

**Charlotte-Mecklenburg  
HISTORIC LANDMARKS COMMISSION  
SPECIAL MEETING  
June 25, 2020  
Virtual Meeting  
Time: 6:03 p.m. – 6:42 p.m.**

**Draft Minutes**

**Present:**

**Ms. Diane Althouse/County/HLC Treasurer  
Mr. Robert Barfield/County  
Mr. Akadius Berry/County  
Mr. Brian Clarke/County  
Ms. Laura Hoover/County  
Mr. William Hughes/City  
Mr. Len Norman/City/Survey Committee Chair  
Mr. Jeffrey Parsons/Mayor/HLC Chair  
Mr. Jack Thomson, HLC Executive Director  
Mr. Stewart Gray, HLC Senior Preservation Planner  
Mr. Sandy Carnegie, HLC Attorney**

**Absent:**

**Mr. Nathan Clark/County/HLC Vice Chair  
Mr. Garrett Nelson/Mayor/Design Review Committee Chair  
Mr. Jonathan Schulz/City  
Mr. Edwin Wilson/City/Projects Committee Chair**

**Visitors:**

**Abigail Jennings  
Sandy Knox**

**Note: This meeting was held virtually through the Zoom video conferencing platform.**

**Mr. Parsons called the meeting to order and Staff took attendance and confirmed a quorum.**

**1. Right of First Refusal (ROFR) for the Croft Schoolhouse and the S. W. Davis House**

**Mr. Parsons stated that the special meeting had been called to consider the HLC's Right of First Refusal (ROFR) for the Croft Schoolhouse and the S. W. Davis House and Outbuildings. Mr. Thomson described the property to the HLC, provided an overview of the owner's request, described the deed restrictions, and showed images from his site visit.**

**Mr. Carnegie discussed the proposed change of ownership and issues around the HLC subordinating its ROFR for these properties including the request to subordinate HLC's position to the Trustee in the case of potential future default on the financing.**

**Ms. Hoover asked if the HLC could get notice of foreclosure, and Mr. Carnegie stated that could be added to the agreement.**

**Ms. Knox, the attorney for the owners of the properties, discussed the potential sequence for revising the agreement.**

**Ms. Jennings, representing the school that owns the property, discussed the process that led to their request.**

**Mr. Parsons stated that he would welcome the following motion:**

**MS. HOOVER PRESENTED A MOTION SECONDED BY MR. NORMAN THAT THE HISTORIC LANDMARKS COMMISSION APPROVE THE WAIVER OF THE RIGHT OF FIRST REFUSAL (ROFR) AND THE PRESENTED DRAFT AGREEMENT TO SUBORDINATE THE HLC'S FUTURE ROFR FOR THE CROFT SCHOOLHOUSE AND THE S. W. DAVIS HOUSE TO A TITLE HOLDER IN CASE OF A FORECLOSURE WITH THE CONDITION THAT THE AGREEMENT INCLUDE A PROVISION PRODUCED BY HLC COUNSEL TO GIVE THE HLC NOTICE OF ANY FORECLOSURE. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.**

## **2. Revisions to the HLC Policy Manual Concerning the Executive Committee**

**Mr. Thomson suggested that the HLC issue a directive to allow the Executive Committee to make decisions concerning the HLC exercising a ROFR in the future.**

**Mr. Carnegie expressed his opinion that delays associated with waiting for the full HLC were sometimes problematic in connection with HLC real estate projects.**

**Ms. Althouse, Mr. Barfield, Mr. Norman, Mr. Berry, and Mr. Hughes discussed the benefits and challenges to giving the Executive Committee more control over real estate decisions. There was a consensus to continue the discussion at the regular HLC meeting in July.**

**MR. BARFIELD PRESENTED A MOTION SECONDED BY MS. HOOVER THAT THE MEETING OF THE HISTORIC LANDMARKS COMMISSION ADJOURN. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.**

**The meeting adjourned at 6:42 p.m.**