



Parks, Arts, Recreation & Culture (PARC) Commission
Thursday, April 7, 2011
5:30pm

Cornelius Town Hall Meeting
21445 Catawba Ave
Cornelius, NC 28031
www.corneliuspr.org

Minutes

I. Parks, Arts, Recreation & Culture Meeting

a. Call to order: Chair Trimbur called the meeting to order.

1) Present: PARC Commissioners, Chris Jones, Travis Dancy, Tedd Duncan, Gary Knight, Bruce Trimbur, Del Arrendale, Lenzy Wallace, Jamie Sherrill, and PARC Director Paul Herbert.

b. Introductions: Don Morris, previous Chair of the PARC Commission and Cornelius Arts Project was introduced. Don stated it was his understanding that the Arts Center Task Force did not consult with the PARC Commission or PARC staff prior to reporting to the Town Board. You are a body of experts the Town Board needs to use in order to make decisions. He also noted that the recommendation did not have any cost/financial numbers included in it. The Town has embarked on a path for funding a not for profit organization. He stated the PARC Department is providing a significant level of management and services. The recommendation is to continue the same structure for years to come. Don stated he would like to see careful consideration when reviewing this. Commissioner Knight responded that he and Commissioner Wallace were not charged with producing a financial plan or making management recommendations. They were charged with creating a vision with the role of arts in the future of Cornelius. That is why there are no financial numbers included in the recommendation. Commissioner Knight added that this report incorporates every observation and suggestion made by the PARC subcommittee and nothing in their report is inconsistent with their suggestions. Commissioner Knight also stated that there is a model in the town of Matthews that has [numerous-a-sole-source providers, not a sole source provider](#). Please come to the next meeting because there will be a presentation made to this body. Commissioner Jones agreed with Commissioner Knight that the findings are identical to what the task force had noted. He added that his concern as a taxpayer was that the [towngovernment](#) is spending money to support a 501c3 organization and that did not make sense. The current operating model gives CAP first right of approval which is a severe deficiency. The town is providing CAP a real estate location where they operate and it does not make sense why our government is paying for that. Commissioner Jones added that ~~28%~~ 28% of total project participants are Cornelius residents which means that 72% are coming from somewhere else, however 100% of funding comes from Cornelius. Commissioner Knight responded that a recommendation was made to charge a fee for any class but provide a discount for Cornelius residents. Mindi Stoner replied that a resident discount was instituted in the winter session. Commissioner Jones stated he believes a town should support cultural arts, and even a facility for this, but concern is that we've given the sole right to CAP. Commissioner Wallace replied that the way the situation was going, there was no way CAP could support itself. In order to transition in the new plan there were more steps included where more than just CAP is involved. CAP would

not be the one and only primary [provider](#). Commissioner Jones replied that his opinion is that we should look to CAP as a provider, not allow them to have offices in a facility the town is responsible for. CAP should stand on their own, as a service to the town. They should not [be given](#) preferential treatment like we have in the current model that hasn't worked. We identified this as not a working business model. Our taxpayers are paying \$70,000 a year for something the PARC Department could do for \$7,000 a year. Commissioner Knight replied that it was his understanding that in April, the sole provider relationship comes to an end. Chair Trimbur negotiated reduced rent to half of what it was. When you pull something apart that is not successful you don't want to create animosity among the artists who are providing the classes. We wanted to create all the positives that would create a visual arts program that would be successful for Cornelius. The Matthews model does have [several](#) offices [for their providing organizations](#), but [those organizations](#) ~~they~~ pay rent based on [the](#) capacity of the organization. Matthews makes a determination that it is better for the town to negotiate those types of things to stimulate those younger organizations. CAP has been a problem. Whether they survive or not, we will ~~find out~~ out over the next year. We have a model for what the town will be doing whether or not they survive. Commissioner Wallace added that many people have spent lots of time looking at the model and as we go forward and implement the plan if the town approves that, it will be a much smoother transition. The only thing the [Town](#) Commission authorized was to extend the lease ~~(at the newly negotiated its current rate)~~. Commissioner Jones replied he would like to make a motion that the only thing authorized was the extension of the lease, not the professional services agreement. When the lease expires, the professional services agreement expires as well. Commissioner Jones added that he agreed with Don Morris, that this has all happened in a vacuum. It is unfortunate that the minutes have not been made public and ~~w~~[the PARC Commission](#) had no opportunity to review what has been going on. We should've done a better job of planning through this. PARC is responsible for everything going on with CAP. Commissioner Knight replied that ~~they~~[the Arts Task Force was](#) ~~were~~ asked about vision and where the town should be going. Mayor Tarte added that the recommendation references extended lease, right of refusals, etc. and gets into more than just the vision. Don Morris added that he is not an attorney but his understanding is that when a lease is renewed, all associate agreements are renewed as well. Park Superintendent Troy Fitzsimmons replied that we are looking into this and writing a new lease. Chair Trimbur stated that one of the things to be cautious of is that just because you are a PARC Commissioner doesn't mean you speak for the entire board. ~~Mayor Tarte added that the vision for where this ends up 5 years from now could be a huge economic engine. I don't mind being a cultural center but it needs to be done in the right economic vehicle. There are a lot of issues to be worked out. Throw how we operate it back on the table.~~

