



Agenda

Town of Boiling Springs Board of Commissioners

August 5, 2008

Town of Boiling Springs

P.O. BOX 1014
BOILING SPRINGS, N.C. 28017
Telephone 704-434-2357
Fax 704-434-2358

AGENDA

TOWN OF BOILING SPRINGS BOARD OF COMMISSIONERS

August 5, 2008
7 p.m., Town Hall

1. *Call to Order – Max J. Hamrick, Mayor* -
2. *Approval of Minutes* 3
June 26, 2008 Meeting
3. *Recognition of Citizens Present*
4. *Public Hearings* 6
- **Zoning Map Amendment – Hawks Ridge Subdivision, R-20 to R-15**
5. *Other Business* 10
- **Personnel Policy Amendment**
- **Governor’s Highway Safety Grant Resolution**
- **Bid Approval for Gold Farm Waterline Extension**
- **Surplus Property Resolutions**
6. *Staff Reports* 15
7. *Commissioners’ Reports/Comments* 17
8. *Mayor’s Report/Comments* 17

It is the desire of the Board to allow all citizens an opportunity to speak and to conduct business in an open, professional, and productive manner. Persons not specifically listed on the agenda but wishing to speak must register with the Town Clerk prior to the start of the meeting. These persons will be recognized by the Mayor during the “Recognition of Citizens Present” portion of the meeting. A maximum of three (3) minutes will be allowed unless otherwise approved by a majority of the Board. Groups are urged to choose one spokesperson. If you require additional time, you may ask to be placed on the agenda for the next regularly scheduled meeting of the Board. This policy was adopted in an effort to allow the Board members adequate notice of business to come before it as well as time to familiarize themselves with an issue.

**Town of Boiling Springs
Board of Commissioners
Regular Meeting Minutes
June 26, 2008**

The Board of Commissioners of the Town of Boiling Springs met June 26, 2008 at the Boiling Springs Town Hall. Present were: Mayor Max J. Hamrick; Commissioners William Elliott, John Glenn, Darlene Gravett, and Cliff Hamrick. Town Attorney John Schweppe, III was also present. Staff Members Present: Town Manager Zach Trogdon, Town Clerk Kimberly Greene (recording the minutes), Finance Officer Rhonda Allen, Public Works Director Mike Gibert, and Chief Marty Thomas.

Others Present: Jim Blalock, Robert Bridges, Ron and Rhonda Wood, and Lansford Jolley.

AGENDA ITEM I

Call to Order – Max J. Hamrick, Mayor

AGENDA ITEM II

Recognition of Citizens Present

Mayor Hamrick recognized Mr. Ron Wood of the Hawk's Ridge Subdivision. Mr. Wood requested the Hawk's Ridge Subdivision be rezoned from R-20 to R-15. Mr. Trogdon stated property owners must be contacted and a public hearing held. The Board discussed rezoning the subdivisions located within the Town limits that are not zoned R-15. Commissioner Elliott made the motion that the Board petition to rezone subdivisions with the R-20 zoning and located within Town limits to R-15. Commissioner Glenn seconded and the vote was unanimous.

AGENDA ITEM III

Approval of Minutes

Commissioner Elliott made the motion to approve the minutes of the June 3, 2008 regular meeting as previously mailed. Commissioner Gravett seconded and the vote was unanimous.

AGENDA ITEM IV

Public Hearings

Zoning Map Amendment – 419 Hillside Street

A petition was received from Boiling Springs Concrete to rezone property at 419 Hillside Street. The petition is to maintain the current zoning of M-1 CUD, but change the Conditional Use Permit. The petitioner is proposing to construct a 5,000 square ft. storage facility to store contractor equipment which is permitted in an M-1 district under the use type "contractors' facilities with open storage." Mayor Hamrick declared the public hearing open at 7:10 p.m. Mayor Hamrick recognized the previous property owner Mr. Lansford Jolley. Mr. Jolley stated this is the same property that was rezoned last year to allow the construction of a food processing facility. The owners of Snak Time Foods did not purchase the property and his lawyer had their agreement released. There being no further comments, Mayor Hamrick closed the public hearing at 7:13 p.m. The Planning and Zoning Board voted unanimously to recommend approval of the petition. A copy of the Planning and Zoning Board Statement of Consistency is on file. Commissioner Hamrick made the motion to approve the petition; adopt the Statement of Consistency based upon the Planning and Zoning Board Statement; agreed with the Findings of Fact; and issue the Conditional Use Permit. Commissioner Gravett seconded and the vote was unanimous.

