



Agenda

Town of Boiling Springs Board of Commissioners

December 2, 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

December 2, 2008

7 p.m., Town Hall

1. *Call to Order – Max J. Hamrick, Mayor* -

2. *Approval of Minutes* 3
November 4, 2008 Meeting

3. *Recognition of Citizens Present*

4. *Public Hearings* 5
 - **Annexation Ordinance – 1322 Patrick Avenue**
 - **Zoning Map Amendments – East College Avenue and Cove Street**

5. *Other Business* 17
 - **Fiscal Year 2007-2008 Audit**
 - **Broad River Greenway – Fee Proposal**
 - **Draft Pay-Per-Call Policy for Volunteer Fire Department**
 - **Project Ordinance – East College Sidewalks**

6. *Staff Reports* 22

7. *Commissioners' Reports/Comments* 23

8. *Mayor's Report/Comments* 23

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
November 4, 2008**

The Board of Commissioners of the Town of Boiling Springs met November 4, 2008 at the Boiling Springs Town Hall. Present were: Mayor Max J. Hamrick; Commissioners William Elliott, John Glenn, Darlene Gravett, and James Beason. Town Attorney John Schweppe, III was also present. Staff Members Present: Town Manager Zach Trogdon, Town Clerk Kimberly Greene (recording the minutes), and Chief Marty Thomas.

Others Present: Jim Beason and Jim Blalock.

AGENDA ITEM I

Call to Order - Max J. Hamrick, Mayor

AGENDA ITEM II

Recognition of Citizens Present

AGENDA ITEM III

Approval of Minutes

Commissioner Gravett made the motion to approve the minutes of the October 7, 2008 regular meeting as previously mailed. Commissioner Elliott seconded and the vote was unanimous.

AGENDA ITEM IV

New Business

Resolution Fixing Date of Public Hearing on Annexation

The Ruby Hunt/Cleveland County YMCA has submitted a petition for annexation for property located at 1322 Patrick Avenue. Commissioner Glenn made the motion to adopt the Resolution Fixing the Date of Public Hearing for December 2, 2008. Commissioner Beason seconded and the vote was unanimous. A copy of the Resolution is on file in the office of the Clerk.

Library Agreement

Mr. Trogdon discussed the draft of a library agreement between the Town and the YMCA for the operation of a library at the Ruby Hunt YMCA. He recently met with Daniel Woodard and David Ozmore of the YMCA. They were in agreement with most items. The Board discussed the importance of an Advisory Board and operating hours. Commissioner Glenn stated the length of the advisory board terms should be included in the agreement. Mr. Trogdon reported the YMCA would be providing staff. The initial term of the agreement will be for a period of six (6) months, beginning January 1, 2009, and would be revisited in June 2009. The Board agreed to table the agreement until the December regular meeting.

East College Sidewalk Project Ordinance

Mr. Trogdon stated planning has begun for the East College Sidewalk Project that is included in the Town's Powell Bill CIP. A survey of the project area has been completed. Mr. Trogdon reported expenses are starting to be accrued and it is necessary for the Board to adopt a project ordinance to account for these expenses. The proposed Capital Improvement Ordinance was prepared from the earlier adopted CIP. The Board agreed to review the Ordinance at the next meeting after the dollar amounts are updated.

Mr. Trogdon stated a proposal from Odom & Associates Engineering, Inc. has been submitted for engineering services for the sidewalk project. Commissioner Gravett made the motion to adopt the Proposal for Engineering Services for East College Avenue Phases 1, 2 and 3 Sidewalk Extension from Odom and Associates Engineering, Inc. for \$16,500. Commissioner Elliott seconded and the vote was unanimous. A copy of the contract is on file in the office of the Clerk.

Draft Land Use Plan

The Board discussed their concerns regarding the Draft Land Use Plan. They discussed mixed-use developments, commercial growth, and high-density development. Mayor Hamrick recognized Planning and Zoning Board member Mr. Jim Blalock. He reported the Planning and Zoning Board share the same concerns as the Town Board. After much discussion, the Board requested a letter be sent to Benchmark to express the Board's dissatisfaction with the proposed plan. The Board also agreed Benchmark should

meet with the Planning and Zoning Board and develop a plan that works for Boiling Springs.