Commissioner Jones stated if we really like what CAP does, we should bring them in as PARC employees. Mayor Tarte stated that the PARC Commission will be the ones who have to roll up their sleeves and figure this out. Commissioner Knight replied that the task force is done; we are not going to do a budget, etc. This needs to be done deliberately, carefully and with great thought. He also stated he would like to thank Don Morris for coming and for his insight. Mayor Tarte added that one of his most pleasurable experiences was participating on the PARC Board under Don's leadership. Chair Trimbur reminded everyone that there was a motion on the floor to agree on. Commissioner Jones made a motion to discontinue the professional services agreement at the conclusion of the current lease. Commissioner Knight seconded the motion, and with no further discussion, Chair Trimbur stated the motion passes. Commissioner Tovar

questioned that the motion regarding the new lease in place involves the town and the owner. Commissioner Jones replied that the professional services agreement between CAP and the Town stated that as long as lease is in effect, the professional services agreement is in effect. My motion was that on April 14th when the lease is terminated, the professional services agreement is terminated as well. This needs to be a separate document, having nothing to do with the lease. Troy Fitzsimmons replied that the new lease takes out CAP and CAE. Chair Trimbur stated it was purely a real estate lease. Troy Fitzsimmons replied that back in November notice was sent to landlord that there was no intention to renew lease as it is. Commissioner Jones stated he would like to make a motion that Chair Trimbur and Commissioner Tovar get involved with review of lease before it gets signed and executed. Commissioner Knight replied that it exceeds our authority as a town board. If they are appointed to do that, it is one thing, but it needs to be a form of request. Commissioner Tovar replied that the town attorney would still review it anyways. Commissioner Duncan added that it was important that the town attorney is aware of all that is going on. Commissioner Jones motioned that [the PARC Commission recommends that](#) Commissioner Tovar and Chair Trimbur be appointed by town officials to use their commercial real estate expertise to review the lease. Commissioner Knight seconded the motion and with no further discussion, the motion passes. Director Herbert stated that a document called professional services agreement is referenced. Commissioner Jones stated his interpretation is that the current lease ends the current professional services agreement; therefore effective April 15th CAP is operating without an agreement. Commissioner Knight replied that recommendations made at the town meeting Monday night involved only approving the lease renewal. The report was accepted, but not adopted. They asked that the report be submitted to the PARC Commission. Commissioner Jones replied that we have to create a new document and the current document is no longer in effect. Commissioner Duncan stated that he recalled in previous discussions that there was a lot of conflict and everything was overly politicized. We took comfort in, as a group, as a board, looking ahead, that when the lease runs out, that voids current agreement, and a new agreement must be negotiated. The time has come. Let's not miss this opportunity and not take it lightly by not giving it due process and thought. We need to find out very fast how to get an interim agreement. Commissioner Jones stated the recommendation could be that we continue the current professional services agreement on a month to month basis. Commissioner Knight agreed with Commissioner Jones that this would be a good idea, and permits activities to continue seamlessly by participants while agreements are formed. Commissioner Duncan made a motion that PARC get an agreement with CAP to be effective April 15th on a month to month basis until a new operating agreement is negotiated. Commissioner Knight clarified that it should be between CAP and the town. Commissioner Jones replied that because CAP is managed by Andrew Grant and not by Director Herbert, this creates an issue. Where does the PARC Commission fall in all of that? Commissioner Knight answered he would simply say "the town". Commissioner Jones replied that it doesn't matter; an agreement has to be created. We can't have an entity operating without an agreement. We need to identify who works on that agreement whether it is Andrew Grant or Director Herbert. Chair Trimbur stated that as long as the PARC department is involved in any manner, the PARC board should have input. Commissioner Jones stated he was just making a recommendation that this is something that needs to be taken care of. Commissioner Duncan added that the town will have to work that out. Director Herbert agreed that if it impacts PARC and the budget, we should be involved and be able to look at it. He is hopeful that no matter how it is run, as long as it touches PARC, we would like to see it and be involved. Commissioner Jones added to the motion that as long as

PARC Department has involvement in it, the PARC Commission would like to be involved in creating the new operating agreement. Commissioner Sherrill seconded the motion and with no further discussion, the motion passes. Chair Trimbur asked that we table this discussion until next meeting.

c. Public Appearances: none

II. Approval of minutes (attachment)

a. The minutes from the March 4th retreat meeting were approved as submitted.

