



*Agenda*

*Town of Boiling Springs Board of Commissioners*

*April 1, 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

April 1, 2008

7 p.m., Town Hall

- |    |   |    |
|----|---|----|
| 1. | Call to Order – Max J. Hamrick, Mayor   | -  |
| 2. | Approval of Minutes<br><b>March 4, 2008 Meeting</b>                               | 3  |
| 3. | Recognition of Citizens Present   |    |
| 4. | Public Hearings<br>- <b>Petition for Annexation – 717 McBrayer Homestead Road</b> | 5  |
| 5. | Staff Reports   | 9  |
| 6. | Commissioners' Reports/Comments   | 10 |
| 7. | Mayor's Report/Comments   | 10 |

*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  
March 4, 2008**

The Board of Commissioners of the Town of Boiling Springs met March 4, 2008 at the Boiling Springs Town Hall. Present were: Mayor Max J. Hamrick; Commissioners William Elliott, James Beason, 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, and Chief Marty Thomas.

Others Present: Dr. Jack Partain, Ralph "Scoot" Dixon, 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 Elliott made the motion to approve the minutes of the February 5, 2008 regular meeting as previously mailed. Commissioner Beason seconded and the vote was unanimous.

**AGENDA ITEM IV**

**Public Hearings**

**Zoning Map Amendment – 221 West College Ave., R-10 to I-1**

A request was received from Gardner-Webb University to rezone property located at 221 W. College Avenue from R-10 to I-1. Mayor Hamrick declared the public hearing open at 7:01 p.m. There being no comments, Mayor Hamrick closed the public hearing at 7:02 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. Mr. Dixon of Gardner-Webb University stated they plan to use the house primarily for offices and do not anticipate it creating a large amount of traffic. Commissioner Gravett inquired about sufficient parking. Mr. Dixon reported the school plans to remove the existing carport and provide parking in the lower western end of the lot. Commissioner Glenn made the motion to approve the rezoning request from R-10 to I-1 based upon the Planning and Zoning Board recommendation and adopt the Statement of Consistency based upon the same. Commissioner Gravett seconded and the vote was unanimous.

**AGENDA ITEM V**

**Resolutions**

**Resolution Fixing Date on Question of Annexation**

A request was received from Kelthrum Development Co., LLC to annex property located on McBrayer-Homestead Road, Parcel 60328. The property is a non-contiguous, or satellite, annexation. Commissioner Hamrick made the motion to adopt the Resolution Fixing the Public Hearing on April 1, 2008. Commissioner Beason seconded and the vote was unanimous. A copy of the resolution is on file in the office of the Clerk.

**AGENDA ITEM VI**

**Staff Reports**

Chief Thomas updated the Board on the Governor's Safety Program continuation grant. He also discussed funding for the 800 MHz radios.

Mr. Trogdon stated the Cleveland County Health Department will display a large inflatable shoe in front of the Town Hall. It will represent the Step One Challenge, which is a community-

wide approach to increasing physical activity and supporting obesity prevention strategies.

Mr. Trogdon reported receiving support from property owners for the construction of a sidewalk on the south side of West College Avenue.

Mr. Trogdon stated the owner of the Post Office property has attempted to contact the Post Office regarding the possible construction of a new drive by using adjoining property.

Mr. Trogdon also reported the Library Committee is moving forward. They have prepared a budget to present to Cleveland County Commissioners and other groups.

The Board agreed to meet on April 7, 2008 at 7:00 p.m. for a budget work session.

#### **AGENDA ITEM VII**

##### **Commissioner's Report/Comments**

Commissioner Gravett expressed her concern regarding litter in Town. Mayor Hamrick stated the NCDOT Spring Litter Sweep will be held April 19 – May 3.

Commissioner Glenn discussed the Post Office and home delivery in Boiling Springs with the Boiling Springs zip code. He also discussed the need to extend the sidewalk on East College Avenue.

Commissioner Hamrick inquired about the City Volunteer Fire Department.

#### **AGENDA ITEM VIII**

##### **Mayor's Report/Comments**

Mayor Hamrick inquired about zoning issues that were brought before the Board the previous month.

There being no further business to come before the Board, Mayor Hamrick declared the meeting adjourned at 7:48 p.m.

Max J. Hamrick, Mayor

Kimberly Greene, Town Clerk

*Meeting Date: April 1, 2008*

*Subject: Public Hearings*

- **Petition for Annexation – 717 McBrayer-Homestead Road**

A petition has been submitted to annex property at 717 McBrayer-Homestead Road. The property is not contiguous to the current Town limits. An ordinance is enclosed for the Board's consideration.

*Action Taken/Notes:*

**TOWN OF BOILING SPRINGS, NC**  
**ORDINANCE 080401.01**  
**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 Kelthrum Development Co., LLC 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, April 1, 2008, after due notice by publication on March 17, 2008; and

**WHEREAS**, the Board of Commissioners of the Town of Boiling Springs finds that the area described therein meets the requirements of G.S. 160A-58;

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Boiling Springs;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Boiling Springs;
- c. The area described is so situated that the Town of Boiling Springs will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Boiling Springs; 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 April 1, 2008:

See Exhibit A  
Ordinance #080401.01

**Section 2.** Upon and after April 1, 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 1<sup>st</sup> day of April, 2008.

\_\_\_\_\_  
Mayor Max J. Hamrick

Attest:

\_\_\_\_\_  
Town Clerk



*Meeting Date: April 1, 2008*  
*Subject: Staff Reports*

*Police*

*Public Works*

*Finance*

*Town Clerk*

*Town Attorney*

*Town Manager*

- Litter Pickup – April 5<sup>th</sup>, 8 a.m. – sponsored by Boiling Springs Rotary
- Budget Meeting – April 7<sup>th</sup> at 7 p.m.
- State of the Community Breakfast – rescheduled from April 8<sup>th</sup> to date TBD
- Springs Alive – April 19<sup>th</sup>
- Hillside Street Closing
- Land Use Plan Meeting – March 27<sup>th</sup>

*Meeting Date: April 1, 2008*  
*Subject: Commissioners' Reports*

*Commissioner Gravett*

*Commissioner Elliott*

*Commissioner Beason*

*Commissioner Glenn*

*Commissioner C. Hamrick*

---

*Meeting Date: April 1, 2008*  
*Subject: Mayor's Report*