



Boiling Springs Town Council

Regular Meeting Agenda
May 02, 2023
6:30PM



Town of Boiling Springs

PO Box 1014 | Boiling Springs, NC 28017
Phone 704-434-2357 | Fax 704-434-2358
www.BoilingSpringsNC.net

TOWN COUNCIL

MEETING AGENDA
May 02, 2023

ROUTINE BUSINESS

1. Call to Order
2. Adoption of Agenda
3. Public Comment
4. Gardner-Webb University Update

Mr. Nate Evans, VP of Advancement

CONSENT AGENDA

5. Minutes of the April 4, 2023, Regular Town Council meeting
6. Resolutions #230502.02 & 230502.03 to Accept Funding from DEQ for AIA Grant Funding
There is one for each grant - water and wastewater
7. Resolution #230502.01 Approving the Water Shortage Response Plan
8. Surplus of 2012 Dodge Charger with VIN # 2C3CDXAT4CH280156 with 138,788 Miles
9. Proclamations for Police and Public Works weeks
10. Rural Transformation Grant resolution #230502.04

REGULAR BUSINESS

11. System Development Fee Study Presentation
Mr. Eric Medaugh, Gavel & Dorn Engineering
12. Zoning Map Amendment Petition for Parcel 44091
13. Zoning Text Amendment to Section 8.10 of the Unified Development Ordinance
14. Park Master Plan Agreement with Cole, Jenest, & Stone & budget amendment
15. 2023-2024 Boiling Springs Strategic Plan



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TOWN COUNCIL

MEETING AGENDA

May 02, 2023

Discussion Items

- [16.](#) Regulation of Recreational Vehicles
- [17.](#) Downtown Parking Lot Closure
18. Mayor, Council, & Manager Reports
19. Adjourn

**Town of Boiling Springs
Council
Regular Meeting Minutes
April 04, 2023**

ROUTINE BUSINESS

Call to Order

Mayor Thomas called the meeting to order at 6:30pm

PRESENT

Mayor Daniel Thomas
Councilmember Marty Thomas
Mayor Pro-Tem Patrick Litton
Councilmember Tommy Greene
Councilmember Tonya Gantt

ABSENT

Councilmember Caleb Edward

Staff Present

Town Manager Justin Longino
Town Clerk Noah Saldo
Finance Director Rhonda Allen
Public Works Director Mike Gibert
Program Support Specialist Tracy Holland
Lead for NC Fellow Greyson Sonntag
Two new Police Officers Tyler Lane & Gregory Jones

Adoption of Agenda

Action: Upon a motion by Councilmember Greene Seconded by Councilmember Thomas it was unanimously voted to approve the agenda as presented

Public Comment

Town Manager Longino presented two new police officers Tyler Lane and Gregory "AJ" Jones.

CONSENT AGENDA

Action: Upon a Motion by Councilmember Litton, Seconded by Councilmember Greene it was unanimously voted to approve the consent agenda as presented as follows:

Minutes of the March 7, 2023 Council regular meeting

Budget Amendment #230404: The capital project budget ordinance amendment is to reimburse General Fund Administration salaries with ARPA funds to use for funding the Land Use Plan update.

REGULAR BUSINESS

Gardner-Webb Update

Nate Evans presented a Gardner-Webb update

Consider Ordinance for Shared Active Transportation Systems

This includes an ordinance and agreement for Bird Scooters

Manager Longino presented an update on Bird Scooters.

Action: Upon a motion by Councilmember Greene, Seconded by Councilmember Gantt it was unanimously voted to approve Ord#230404.01 as presented

DISCUSSION ITEMS

Consider Request from Community Garden

Town Manager Longino presented: in January of 2023, a leak occurred at the Boiling Springs Baptist Church irrigation meter used by the Community Garden. Section 50.805(3) of our code of ordinances states that "The town council may at its discretion adjust or waive any charges in cases of unusual or exigent circumstances. The board shall only do so within the confines of state law and in consultation with the town manager and town attorney." The Community Garden has requested that the resulting \$132.75 water bill be waived. Staff cautions Council about waiving water bills as we often receive requests from residents who have issues at their homes and request relief from staff. We uniformly apply Section 50.804 and 805.

Action: Upon a motion by Councilmember Thomas, Seconded by Councilmember Gantt it was voted 3-1 with Councilmember Greene in opposition to reduce the cost of the community garden leak to the cost of 53.35

Machon Avenue Project

Town Manager Longino presented: We bid out Machon Ave in January and the lowest bid came back at \$304,917.25. This included curb, gutter, sidewalks, and replacement of a discontinued waterline. Staff has since been exploring the various ways to implement this project. We are seeking guidance on how to proceed.

