

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
Projects Committee Minutes
2100 Randolph Road, Charlotte, N.C.
May 6, 2019
6:00 p.m. – 7:29 p.m.**

Present:

**Mr. Nathan Clark, HLC Treasurer
Ms. Penny Higdon, HLC Secretary
Mr. William Hughes
Mr. Len Norman, Projects Committee Chair
Mr. Jeffrey Parsons, HLC Vice Chair/Survey Committee Chair
Mr. Sandy Carnegie, HLC Attorney (by telephone)
Dr. Dan L. Morrill, HLC Consulting Director
Ms. Elizabeth Stuart, HLC Administrative Assistant
Mr. Peter Wasmer, HLC Project Manager**

Absent:

**Mr. Tom Egan, HLC Chair
Mr. Stewart Gray, HLC Senior Preservation Planner**

Visitors:

None

1. Chair's Report: Len Norman

Mr. Norman welcomed the Committee members to the meeting. Mr. Norman stated that in an effort to reduce legal fees, Sandy Carnegie would not be consulted for legal advice until later in the meeting.

2. Director's Report: Dan Morrill

a. Discussion of Impact of Option to Purchase Process.

Dr. Morrill reviewed the steps for options to purchase and stated that Leslie Johnson, Assistant County Manager, has described the governing process as it presently stands.

1) All Options to Purchase must be approved by BOCC.

2) Purchase price must be "reasonable" as determined by appraisal or realtor's comps. If latter is used language must be included stating that price could be adjusted.

- 3) HLC should seek to identify buyer to whom to assign the option.**
- 4) If the HLC decides to purchase the property, the HLC must return to the BOCC for approval after performing full due diligence.**
- 5) In instances when the HLC isn't planning to purchase the property, it may choose to perform some elements of due diligence. However, it would be based on HLC direction to the Consulting Director.**

Mr. Norman asked if the HLC would recover fees for the HLC's attorney's role in preparing an option to purchase. Dr. Morrill replied that the HLC may not recover the fees but stated that the fees are a relatively small amount.

3. Update on Projects: Dan Morrill and Peter Wasmer

Dr. Morrill and Mr. Wasmer reviewed the project budget for April 2019.

a. Torrence Lytle School, 302 Holbrooks Road, Huntersville, N.C.

Dr. Morrill stated that no Purchase Agreement from prospective buyer has been received. Dr. Morrill reported that the HLC has approved demolishing all buildings except the original school building, stabilizing the original school building, and placing the property back on the market. Dr. Morrill stated that there has been some discussion of retaining Building D (Cafeteria Building).

Dr. Morrill reviewed the motion regarding Torrence Lytle from the February meeting of the HLC. Dr. Morrill and Mr. Wasmer stated that construction on the Waymer Center will begin in the fall.

b. Ingleside, 7225 Bud Henderson Road, Huntersville, N.C.

Dr. Morrill stated that closing is scheduled for June 4th.

c. Barnhardt House, 3217 Maymont Place, Charlotte, N.C.

Mr. Wasmer stated that mold and asbestos remediation is scheduled to occur this week. Mr. Wasmer is working to obtain money from County insurance to repair storm damage to the house. Dr. Morrill stated that the house will be painted when repairs are complete.

Dr. Morrill reviewed an email from Eric Gamble, which detailed the status of prospective buyers and stated that there has been strong interest in the house recently. Mr. Wasmer stated that power has been connected to the house.

d. Edgewood Farm, 11132 Eastfield Road, Charlotte, N.C.

Dr. Morrill stated that Staff has been working with the owner to devise a preservation strategy and that the property is a possible candidate for an Option to Purchase. Dr. Morrill stated that a potential buyer has been identified.

e. Former Standard Oil Company Service Station, 1010 N. Tryon Street, Charlotte, N.C.

Dr. Morrill reported that Mr. Wasmer has ordered an appraisal and that once Board of County Commissioners approves funding, Mr. Wasmer will order a Phase 2 Environmental Assessment. Dr. Morrill stated that earnest money has been deposited. Dr. Morrill stated that he and Mr. Wasmer would attend the Board of County Commissioners meeting on May 7th for approval of funds for the property.

f. James C. Dowd House and Former Charlotte Fire Station #10, 2216 Monument Avenue and 2136 Remount Road, Charlotte, N.C.

Dr. Morrill stated that Sandy Carnegie is reviewing the Memorandum of Agreement prepared by Mecklenburg County. Dr. Morrill stated that this is a good example of how effective adaptive reuse can be for protecting resources.

g. Louise Cotton Mill House, 1104 Pamlico Street, Charlotte, N.C.

Dr. Morrill stated that the appraisal has been sent to Mr. Wasmer. Dr. Morrill reported that the earnest money has been deposited and that due diligence shall commence once County funding is approved.

h. Victor Shaw House, 2400 Mecklenburg Avenue, Charlotte, N.C.

Dr. Morrill reported that the prospective buyer of rear lots has not yet secured financing. Dr. Morrill stated that the house is a good candidate for an Option to Purchase. Dr. Morrill stated that he is scheduled to meet with the property owner on May 7th.

i. McConnell House, 4009 Beatties Ford Road, Charlotte, N.C.

