



Agenda

Town of Boiling Springs Board of Commissioners

January 6, 2009

Town of Boiling Springs

P.O. BOX 1014
BOILING SPRINGS, N.C. 28017
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AGENDA

TOWN OF BOILING SPRINGS BOARD OF COMMISSIONERS

January 6, 2009

7 p.m., Town Hall

- | | | |
|----|--|----|
| 1. | <i>Call to Order – Max J. Hamrick, Mayor</i> | - |
| 2. | <i>Approval of Minutes</i>
December 2, 2008 Regular Meeting | 3 |
| 3. | <i>Recognition of Citizens Present</i> | |
| 4. | <i>New Business</i>
- Land Use Plan Draft
- Proposals for Engineering Services | 6 |
| 5. | <i>Staff Reports</i> | 10 |
| 6. | <i>Commissioners' Reports/Comments</i> | 11 |
| 7. | <i>Mayor's Report/Comments</i> | 11 |

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
December 2, 2008**

The Board of Commissioners of the Town of Boiling Springs met December 2, 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: Darrell Keller, Aubrey Folk, Ron Willis, Sonja Jones, Jim and Nancy Blalock, Will and Tina Rucker, and Kim Duren.

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 November 4, 2008 regular meeting as previously mailed. Commissioner Gravett seconded and the vote was unanimous.

AGENDA ITEM IV

Public Hearings

Annexation Ordinance - 1322 Patrick Avenue

A request was received from the Ruby Hunt/Cleveland County YMCA to annex property located at 1322 Patrick Avenue. The property is contiguous to the current Town limits. 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. Commissioner Glenn made the motion to adopt the Annexation Ordinance to extend the corporate limits of the Town of Boiling Springs. Commissioner Hamrick seconded and the vote was unanimous. A copy of the Ordinance is on file in the office of the Clerk.

Zoning Map Amendment - 119 Cove St., 111, 115, 125, East College Ave.

Mayor Hamrick declared the public hearing open at 7:04 p.m. Mrs. Sonja Jones inquired about the location of Cove Street. There being no further comments, Mayor Hamrick closed the public hearing at 7:05 p.m. The Planning and Zoning Board voted to recommend approval for the properties to be rezoned. A copy of the Planning and Zoning Board Statement of Consistency is on file. Commissioner Hamrick made the motion to approve the rezoning of the four properties from R-10 to B-1 and adopt the Statement of Consistency based upon the same. Commissioner Gravett seconded and the vote was unanimous. A copy of the Statement is on file in the office of the Clerk.

AGENDA ITEM V

Other Business

Fiscal Year 2007-2008 Audit

Mayor Hamrick recognized Mr. Darrell Keller. Mr. Keller reported it was a very good audit and thanked Ms. Allen and Mr. Trogdon for their assistance. After reviewing the audit with the Board, he encouraged the Board to contact him if they had any questions. A copy of the audit is on file. Commissioner Gravett made the motion to approve the Fiscal Year 2008-2009 Audit Contract with Mr. Darrell Keller, CPA, PA. Commissioner Hamrick seconded and the vote was unanimous. A copy of the contract is also on file.

Broad River Greenway - Fee Proposal

Mayor Hamrick recognized Mr. Will Rucker, the President and Chairman of the Broad River Greenway Council. The Broad River Greenway Council is proposing a \$5 per car parking fee at the Greenway.

Anyone supporting the Greenway at the \$35 level, or higher, would be issued an annual pass in lieu of the daily fee. The Cleveland County Board of Commissioners approved the BRG Council's request to implement a user fee program not to exceed \$5 per car. Mr. Rucker discussed the beginning of the Greenway, it started out as a small river access, and how in the past twelve years has grown to include almost 1,500 acres of property, many miles of trails, bathroom facilities, equipment to maintain and access trails, and two employees. Mr. Rucker stated the Greenway pays for extra security by hiring off-duty police officers. He reported the income has remained constant but expenses have increased. He discussed the BRG Council's two-year research regarding this proposal. He addressed the concerns of the Board and members of the audience. Mrs. Sonja Jones and Mr. Ron Willis both expressed their concerns and opposition to the proposed fee. Commissioner Hamrick made the motion to approve a twelve-month trial period to allow the Broad River Greenway Council to collect a \$5 per car parking fee. Commissioner Glenn seconded and the vote was unanimous.

Draft Pay-Per-Call Policy for Volunteer Fire Department

Chief Paul Creasman reported eight Fire Department members are eligible to receive pay at this time. He discussed the software the Fire Department owns that will enable him to document calls. Mr. Trogdon reported the policy would become effective in January 2009, to be paid semi-annually in June and December. Commissioner Glenn made the motion to approve the Volunteer Fire Department Pay-Per-Call Policy. Commissioner Elliott seconded and the vote was unanimous. A copy of the Policy is on file in the office of the Clerk.

Project Ordinance - East College Sidewalks

Mr. Trogdon reported the contract for engineering services had been revised to match the amount in the project ordinance. Commissioner Gravett made the motion to approve the Capital Project Ordinance and the Proposal for Engineering Services for East College Avenue Phases 1, 2, and 3 Sidewalk Extension. Commissioner Hamrick seconded and the vote was unanimous. A copy of the Ordinance and the Agreement with Odom & Associates Engineering, Inc. is on file in the office of the Clerk.

AGENDA ITEM VI

Staff Reports

Mr. Trogdon reported the County could not devote money this Fiscal Year to assist with the purchase of a book collection for the library due to the economy.

Mr. Trogdon inquired about setting up a meeting with Benchmark in January to discuss the Land Use Plan Update. The Board agreed and Mr. Trogdon stated he would send the Board a copy of the document in December.

Mr. Trogdon stated he and Mr. Schweppe are working on easements for Hamrick Avenue.