1. We could rebid the project as a much simpler paved street with a 4" layer of asphalt and gravel with no sidewalk or curb & gutter.
2. We could abandon the right of way and no longer include it in our network of Town-maintained streets.
3. We could gravel the road and save Powell bill funds to complete the project at a later date

Manager Longino asked for council feedback on options to proceed

The consensus of council was to proceed with keeping the road as a town road and look to implement a simpler solution.

Town/Turner Parking Lot

Town Manager Longino presented: As part of the current conceptual design phase of the S. Main Streetscape project, McGill and Town Staff have discussed closing the parking lot entrance off S. Main St. between Talk of the Town and the Broad River Greenway office. This would allow for a wider sidewalk and potentially some outdoor seating in the future. It would also create a safer area where vehicles and pedestrians often conflict. Recently, the Turners approached the Town about ideas to reduce the speed of traffic through our parking lot and theirs. Since the addition of Pelican's, they have seen a lot of children come very close to speeding traffic. Many of these travelers have been 'cutting through' to miss the light and get from S. Main to E. College. Staff would not recommend traditional speed bumps, but there are 'speed mats or humps' and other similar devices that may calm traffic through that area without creating a large, abrupt bump. Additionally, closing off the entrance from S. Main would eliminate 'cut through' traffic. This could be done with some decorative concrete planters to match the ones on N. Main. Staff's initial thought is to place two concrete planters with a removable bollard in between them so that enough room could be created for a vehicle if needed during a special event or emergency. We would still plan to reimagine this area as part of the streetscape project. One additional note, if the entrance is to be closed, staff may decide to implement a temporary measure in order to budget for the planters and bollard installation in the FY 23 budget.

Action: Upon a Motion made by Councilmember Greene, Seconded by Councilmember Thomas it was unanimously voted to temporarily close the S. Main entrance and paint new street parking spaces on the street.

Discuss Budget Workshop Dates - Staff suggests April 25th at 6pm

Council set April 25t at 6:30pm as a special meeting to hold a budget work session

REPORTS

Mayor, Council, & Manager Reports

Town Manager Longino-

- Parks master plan consultant price came in higher than expected, they will rework the proposal and we should have that for approval at the May Meeting. They are also starting to work on the land use plan process.
- Had a productive trip to Raleigh with Mayor Thomas and Mayor Pro-Tem Litton
- Great music on main event and looks forward to Webbsock
- YMCA Subcommittee will have a meeting with YMCA representatives soon
- Town will be participating in several upcoming career fairs
- Bulldog pawprints painted on Memorial Drive.

Councilmember Greene-

- Attended MPO meeting where they discussed continuing in the MPO or changing to the RPO. We will continue to go after the same funding opportunities with no real impact to use one way or another. MPO is a federal program and the RPO is the state. The County could split between both organizations; however the county commissioners don't want to split so we most likely stay with MPO
- Lincoln County announced 8 new pickleball courts
- Music on main was great however he heard from people outside of town didn't know about the event

Councilmember Thomas-

- YMCA meeting forthcoming
- Music on main was good and look forward to Webbstock

Councilmember Litton-

- Good job with music on main
- Crosswalk lights are working
- Raleigh trip was good with the Mayor and Manager Longino. Meetings with Speaker Moore and Sen Alexander were good and will be beneficial to the town.

Councilmember Gantt-

- Welcomed new officers
- Appreciative Council and staff and the relationships with Gardner-Webb and YMCA
- Music on main was great and look forward to Webbstock

Mayor Thomas-

- Welcomed new officers
- The Raleigh trip was good; a representative from Western Carolina spoke about the attractiveness of our Town lapel pins. Easy to pick the good things going on because of the work of council and staff thanks to Council and staff.

CLOSED SESSION - Pursuant to NCGS 143-318.11(a)(6) to discuss a personnel matter

Action: Councilmember Thomas made a motion to go into closed session pursuant to NCGA 143-318.11(a)(6) to discuss a personal matter Seconded by Councilmember Greene and Approved unanimously at 7:22pm

Upon a motion by Councilmember Thomas, Seconded by Councilmember Greene it was unanimously voted to re-enter open session at 9:09pm.

Upon a motion of Councilmember Litton and seconded by Councilmember Thomas it was voted 3-1 Councilmember Greene in decent to approve a 20% base pay increase to the town manager and a 2% cola enacted with the FY 23-24 budget and hold another evaluation in 3 months.

Upon a motion by Councilmember Litton second by Councilmember Thomas it was unanimously voted to adjourn at 9:13pm.

Adjorn



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

**THE TOWN OF BOILING SPRINGS, NC
TOWN COUNCIL RESOLUTION # 230502.02**

Sewer AIA Acceptance

WHEREAS, the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund was established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$150,000 to perform an Asset Inventory and Assessment study detailed in the submitted application, and

WHEREAS, the Town of Boiling Springs intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BOILING SPRINGS:

That The Town of Boiling Springs does hereby accept the American Rescue Plan (ARP) offer of \$150,000.

