



Meeting Agenda Packet

Boiling Springs Town Council

June 7, 2016



TOWN COUNCIL AGENDA

June 7, 2016 | 7:00 p.m.

Town Hall at 114 East College Ave

1. Mayor's Call to Order

2. Recognition of Citizens Present & Public Comment

3. Approval of Minutes

May 3, 2016 Regular Meeting

4. Regular Business

Review FY16/17 Recommended Budget

Reschedule July 5 Council Meeting to June 30

Set June 30 Public Hearing for FY16/17 Budget

Declare Property Surplus

Discuss Growth Policy

Authorize Town Manager to terminate Recreation Services Agreement

Discuss Yard Waste Collection Policies

5. Staff Reports

6. Board Member Reports

The Board desires all citizens have an opportunity to address the Board in an open and productive manner. Individuals not on the agenda but wishing to speak should register with the Town Clerk prior to the start of the meeting. During the Public Comment portion of the meeting speakers have three (3) minutes unless otherwise approved by the Board. Groups are urged to appoint a spokesperson. If you require additional time, we ask you be placed on the agenda for the next regularly scheduled meeting of the Board. This policy allows the Board members adequate time to familiarize themselves with an issue.

**Town of Boiling Springs
Board of Commissioners
Regular Meeting Minutes
May 3, 2016**

The Board of Commissioners of the Town of Boiling Springs met May 3, 2016 at the Boiling Springs Town Hall. Present were: Mayor Max J. Hamrick; Commissioners James Beason, Bill Ellis, Cliff Hamrick, Daniel Thomas, and Marty Thomas. Town Attorney John Schweppe, III was also present. Staff members present: Town Manager Tom Hart, Town Clerk Kimberly Greene, Public Works Director Mike Gibert, Finance Officer Rhonda Allen, Police Chief Nathan Phillips, Officer Cody Nance, and Wastewater Plant Supervisor Tyler Mullineaux.

Others Present:

AGENDA ITEM I

Call to Order – Max J. Hamrick, Mayor

AGENDA ITEM II

Recognition of Citizens Present & Public Comment

AGENDA ITEM III

Approval of Minutes

Commissioner Hamrick made the motion to approve the minutes of the April 5, 2016 regular meeting and April 28, 2016 budget workshop. Commissioner Ellis seconded and the vote was unanimous.

AGENDA ITEM IV

Regular Business

Ordinance Repealing Privilege License Tax (No. 160503.01)

Commissioner Marty Thomas made the motion to adopt Ordinance 160503.01 to Repeal Chapter 110 Privilege License Taxes of the Town of Boiling Springs Code of Ordinances. Commissioner Daniel Thomas seconded and the vote was unanimous. A copy of the Ordinance is hereby incorporated into and made a part of the minutes of the meeting.

Review FY 15/16 3rd Quarter Financial Report

Rhonda Allen reviewed the FY 2015-16 3rd quarter financials. No action was necessary.

AGENDA ITEM V

Staff Reports

Nathan Phillips, Police Chief, reported the following:

Chief Phillips reported Christopher Williamson was hired as a full-time officer with the department. Officer Justin Gardner recently received his Associates Degree in Criminal Justice.

Mike Gibert, Public Works Director, reported the following:

Mike Gibert reported Josh Wright was recently hired for the Solid Waste Department.

Denis Thurman Construction, Inc. is scheduled to begin replacing the museum roof on May 9th.

Town offices will be closed Monday, May 30, 2016 in observance of Memorial Day. Garbage collection will remain on schedule.

Mr. Gibert reported on NC 811 Call before You Dig. In 2015, the Town received 1,081 locate requests. No water or sewer lines were hit due to the Water and Wastewater staff marking lines correctly.

Mr. Gibert shared the yard waste collection policy with the Board.

Mr. Gibert also introduced Wastewater Plant Supervisor Tyler Mullineaux who was present to discuss sending grease trap letters to local restaurants.

Tyler Mullineaux, Wastewater Plant Supervisor, reported the following:

Tyler Mullineaux discussed being more proactive about the amount of grease local restaurants are discharging. The Wastewater Department plans to do a composite sampling of discharge at different restaurants in Town at various times throughout a 24 hour period. The limit that is allowed to be

discharged into our collection system is one hundred milligrams per liter. A restaurant with a grease trap that is over the limit will be required to have it pumped more often. If they do not have a grease trap additional time will be given to have one installed. Mr. Mullineaux stated he will share his contact information and work to assist them.