AGENDA ITEM V

Staff Reports

The Town Hall will be closed for the Thanksgiving Holiday on November 27 and 28, 2008. The Thursday route for garbage collection will be collected on Wednesday, November 26, 2008. The Christmas Parade will be held on Sunday, November 30, 2008 at 3:00 p.m.

Mr. Trogdon reported Kennedy Concrete & Utilities, Inc. have started the Sir Gregory Drive Culvert Replacement Construction Project.

Mr. Trogdon reported he and Chief Thomas have discussed establishing hours for the playground behind the Town Hall. Mr. Gibert has replaced lights and performed maintenance on the picnic shelter.

Chief Thomas discussed the numerous break-ins in Cleveland County.

Chief Thomas attended a Governor's Crime Commission workshop. Grants will be available this year. The grants must be initially applied for by December 31st. He will bring this item back to the Board at the December meeting.

Chief Thomas also met with Motorola regarding the 800 MHz radios. Motorola gave him a quote for the type of equipment they would need to be operable by June 2009. He is waiting to hear from Cleveland County confirming the start date.

AGENDA ITEM VI

Commissioner's Report/Comments

Commissioner Gravett reported having attended the North Carolina League of Municipalities 100th Anniversary Conference and the workshops that was held in Charlotte. She also shared a letter from the Lake Norman RPO regarding a workshop on How to Implement Connectivity as part of a Land Development Project on November 25, 2008 from 10:30 until 12:30.

Commissioner Glenn stated he was very pleased about the East College Avenue sidewalk extension.

AGENDA ITEM VII

Mayor's Report/Comments

Mayor Hamrick encouraged everyone to attend the Lake Norman RPO workshop.

There being no further business to come before the Board, Mayor Hamrick declared the meeting adjourned at 8:14 p.m.

Max J. Hamrick, Mayor

Kimberly Greene, Town Clerk

Meeting Date: December 2, 2008

Subject: Public Hearings

- **Annexation Ordinance – 1322 Patrick Avenue (p. 6)**

The public hearing was duly advertised and notices sent to adjacent property owners.

- **Zoning Map Amendment – 119 Cove St., 111, 115, 125 East College Ave. (p. 11)**

The P&Z Board voted unanimously to recommend approval for the properties to be rezoned from R-10 to B-1. A statement is enclosed.

Action Taken/Notes:

**TOWN OF BOILING SPRINGS, NC
PETITION FOR ANNEXATION**

TO THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF BOILING SPRINGS:

1. We the undersigned, being all of the owners of the real property described in paragraph 2. below, respectfully petition and request this the 31 day of October, 2008 that such area be annexed into the Town of Boiling Springs, NC.
2. The area to be annexed is contiguous to the existing Boiling Springs Corporate (Town) Limits or is eligible for satellite annexation according to law, and the boundaries of such territory are described as follows:
(Circle A or B)

- A. Described fully on the attached copy of its legal description and/or copy of the recorded deed and shown on the attached survey of the property.
- B. Shown on a plat recorded in the Cleveland County Register of Deeds Office in Plat Book _____ at page _____ as lot(s) _____ of Block _____.

3. I hereby certify that (I) (We) are the owners of the described property at the time this petition is submitted and that I am voluntarily requesting annexation by the Town of Boiling Springs of the described property.

Petitioner (Check if Single)

Petitioner (Spouse)

Ruby C Hunt YMCA/Cleveland County Family YMCA
Name (Please Print) Name (Please Print)

[Signature]
Signature

[Signature]
Signature

PO Box 1619
Address (Mailing & Street)

[Address]
Address (Mailing & Street)

Boiling Springs NC 28017
City State Zip

[City State Zip]
City State Zip

704.434.0441
Daytime Telephone Number

[Daytime Telephone Number]
Daytime Telephone Number

Note: Additional owners and their spouses may sign on the reverse.