That the Town of Boiling Springs does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That public Works Director Mike Gibert, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 2nd Day of May, 2023



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

X

Daniel Thomas
Mayor

X

Noah Saldo
Town Clerk



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

**THE TOWN OF BOILING SPRINGS, NC
TOWN COUNCIL RESOLUTION # 230502.03**

Water AIA Acceptance

WHEREAS, the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund was established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$150,000 to perform an Asset Inventory and Assessment study detailed in the submitted application, and

WHEREAS, the Town of Boiling Springs intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BOILING SPRINGS:

That The Town of Boiling Springs does hereby accept the American Rescue Plan (ARP) offer of \$150,000.

That the Town of Boiling Springs does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That public Works Director Mike Gibert, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 2nd Day of May, 2023



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

X

Daniel Thomas
Mayor

X

Noah Saldo
Town Clerk



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

**RESOLUTION ##230502.01 APPROVING
THE TOWN OF BOILING SPRINGS WATER SHORTAGE
RESPONSE PLAN UPDATE**

WHEREAS, North Carolina General Statute §143355.2 requires that each unit of local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department of Environmental Quality for review and approval; and,

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for Boiling Springs was developed and originally approved by the Boiling Springs Town Council in 2010; was updated and approved by Council in 2018 and has now been updated again.

NOW, THEREFORE, BE IT RESOLVED by the Boiling Springs Town Council hereby approves the Water Shortage Response Plan dated May 2023, and authorizes its submission to the Department of Environmental Quality, Division of Water Resources.

Adopted this the 2nd day of May 2023.

Daniel Thomas, Mayor

ATTEST:

Noah Saldo, Town Clerk



Water Shortage Response Plan Boiling Springs, North Carolina

The procedures herein are written to reduce potable water demand and supplement existing drinking water supplies whenever existing water supply sources are inadequate to meet current demands for potable water. This plan is required by N.C.G.S. 143-355 (I).

I. Authorization

The Boiling Springs Town Manager shall enact the following water shortage response provisions whenever the trigger conditions outlined in Section IV are met. In the Manager’s absence, the Public Works Director will assume this role.

Mr. Justin Longino
Town Manager
Phone: (704) 434-2357
Email: justin.longino@boilingspringsnc.net

Mr. Mike Gibert
Public Works Director
Phone: (704) 434-2357
Email: mike.gibert@boilingspringsnc.net

II. Notification

The following notification methods will be used to inform the water system employees and customers of a water shortage declaration.

- Employee-issued mobile phones.
- Notices at municipal buildings and in water bills.
- The Shelby Star (Local Newspaper)
- Announcements on local radio and Public, educational, and government access television (PEG channel).
- Town’s website (www.boilingspringsnc.net)
- Social Media: Facebook, Twitter, Instagram

III. Levels of Response

Five stages of water shortage response are outlined in the table below. The five stages of water shortage response are: voluntary reductions, mandatory reductions I, mandatory reductions II, emergency reductions and water rationing. A detailed description of each response stage and corresponding water reduction measures follow below.

Stage	Response	Description
1	Voluntary Reductions	Water users are encouraged to reduce their water use and improve water use efficiency; however, no penalties apply for noncompliance. Water supply conditions indicate a potential for shortage.
2	Mandatory Reductions I	Water users must abide by required water use reduction and efficiency measures; penalties apply for noncompliance. Water supply conditions are significantly lower than the seasonal norm and water shortage conditions are expected to persist.



3	Mandatory Reductions II	Same as Stage 2
4	Emergency Reductions	Water supply conditions are substantially diminished and pose an imminent threat to human health or environmental integrity.
5	Water Rationing	Water supply conditions are substantially diminished and remaining supplies must be allocated to preserve human health and environmental integrity.

In Stage 1, Voluntary Reductions, all water users will be asked to reduce their normal water use by 5%. Customer education and outreach programs will encourage water conservation and efficiency measures including:

- All discretionary uses of water should be reduced.
- Restriction of irrigating landscapes a maximum of one inch per week.
- Discourage the use of water for washing/cleaning impervious surfaces.
- Watering plants deeply to encourage root growth.
- Encourage washing only full loads of clothes and dishwashers.
- Encourage using spring-loaded nozzles on garden hoses.
- Identifying and repairing all water leaks.

In Stage 2, Mandatory Reductions I, all customers are expected to reduce water use by 10% in comparison to the previous month’s bill. In addition to continuing to encourage all voluntary reduction actions, the following restrictions apply:

- Irrigation is limited to a half inch per week between 8 p.m. and 8 a.m.;
- Outdoor use of drinking water for washing impervious surfaces is prohibited (e.g. vehicles, driveways), and;
- All testing and training purposes requiring drinking water (e.g. fire protection) will be limited.

In Stage 3, Mandatory Reductions II, all customers must continue actions from all previous stages and reduce their normal water use by 20% in comparison to the previous month’s bill.