Tom Hart, Town Manager, reported the following:

Mr. Hart updated the Board on the debris issue at 124 Bethel Avenue. He spoke to Rick Geer with Cleveland County Solid Waste Enforcement. Mr. Pearson failed to keep up with the schedule of clearing that was established. Mr. Geer has been authorized by the landfill supervisor to offer Mr. Pearson half price on bringing the debris to the landfill.

A new t-shirt was designed for the 4th Annual Crossroads Festival being held on May 21, 2016.

Mr. Hart announced May 1 – May 7, 2016 is Municipal Clerks Week.

AGENDA ITEM VI

Commissioner's Report/Comments

Commissioner Beason reported on the fire department. Chief Phillips was elected as the new Chairman of the Boiling Springs Fire & Rescue Board. The department is also looking into purchasing a new fire truck.

Commissioner Ellis reported numerous citizens have contacted him regarding a gate installed at 142 North Main Street by the owner.

Commissioner Daniel Thomas inquired about Springs Alive, a festival that was held in April each year on GWU campus. Mr. Hart reported the date was changed due to the weather. It was usually cold and rainy with limited student engagement.

AGENDA ITEM VII

Mayor's Report/Comments

Mayor Hamrick inquired about the Poplar Branch Pump Station. Mr. Gibert stated recent rain events have had no effect on construction and it is expected to startup next week.

Mr. Gibert also stated they were hanging the flower baskets before graduation at Gardner-Webb University. Commissioner Ellis commented that the curbs and guttering look very good.

There being no further business to come before the Board, Mayor Hamrick declared the meeting adjourned at 7:30 p.m.

Max J. Hamrick, Mayor

Kimberly Greene, Town Clerk



Regular Business

June 7, 2016

FY 16/17 Recommended Budget Submitted **6**

The FY16/17 Recommended budget is officially submitted for Council's consideration. The recommended Budget Ordinance and the Budget Message are included in this packet. The full budget document will be transmitted separately in electronic format.

Reschedule July 5 Town Council Meeting **-**

Staff recommend Council reschedule the July 5, 2016 Regular meeting to June 30, 2016.

Set Public Hearing for Annual Budget **-**

In accordance with state law, the Town Council must hold a public hearing prior to the adoption of the annual budget ordinance. Staff recommend setting the hearing for the June 30, 2016 Special Meeting.

Declare Property Surplus **14**

Public Works is requesting Town Council declare the old pumps from the decommissioned Lyman Street Pump Station surplus property.

Growth Policy **15**

Staff believe there is a need for a formalized growth strategy primarily related to the expansion of Town utilities, annexation policies, and zoning density in the Town's ETJ. Staff ask that Council consider the included memorandum and direct staff to draft a formal policy for adoption.

Recreation Services Agreement Notice of Termination **16**

Staff request the Council authorize the Town Manager to terminate the 2007 Recreation Services Agreement with the YMCA effective June 2017.

Yard Waste Collection **20**

Staff have assembled a memorandum to facilitate Town Council discussion of current yard waste collection policies.



"The Crossroads of Opportunity"

TOWN OF BOILING SPRINGS

To: Town Council
From: Town Manager
Re: Recommended Budget Submitted
Date: June 7, 2016

The Recommended Budget is submitted for your consideration. The Budget implements a revenue neutral tax rate and is manifestly similar to the budget presented in detail during the Budget Workshop in April. Potential fee and tax increases were discussed during the workshop but are not implemented in the Recommended Budget. It is notable that both Shelby and Kings Mountain's recommended budgets include tax increases beyond the revenue neutral rate. It is worth considering increasing revenues this year in anticipation of increased expenditures related to pedestrian infrastructure, park improvements, yard waste collection equipment, and employee salaries.

Below is a summary of the notable changes made to the FY16/17 Annual Budget since the Budget Workshop in April.

- Made minor salary adjustments (<\$500 ea.) to positions in the sewer department bringing them to 80% of average compensation for their position according to NCLM data.
- Removed stipends for Planning Board and appropriated primarily towards board training.
- Added \$500 Tower Permit fee to the Fee Schedule as these permits should be reviewed by an Engineer.
- Changed subdivision review fee from "final plat" to "preliminary plat" review as the preliminary plat approval is when the bulk of work is performed by Town.