Fiscal Year 2008-2009 Budget Ordinance

Mayor Hamrick declared the public hearing open at 7:14 p.m. There being no comments, Mayor Hamrick closed the public hearing at 7:15 p.m. The proposed budget included a revenue neutral property tax rate of \$0.29 per \$100 valuation (a \$0.01 decrease). Commissioner Elliott made the motion to adopt the FY 2008-2009 Budget Ordinance as presented. Commissioner Hamrick seconded and the vote was unanimous. A copy of the budget is on file in the office of the Clerk.

AGENDA ITEM V**Other Business****Bid Approval - Sir Gregory Culvert Replacement Project**

Mr. Trogdon reported two bids were received for the repair of the culvert and headwalls on Sir Gregory Lane. Bids were received from the following contractors:

Kennedy Concrete & Utilities, Inc.	\$81,756.
Marvin Hoyle Construction, Inc.	\$87,000.

Commissioner Glenn made the motion to accept the low bid of \$81,756. from Kennedy Concrete & Utilities, Inc. Commissioner Gravett seconded and the vote was unanimous.

Project Ordinance – Gold Farm Waterline Extension

Commissioner Gravett made the motion to approve the Capital Project Ordinance for the Gold Farm Road Extension. Commissioner Hamrick seconded and the vote was unanimous. A copy of the ordinance is on file in the office of the Clerk.

Project Ordinance – 2008 Street Resurfacing Project

Commissioner Glenn made the motion to approve the Capital Project Ordinance for the 2008 Street Resurfacing Project. Commissioner Elliott seconded and the vote was unanimous. A copy of the ordinance is on file in the office of the Clerk.

AGENDA ITEM VI**Staff Reports**

Mr. Trogdon reported the Planning and Zoning Board has two inside seats expiring on June 30, 2008 and two vacant ETJ seats. Mr. Charles Brown, an ETJ member, has agreed to serve another term. His term expires June 30, 2008. Commissioner Glenn made the motion to recommend Mr. John McCulloch be appointed as an ETJ member of the Planning and Zoning Board and Mr. Charles Brown be reappointed. Commissioner Hamrick seconded and the vote was unanimous. Commissioner Gravett made the motion to appoint Mrs. Amy Johnson to serve as an inside member. Commissioner Glenn seconded and the vote was unanimous. Commissioner Glenn made the motion to appoint Mr. James L. Beason, III to serve as an inside member. Commissioner Elliott seconded and the vote was unanimous. Both terms expire June 30, 2011.

Mr. Trogdon discussed the sewer issues for property located on McBrayer Homestead Road as discussed with the developer.

Rhonda Allen discussed the proposed budget ordinance amendments. Commissioner Hamrick made the motion to approve the budget amendments as submitted. Commissioner Gravett seconded and the vote was unanimous.

Ms. Allen requested authorization to amend the necessary line items to conclude the 2007-2008 Fiscal Year. Commissioner Glenn made the motion to authorize the Finance Officer and Town Manager to make the necessary amendments to conclude the 2007-2008 Fiscal Year and report to the Board. Commissioner Elliott seconded and the vote was unanimous.

Chief Thomas discussed recent activities in Boiling Springs and at the Broad River Greenway. He discussed the Park Ranger job description being under the Police Department and the taser policy. Commissioner Gravett made the motion to approve Policy Number 300-11 Broad River Greenway / Ranger and add it to the Boiling Springs Police Department Operations Manual. Commissioner Glenn seconded and the vote was unanimous. A copy is on file in the office of the Clerk.

AGENDA ITEM VII

Commissioner's Report/Comments

Commissioner Gravett (1) commended the Public Works Department for cutting brush on Annie's Circle; (2) expressed concern about an erosion problem at a house located on Annie's Circle; (3) and expressed concern regarding the white house located across from Ingles on N. Main Street.

AGENDA ITEM VIII

Mayor's Report/Comments

There being no further business to come before the Board, Mayor Hamrick declared the meeting adjourned at 7:55 p.m.