- All non-essential uses of water are banned (e.g. filling of pools and ornamental fountains);
- Hydrant flushing and testing programs are prohibited except to maintain public health, water quality, or other special circumstances;
- Garden and landscape irrigation must be done by hand and is limited to the minimum amount necessary for survival, and;
- Any practice listed in this section may be modified or additional restrictions added at the discretion of the Town Manager.



Drought surcharges of 1.5 times the normal water rate may be implemented to further encourage reduction amounts.

In Stage 4, Emergency Reductions, all customers must continue actions from all previous stages and reduce their water use by 25% in comparison to the previous month’s bill.

- A ban on all use of water except to protect public health and safety is implemented.

Drought surcharges of 2 times the normal water rate may be implemented.

In Stage 5, Water Rationing, the goal of Stage 5 is to provide drinking water to protect public health (e.g. residences, residential health care facilities and correctional facilities).

- All customers are only permitted to use water at the minimum required for Public health protection.
- Firefighting is the only allowable water use and pickup locations for distributing potable water will be announced according to Shelby’s Emergency Response Plan.

Drought surcharges of 5 times the normal water rate may be implemented.

IV. Triggers

The Town of Boiling Springs water supply is provided by the City of Shelby. The Town will abide by the triggers included in the Water Shortage Plan, Shelby, North Carolina dated March 26, 2018, as amended.

When water shortage conditions have abated and the water levels are returning to normal, water conservation measures employed during each level should be decreased in reverse order of implementation. Permanent measures directed toward long-term monitoring and conservation should be implemented or continued so that the community will be in a better position to prevent shortages and respond to recurring water shortage conditions.

V. Enforcement

The provisions of the Water Shortage Response Plan will be enforced by personnel of the Town of Boiling Springs Utilities Department, Boiling Springs Police Department, and other such personnel as designated by the Town Manager. Violators may be reported to the Town Hall at (704) 434-2357. Citations are assessed according to the following schedule depending on the number of prior violations and current level of water shortage.

Water Shortage Level	First Violation	Second Violation	Third Violation
Voluntary Reductions (Stage 1)	N/A	N/A	N/A
Mandatory Reductions (Stages 2 and 3)	Warning	\$250	Discontinuation of Service
Emergency Reductions (Stage 4)	\$250	Discontinuation of Service	Discontinuation of Service
Water Rationing (Stage 5)	\$500	Discontinuation of Service	Discontinuation of Service



VI. Public Comment

The most current WSRP will be available for review at the Town Hall & posted on the Town of Boiling Springs website (www.boilingspringsnc.net). Customers may contact Public Works Director Mike Gibert at (704) 434-2357 for questions or clarifications regarding the WSRP. Customers may also comment on water shortage response protocols at Town Council meetings, which are held on a monthly basis.

VII. Variance Protocols

Applications for water use variance requests are available from Town Hall. All applications will be reviewed by the Town Manager or his/her designee. A decision to approve or deny individual variance requests will be determined within a week of submittal after careful consideration of the following criteria: impact on water demand, expected duration, alternative source options, social and economic importance, purpose (i.e. necessary use of drinking water), and the prevention of structural damage.

VIII. Effectiveness

The effectiveness of the Town of Boiling Springs Water Shortage Response Plan will be determined by comparing the stated water conservation goals with observed water use reduction data. Other factors to be considered include frequency of plan activation, any problem periods without activation, total number of violation citations, desired reductions attained and evaluation of demand reductions compared to the previous year’s seasonal data.

IX. Revision

The Water Shortage Response Plan will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five years in conjunction with the required updates of the Local Water Supply Plan. Further, a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any necessary improvements to the Town Council. The Town Manager is responsible for initiating all subsequent revisions.

Revision		Reason for Revision	Description of Revision
Date	#		
10/18/2010	0	WSRP Created	Adopted by Council with Resolution #101102.01
08/07/2018	1	State Required Review	Changed to reflect Town Manager, adding Lucas Shires; added social media outlets for notification. Adopted by Council Resolution #R180807.01
01/11/2022	2	State Review Required	Changed to reflect Town Manager, adding Justin Longino; updated social media outlets; updated logo and heading. Adopted by Council Resolution #R220111.01
5/2/2023	3	State Review Required	No changes Adopted by Council Resolution #230502.01



Proclamation

NATIONAL POLICE WEEK MAY 15-21, 2023

WHEREAS, the Town of Boiling Springs appreciates those who choose to serve and protect for the betterment of the Town; and,

WHEREAS, in 1962 Congress passed H.J.RES 730 which authorized the President to proclaim May 15th of every year as peace officer Memorial Day and the week it falls on as National Police Week; and,

WHEREAS, the police officers of America including our own in Boiling Springs have worked devotedly and selflessly on behalf of the citizens they serve, regardless of the hazard to them; and,

WHEREAS, our police officers stand guard to protect and serve each day and night; and,

WHEREAS, The Town of Boiling Springs has a police department of hardworking and dedicated professionals; and,

WHEREAS, The Town owns a debt of gratitude to our police officers

NOW, THEREFORE, the Boiling Springs Town Council hereby designates the week of **May 15-22, 2023** as National Police Week, and further extends appreciation to our Police department for their honorable and faithful service they perform on behalf of Town residence.