BUDGET ORDINANCE

BE IT ORDAINED by the Boiling Springs, North Carolina Town Council, that the following fund revenues and departmental expenditures, together with certain restrictions and authorities are adopted:

SECTION I. GENERAL FUND

A. Revenues Anticipated

Ad Valorem Property Taxes	\$ 887,000
Sales & Use Taxes	\$ 364,000
Franchise Taxes	\$ 235,000
Solid Waste User Fees	\$ 209,500
Powell Bill Allocation	\$ 130,000
Other Revenues	\$ 109,500
Reserve Appropriation	\$ -
TOTAL REVENUES	\$ 1,935,000

B. Expenditures Authorized by Department

Administration	\$ 498,100
Police	\$ 616,400
Fire Service	\$ 135,000
Street Lighting	\$ 58,000
Streets Powell Bill	\$ 129,500
Solid Waste	\$ 292,900
Recreation	\$ 205,100
TOTAL EXPENDITURES	\$ 1,935,000

SECTION II. WATER & SEWER FUND

A. Revenues Anticipated

Water Charges	\$ 840,000
Sewer Charges	\$ 500,000
Lattimore System Charges	\$ 47,600
Other Revenues	\$ 59,000
Reserve Appropriation	\$ -
TOTAL REVENUES	\$ 1,446,600

B. Expenditures Authorized by Department

Water & Sewer Administration	\$ 287,100
Water Operations	\$ 637,700
Sewer Operations	\$ 473,900
Lattimore System	\$ 47,900
TOTAL EXPENDITURES	\$ 1,446,600

SECTION III. TAXES, RATES, FEES & CHARGES ESTABLISHED

The following taxes, rates, fees and charges are adopted:

FY 2016-17 General Schedule of Taxes, Fees & Charges	
Ad Valorem Tax Rate	\$0.33 per \$100 of valuation
Returned Check Fee	\$25 per occurrence
Document Copying Fee	\$0.25 first page + \$0.10 each additional*
Admin Record Charge	Billed @ actual cost or copy fee*
Rezoning Application	\$260*
Zoning Compliance Permit	\$25*
Zoning Compliance Letter	\$25*
Tower Permit	\$500
Site Plan Review	\$50*
Board of Adjustment Review	\$260*
Preliminary Subdivision Plat Review	\$50 plus \$5 for each lot over 10*
Annexation Petition	\$200*
Street Closing Petition	\$500*
Police Report Fee	\$5 + \$0.10 pages over 10
Fingerprinting Fee	Free for Residents \$20 Non-Resident
Civil Citation Parking	\$20 + \$50 penalty for every 30 days unpaid
Civil Citation Fire Lane	\$50
Garbage Inside	\$8.50
Garbage Outside	\$13.00
Garbage Commercial	\$10.50
Recycling Inside	\$3.00
Recycling Outside	\$4.50
Can Damage Fee	\$20 for second repair in any 12 month period
Facility Rentals	Set Administratively

FY 2016-17 Water & Sewer Schedule of Fees & Charges		
<u>Description</u>	<u>Inside</u>	<u>Outside</u>
Minimum Water Rate 0-2,000 gallons	\$17.00	\$25.00
Volumetric Water Rate 2,000-15,000 gallons	\$5.00 per 1000	\$7.50 per 1000
Volumetric Water Rate over 15,000 gallons	\$6.00 per 1000	\$8.50 per 1000
Minimum Sewer Rate 0-2,000 gallons		
Minimum Sewer Rate 0-2,000 gallons	\$17.00	\$25.00
Volumetric Sewer Rate 2,000-15,000 gallons	\$5.00 per 1000	\$7.50 per 1000
Volumetric Sewer Rate over 15,000 gallons	\$6.00 per 1000	\$8.50 per 1000
Sewer Only 0-2,000 gallons		
Sewer Only 0-2,000 gallons	NA	\$26.00
Sewer Only 2,000-15,000 gallons		
Sewer Only 2,000-15,000 gallons	NA	\$7.50 per 1000
Sewer Only over 15,000 gallons		
Sewer Only over 15,000 gallons	NA	\$8.50 per 1000