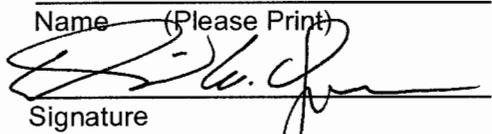
If an owner is MARRIED, and not separated by written instrument releasing all property rights, such Owner's SPOUSE MUST SIGN THIS PETITION. This is true even if the Spouse's name is NOT on the Owner's Deed to the Property, or if the Owner inherited the property.

If an Owner is UNMARRIED, he or she should so indicate above his or her signature by checking the blank beside the word "Single", above.

If Owner is a CORPORATION, Petition should be signed by its PRESIDENT or VICE PRESIDENT, ATTESTED by its SECRETARY or ASSISTANT SECRETARY and the CORPORATE SEAL, affixed.

If Owner is a PARTNERSHIP, Petition should be signed by at least (1) ONE GENERAL PARTNER.

Additional Signatures (if required):

<u>David W. Ozmore</u> Name (Please Print)	_____ Name (Please Print)
 Signature	_____ Signature
<u>PO Box 1017</u> Address (Mailing & Street)	_____ Address (Mailing & Street)
<u>Boiling Springs NC 28017</u> City State Zip	_____ City State Zip
<u>704 434-0441</u> Daytime Telephone Number	_____ Daytime Telephone Number

TOWN OF BOILING SPRINGS, NC
ORDINANCE 081202.01
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF BOILING SPRINGS, NORTH CAROLINA

WHEREAS, the Board of Commissioners of the Town of Boiling Springs has been petitioned under G.S. 160A-58.1 to annex the area owned by Cleveland County Family YMCA (1322 Patrick Avenue, Parcel #58098) and described below; and

WHEREAS, the Board of Commissioners of the Town of Boiling Springs has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Boiling Springs Town Hall at 7:00 PM on Tuesday, December 2, 2008, after due notice by publication on November 21, 2008; and

WHEREAS, the Town of Boiling Springs further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town of Boiling Springs further finds that the petition is otherwise valid; and that the public health, safety, and welfare of the Town of Boiling Springs and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Boiling Springs, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described territory is hereby annexed and made part of the Town of Boiling Springs as of December 2, 2008:

See attached Ordinance 081202.01 Exhibit "A"

Section 2. Upon and after December 2, 2008, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Boiling Springs and shall be entitled to the same privileges and benefits as other parts of the Town of Boiling Springs. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Boiling Springs shall cause to be recorded in the Office of the Register of Deeds of Cleveland County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Cleveland County Board of Elections, as required by G.S. 163-288.1

Adopted this the 2nd day of December, 2008.

Mayor Max J. Hamrick

Attest:

Town Clerk

BOOK 1421 PAGE 142

EXHIBIT "A"

Lying and being in Number Two (2) Township, Cleveland County, North Carolina, and being a portion of the properties described in those deeds recorded in Deed Book 3C on Page 55, Deed Book 2Z on Page 528, and Deed Book 2S on Page 207 as corrected in Deed Book 2U on Page 395 of the Cleveland County Registry, and being bounded on the East by Patrick Avenue, State Road No. 1149, and on the South by the property of Marvin D. Powell, Deed Book 1225, Page 1728 of the Cleveland County Registry, and being described by metes and bounds according to a survey by Bankhead Surveying, PA, T. Scott Bankhead, Professional Land Surveyor dated February 13, 2004, and entitled "Cleveland County YMCA", as follows:

BEGINNING on an iron pin being the southeast corner of the property of Larry D. Ledbetter, Deed Book 18T, Page 787 of the Cleveland County Registry, and running thence from the BEGINNING, and with the eastern line of the said Ledbetter property North 11 degrees 06 minutes 34 seconds East 419.50 feet to a pipe on the South side of Highway No. 150, College Avenue; thence with the South side of said highway South 84 degrees 25 minutes 20 seconds East 194.78 feet to a rebar at a power pole; thence with the property of John C. Hamrick, III, Deed Book 1238, Pages 167 and 169 of the Cleveland County Registry, the following four (4) calls: South 20 degrees 05 minutes 32 seconds West 134.60 feet to an iron pin; thence South 04 degrees 31 minutes 24 seconds West 85 feet to an iron pin; thence South 86 degrees 37 minutes 15 seconds East 69 feet to an iron pin, and thence South 83 degrees 31 minutes 56 seconds East 132.90 feet to a pipe; thence with the property of Harry E. Washburn, Deed Book 1151, Page 380, and Deed Book 17P, Page 569, Cleveland County Registry, South 08 degrees 49 minutes 59 seconds West 154.23 feet to a pipe, and thence South 81 degrees 09 minutes 57 seconds East 125.45 feet to an iron pin; thence with the southern line of the property of Marietta H. Heinlein as described in Deed Book 1074 on Page 281, Cleveland County Registry South 62 degrees 49 minutes 24 seconds East, passing through an iron pin at 251.56 feet, a total distance of 281.30 feet to a point in the center of Patrick Avenue, State Road No. 1149; thence with the center of said Avenue the following twenty-one (21) calls: South 33 degrees 32 minutes 30 seconds West 149.81 feet to a point; thence South 33 degrees 48 minutes 02 seconds West 359.29 feet to a point; thence South 32 degrees 54 minutes 09 seconds West 119.04 feet to a point; thence South 32 degrees 07 minutes 42 seconds West 78.12 feet to a point; thence South 30 degrees 02 minutes 22 seconds West 71.89 feet to a point; thence South 26 degrees 11 minutes 13 seconds West 66.91 feet to a point; thence South 21 degrees 58 minutes 26 seconds West 51.72 feet to a point; thence South 18 degrees 14 minutes 58 seconds West 50.75 feet to a point; thence South 14 degrees 35 minutes 11 seconds West 51.62 feet to a point; thence South 11 degrees 38 minutes 04 seconds West 52.49 feet to a point; thence South 09 degrees 53 minutes 51 seconds West 52.10 feet to a point; thence South 08 degrees 34 minutes 06 seconds West 54.71 feet to a point; thence South 06 degrees 57 minutes 32 seconds West 53.51 feet to a point; thence South 05 degrees 55 minutes 15 seconds West 50.27 feet to a point; thence South 05 degrees 53 minutes 02 seconds West 50.97 feet to a point; thence South 06 degrees 00 minutes 01 seconds West 51.29 feet to a point; thence South 05 degrees 54 minutes 00 seconds West 105.55 feet to a

(DESCRIPTION CONTINUED ON ATTACHED SHEET)

DEED PREPARATION ONLY. NO
TITLE EXAMINATION BY PREPARER

EXHIBIT "A" cont.

point; thence South 07 degrees 10 minutes 05 seconds West 102.28 feet to a point; thence South 08 degrees 40 minutes 22 seconds West 96.85 feet to a point; thence South 10 degrees 36 minutes 35 seconds West 119.25 feet to a point, and thence South 11 degrees 57 minutes 55 seconds West 46.71 feet to a P.K. nail over a creek passing under the road; thence leaving the road North 86 degrees 54 minutes 30 seconds West 17.86 feet to a rebar on the shoulder of a road; thence North 27 degrees 35 minutes 12 seconds West 27.50 feet to a point in the branch; thence along and with the center of a branch the following fifteen (15) calls: North 22 degrees 45 minutes 42 seconds West 60.24 feet to a point; thence North 09 degrees 03 minutes 14 seconds West 17.03 feet to a point; thence North 52 degrees 08 minutes 54 seconds West 68.19 feet to a point; thence North 14 degrees 18 minutes 16 seconds West 40.79 feet to a point; thence North 65 degrees 46 minutes 27 seconds West 102.62 feet to a point; thence North 77 degrees 13 minutes 09 seconds West 43.10 feet to a point; thence North 50 degrees 09 minutes 31 seconds West 83.11 feet to a point; thence North 16 degrees 50 minutes 19 seconds West 33.85 feet to a point; thence North 79 degrees 42 minutes 31 seconds West 61.51 feet to a point; thence North 84 degrees 18 minutes 04 seconds West 54.74 feet to a point; thence North 75 degrees 56 minutes 34 seconds West 121.41 feet to a point; thence North 53 degrees 25 minutes 41 seconds West 65.12 feet to a point; thence North 70 degrees 02 minutes 35 seconds West 55.50 feet to a point; thence South 72 degrees 44 minutes 18 seconds West 47.93 feet to a point; thence North 63 degrees 31 minutes 09 seconds West 29.45 feet to a point in the creek; thence leaving the creek, and running with the property of the Town of Boiling Springs, Deed Book 12D, Page 93, Cleveland County Registry, and the property of Wilbur R. McBride, Deed Book 14M, Page 796 of the Cleveland County Registry, North 16 degrees 14 minutes 52 seconds East, passing through an iron pin at 93.61 feet, and a pipe at 890.29 feet, a total distance of 906.36 feet to an iron pin; thence with the property of Stephen E. Sain, Deed Book 1014, Page 499, Cleveland County Registry, the following three (3) calls: South 74 degrees 41 minutes 08 seconds East 114.66 feet to an iron pin; thence North 07 degrees 42 minutes 52 seconds East 206.17 feet to an iron pin, and thence North 82 degrees 17 minutes 08 seconds West 62.20 feet to a pipe; thence with the eastern line of the property of B. H. Holdings, Deed Book 1275, Page 682, Cleveland County Registry North 07 degrees 42 minutes 24 seconds East 124.79 feet to a pipe; thence with the eastern line of the John W. Gantt property, Deed Book 1082, Page 1989, Cleveland County Registry North 07 degrees 44 minutes 10 seconds East 124.68 feet to an iron pin, and thence with the eastern line of the Joseph W. Slocumb property, Deed Book 1309, Page 711, Cleveland County Registry North 07 degrees 43 minutes 39 seconds East 124.98 feet to a pipe; thence with the southern line of the Larry D. Ledbetter property South 84 degrees 27 minutes 13 seconds East 208.72 feet to the BEGINNING, containing 31.283 acres, more or less.