Proclaimed this the 2nd day of May 2023.

X

Daniel Thomas
Mayor

X

Noah Saldo
Town Clerk



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA —————

Item 5.



Proclamation

NATIONAL PUBLIC WORKS WEEK MAY 21-27, 2023

WHEREAS, the Town of Boiling Springs appreciates those who choose to serve for the betterment of the Town; and,

WHEREAS, public work services are an integral part of the services that the Town provides to its residence; and,

WHEREAS, the public work department services maintaining of streets, buildings, grounds, solid waste collection, and wastewater treatment are vital to the health, safety, and comfort of Town residence; and,

WHEREAS, it requires skill and dedication of public work employees to maintain these vital Town service; and,

WHEREAS, The Town of Boiling Springs has a public works department of hardworking and dedicated professional's, and.

WHEREAS, The Town seeks to attract and retain these talented public work employees.

NOW, THEREFORE, the Boiling Springs Town Council hereby designates the week of May 21-27,2023 as National Public Works Week, and further extends appreciation to our public works department for the vital services they perform on behalf of Town residence.

Proclaimed this the 2nd day of May 2023.

X

Daniel Thomas
Mayor

X

Noah Saldo
Town Clerk



RESOLUTION #230502.04

**AUTHORIZING AN APPLICATION FOR NORTH
CAROLINA DEPARTMENT OF COMMERCE RURAL
TRANSFORMATION GRANT FUND RURAL
ENGAGEMENT AND INVESTMENT PROGRAM
(DOWNTOWN COURTYARD)**

WHEREAS, the Town of Boiling Springs has indicated its desire to implement the Downtown Master Plan adopted in 2019; and,

WHEREAS, the Town of Boiling Springs fully supports the Downtown Courtyard project as a part of the Master Plan; and,

WHEREAS, the Town desires to provide a safe and attractive area downtown for businesses, visitors, and events; and,

WHEREAS, the Boiling Springs Town Council wishes to pursue a formal application for the Downtown Revitalization Program – Public Improvements, in the amount of \$273,216 from the North Carolina Department of Commerce, Rural Transformation Grant Fund, Rural Engagement & Investment Program; and,

NOW, THEREFORE, BE IT RESOLVED by the Boiling Springs Town Council that the Town Manager is authorized to submit a formal application to the North Carolina Department of Commerce, Rural Transformation Grant und, Rural Engagement & Investment Program in order to provide assistance to benefit the Downtown Courtyard project.

Adopted this the 2nd day of May 2023.

Daniel Thomas, Mayor

ATTEST:

Noah Saldo, Town Clerk



SYSTEM DEVELOPMENT FEE STUDY

Requested Action: Review study. It must be made available for at least 45 days before official adoption. Staff will place the adoption of the study on the agenda at a later date.

SUMMARY

Gavel & Dorn conducted a system development fee study for Boiling Springs and Mr. Eric Medaugh will be attending the meeting to present their study.

A system development fee is defined in the general statues as: “A charge or assessment for service...imposed with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs...” [G.S. 162A-201\(9\)](#); *see also* [G.S. 162A-203\(a\)](#). The three definitions of “new development” (aka three triggers for these fees) are:

- Subdivision of land.
- Construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure which increases the number of service units. (Service units are a unit of measure for capacity need. They are typically expressed as an equivalent residential unit.)
- Any use or extension of the use of land which increases the number of service units.

For a deep dive into SDF’s, review the SOG’s blog post [here](#).

[NCGS Chapter 162A, Article 8](#) outlines the specifics of how a system development fee study must be conducted. Gavel & Dorn have followed these requirements and the staff is satisfied with the resulting study.

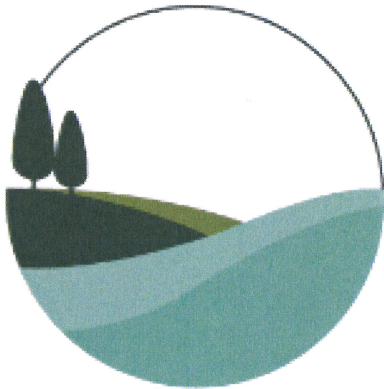
MATERIALS PROVIDED

- **Gavel & Dorn System Development Fee Study**

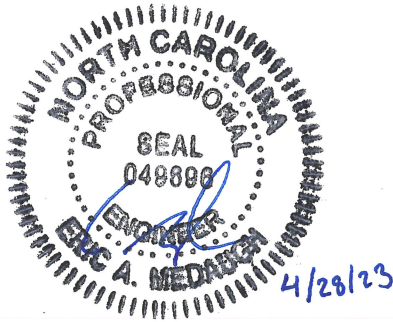
Town of Boiling Springs

System Development Fee Study

Draft Report
April 2023



THE TOWN OF
BOILING SPRINGS
— NORTH CAROLINA —



Gavel & Dorn Engineering, PLLC
6730 Freedom Drive, Charlotte, NC 28214
Celebrating 20 Years of Service to the Carolinas

