages is a budget ordinance amendment for the additional funds. Mr. Blodgett said they need to appropriate the money so the condemnation papers can be filed.

Commissioner Davis said it has never been a matter of what they will offer to buy because Mr. Purser’s statement is that he will not sell.

Mr. Blodgett said the Challenge Grant funding runs out in 2005. The concept is $1 for $1. If the County purchases both tracts they could lease it back to the Town for 40 or 50 years. He said this would maximize the money (per conversation with Nancy Brunemeyer at the County). They would want the Town to go through the condemnation process. The biggest downside would be the Town would not own the land. They need to sit down and discuss this with the County, he said. It would free the Town’s $5 million for something else, Mr. Blodgett said. The County would buy it from the Town after the condemnation.

Motion by Commissioner Bailey to adjourn. Seconded by Mayor Pro-Tem Gulley and unanimously approved. Meeting adjourned at 7:08 p.m.

Respectfully submitted,

[Signature]
Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
SEPTEMBER 12, 2005

Motion by Commissioner Taylor to go into Closed Session. Those to attend: Town Board of Commissioners, Town Manager, Town Attorney, Assistant Town Manager, Town Clerk, Geralynn Trellue and Corey King from the Parks and Recreation Department. Seconded by Commissioner Bailey and unanimously approved.

Town Manager Hazen Blodgett said the County has a challenge grant program. The county is proposing to buy both the Hulsey and Purser properties. They would then lease it back to the Town for 99 years. Mr. Blodgett said that Mr. Hulsey had no problem with this but would like it to be used for a park or open space.

The Purser property was discussed. Mr. Blodgett said he spoke with Trim Sawtelle, the Assistant Fire Chief, about a potential VFD and training ground. He said the Town may want to consider reserving 2-1/2 to 3 acres for this.

Commissioner Query said he has a problem if it goes to the county after the Town goes through the condemnation of the Purser property. He said he does not have a problem with the Hulsey property. Discussion ensued. Commissioner Taylor said he has no problem with the county acquiring the land but he wants to make sure that it does not negatively impact the residents of Matthews in the future.

Consensus: bring back to the Board how much control Matthews will have. 99 year lease with renewal of another 99 years. Talk with county to see if they would allow life estate rights for Mr. Purser.

Re Frink property: Mr. Blodgett asked if the Board was comfortable with $20,000. Commissioner Bailey said he thinks $2.75 square foot is a fair price. Consensus was that $20,000 was fair.

There being no further business the meeting adjourned.

Respectfully submitted,

Jill Pleimann,
Town Clerk
MINUTES
CLOSED SESSION
SEPTEMBER 26, 2005

Motion by Mayor Pro-Tem Gulley to go into Closed Session. Those in attendance: Town Board of Commissioners, Town Manager, Town Attorney, Town Clerk, Assistant Town Manager; Public Works Director, Parks, Recreation and Cultural Resource Director.

Absent: Mayor Myers; Commissioner Paul Bailey.

Ms. Plyler said she and Ms. Trellue have been working with Wayne Weston, Mecklenburg County on the challenge grant. She said this will go to the county for their approval. Ms. Plyler said they talked about the county buying properties up to the maximum of the grant. Option to buy: county feels it would not be a problem. Would be a conservation lease in perpetuity -- 50% active; 50% passive. The issue of control, usage and programming -- Ms. Plyler said both county and Matthews staff would coordinate to prevent duplication.

Town Manager Blodgett asked if the Board was comfortable moving ahead with this.

Commissioner Lester talked about the potential of liability if Mr. Purser worked the farm and was hurt.

Commissioner Query said he has a problem with this. He said he does not feel it is right to transfer the property to the county. Commissioner Taylor said he has the same concern as Commissioner Query but feels the savings to the residents of Matthews outweigh this. Commissioner Lester said she feels the same way. She said she wishes the county would condemn it. Geralynn Trellue said they feel it would be more friendly for the Town to do it. She said it was also so late for the county to take over that they would miss the date for the challenge grant money. Mayor Pro-Tem Gulley said they do not want to have to raise taxes to acquire this property.

Commissioner Query reiterated that he still has a problem. He said he does not like the idea that Matthews would not own the property.

Kay Plyler said they need to move forward with the lease agreement. At the same time they can talk to the Town Attorney about talking with Mr. Purser about life estate.

Commissioner Taylor asked about naming rights for the park. There being no further business Commissioner Lester moved to go out of Closed Session. Seconded by Commissioner Davis and unanimously approved.

Respectfully submitted,

[Signature]

Jill Pleimann
Town Clerk
MINUTES
CLOSED SESSION
JULY 24, 2006

CLOSED SESSION TO DISCUSS LITIGATION BETWEEN TOWN OF MATTHEWS AND PURSER FAMILY LLP

Motion by Commissioner Gulley to go into Closed Session. Those to attend: Mayor, Town Board members, Town Attorney, Town Manager and Town Clerk. Seconded by Commissioner Young and unanimously approved.

Mr. Buckley said negotiations begin on Wednesday. The Town Manager will go with him, he said. They need direction from the town about the amount they would be willing to settle for. $74,900 is the top value Mr. Buckley said. Is there an amount per acre, the upper limit, the Board would settle for?

Commissioner Young asked how much time the legal proceedings could take. Mr. Buckley said it if goes to trial it would last about two days. Commissioner Young asked how strong a case it was. Mr. Buckley said the Town has a strong case, although, he said they have 12 people who don’t know anything about condemnation and it’s boring, boring, boring. The sympathy is going to go to the property owner, he said.

Mr. Buckley said coming back from the County is $43,000 per acre. They will have to pro-rate the taxes in that one year, he said. (2004 property taxes). Appraisals came in at $39,000 and $43,000 per acre, Mr. Buckley stated.

Discussion ensued.

Consensus was to offer $58.5 and consider $60,000 with life rights and naming rights if it doesn’t go to court. Cost would be $1.2 million if they go to $60,000 per acre, Mr. Blodgett said.

Motion by Commissioner Bailey, to reconvene regular meeting. Seconded by Commissioner Gulley and unanimously approved.

Respectfully submitted,

[Signature]
Jill Pleimann
Town Clerk
MINUTES
CLOSED SESSION
AUGUST 14, 2006

Motion by Commissioner Bailey to go into closed session for attorney-client privilege regarding the Town of Matthews vs Purser Family LLP Litigation. Those to attend: Board of Commissioners, Town Attorney, Town Manager and Town Clerk. Seconded by Commissioner Taylor and unanimously approved.

Absent: Mayor Myers; Commissioner Gulley

Town Attorney Buckley said he sent a memo to the Board regarding this. The bottom line is that the Purser Family wanted $77,500 an acre, he said. After going through the mediation they will agree to $59,000 per acre for the 68.1 acres that the Town acquired through condemnation. They are also willing to include the 1.64 acres in consideration of $215,000, allowing Mr. Purser life time rights for occupancy of the premises and allowing him to work his cattle, and have naming rights. Mr. Buckley said they will get a minimum of $43,000 per acre and the $215,000 for the home.

Commissioner Young asked if the County does not come through how does it affect the cash flow. Mr. Blodgett said they are investigating options.

Commissioner Taylor asked about liability if someone should get injured on the property. Mr. Buckley said it is Town of Matthews property so the Town would be liable.

Motion by Commissioner Taylor to adjourn. Seconded by Commissioner Young and unanimously approved.

Respectfully submitted,

[Signature]

Jill Pleimann,
Town Clerk.