DEED PREPARATION ONLY - NO
TITLE EXAMINATION BY PREPARER



Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: CHRIS TURNER

Mailing Address and Phone Number: 1419 MT. SINAI CHURCH ROAD
SHELBY, NC 28152 704-482-5700

Property Owner(s): MICO ENTERPRISES, LLC (Chris + Pam Turner)

Mailing Address and Phone Number: SAME

Property Location: 115 E. COLLEGE AVE. BOILING SPRINGS, NC

Tax Map Identification: PARCEL No. 1074 Deed Reference: Book 1515 Page 1566

Lot Size: 0.3 Acres Size of Area to be Rezoned: ~ 5,000 ft²

Public Utilities Available: water sewer electric natural gas other (specify) cable

Present Zoning Classification: R-10 Requested Zoning Classification: B-1

Additional Comments: Amendment is for portion of lot; other portion is
currently zoned B-1

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Chris Turner
Signature of Property Owner

Signature of Applicant



Town of Boiling Springs
 P.O. Box 1014
 Boiling Springs, NC 28017
 704-434-2357
 704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Mark Folk, Christopher Folk, Aubrey Folk
 Mailing Address and Phone Number: 143 College MANOR DR.
Boiling Springs, NC 704-434-9181
 Property Owner(s): Mark Folk, Christopher Folk, Aubrey Folk
 Mailing Address and Phone Number: 143 College MANOR DR.
Boiling Springs, NC 28152 704-434-9181

Property Location: 111 East College Ave, Boiling Springs, NC
 Tax Map Identification: B3 10, Block: 2, lot 16. Deed Reference: Book 1204 Page 1976
 Lot Size: ~~8500 sq ft~~ 17000 sq ft. Size of Area to be Rezoned: 8500 sq ft
 Public Utilities Available: water sewer electric natural gas other (specify)

Present Zoning Classification: Residential Requested Zoning Classification: Business
 Additional Comments: _____

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Mark C Folk

 Signature of Property Owner(s)

[Signature]