FY 2016-17 Water & Sewer Schedule of Fees & Charges		
<u>Description</u>	<u>Inside</u>	<u>Outside</u>
Water Deposit	\$60	\$75
Sewer Deposit	\$50	\$60
Water & Sewer Deposit	\$100	\$125
Water Tap 3/4 inch*	\$700	\$900
Water Tap 1 inch*	\$900	\$1,100
Water Tap 1.5 inch*	\$1,200	\$1,400
Water Tap over 1.5 inch*	At Cost	At Cost
Water Tap Inspection*	\$330	\$490
Sewer Tap Inspection*	\$330	\$490
Meter Installation 3/4 inch*	\$370	\$470
Meter Installation 1 inch*	\$490	\$590
Additional Road Bore Fee*	\$400 (Irrigation Only)	\$400
Service Bill Monthly Late Fee	\$10	\$10
Service Disconnection	\$25	\$25
After-Hours Service Charge (4pm, Weekends, & Holidays)	\$25	\$25
Residential Meter Testing Fee *	\$100	\$100
Commercial or Oversize Meter Testing Fee	At Cost	At Cost
Meter Tampering Fee	\$200	\$200

*Fees and charges are due in advance of any service, public notice, ordering of supplies, or other administrative process commencing. Many fees are application or review fees and are not contingent on approval.

SECTION IV. SPECIAL AUTHORIZATIONS

The Budget Officer shall be authorized to reallocate fund appropriations within departments and move funds up to \$1000 between departments within the same fund provided that it is reported to the Town Council at their next regularly scheduled meeting so long as it does not increase or decrease the total budget for any fund.

SECTION V. USE OF BUDGET DOCUMENT AND ORDINANCE

This Ordinance and the budget document shall be the basis for the financial plan of the Town of Boiling Springs for Fiscal Year 2016-17. The Budget Officer shall administer the Budget and the Finance Officer shall establish records which are in agreement with the budget, this ordinance, and the statutes of the State of North Carolina.

SECTION VI. DISTRIBUTION

Copies of this ordinance shall be furnished to the Budget Officer, Finance Officer, and Town Clerk so that they may keep this ordinance on file for their direction and disbursement of funds.

Motion made by: Commissioner _____

Motion seconded by: Commissioner _____

With ___ Commissioners voting "aye."

With ___ Commissioners voting "no."

Adopted this the ___ day of June 2016.

Max J. Hamrick
Mayor

Attest:

Kim Greene
Clerk

BUDGET MESSAGE

*Honorable Mayor
Town Council
Town of Boiling Springs, North Carolina*

In compliance with the Local Government Budget and Fiscal Control Act and NCGS-159-11, the proposed Annual Budget for Fiscal Year 2016-17 is submitted for your consideration. This budget is inclusive of all financial obligations, all municipal services remain funded, and revenues and expenditures are projected realistically. The highlights of the proposed budget are as follows.

General Fund Revenues

In accordance with state law, Cleveland County has conducted a revaluation of all property for the 2016/17 Fiscal Year. As a result, the Town's estimated property tax base has reduced from \$274,427,000 to \$269,716,000. Staff recommend the Town levy the revenue neutral tax rate of \$0.33 cents per \$100 valuation. A revenue neutral tax rate is the rate at which the aggregate tax burden on the jurisdiction remains the same but changes for individuals. At \$0.33 cents, the town maintains a very competitive tax rate compared to other "full service" communities in Cleveland County. In Boiling Springs, the owner of a \$175,000 home will pay \$577 in property taxes to the Town. The Town's \$0.33 tax rate will be applied to this year's estimated total tax base of \$269,716,000. This new valuation reflects 1.7% reduction from the previous year. Each cent of the tax rate is projected to yield \$26,606 in revenue.

There is an 11% increase in predicted sales tax revenue driven by the economy's continuing improvement and expansion of the sales tax to previously untaxed services. There are no other notable variations in general fund revenues.

General Fund Expenses

There are changes to the General Fund expenditures from the previous Fiscal Year. Health insurance costs have reduced 3%. This year's budget funds a merit system awarding employees up to 3% increases in base salary. Salary survey data indicates overall Boiling Springs' employees earn 89% of the average compensation for their respective positions. Even in the face of a tight budget, continuing to raise employee pay is integral to attracting and retaining a quality workforce.

