

CITY OF FAYETTEVILLE  
SPECIAL CALLED MEETING OF THE BOARD  
OCTOBER 28, 2010

The City of Fayetteville Board of Mayor and Aldermen met for a special called session on October 28, 2010, at 8:00 a.m. at the Municipal Building. Mayor Gwen Shelton was present and presiding. The following named Alderman was present:

Joe Askins; Danny Bryant; Dorothy Small; Pat Fraley; Michael Stewart; and Marty Pepper

Also present was James S. Hereford, Jr., City Attorney, and James H. Lee, City Administrator.

Also present was: Green Bank representatives; Lonnie Malone, Jim Hinson, Rob Ashworth, Chris Holloway, Sam McAllester, and Steve Morgan.

Guest present was three ladies who own two units at the Robert E. Lee Estates, Ryan Tyhuis, and Tonya Steelman.

**Discussion and History:**

Mr. Malone gave the history from the Green Bank (hereinafter the "Bank") perception and how the Letters of Credit were established. He indicated that the Bank expected to have the LC's rescinded when the approved work was completed.

Mr. Hereford described the position of the City of Fayetteville. He indicated that the City did not received compensation of the school house when Mr. Bud Carman, Developer, began work, and even paid \$66,000.00 for remediation of the asbestos in the building. The \$150,000.00 Letter of Credit was to guarantee the work for the infrastructure, and the \$125,000.00 Letter of Credit was to guarantee completion of the work by Mr. Carman as approved.

Additional discussion on the economy, loss of income from the Bank and City, and decision that neither was getting what they expected in the outcome. The Bank loaned two (2) million for the completion, and the City expected tax dollars from the 4.8 million investment when completed.

The BMA recessed into Executive Session for further discussion.

**Reassembled:**

Coming back into Public session- The Mayor called the meeting to order and asked if any aldermen wanted to make a motion.

Motion was made by Pat Fraley, seconded by Marty Pepper, to approve the revised plat and rescind the 2 Letter's of Credit contingent and conditioned upon replacing with a new agreement between the City and Green Bank that they follow the revised plat and add sidewalks (guaranteed), do interim maintenance, provide Conditions, Covenants and Restrictions with a minimum of 1,200 square footage/footprint, also with infrastructure requirements as stated in the revised plan, and if not addressed in the revised plat, streets on Northern portion of development will remain private and be maintained by the home owners.

**All Voted Aye**

Mayor Shelton declared the motion adopted.

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Gwen Shelton, Mayor

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James H. Lee, City Administrator