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Executive Summary

This System Development Fee Analysis was completed by utilizing the buy-in (equity) method described in the American Water Works Association Manual of Water Supply Practices and in conjunction with House Bill (HB) 344. The first step was to determine the system equity of both the water and wastewater infrastructure by identifying the assets and liabilities of each system. System equity was calculated using the current value to construct the existing infrastructure with depreciation. Liabilities were calculated from the value of future repairs/improvements outlined in the Town's Capital Improvement Plan and outstanding debts/loans associated with each system. Total system equity is a result of subtracting the liabilities of each system from the asset value of each system. The total system equity of the water infrastructure was found to be \$1,900.00 and the total system equity of the wastewater infrastructure was found to be \$2,590.00.

Once the total equity of each system was calculated, the maximum capacity of each system and an assumed daily usage measured in gallons per day (GPD) was used to calculate number of equivalent dwelling units (EDU) the system could serve. The Town of Boiling Springs has a contract with the City of Shelby, NC that provides 1.0 million gallons per day (MGD) of potable water to the Town. The Town has its own wastewater treatment facility that can treat up to 0.6 MGD. Assuming 1 MGD for water the Town could supply up to 4,167 EDU ($1,000,000 \text{ GPD} / 240 \text{ GPD} = 4,167 \text{ EDU}$) and assuming 0.6 MGD for wastewater the Town could treat sewer for 2,500 EDU ($600,000 / 240 = 2,500 \text{ EDU}$). Using these capacities, a recommended system development fee (SDF) was calculated.

The SDF for both water and sewer is calculated by dividing the equity of each system by the number of EDUs that each system could serve. This results in a standard base rate of \$1,900 for water and \$2,590 for sewer. The base rate for both water and sewer is for a standard $\frac{3}{4}$ -inch potable water connection. The water connection is the driver for both water and sewer. From that base cost, SDFs for larger meter connections were calculated using standard maximum meter-flow capacity ratios. A complete list of the results can be found in **Tables 2-4** below.

Background

North Carolina General Statute 162A Article 8 provides for the uniform authority to implement system development fees for public water and sewer systems in North Carolina and was passed by the North Carolina General Assembly and signed into law on July 20, 2017. House bill 344, which was approved on July 2, 2021, modified Statute 162A Article 8. A copy of HB 344 can be found in [Appendix A](#). This report documents the results of the calculation of water and sewer system development fees for the 2023 fiscal year in accordance with these requirements. In general, system development fees are calculated based on (1) a cost analysis of the existing or planned infrastructure that is in place, or will be constructed, to serve new capacity demands, and (2) the existing or additional capacity associated with these assets.

Methodology

The SDF's were calculated using principles and practices set by the American Water Works Association (AWWA) Manual of Water Supply Practices, Principles of Water Rates, Fees, and Charges, System Development Charges. The legislation defines three methods for calculating SDFs. These are briefly summarized as follows:

- ❖ Buy-in Method (Equity Method) - Under this method, new development bears a proportional share of the capital costs previously incurred by the municipal entity that allow for sufficient capacity to serve the new development.
- ❖ Incremental/Marginal Cost -This method requires new development to pay the proportional share of new capital costs that are attributable to the new development.
- ❖ Combined Cost - This method uses a combination of the buy-in and incremental/marginal cost methods.

The SDFs for the Town of Boiling Springs were calculated using the Equity or (Buy-in) Method, as it is best suited for the data available for the Town. The goal of this method is to achieve an equity position between new and existing customers of the system. The method assumes that the existing customers have provided equity in the existing system and that built-up equity should accrue to benefit existing customers. The base level of the SDF is established at the current level of the system equity related to the capacity used to serve an existing equivalent residential customer.

System Equity

The major components of the system's equity include the valuation of the system assets, accumulated depreciation, system liabilities, source of equity, and system capacity.

The Town of Boiling Springs currently purchases their water from the City of Shelby at a negotiated rate and owns/operates a wastewater treatment facility that the Town maintains. The Town also has an emergency use water connection with Cleveland County Water, which it has not historically used. The Town of Boiling Springs also has an agreement with the Town of Lattimore to maintain their collection system and treat their sewer. Because of this agreement, it should be considered that new connections in the Town of Lattimore also be subject to SDF's. It would be our recommendation that they would, as all existing customers regardless of town, have borne the cost of the existing system and share in the equity of the collection system as well as the wastewater treatment plant.