III. PARC Commission Issues/Presentations set for a specific time

a. 6:05pm – Tom Tasselli, Planner – Greenways & Pedestrian Plan

Tom presented information regarding the greenway and pedestrian plan. Commissioner Knight asked if the plan would come to the PARC Commission for review. Tom replied that there would be four public meetings, two involving the Pedestrian Advisory Committee and two involving the public. Commissioner Knight recommended that before it goes to the Planning Board it should come to the PARC Commission so we are informed. Director Herbert replied that Commissioner Arrendale was a member of the Transportation Advisory Board and could keep the PARC Commission informed. Tom added that the Transportation Advisory Board would be the final proofreaders. Commissioner Arrendale stated he could keep the PARC Commission involved and report back. Commissioner Jones recommended members be elected to participate on the Pedestrian Advisory Committee. Commissioner Knight added that a joint meeting with the Transportation Advisory Board and the PARC Commission should take place.

IV. PARC Commission Subcommittee Recommendations & Reports

a. Items to be placed on record – none

b. Commissioner Reports

- 1) Commissioner Gary Knight – nothing to report
- 2) Commissioner Karen Tovar – nothing to report
- 3) Commissioner Chris Jones – nothing to report
- 4) Commissioner Tedd Duncan – nothing to report
- 5) Board Chair Bruce Trimbur – nothing to report
- 6) Commissioner Del Arrendale – nothing to report
- 7) Commissioner Lenzy Wallace – will not be at next month's meeting
- 8) Commissioner Jamie Sherrill – nothing to report
- 9) Commissioner Travis Dancy – nothing to report

c. Town Commissioner Report - Commissioner Chuck Travis - absent

d. Standing Committee Reports

- i. 1) Director's Report – Director Herbert reported that regarding WAC, April 18th was important: please make time to come to the pre-board meeting. Ryan Hager, Troy Fitzsimmons and himself will be giving a presentation on the budget submitted. The Town Manager has put \$0. We are looking at privatizing that operation to see if they can provide us tournaments as opposed to the PARC department running it. The budget for WAC Phase II is \$1.3 (\$1.5 budgeted), which pays for certain things, and we are ending up with \$1.6 to put it on the ground. It may come to \$1.8 if we are stuck with widening Westmoreland Road. The Town Manager has approved \$1.65 and that may go up depending on the road widening. We'll be just under \$100,000 when we open Robbins Park. Stuff adds up quickly (landscaping, water, nothing fancy). Commissioner Jones suggested using work programs, such as inmates, to mow the grass. Director Herbert added that the master plan still needs to be looked at. It is dated. Commissioner Arrendale suggested that the master plan be focused on and getting it updated. Commissioner Knight supported Commissioner Arrendale and added that if there are critical things to be included, it will need to be included in Navigate Cornelius or we will miss the opportunity. Director Herbert agreed and suggested that the planning department work with the PARC department to look at the PARC comprehensive master plan. It's a tool for implementing the town's vision. Commissioner Knight suggested that Director Herbert sit with Jason Abernathy and get the recommendations. Director Herbert replied that we have had those

recommendations. Perhaps we need to have Jason Abernathy come to speak. Commissioner Wallace stated he would like to make a motion to have Jason Abernathy come speak to the PARC Department. Commissioner Tovar seconded the motion and with all in favor and no further discussion, the motion passes. Director Herbert added that they are looking at lighting plan for WAC, and have asked Chair Trimbur, as a lighting expert, to look at bids and make sure we are getting what we want out of them. Thanks to everyone for stepping up to bat. This committee is one that works and is invaluable. Chair Trimbur added that this is a wonderful set of people on the PARC Commission.

V. Old Business

Commissioner Knight stated that at the retreat we talked about activities we wanted PARC Commissioners to attend. He attended the art opening for CAP for the two artists that were there. We need to implement a process of some type of form to sign off showing who can attend what events. Chair Trimbur agreed that we did talk about that, but implementation is missing. Director Herbert stated it was on the PARC Department and we dropped the ball. Commissioner Arrendale replied that the website does have a lot of information and he's seen events people complain about not getting info for. Commissioner Jones stated it would be helpful to periodically push the website and remind us to visit it. Chair Trimbur asked if it were possible for the PARC Department to send a reminder to us for events. Director Herbert replied, yes. Commissioner Jones asked why the new Cornelius Veterans Monument that is being built doesn't that fall under realm of PARC. Director Herbert replied because of way it started to begin with. The group met with Town management and the project was assigned to Andrew Grant. However it may end up in the PARC budget to maintain. Director Herbert stated he would prefer it to be public works responsibility. Commissioner Jones replied that the only reason he brought up is there is a poker run on April 16th in an effort to raise money for the Veterans Monument. He will be supporting it as a PARC Commissioner. Commissioner Tovar stated that when dedication comes we should be there.

VI. New Business - none

VII. Adjournment

Chair Trimbur adjourned the meeting.

Next Meeting – May 5, 2011, 5:30pm

Upcoming Meeting Dates
Thursday, June 02, 2011
Thursday, July 07, 2011
Thursday, August 04, 2011
Thursday, September 01, 2011
Thursday, October 06, 2011
Thursday, November 03, 2011
Thursday, December 01, 2011