Max J. Hamrick, Mayor

Kimberly Greene, Town Clerk

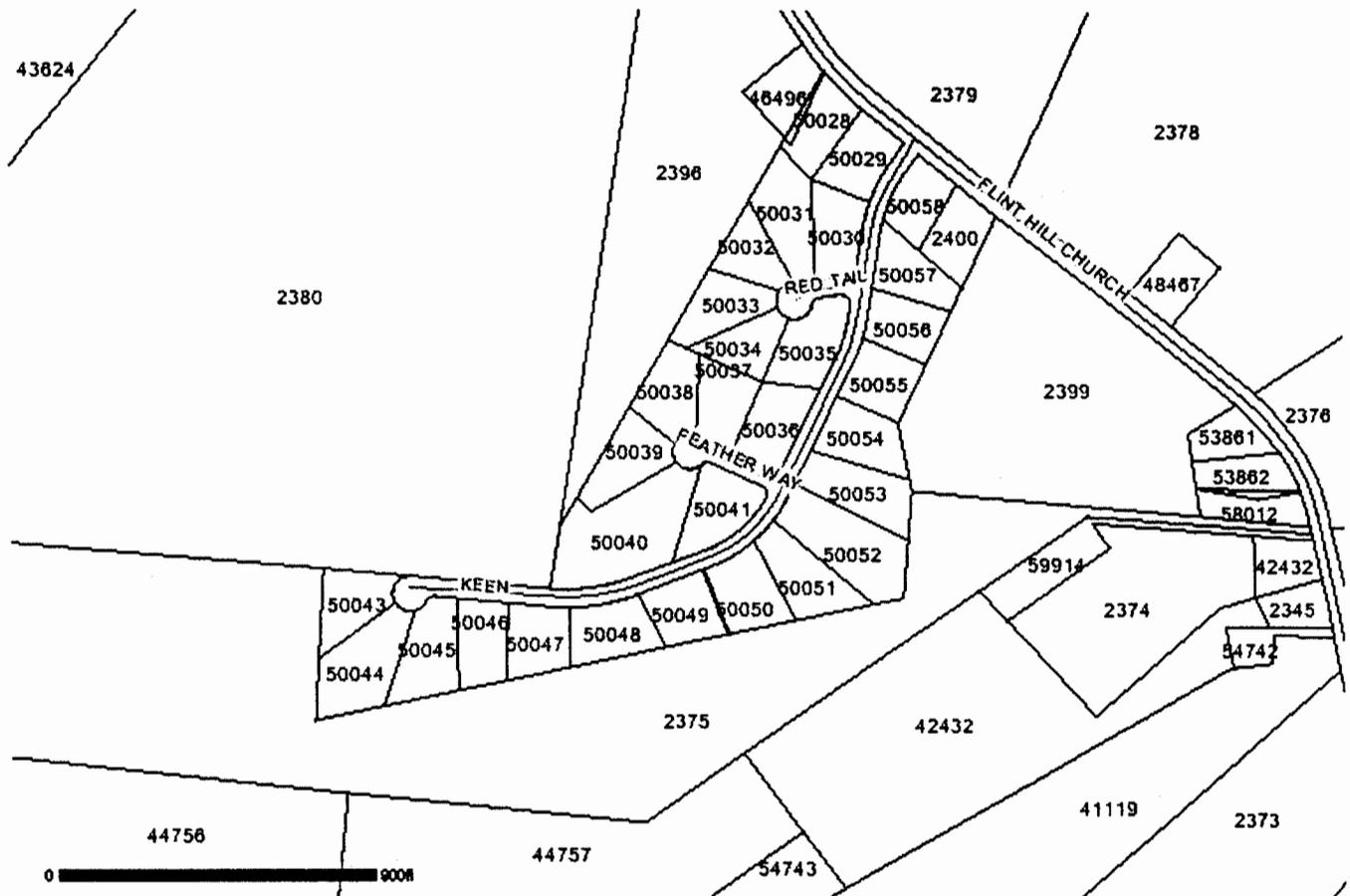
Meeting Date: August 5, 2008

Subject: Public Hearings

- **Zoning Map Amendment – Hawks Ridge Subdivision, R-20 to R-15**

The Board initiated the process of rezoning the Hawks Ridge subdivision. Subdivisions in the town limits have traditionally been zoned R-15 to preserve the single-family detached development pattern. The R-20 zoning district is intended to be somewhat more rural and may allow a few uses aside from single-family detached dwellings. The Planning Board recommended approval of the rezoning. Since the Board initiated the request, there is no petition enclosed.