Currently, the Town of Boiling Springs has a contract with the City of Shelby to provide the Town with 1 MGD of potable water. On average, the Town is currently using approximately 0.4 MGD of potable water and treats approximately 0.35 MGD of wastewater. These values were taken from the Local Water Supply Plan for the Town of Boiling Springs. A copy of this plan can be found in in [Appendix B](#).

The equity of the Town's collection and distribution systems is calculated based on the value of the existing infrastructure to include collection piping, distribution piping, pump stations, elevated storage tank, and treatment plant. The cost to provide potable water is also considered. This is calculated based on the approximate cost that would be required to construct a water treatment facility capable of serving the current needs using current construction cost. To provide enough capacity for the current needs of the Town and to account for peaking factors, the Town would have to provide facilities capable of producing approximately 1 MGD of potable water.

The valuation for a water treatment plant can vary significantly due to new technologies and different methods of treatment. It is not feasible to design a plant for this valuation. However, through research and recent experience we can estimate that the cost for building a new water treatment plant today would be around \$5.00 per gallon per day. Therefore, the cost to build a treatment facility capable of providing enough capacity to meet the needs of the Town has been estimated to be approximately \$5 million.

The Town of Boiling Springs currently owns and maintains approximately 227,000 linear feet (LF) of waterline ranging from 2-inch to 16-inch diameter pipe. Additionally, they own and maintain approximately 150,000 LF of gravity sewer mains and 46,000 LF of sanitary sewer force mains. The Town also owns and maintains (1), 200,000-gallon elevated potable water storage tank and a booster pump station. The Town also owns 6 sanitary sewer pump stations, but operates and maintains 7 pump stations. The value of these assets is calculated, with depreciation, at \$9.27 million for the water assets and \$7.8 million for the wastewater assets. The valuation of the assets is further explained below.

Valuation

The valuation of the Town’s water and wastewater assets is based on the actual assets in place today. The length of water and sewer mains was calculated using data from the Town’s GIS. To determine the value of the pipe, we multiplied the linear footage by unit costs of \$45 per linear foot for water and \$60 per linear foot of sewer line. These numbers are an estimate based on our experience with similar projects in the area and considering the varying types and sizes of pipe installed. The pump station values were based on lump sum pricing compared to similar pump station construction in the region. The cost of each pump station was estimated individually based on its size, then an average per pump station was calculated for simplicity and entered into [Table 1](#) below. The values of each asset were then adjusted to show depreciation. This was done using straight line depreciation over a 50-year expected life span, given a salvage value of \$0. This depreciation was based on an assumed average age of 30-years for all assets.

Table 1 Valuation of Assets

Asset	Length of Pipe (ft.)	Cost (per)	Unit	Total	Depreciated Value (40%)
Distribution Lines	227,000	\$ 45.00	LF	\$ 10,215,000.00	\$ 4,086,000.00
Tank	1	\$ 300,000.00	EA	\$ 300,000.00	\$ 120,000.00
Booster PS	1	\$ 150,000.00	EA	\$ 150,000.00	\$ 60,000.00
Water Total				\$ 10,215,000.00	\$ 4,266,000.00
Treatment Plant	1	\$ 5,500,000.00	EA	\$ 5,500,000.00	\$ 2,200,000.00
Sewer Line	196,000	\$ 60.00	LF	\$ 11,760,000.00	\$ 4,704,000.00
Pump Station	7	\$ 318,500.00	EA	\$ 2,230,000.00	\$ 892,030.00
Wastewater Total				\$ 19,490,000.00	\$ 7,796,000.00

System Development Fee

SDF’s were calculated based on the capacities the Town would have to provide to maintain the current level of service using the Equity/Buy-in method. The number of EDUs the Town could serve is based on an assumed 240 GPD per EDU based on guidelines from North Carolina Administrative Code 15A NCAC 02T.0114. Assuming 1 MGD for water the Town could supply up to 4,167 EDU ($1,000,000 \text{ GPD} / 240 \text{ GPD} = 4,167 \text{ EDU}$) and assuming 0.6 MGD for wastewater the Town could treat sewer for 2,500 EDU ($600,000 / 240 = 2,500 \text{ EDU}$). Liabilities, such as outstanding debt, loans and costs associated with identified CIP projects were then deducted from the total asset value to determine a net value for each of the systems. Using this value, a recommended fee was calculated. A breakdown of each of this evaluation can be found in [Tables 2 and 3](#).