Dr. Morrill stated that Preserve Mecklenburg has submitted an offer to purchase a lot to which the house can be moved. Dr. Morrill stated that the owner of the lot has yet to respond to the offer. Staff has asked Martin Marietta to make a contribution to the move equivalent to the expense of demolishing the house.

j. Excelsior Club, 921 Beatties Ford Road, Charlotte, N.C.

Dr. Morrill reported that no additional information has been provided to the HLC.

k. Former Mt. Carmel Baptist Church, 412 Campus Street, Charlotte, N.C.

Dr. Morrill stated that Johnson C. Smith University is developing a stabilization plan for presentation to the City Code Enforcement Committee in August. The University has asked the HLC to meet with University officials to discuss the proposal offered by the HLC. Dr. Morrill reported that he and William Hughes are scheduled to meet with the President of the University on May 8th.

4. Discussion of Ranking of Projects

Mr. Norman reminded the Committee that it discussed the ranking of current projects prepared by Dr. Morrill at its meeting in March. Mr. Norman reviewed the included projects and updated the Committee on what actions the Historic Landmarks Commission has taken since the list was last considered. Mr. Parsons suggested that the document be used by the HLC as a living tool rather than incorporating it into policy. The Committee was agreeable to this suggestion.

5. Consideration of Amendment to the HLC Manual of Practice

IV. MEETINGS

G. Telephonic and electronic attendance at meetings.

Mr. Norman asked Mr. Carnegie to explain the proposed meeting policies. Mr. Carnegie stated that he had received questions from Leslie Johnson regarding the appropriateness of using email to distribute sensitive information.

(a) Committee meetings. Commission members may attend committee meetings by telephone or other electronic means when they are unable to attend in person and with permission of the Chair and Vice-Chair. Commissioners who plan to attend by electronic means should notify the Chair and Vice-Chair at least 48 hours in advance. Commissioners attending electronically are entitled to vote and fully participate in the business of the committee meeting.

(b) Commission meetings. Commissioners may attend regular and special meetings by telephone or other electronic means where: (i) permitted by the Chair and Vice-Chair; (ii) necessary to achieve a quorum; and (iii) attendance is precluded due to weather, civil unrest, emergency, etc. Commissioners may attend Commission meetings by telephone or other electronic means for emergency meetings.

Mr. Norman questioned whether non-Commission members of Committees should be included in the policy and allowed to call in to meetings. The Committee members discussed the specific language used.

13. GUIDELINES FOR PROJECTS AND REAL ESTATE ACQUISITIONS

4. It is recognized by the HLC that real estate represents a sometimes-volatile market and there is the necessity to make decisions quickly in order to preserve historic landmarks. After the HLC has voted to purchase or sell a historic landmark and to further the purpose of being able to react quickly, the HLC shall have the ability to appoint the Executive Committee to negotiate contract details for the purchase and sale of historic landmarks. Further, the Executive Committee in carrying out its function of negotiation as set forth herein may utilize telephonic or electronic communications as long as a record is made of such communication and made a part of the record and entered into the HLC minutes as soon as possible within a reasonable time after the negotiations are concluded, subject to §143-318.11(a)(5). The Executive Committee may only negotiate the terms of a contract within the parameters as set forth by the HLC.

MR. PARSONS PRESENTED A MOTION SECONDED BY MR. CLARK THAT THE PROJECTS COMMITTEE RECOMMEND TO THE HISTORIC LANDMARKS COMMISSION THAT IT AMEND THE BY-LAWS OF THE HLC IN THE HLC POLICY MANUAL AS PRESENTED SUBJECT TO THE FOLLOWING CHANGES: 1) UNDER SECTION IV. MEETINGS G(A) THAT “CHAIR AND VICE CHAIR” BE REPLACED BY “COMMITTEE CHAIR,” AND 2) UNDER SECTION IV. MEETINGS G(B) THAT “CHAIR AND VICE-CHAIR” BE CHANGED TO “CHAIR OR VICE-CHAIR,” AND 3) UNDER 13. GUIDELINES FOR PROJECTS AND REAL ESTATE ACQUISITIONS THAT “THE HLC SHALL HAVE THE ABILITY TO APPOINT THE EXECUTIVE COMMITTEE” BE CHANGED TO “THE HLC SHALL DELEGATE TO THE EXECUTIVE COMMITTEE” AND THAT THIS SECTION BE MOVED TO III. COMMITTEES UNDER ITEM D. EXECUTIVE COMMITTEE. THE COMMITTEE UNANIMOUSLY APPROVED THE MOTION.

MS. HIGDON PRESENTED A MOTION SECONDED BY MR. CLARK THAT THE PROJECTS COMMITTEE CONVENE IN CLOSED SESSION. THE COMMITTEE UNANIMOUSLY APPROVED THE MOTION.

MR. CLARK PRESENTED A MOTION SECONDED BY MR. HUGHES THAT THE PROJECTS COMMITTEE RECONVENE IN OPEN SESSION. THE COMMITTEE UNANIMOUSLY APPROVED THE MOTION.

6. Old Business

There was no old business.

7. New Business

There was no new business.

The meeting adjourned at 7:29 p.m.