



**Boiling Springs Town Council  
Meeting Agenda Packet  
April 2, 2019**



## Town of Boiling Springs

PO Box 1014 | Boiling Springs, NC 28017

Phone 704-434-2357 | Fax 704-434-2358

[www.BoilingSpringsNC.net](http://www.BoilingSpringsNC.net)

## TOWN COUNCIL MEETING AGENDA

APRIL 2, 2019

### ROUTINE BUSINESS

1. Mayor's Call to Order
2. Recognize Citizens Present & Public Comment
3. Minutes from March 5, 2019 Meeting.....3
4. Minutes from March 5, 2019 Closed Session

### REGULAR BUSINESS

5. Set Budget Workshop.....6
6. Boiling Springs Park Improvement Project | Budget Discussion.....7
7. Wastewater Treatment Plant Generator | Capital Project Ordinance #190402.01.....8

### REPORTS

8. Staff Reports.....10
9. Town Council Member Reports.....11
10. Adjournment

The Town Council desires all citizens have an opportunity to address the Council in an open and productive manner. Individuals not on the agenda but wishing to speak should register with the 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 Council. 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 Council. This policy allows the Council members adequate time to familiarize themselves with an issue.

**Town of Boiling Springs  
Town Council  
Regular Meeting Minutes  
March 5, 2019**

The Boiling Springs Town Council met March 5, 2019 at the Boiling Springs Town Hall. Present were: Mayor Bill Ellis; Councilmembers James Beason, Cliff Hamrick, Patrick Litton, Councilmember Daniel Thomas, and Marty Thomas. Town Attorney John Schweppe, III was also present. Staff members present: Town Manager Mr. Shires, Town Clerk Kimberly Greene, Finance Director Rhonda Allen, Lt. Tommy Sheehan, Officer Austin Reulecke, Public Works Director Mike Gibert, Utilities Supervisor Joe Francis, and Wastewater Plant Supervisor Todd Humphries.

Others Present: Alton Beal, Danny Blanton

**AGENDA ITEM I**

**Call to Order – Bill Ellis, Mayor**

**AGENDA ITEM II**

**Recognition of Citizens Present & Public Comment**

**AGENDA ITEM III**

**Approval of Minutes**

Councilmember Litton made the motion to approve the minutes of the February 5, 2019 regular meeting. Councilmember Marty Thomas seconded and the vote was unanimous.

**AGENDA ITEM IV**

**Presentation of Audit**

Mr. Darrell Keller, CPA, PA was unable to attend the meeting. Rhonda Allen discussed the audit with the Council.

**Financial Highlights**

- The assets and deferred outflows of resources of the Town of Boiling Springs exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$8,937,415 (*net position*). Of this amount, \$1,344,508 (*unrestricted net position*) may be used to meet the government's ongoing obligations to citizens and creditors.
- The government's total net position increased by \$290,092, primarily due to increases in the governmental activities net position.
- As of the close of the current fiscal year, the Town of Boiling Springs' governmental funds reported combined ending fund balances of \$2,334,688, an increase of \$348,008 in comparison with the prior year. Approximately 47.19 % of this total amount, or \$1,101,817, is available for spending at the government's discretion (*unassigned fund balance*).
- At the end of the current fiscal year, unassigned fund balance for the General Fund was \$1,101,817, or 47.19 % of total general fund expenditures for the fiscal year.

Councilmember Daniel Thomas made the motion to accept the audit as presented. Councilmember Litton seconded and the vote was unanimous. A copy of the FY 2017-2018 Audit is hereby incorporated into and made a part of the minutes of the meeting.

Councilmember Marty Thomas made the motion to approve the FY 2018-19 Audit Contract with Darrell Keller, CPA, PA. Councilmember Beason seconded and the vote was unanimous. A copy of the contract is hereby incorporated into and made a part of the minutes of the meeting.

**AGENDA ITEM V**

**Resolution Supporting Local Control of School Calendars**

Mr. Danny Blanton with the Cleveland County Board of Education requested the Town Council approve a resolution supporting local control of school calendars. Cleveland County Schools is partnering up with Cleveland Community College to provide skilled training opportunities for students. Calendar alignment with the community college would further open opportunities for continued partnerships.

Councilmember Marty Thomas made the motion to approve Resolution #R190305.01 Supporting Local Control of School Calendars. Councilmember Daniel Thomas seconded and the vote was unanimous. A copy of the resolution is hereby incorporated into and made a part of the minutes of the meeting.

#### **AGENDA ITEM VI**

##### **Resolution Authorizing NC Parks and Recreation Trust Fund (PARTF) Grant Application**

Mr. Shires reported applications for the Parks and Recreation Trust Fund (PARTF) are due May 1, 2019. PARTF grants can be used to renovate recreational facilities. Phase I of the project consists of planning/engineering consultant fees, site preparations, installation of new playground equipment and shade structures, construction of paved walking trails (sidewalks), and installation of associated plantings. The Town received funds from the County and Tim Moore's office to complete Phase I. Mr. Shires was seeking direction regarding applying for a \$350,000 grant which requires the Town to provide the necessary match of approximately \$200,000. Mr. Shires recommended this issue be tabled until the next budget cycle due to upcoming projects.