 Signature of Applicant



Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

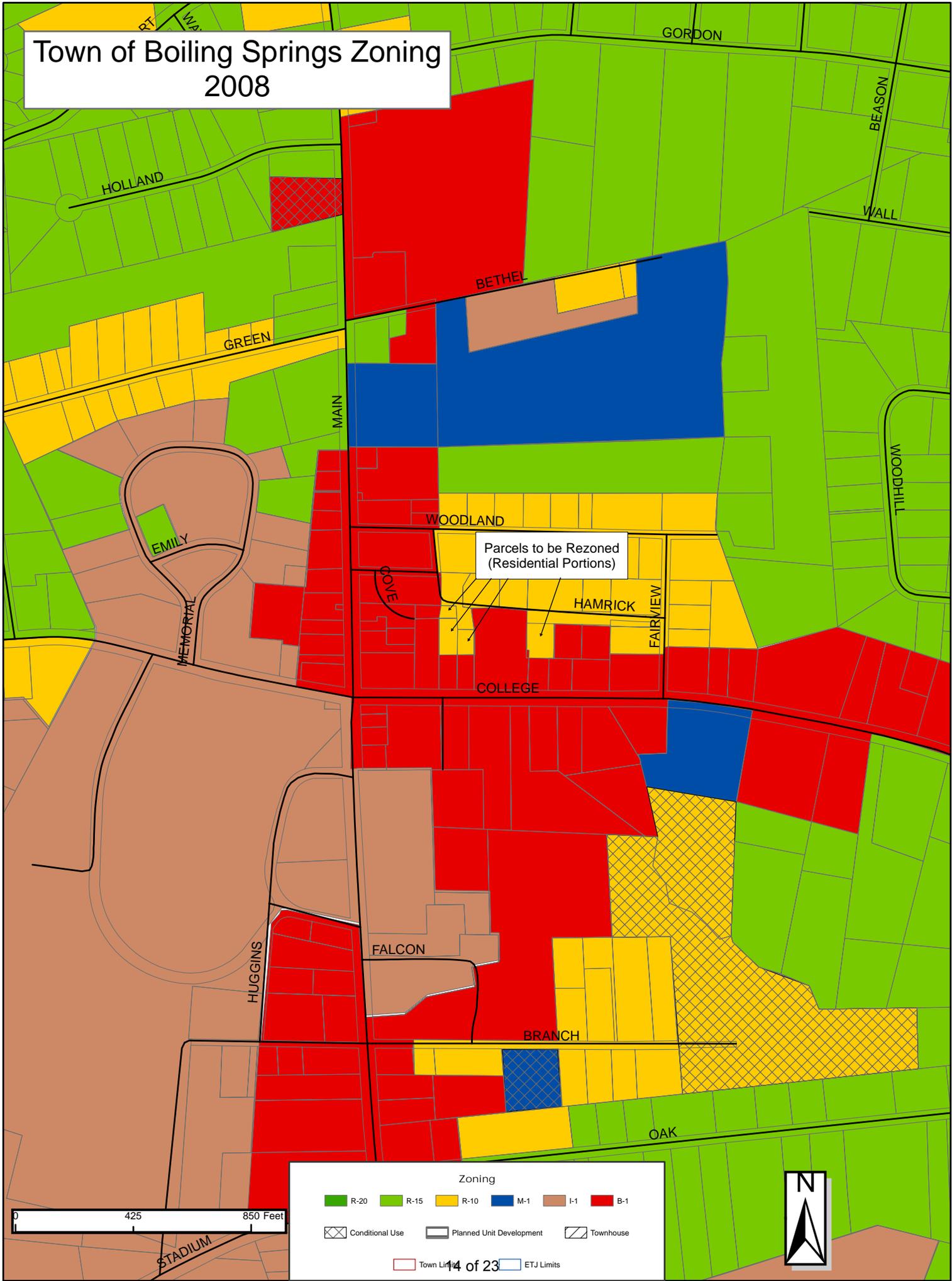
Applicant: <u>CHRIS TURNER</u>	
Mailing Address and Phone Number: <u>1419 MT. SINAI CHURCH RD.</u> <u>SHELBY, NC 28152</u>	
Property Owner(s): <u>MICO Enterprises, LLC</u>	
Mailing Address and Phone Number: <u>SAME</u>	
Property Location: <u>125 E. COLLEGE AVE.</u>	
Tax Map Identification: <u>1075</u>	Deed Reference: Book <u>1515</u> Page <u>1590</u>
Lot Size: <u>1/2 acre ±</u>	Size of Area to be Rezoned: _____
Public Utilities Available: <input checked="" type="checkbox"/> water <input checked="" type="checkbox"/> sewer <input checked="" type="checkbox"/> electric <input checked="" type="checkbox"/> natural gas <input type="checkbox"/> other (specify)	
Present Zoning Classification: _____	Requested Zoning Classification: _____
Additional Comments: <u>Two parcels combined into one. one</u> <u>Would like entire parcel zoned for business.</u>	