Action Taken/Notes:



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Planning Board Statement

The Town of Boiling Springs Planning Board believes that its action to **approve** this zoning map amendment for the Town of Boiling Springs is based on the determination that the request is **consistent** with land use plans for Boiling Springs and **considers** the action to be reasonable and in the public interest for the following reasons:

*Factors that support **approval** of the rezoning request:*

1. Subdivisions within the Town limits of Boiling Springs have been, and are intended to be, zoned R-15.
2. The rezoning would remove the possibility that businesses, other than customary home occupations, would be established in the neighborhood.

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Governing Board Statement

The Town of Boiling Springs Board of Commissioners believes that its action to **approve/deny** this zoning map amendment is based on the determination that the request is **consistent/inconsistent** with land use plans for Boiling Springs and **considers/does not consider** the action to be reasonable and in the public interest for the following reasons:

*Factors that support **approval/denial** of the rezoning request:*

- 1.
- 2.
- 3.

Meeting Date: August 5, 2008

Subject: Other Business

- **Personnel Policy Revision – Shift Personnel Holiday Pay (p. 11)**

The Board agreed to appropriate funds in the FY 08-09 budget to pay shift personnel 8 hours for each paid holiday. This step was made to counteract the amount of compensatory time that was being accrued by shift personnel. The intent of this proposed revision is to make allowance for paying shift personnel for holidays, while still giving the Board the option of granting compensatory time if the budget for a particular year will not support the payment of holiday time.

- **Governor’s Highway Safety Grant Resolution (p. 12)**

The Board needs to adopt a resolution committing the Town’s funding for the Governor’s Highway Safety Grant. This year the Grant provides 50% funding for the traffic officer costs (\$16,859). This is the final year of the Grant.

- **Bid Approval - Gold Farm Road Waterline Extension**

I have sent you, under separate cover, the bids for the Gold Farm Waterline Extension Project. The project involves the installation of 985 feet of 6-inch waterline and 985 feet of 2-inch waterline.

- **Surplus Property Resolutions**

There are a couple of vehicles that the Town no longer needs. Please find them listed on the enclosed resolution. The Town will auction the vehicles on GovDeals. (p. 13)

A person has expressed interest in moving the house at 126 E. College Avenue. The value of the house is only listed at \$6,588. I would recommend the Board allow the Town Manager to dispose of the house by negotiated private sale. (p. 14)

Action Taken/Notes:

(Current Policy)

Section 5. Holidays: Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel

Employees required to perform work on regularly scheduled holidays may be granted compensatory time off or paid at their hourly rate for proportional hours based on the pro-rated hours outlined in Section 2 above in addition to any holiday pay to which they are entitled. Compensatory time shall be granted whenever feasible and taken within 30 days from the time it is earned.

If a holiday falls on a regularly scheduled off-duty day for shift personnel, the employee shall receive the hours for paid holiday leave at another time. Department heads are to ensure that this compensatory time is granted within 30 days, and if this is not feasible the department head shall discuss the situation with the Town Manager. Normally the employee shall be paid for the holiday compensatory time after 120 days, if time off is not taken.

(Proposed Policy)

Section 5. Holidays: Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel

Employees required to perform work on regularly scheduled holidays may be granted compensatory time off or paid at their hourly rate for proportional hours based on the pro-rated hours outlined in Section 2 above in addition to any holiday pay to which they are entitled. Compensatory time shall be granted whenever feasible and taken within 30 days from the time it is earned.

If a holiday falls on a regularly scheduled off-duty day for shift personnel, the employee shall receive the hours for paid holiday leave at another time. Department heads are to ensure that this compensatory time is granted within 30 days, and if this is not feasible the department head shall discuss the situation with the Town Manager. Normally the employee shall be paid for the holiday compensatory time after 120 days, if time off is not taken. During annual budget preparation, the Town Board may appropriate funds to compensate shift employees with 8 hours of pay for each holiday, such appropriation being dependent on the availability of funds.

North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION
Form GHSP-02-A

(To be completed, attached to and become part of Form GHSP-02, Highway Safety Project Contract.)