Councilmember Beason made the motion to table the issue at this time. Councilmember Daniel Thomas seconded and the vote was unanimous. A copy of the resolution is hereby incorporated into and made a part of the minutes of the meeting. Councilmember Daniel Thomas stated he believes this is a wise decision and that most people were interested in Phase I of the project.

#### **AGENDA ITEM VII**

##### **Resolution Lattimore Wastewater Collection and Treatment Interim Agreement**

The existing Wastewater Collection and Treatment Agreement between the Town of Boiling Springs and the Town of Lattimore expires on March 15, 2019. Attorney John Schweppe has reviewed the proposed Wastewater Collection and Treatment Interim Agreement and found no issues. Mr. Shires reported the contract will remain the same except that Boiling Springs will be reimbursed for repairs requiring contracted services to the system, yearly insurance costs, and the customers will be charged the Town's outside sewer rate. The Interim Agreement will end June 2020. Mr. Shires is proposing a 3-year agreement instead of a 20-year agreement for the subsequent agreement following the Interim Agreement. Mayor Beal expressed his appreciation to Mr. Shires and that they appreciate the work Boiling Springs has done.

Councilmember Daniel Thomas made the motion to approve Resolution #R190305.03 Approving the Wastewater Collection and Treatment Interim Agreement with the Town of Lattimore and authorized the Mayor and Town Manager to execute the agreement on behalf of the Boiling Springs Town Council. Councilmember Beason seconded and the vote was unanimous. A copy of the resolution is hereby incorporated into and made a part of the minutes of the meeting.

#### **AGENDA ITEM VIII**

##### **Proclamation Celebrating 2019 as the Year of Music**

North Carolina Governor Roy Cooper proclaimed 2019 the Year of Music. Cleveland County Commissioners are supportive of this initiative and believe this is an opportunity to bring additional visitors to Cleveland County. Councilmember Marty Thomas made the motion to approve Proclamation #P190305.01 Celebrating 2019 as the Year of Music. Councilmember Beason seconded and the vote was unanimous. A copy of the proclamation is hereby incorporated into and made a part of the minutes of the meeting.

#### **AGENDA ITEM IX**

##### **Amend Boiling Springs Tourism Development Authority (TDA) Bylaws**

Mayor Ellis stated the TDA has requested another member be added. Councilmember Beason made the motion to approve the amendment to the TDA Bylaws. Councilmember Marty Thomas seconded and the vote was unanimous. A copy of the amendment is hereby incorporated into and made a part of the minutes of the meeting.

#### **AMENDMENT BY THE BOILING SPRINGS TOWN COUNCIL TO THE BYLAWS OF THE BOILING SPRINGS TOURISM DEVELOPMENT AUTHORITY**

##### **ARTICLE II. – Membership**

- (A) **MEMBERS:** The Authority shall be made up of seven (7) members, at least one-third (1/3) of the members must be individuals who are affiliated with businesses that collect the tax in the Town and at least one-half (1/2) of the members must be individuals who are currently active in the promotion of travel and tourism in the Town.
- (B) **TERMS:** All appointments will be for three-year renewable terms.

#### **AGENDA ITEM X**

##### **Tourism Development Authority Appointment**

Mayor Ellis reported the Tourism Development Authority (TDA) recommended Megan Pope be appointed. Ms. Pope is the owner of Pope Marketing & Events located in Boiling Springs. Councilmember Daniel Thomas made the motion to appoint Megan Pope to the Tourism Development Authority with the term ending October 31, 2022. Councilmember Beason seconded and the vote was unanimous.

#### **AGENDA ITEM XI**

##### **Staff Report**

##### **Mike Gibert, Public Works Director, reported the following:**

The Wastewater Treatment Plant received a good report on the wastewater facility after a recent inspection from the Division of Water Resources. The facility is being properly maintained and well operated. Mr. Gibert thanked Wastewater Plant Supervisor Todd Humphries for a job well done.

The Skinner Road Bridge Water Relocation Project is in progress.

NC DOT is planning to pave West College Avenue from the traffic light to the Rutherford County line.

Councilmember Beason inquired about the new leaf vacuum truck. Mr. Gibert stated it is in operation and working very well.

Councilmember Marty Thomas inquired about the depression that has formed in the road in front of Hamrick Insurance. Mr. Gibert stated he has notified DOT and they are waiting for asphalt.

##### **Mr. Shires, Town Manager, reported the following:**

Mr. Shires recognized Mr. Danny Blanton. Mr. Blanton thanked the Town Council for approving the resolution supporting local control of school calendars. There are 30 days difference in the school calendar and the community college calendar. Mr. Blanton explained that if the calendars were synchronized exams could be completed before Christmas then students would be able to start at the Community College in January.