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Chris Turner
Signature of Property Owner

Chris Turner
Signature of Applicant

Town of Boiling Springs Zoning 2008



Parcels to be Rezoned
(Residential Portions)



Zoning		
■ R-20	■ R-15	■ R-10
■ M-1	■ I-1	■ B-1
Conditional Use	Planned Unit Development	Townhouse
Town Limits	ETJ Limits	



Town of Boiling Springs

P.O. BOX 1014
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Fax 704-434-2358

Planning Board Statement

The Town of Boiling Springs Planning Board believes that its action to **approve** these zoning map amendments 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. The parcels are currently surrounded by business zoning.
2. Failure to rezone the parcels to business would greatly hinder development of the current business portion of the properties.

Town of Boiling Springs

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Governing Board Statement

The Town of Boiling Springs Planning Board believes that its action to **approve/deny** these zoning map amendments 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.

Meeting Date: December 2, 2008

Subject: Other Business

- **Fiscal Year 2007-2008 Audit**

- **Broad River Greenway – Fee Proposal**

The Broad River Greenway Council has proposed a fee of \$5 per car for parking at the Greenway. If a person donates more than \$35 annually to the Council, then they will not be required to pay the fee. Representatives from the Greenway Council will be in attendance to answer questions.

- **Draft Pay-Per-Call Policy for Volunteer Fire Department (p. 18)**

- **Project Ordinance – East College Avenue Sidewalk Project – Phases I, II, and III (p. 20)**

Planning has begun for the East College Sidewalk project that is included in the Town's Powell Bill CIP. A survey of the project area has already been completed. I have also included a contract for design of the project. Since some expenses are starting to be accrued, it is necessary for the Board to adopt a project ordinance to account for these expenditures.

Also, the engineer has revised the contract for engineering services to match that amount in the project ordinance. See the attached contract.

Action Taken/Notes:

BOILING SPRINGS FIRE DEPARTMENT

PROUD*PREPARED*PROFESSIONAL

STANDARD OPERATING PROCEDURE

APPROVED BY:

DATE:

VOLUNTEER PAY-PER-CALL POLICY

PURPOSE OF THIS STANDARD

The Volunteer Firefighter Pay-Per-Call Program has been established to help reimburse volunteer firefighters for expenses incurred while responding to and participating in Fire Department emergency calls. These guidelines are provided in order to insure proper administration of this program.

SECTION 1-ELIGIBILITY AND CONDITIONS

1. Volunteer firefighting personnel who are active members of the Boiling Springs Fire Department are the only persons eligible to participate in this program.
2. In order for a volunteer firefighter to be eligible for payment, the following conditions must be met:
 - NFPA 1403 for fire calls.
 - Medical Responder or higher for medical calls.
 - Off 6 months probation.
 - Attend 60% of the meetings and training.
 - Arrive at the scene, their respective station, or other designated location determined by the incident commander. This includes personnel who are standing by at the station to man apparatus not dispatched to the call in order to have another unit manned and in service in the area.
3. If a response is cancelled (equipment and/or personnel only), then those units/personnel not on the scene are to stop their response at that time and return to the station. After returning to the station, member must remain there until released by an officer or other person completing the incident report. Payment will not be approved if these procedures are not followed.
4. Personnel must have in their possession all issued Personal Protective Equipment and wearing such equipment in emergency environment.
5. Personnel must have their Personal Accountability System Tag in their possession and submit the tag to the appropriate location in accordance with the Boiling Springs Accountability Policy.

SECTION 2-ADMINISTRATION

1. The Pay-Per-Call Report form will be used to record and report activity for the Pay-Per-Call Program. (In a major storm or mass casualty event where more than one call is dispatched it is \$10.00 per event, not call.)
2. The report form will be turned in no later than the first Tuesday of each month along with all other regular paperwork. (Each personnel must keep up with his/her time sheet at all times.)