Powell Bill Fund

Powell Bill revenues are expected to remain the same. The state legislature has amended the statute regarding Powell Bill funds to emphasize that the funds are primarily intended for street resurfacing. The Town must consider that future action by the legislature could limit the use of Powell Bill funding for pedestrian and storm water projects. The budget does not fund any major resurfacing project but funds a formal assessment of the Town's street system and development of a resurfacing schedule.

Water / Sewer Fund

Water and Sewer rates are recommended to remain unchanged from FY16/17. Rates have remained unchanged since FY14/15. The state will require the Town to submit an updated Water/Sewer Capital Improvement Plan in 2018 and it is reasonable to assume that CIP may recommend rate increases to fund infrastructure maintenance and expansion.

Funding for the first phase of the 2018 CIP is included in this year's budget as well as funding for mapping of the existing water and sewer systems. The budget funds several improvements to the water system including touch up painting on the water tower and fire hydrant improvements. In FY15/16 the Sewer Department was reduced from four full time positions to three full and one part time position. This year's budget restores the department to four positions and includes upgrades to the treatment plant.

Respectfully submitted,



Tom Hart
Town Manager



"The Crossroads of Opportunity"

TOWN OF BOILING SPRINGS

RESOLUTION #160607.01 AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY

WHEREAS, the Town of Boiling Springs owns personal property which is 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 BOARD OF COMMISSIONERS OF THE TOWN OF BOILING SPRINGS:

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

Fairbanks Morse Pump #1 Serial No. 443535
Fairbanks Morse Pump #2 Serial No. 1944890

The Town Board further authorized the Town Manager to utilize an electronic auction procedure in accordance with G.S. 160A-27(c).

Adopted this the 7th day of June, 2016.

Max J. Hamrick, Mayor

ATTEST:

Kim Greene, Town Clerk



"The Crossroads of Opportunity"

TOWN OF BOILING SPRINGS

To: Town Council
From: Town Manager
Re: Address Need for Growth Policy
Date: June 7, 2016

Staff have noted a need for an articulated growth and infrastructure expansion policy. The Future Land Use Plan and Future Land Use Map (FLUM) provide a good framework for managing growth. The vast majority of the ETJ or unincorporated area outside of town limits is identified as Open Space/Farmland Preserve or Low Density Residential on the FLUM. However, residential subdivisions with larger lots can be considered low density residential and East College Ave is identified as a "business corridor" through the ETJ. This opens the possibility for large residential subdivisions and commercial development in the ETJ. Furthermore, the mandatory connection ordinance is the only real guidance on utility expansion and it only applies to properties inside city limits or that have been annexed.

In the most general sense, the Town should engage in a growth management strategy that ensures municipal services to dense development and protects the tax base. The Town should not engage in infrastructure expansions and zoning decisions that create a tax exempt ring of poorly serviced development surrounding the Town. It is the staff's concern that if zoning is approved and utilities are expanded; residential subdivisions and commercial development could occur in the ETJ with no street lighting, police protection, road maintenance, or solid waste collection.

Accordingly, staff request the Town Council adopt a policy formalizing the following concepts:

- The Town will deny petitions to rezone property in the ETJ to a more dense zoning classification without annexation. Only R-20 single family residences and the continuation of preexisting non-residential uses will be permitted in the ETJ unless a property voluntarily annexes.
- The Town will not approve major residential subdivisions in the ETJ without voluntary annexation.
- The Town will view water and sewer utilities as municipal services and not expand mains to serve non-annexed residential and commercial properties regardless of whether the expense is incurred by the property owner or developer. Excluding connecting residences to existing lines, addressing health concerns in the event of ground water issues, and large institutional, industrial, and manufacturing facilities that may be part of an economic development project.



"The Crossroads of Opportunity"

TOWN OF BOILING SPRINGS

Cameron Corder
Cleveland County Family YMCA
PO Box 2272
Shelby, NC 28151
Re: Termination of Recreation Services Agreement
Date: 06/08/16

NOTICE OF TERMINATION

This letter serves as written Notice of Termination of the Recreation Services Agreement entered into July 1, 2007, between the Town of Boiling Springs and Cleveland County Family YMCA. The Town specifies this contract will end June 30, 2017.