WHEREAS, the Town of Boiling Springs _____ (herein called the "Agency")
(The Applicant Agency)
has completed an application contract for traffic safety funding; and that the Town of Boiling Springs _____
(The Governing Body of the Agency)
_____ (herein called the "Governing Body") has thoroughly considered the problem
identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Town Board of Commissioners _____ IN OPEN
(Governing Body)
MEETING ASSEMBLED IN THE Town OF Boiling Springs _____, NORTH CAROLINA,
THIS 5th ___ DAY OF August _____, 20 08 ___, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Chief Marty L. Thomas _____ is authorized to file, on behalf of the Governing
(Name and Title of Representative)
Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal
funding in the amount of \$16,858 _____ to be made to the Governing Body to assist in defraying
(Federal Dollar Request)
the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$16,859 _____ as
(Local Cash Appropriation)
required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other
appropriate persons to furnish such information, data, documents and reports as required by the contract, if
approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____
(Chairperson/Mayor)

ATTESTED BY _____
(Clerk)

SEAL

DATE _____

Town of Boiling Springs

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Resolution Authorizing Sale of Surplus Personal Property

WHEREAS, the Town of Boiling Springs owns personal property which no longer has any usefulness for the Town, and;

WHEREAS, G.S. 160A-270(b) authorizes the Town to identify surplus personal property and sell it at public auction, and;

NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF BOILING SPRINGS:

The Town Manager is authorized to dispose of the following property at public auction.

1992 Dodge PickupTruck – VIN# 1B7GL26X0NS584577
1994 Chevrolet Caprice – VIN# 1G1BL52P5RR129232

The Town Board further authorizes the Town Manager to utilize an electronic auction procedure in accordance with G.S. 160A-270(c). Said auction shall be commenced within fifteen (15) days of passage of this resolution.

Adopted this 5th day of August, 2008.

Max Hamrick, Mayor

Attest:

Kim Greene, Clerk

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Resolution Authorizing Sale of Surplus Personal Property

WHEREAS, the Town of Boiling Springs owns personal property which no longer has any usefulness for the Town, and;

WHEREAS, G.S. 160A-267 authorizes the Town to identify surplus personal property and sell it at public auction, and;

NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF BOILING SPRINGS:

The Town Manager is authorized to dispose of the following property by negotiated private sale:

House at 126 East College Avenue (Parcel No. 599)

Adopted this 5th day of August, 2008.

Max Hamrick, Mayor

Attest:

Kim Greene, Clerk

Meeting Date: August 5, 2008
Subject: Staff Reports

Police

Public Works

Finance

- Budget Amendments – These are the final amendments from FY 2007-2008. Both General Fund and Water/Sewer Funds are in the same table. (p. 16)

Town Clerk

Town Attorney

Town Manager

- Land Use Plan Update
- Update on Powell Bill Projects

Town of Boiling Springs
 Budget Amendment Authorization Form
 Fiscal Year 2007-08

Pursuant to Section 9 of the 2007-08 official budget ordinance of the Town of Boiling Springs, NC the following budget amendment(s) are hereby approved.

Fund: 1 & 6

Department:

Line Item	Account Name	07-08 Budget	Amount Increased (Decreased)	07-08 Budget As Amended
1-4310-02	Police-Reserve wages	18,000	1,600	19,600
1-4310-04	Police-Separation allowance	15,360	800	16,160
1-4310-11	Police-Group insurance	36,320	(2,400)	33,920
6-7110-18	W/S Admin-Prof fees	9,000	(5,000)	4,000
6-7110-44	W/S Admin-Contract services	8,000	(4,200)	3,800
6-7130-27	Water Line-Water purchases	275,000	13,000	288,000
6-7130-44	Water Line-Contract services	12,000	1,000	13,000
6-7130-50	Water Line-Capital	19,200	1,200	20,400
6-7140-01	Sewer Line-Salary and wages	124,191	(4,100)	120,091
6-7140-33	Sewer Line-Utilities	41,000	3,200	44,200
6-7140-50	Sewer Line-Capital outlay	22,500	900	23,400
6-7150-59	Lattimore-Capital-Sewer lines	6,000	(6,000)	0
Totals		586,571	0	586,571

Description/Reason for Amendment: _____

Authorized By: _____
 Budget Officer

Amended By: _____
 Finance Officer

Reflected in Budget: _____
 Date

For amendments over \$1,000, Board approval is required.

Approved: _____
 Max J. Hamrick, Mayor

Meeting Date: August 5, 2008
Subject: Commissioners' Reports

Commissioner Gravett

Commissioner Elliott

Commissioner Beason

Commissioner Glenn

Commissioner C. Hamrick

Meeting Date: August 5, 2008
Subject: Mayor's Report