- Have each person who is to receive any payment sign in the space directly below his/her name. No signature means, no pay for that month.
- The Fire Chief or ranking volunteer officer is then to review the form and sign the qualifying statement at the bottom of the page.

SECTION 3-PAYMENT

Payments will be made semi-annual in the first week of June and December directly to the volunteer member. It is the responsibility of each volunteer member of Boiling Springs Fire Department supply administration with each change of your address and phone number. Payments will be mailed to the most current address on file.

Town of Boiling Springs
Capital Project Ordinance 081202.1

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act the Town of Boiling Springs finds it advisable and necessary to establish a capital project ordinance and budget for the East College Avenue Sidewalk Project; and

WHEREAS, it is necessary for the Town to establish a budget for this capital project and appropriate applicable funds needed for the design and construction of this construction project in order to comply with applicable provisions of the North Carolina Budget and Fiscal Control Act; and

WHEREAS, General Statute 159-13.2 provides that a Town may undertake the construction of a capital asset by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BOILING SPRINGS, NORTH CAROLINA:

Section 1. The following amounts are hereby appropriated for the planning, design, and construction of the East College Avenue Sidewalk Project:

Construction	\$ 162,000
Engineering	\$ 12,500
Construction Administration	\$ 6,500
Construction Contingencies	\$ 17,000
Right of Way Acquisition	<u>\$ 33,000</u>
Total	\$ 231,000

Section 2. It is estimated that the following revenues will be available for the planning, design, and construction of the East College Avenue Sidewalk Project:

Transfer from Powell Bill Reserve	<u>\$ 231,000</u>
Total	\$ 231,000

Section 3. The provisions of this capital project ordinance shall be entered in the minutes of the Town Board of Commissioners and copies filed with the Town Manager as Budget Officer, the Finance Officer, and the Town Clerk for their direction and guidance in carrying out this project.

Section 4. This ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 2nd day of December, 2008.

Kim Greene, Town Clerk

Max Hamrick, Mayor

(SEAL)



152 East Main Street • Forest City, NC 28043

828-247-4495 • 828-247-4498 FAX

November 24, 2008

Town of Boiling Springs
Zach Trogdon
PO Box 1014
Boiling Springs, NC 28017

RE: PROPOSAL FOR ENGINEERING SERVICES FOR EAST COLLEGE AVENUE PHASES 1, 2 AND 3 SIDEWALK EXTENSION (REVISED 11-24-08)

Dear Zach,

We appreciate the opportunity to provide you with this proposal for Engineering Services for East College Avenue Phases 1, 2 and 3 sidewalk extensions (PROJECT). This proposal, if accepted, also serves to document the agreement between Odom & Associates Engineering, Inc. and yourself.

Odom & Associates Engineering, Inc. (ENGINEER) proposes to provide to the Town of Boiling Springs (OWNER) the Engineering Services specified below for the PROJECT. More specifically, the Engineer will complete the following for the fee shown:

East College Avenue Phase I, II and III sidewalk Extensions (Clinton St, Lyman St, Patrick Ave)

Sidewalk Design \$12,500

This document represents the entire understanding between the ENGINEER and the OWNER in respect of the PROJECT and may only be modified in writing signed by both parties. If it satisfactorily sets forth your understanding of our agreement, please sign in the space provided below.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Odom', with a long horizontal flourish extending to the right.

David W. Odom, P.E.
Odom & Associates Engineering, Inc.

Accepted this ____ day of _____, 20__.

By: _____, _____ (signature) (title)

Meeting Date: December 2, 2008
Subject: Staff Reports

Police

Public Works

- Christmas trash pickup schedule

Finance

Town Clerk

- Annual Christmas Dinner – December 12, 2008

Town Attorney

Town Manager

- Town Hall closings for Christmas Holiday

Meeting Date: December 2, 2008
Subject: Commissioners' Reports

Commissioner Gravett

Commissioner Elliott

Commissioner Beason

Commissioner Glenn

Commissioner C. Hamrick

Meeting Date: December 2, 2008
Subject: Mayor's Report