Sincerely,

Tom Hart
Town Manager

enclosure: copy of original contract

Recreation Services Agreement

This agreement by and between the Town of Boiling Springs, a North Carolina municipal corporation, (hereinafter "Town"), and the Cleveland County Family YMCA (hereinafter "YMCA"),

That for and in consideration of the financial payments and mutual covenants contained herein, and other valuable consideration, the parties hereby agree as follows:

- (A) **Use of Town Facilities.** During such time that they are used for recreational purposes, the YMCA will manage town recreational facilities and properties comprised of the gymnasium, playground area, picnic shelter and ballfields located at 145 South Main Street and the concession building and ballfields located at Springmore Park. This shall include enforcement of all rules, policies and regulations which may apply to these facilities recommended by the YMCA and approved by the Town.

The YMCA will provide supervised public access to said facilities on a daily basis, according to a schedule developed jointly by the Town and the YMCA. Such access and all programmed activities shall be administered and available to all members of the public on an equal basis without regard to race, religion, sex or ethnicity. The YMCA will schedule all YMCA and public events at said facilities and will be responsible for accommodating the use of these facilities by any group or organization using them at the time of this Agreement.

The YMCA and the Town will develop a fair and equitable fee schedule for all applicable facilities. This fee schedule shall be reviewed and approved annually by both the YMCA and the Town. The YMCA will administer the fee schedule and collect appropriate fees from users of these facilities. Said fees shall be used as necessary for the maintenance and upkeep of the facilities. Any portion of collected fees not required or used for such maintenance shall be and remain the property of the YMCA and may be used by it without restriction.

The YMCA will provide building security and housekeeping for said facilities including the sweeping of floors, collection of trash, bathroom cleaning, lost and found and other like activities to the Town's satisfaction.

The YMCA will pay for maintenance at the applicable facilities. The Town will provide fire extinguisher maintenance and trash disposal for the facilities. The YMCA will provide all grounds maintenance and grass mowing for the facilities. Maintenance will be addressed in a timely fashion to ensure that disruption of activities will be minimal. Major maintenance needs may be jointly addressed by the Town and YMCA upon agreement of both parties.

The Town will pay the cost of utilities associated with the facilities and winterize the facilities as needed.

The YMCA will develop and implement a menu of programs which will be available to YMCA members, town residents, and non-residents. The YMCA will purchase necessary equipment and materials to provide these programs and activities. All such equipment shall remain the property of the YMCA unless otherwise specifically agreed in writing as an addendum to this agreement.

(B) **Use of YMCA Facilities.** The YMCA will offer residents of the Town of Boiling Springs the following benefits at applicable facilities owned by the YMCA:

- No joining fee to join the YMCA during the first year after opening of the new Boiling Springs YMCA.
- Ten percent (10%) discount off the normal membership rate.
- "Community Days" when non-YMCA members can use the water park for no charge.
- School Field Days at the YMCA for Boiling Springs area schools at no cost.
- Swim Safety Instruction Week to elementary school kids at no cost.
- Fitness programs targeted at the senior population.
- The YMCA will promote their financial assistance programs in the community.

(C) **Term.** The term of this Agreement shall be for a period of ten (10) years, beginning on July 1, 2007. At anytime during the last five years, either party may terminate the Agreement by giving written Notice of Termination to the other party. Termination shall be effective on the specified termination date, which shall not be less than one (1) year after the date such Notice of Termination is served.

(D) **Payment for Services.** The Town will pay an annual service fee to the YMCA that is initially based upon a per capita formula. During the term of this agreement, the annual fee will increase five percent (5%) each year to account for population growth and inflation. The initial payment is calculated as follows:

Population estimate	4,000
Per capita rate	\$ <u>9.95</u>
<u>Service fee</u>	<u>\$ 39,800</u>

The YMCA will invoice the Town quarterly for the proportionate service fee amount. The amount of service fees paid shall not exceed a total of \$500,000 during the term of this agreement. When the agreement reaches the end of the ten-year term, the final payment will be \$61,143.

(E) **Coordination.** The Town Manager of Boiling Springs and the Executive Director of the Boiling Springs YMCA will each serve as a liaison in matters relating to the implementation of this agreement. The Town will designate one member of the Board of Commissioners to be an ex-officio member the Boiling Springs YMCA Board of Directors.

The Town and YMCA agree to cooperatively work towards development of a comprehensive long range recreation plan and to apply for those available grant monies which may allow for the implementation of said plan.

The Boiling Springs YMCA will provide the Town a copy of its annual budget and audit.