Mr. Shires reported on the costs for the Holland Drive Water/Sewer CIP. The property owners will also incur costs to connect to the sewer system. Councilmember Marty Thomas inquired about the capacity of the Wastewater Treatment Plant. Mr. Gibert stated the average for the last ten years has been around 50% (300,000 gals) of capacity.

Mr. Shires stated he would also like to schedule a Water/Sewer CIP subcommittee meeting.

#### **AGENDA ITEM XII**

##### **Town Councilmember Reports**

Councilmember Marty Thomas is pleased with the new School Resource Officer (SRO) stating Officer Williamson is doing a wonderful job. He requested Lt. Sheehan tell Chief Phillips he did a great job.

Councilmember Beason stated he appreciates the staff and all they do for the Town.

Mayor Ellis stated we have the finest team of employees taking care of the Town.

#### **AGENDA ITEM XIII**

##### **Closed Session**

Councilmember Daniel Thomas made the motion to enter into executive session pursuant to N.C.G.S. 143.318.1(a)(6) to discuss personnel at 7:23 p.m. Councilmember Marty Thomas seconded and the vote was unanimous.

The meeting reconvened at 8:49 p.m.

Executive session minutes are on file in the office of the Clerk.

#### **AGENDA ITEM XIV**

##### **Adjournment**

There being no further business, Councilmember Marty Thomas made the motion to declare the meeting adjourned at 8:50 p.m. Councilmember Litton seconded and the vote was unanimous.

Bill Ellis, Mayor

Kimberly Greene, Town Clerk



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## TOWN COUNCIL

## AGENDA ITEM 5

APRIL 2, 2019

### SET BUDGET WORKSHOP DATE

State law requires the Town pass a balanced budget by June 30<sup>th</sup> of each year.

### SUMMARY

Motion needed: Motion to set meeting date.

### MATERIALS PROVIDED

- None



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## TOWN COUNCIL

## AGENDA ITEM 6

APRIL 2, 2019

### BOILING SPRINGS PARK IMPROVEMENT PROJECT | BUDGET DISCUSSION

The Town adopted a budget ordinance on November 13, 2018 to establish a capital project ordinance and budget for the Boiling Springs Park Improvement Project. This ordinance allocated \$150,000 from the Department of Natural and Cultural Resources and \$80,000 from Cleveland County. A draft Opinion of Probable Costs has been submitted by McGill (the consulting Engineering and Planning Firm) and the costs reflected are significantly higher than funds budgeted. Staff is seeking discussion and preliminary direction on the matter and recommends a Budget Amendment be considered in a following Council meeting once the final bids are tabulated and a contractor is selected to construct the project.

#### SUMMARY

#### MATERIALS PROVIDED

- Included under separate cover for your review.



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## TOWN COUNCIL

### AGENDA ITEM 7

APRIL 2, 2019

## ADOPT CAPITAL PROJECT ORDINANCE FOR THE PURCHASE OF A GENERATOR FOR THE WASTEWATER TREATMENT PLANT

It is necessary for the Town to establish a budget for this capital project and appropriate applicable funds needed for the construction and installation of this project in order to comply with applicable provisions of the North Carolina Budget and Fiscal Control Act. The funds budgeted in this fiscal year for the purchase of a generator for the WWTP will be transferred to the project.

### SUMMARY

Action needed: Adopt ordinance to establish a budget for this capital project.

### MATERIALS PROVIDED

- Ordinance No. 190402.01



Town of Boiling Springs  
Capital Project Budget Ordinance # 190402.1

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 Waste Water Treatment Plant Generator; 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 COUNCIL OF THE TOWN OF BOILING SPRINGS, NORTH CAROLINA:

Section 1. The following amounts are hereby appropriated for the construction and installation of the Waste Water Treatment Plant Generator:

Construction	<u>\$ 50,000</u>
Total	<u>\$ 50,000</u>

Section 2. It is estimated that the following revenues will be available for the construction and installation of the Waste Water Treatment Plant Generator:

Transfer from Water/Sewer Fund	<u>\$ 50,000</u>
Total	<u>\$ 50,000</u>

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.

\_\_\_\_\_  
Kim Greene, Town Clerk

\_\_\_\_\_  
Bill Ellis, Mayor

(SEAL)



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## TOWN COUNCIL MEETING

### STAFF REPORTS

APRIL 2, 2019

POLICE CHIEF | NATHAN PHILLIPS

PUBLIC WORKS DIRECTOR | MIKE GIBERT

FINANCE DIRECTOR | RHONDA ALLEN

TOWN CLERK | KIM GREENE

TOWN ATTORNEY | JOHN SCHWEPPE III

TOWN MANAGER | LUCAS SHIRES



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## TOWN COUNCIL MEETING COUNCIL MEMBER REPORTS

APRIL 2, 2019

COUNCILMAN MARTY THOMAS

COUNCILMAN PATRICK LITTON

COUNCILMAN JAMES BEASON

COUNCILMAN CLIFFORD E. HAMRICK III

COUNCILMAN DANIEL THOMAS

MAYOR BILL ELLIS