The Town Hall will be closed on December 24 & 25, 2008 for the Christmas Holiday. Commissioner Gravett made the motion to also close Town Hall on Friday, December 26, 2008. Commissioner Glenn seconded and the vote was unanimous.

Mr. Trogdon reported Ms. Karen Costner applied to serve on the Appearance Commission. Commissioner Glenn made the motion to appoint Ms. Costner to a vacant inside seat on the Appearance Commission. Commissioner Hamrick seconded and the vote was unanimous.

Mr. Trogdon also reported Mrs. Lou Ann Scates and Dr. Jack Partain of the Appearance Commission terms had expired. Commissioner Gravett made the motion to re-appoint Mrs. Scates and Dr. Partain to the Appearance Commission, terms to expire June 30, 2012. Commissioner Glenn seconded and the vote was unanimous.

Mrs. Mary Silsand sent a letter to the Board requesting relief on her utility bill. Mr. Trogdon stated Town employees, upon noticing her consumption was higher than usual, reread her water meter and checked for a leak. The Public Works Director also checked the meter and found no problems. Mrs. Silsand also hired a plumber and no problems were found at that time. The Board discussed the usual suspects that may have occurred. Commissioner Elliott made the motion to adjust the sewer portion of the bill by using a six-month average. Commissioner Glenn seconded and the vote was unanimous.

Chief Thomas reported he has been researching for available grant money to purchase radio equipment. He discussed a grant FEMA has available, the FY 2009 Interoperable Emergency Communications Grant Program. Chief Thomas also discussed other available grants for technology.

Chief Thomas recently completed the Management Development Program.

A promotional ceremony will be held on Friday, December 5th, for Officer Nathan Phillips in the new Police Department Training Facility. Lt. Randy Page will also be celebrating 20 years with the Town.

Rhonda Allen reported she and Mr. Trogdon are currently working on a Disaster Recovery Plan.

Mike Gibert reported the garbage pickup schedule for the Christmas Holiday would be as follows: Monday and Tuesday routes will be picked up on Monday, December 22nd and Wednesday and Thursday routes picked up on Tuesday, December 23rd. The garbage pickup schedule for New Year's Day - Thursday's route will be picked up on Friday, January 2nd.

Mr. Gibert reported each month after water bills are read, the utility billing clerk will check for unusual readings and then direct the public works department to reread those meters (manually) and check for a leak. If a leak is detected, a note will be left at the residence if no one is home.

AGENDA ITEM VII

Commissioner's Report/Comments

AGENDA ITEM VIII

Mayor's Report/Comments

Mayor Hamrick reported someone had inquired about developing high density multi-family housing in the Town's ETJ. The development would require a zoning change, issuing a conditional use permit to allow an increase in density, and additional utilities. Board members took the information under advisement.

There being no further business to come before the Board, Mayor Hamrick declared the meeting adjourned at 8:50 p.m.

Max J. Hamrick, Mayor

Kimberly Greene, Town Clerk

Meeting Date: January 6, 2009

Subject: New Business

- **Land Use Plan Draft**

You were sent a draft land use plan under separate cover. A representative from Benchmark will be in attendance to address questions.

- **Proposals for Engineering Services**

Enclosed you will find two proposals for engineering design services. I am recommending that these services be done in order to have projects ready for potential infrastructure grant funding.

Action Taken/Notes:



December 17, 2008

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

RE: PROPOSAL FOR ENGINEERING SERVICES FOR THE LYMAN STREET LIFT STATION
PHASE I DESIGN.

Dear Zach,

We appreciate the opportunity to provide you with this proposal for Engineering Services for the design of Phase I of the Lyman Street Lift Station in Boiling Springs, NC (PROJECT). This proposal, if accepted, also serves to document the agreement between Odom & Associates Engineering, Inc. and the Town of Boiling Springs.

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:

Engineering Design for the Lyman St Lift Station \$3500

*Construction Administration (Only if funding approved) \$4,500

*This proposal is for design only. Construction Administration total will only apply should the funding for this project be approved.

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.

ACCEPTANCE OF PROPOSAL

Sincerely,

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

Accepted this day ____ of _____, 20__
_____ (Signature)
_____ (Printed Name)
_____ (Title)



December 17, 2008

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

RE: PROPOSAL FOR ENGINEERING SERVICES FOR THE RAMSGATE LIFT STATION
ELIMINATION

Dear Zach,

We appreciate the opportunity to provide you with this proposal for Engineering Services for elimination of the Ramsgate Lift Station in Boiling Springs, NC (PROJECT). This proposal, if accepted, also serves to document the agreement between Odom & Associates Engineering, Inc. and the Town of Boiling Springs.

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:

Engineering Design for the Ramsgate Lift Station Elimination	\$ 10,000
Surveying Allowance	\$2,500

The above fee for will be for design only, with the surveying allowance enabling us to gather required information to complete the design. Should funding be approved on this project at a later date, additional fees for Design, Surveying and Construction Administration will be as follows: (fees are based on the engineering cost estimate completed December 2008)

Surveying	\$8,500
Engineering Design	\$30,000
Construction Admin	\$11,500

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,

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

Attachment: Cost Estimate

ACCEPTANCE OF PROPOSAL

Accepted this day ___ of _____, 20__

(Signature)

(Printed Name)

(Title)

Meeting Date: January 6, 2009
Subject: Staff Reports

Police

Public Works

Finance

Town Clerk

Town Attorney

Town Manager

Meeting Date: January 6, 2009
Subject: Commissioners' Reports

Commissioner Gravett

Commissioner Elliott

Commissioner Beason

Commissioner Glenn

Commissioner C. Hamrick

Meeting Date: January 6, 2009
Subject: Mayor's Report