This document contains the entire Agreement between the YMCA and the Town and may be amended only by a written instrument which is dated and signed by both parties. This Agreement shall supersede any other agreements currently between the two parties.

This the 6th day of March 2007.

Cleveland County Family YMCA



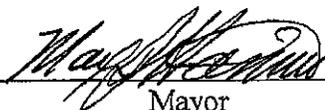
Chief Executive Officer



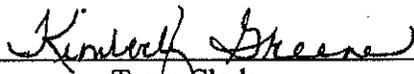
Chief Volunteer Officer

(Seal)

Town of Boiling Springs, NC



Mayor



Town Clerk

(Seal)



"The Crossroads of Opportunity"

TOWN OF BOILING SPRINGS

To: Town Council
From: Town Manager
Re: Yard Waste Collection Policy Discussion
Date: June 7, 2016

Councilman Beason has requested that the Board discuss the Town's policies regarding the collection of yard waste. Specifically, the policy prohibiting staff from collecting waste generated by commercial activity. An incredibly wide range of collection practices and schools of thought exist related to yard waste collection. I have assembled materials and some points to facilitate discussion.

- Longstanding policy that was reviewed and passed again in 2012 does not allow staff to collect yard waste generated by commercial services including landscaping contractors.
- There is no specific fee charged for yard waste collection.
- Nearby municipalities have similar policies in place although statewide practices vary and many municipalities do collect waste generated by landscaping contractors.
- The degree to which individual residents utilize yard waste collection services varies widely. Some never use, others generate large piles regularly.
- Yard waste collection is frequently behind schedule and falls extremely behind during peak times.
- Yard waste collection is a very visible service for residents. Yard waste collection generates many calls to Town Hall compared to other service area. Accordingly, staff are concerned about any policy change that would slow collection.

- Can we offer certain services seasonally?
- Can we take a multi-prong approach and encourage composting?
- What ordinances are the least intrusive and easiest to enforce?
- Can we improve collection practices?
- Can we fund better equipment or more staff?

I request that if Town Council desire a change to the existing policy, they indicate specific areas of concern and direct staff to propose specific changes to Town Code Chapter 52 Solid Waste at a future meeting.

YARD WASTE PROGRAM**§ 52.300 GENERAL.**

This subchapter shall establish a yard waste program and apply to all yard waste defined in § 52.002 generated by residential units within the corporate limits of the town. The collection of yard waste may further be regulated by an administrative policy. Yard waste collection will generally occur on a weekly basis although no specific day of collection shall be defined.
(Ord. 121106.01, passed 11-6-12)

§ 52.301 PRECOLLECTION PRACTICES.

All yard waste will be placed at the curb or edge of pavement for collection. Yard waste should be placed out for collection in a manner that minimizes impact on pedestrian and vehicle traffic, and does not block vehicular site visibility or affect the drainage of stormwater.
(Ord. 121106.01, passed 11-6-12)

§ 52.302 PROHIBITED ITEMS.

In addition, the following items are expressly prohibited from collection:

- (A) Any items not defined as yard waste by this chapter;
- (B) Yard waste generated off premises;
- (C) Yard waste generated as the result of commercial activity (landscape services, tree removers, and the like);
- (D) Bagged items including leaves and grass clippings;
- (E) Yard waste mixed with any other items especially items which could damage collection equipment;
- (F) Limbs exceeding four inches in diameter or ten feet in length; and
- (G) Tree stumps.

(Ord. 121106.01, passed 11-6-12)

SPECIAL OR BULK COLLECTION**§ 52.400 GENERAL.**

This subchapter shall apply to bulk items as defined in § 52.002 generated by residential units within the corporate limits of the town. Bulk items generated by commercial or institutional activities including multi-family rental properties are not eligible for collection under this section. The collection of special or bulk items may further be regulated by an administrative policy.
(Ord. 121106.01, passed 11-6-12)



Staff Reports
June 7, 2016

Police Chief Nathan Phillips

Public Works Director Mike Gibert

Finance Director Rhonda Allen

Town Clerk Kim Greene

Town Attorney John Schweppe III

Town Manager Tom Hart



Council Member Reports

June 7, 2016

Councilman Marty L. Thomas

Councilman James L. Beason

Councilman Bill Ellis

Councilman Clifford E. Hamrick III

Councilman Daniel Thomas

Mayor Max J. Hamrick