Table 2 Water SDF Evaluation

Water	Original Cost	Depreciation	Net Cost
Plant	-	-	\$ 5,000,000.00
Distribution Lines	\$ 10,215,000.00	\$ 4,086,000.00	\$ 4,086,000.00
Elevated Storage Tank	\$ 300,000.00	\$ 120,000.00	\$ 120,000.00
Booster PS	\$ 150,000.00	\$ 60,000.00	\$ 60,000.00
	Subtotal		\$ 9,266,000.00
Less Net Cost of			
	Distribution Main Repairs per CIP		\$ 1,249,549.00
	Outstanding Debt/Loans		\$ 85,891.69
	Total		\$ 7,930,600.00
System Development Fees (Total/4,167)			\$ 1,900.00

Table 3 Sanitary Sewer SDF Evaluation

Wastewater	Original Cost	Depreciation	Net Cost
Plant	\$ 5,500,000.00	\$ 2,200,000.00	\$ 2,200,000.00
Distribution Lines	\$ 11,760,000.00	\$ 4,704,000.00	\$ 4,704,000.00
Pump Stations	\$ 2,230,000.00	\$ 892,000.00	\$ 892,000.00
	Subtotal		\$ 7,796,000.00
Less Net Cost of			
	Distribution Main Repairs per CIP		\$ 1,053,000.00
	Outstanding Debt/Loans		\$ 262,837.00
	Total		\$ 6,480,163.00
System Development Fees (Total/2,500)			\$ 2,590.00

The SDF's above are calculated per EDU as noted in the first paragraph of this section. However, some properties will have a greater demand for water and sewer and therefore should be charged accordingly. A single EDU is based on a 3/4-inch water service and assumes 240 GPD as described above. Properties with a greater demand should be charged based on the water demand and service. In cases where a larger service is needed, we recommend rates as shown in [Table 4](#). This table is based on the maximum meter-flow capacity ratios.

Table 4 Rates Based on Service Size

Service Size	Water	Sewer
3/4"	\$1,900.00	\$2,590.00
1"	\$3,166.67	\$4,316.67
1.5"	\$8,946.00	\$9,198.00
2"	\$10,133.33	\$13,813.33
3"	\$22,166.67	\$30,216.67
4"	\$38,000.00	\$51,800.00
6"	\$88,666.67	\$120,866.67
8"	\$152,000.00	\$207,200.00
10"	\$240,666.67	\$328,066.67

Table 4 Rates Based on Service Size

Service Size	Water	Sewer
12"	\$316,666.67	\$431,666.67

Conclusion

Based on the system assets, accumulate depreciation, system liabilities, source of equity and system capacity we conclude that a base rate system development fee of up to \$1,900.00 for water and \$2,590.00 for wastewater should be assessed. Larger connections should be implemented based on Table 4.

APPENDIX A

HB 344

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2021-76
HOUSE BILL 344

AN ACT TO CLARIFY THE PROCESS WITH WHICH A LOCAL GOVERNMENTAL UNIT MAY IMPOSE AND COLLECT SYSTEM DEVELOPMENT FEES AND TO PROVIDE THAT A WATER OR WASTEWATER PUBLIC UTILITY IS SOLELY RESPONSIBLE FOR INCOME TAXES DUE ON TAXABLE CONTRIBUTIONS IN AID OF CONSTRUCTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 162A-201 reads as rewritten:

"§ 162A-201. Definitions.

The following definitions apply in this Article:

- ...
(4) Facility. – A water supply, treatment, storage, or distribution facility, or a wastewater collection, treatment, or disposal ~~facility, including for reuse or reclamation of water,~~ facility providing a general benefit to the area that facility serves and is owned or operated, or to be owned or operated, by a local governmental unit and land associated with such facility. unit. This shall include facilities for the reuse or reclamation of water and any land associated with the facility.
- ...
(7) Service. – Water or sewer service, or water and sewer service, provided by a local governmental ~~unit.~~ unit, including water or sewer service provided pursuant to a wholesale arrangement between a water and sewer authority organized under Article 1 of Chapter 162A of the General Statutes and a local governmental unit.
- ...
(9) System development fee. – A charge or assessment for ~~service~~ service, including service provided pursuant to a wholesale arrangement between a water and sewer authority organized under Article 1 of Chapter 162A of the General Statutes and a local governmental unit, imposed with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs, as provided in this Article. The term includes amortized charges, lump-sum charges, and any other fee that functions as described by this definition regardless of terminology. The term does not include any of the following:
 - a. A charge or fee to pay the administrative, plan review, or inspection costs associated with permits required for development.
 - b. Tap or hookup charges for the purpose of reimbursing the local governmental unit for the actual cost of connecting the service unit to the system.
 - c. Availability charges.



- d. Dedication of capital improvements on-site, adjacent, or ancillary to a development absent a written agreement providing for credit or reimbursement to the developer pursuant to G.S. 153A-280, 153A-451, 160A-320, 160A-499 or Part 3A of Article 18, Chapter 153A or Part 3D of Article 19, Chapter 160A of the General Statutes.
- e. Reimbursement to the local governmental unit for its expenses in constructing or providing for water or sewer utility capital improvements adjacent or ancillary to the development if the owner or developer has agreed to be financially responsible for such expenses; however, such reimbursement shall be credited to any system development fee charged as set forth in G.S. 162A-207(c).

...."

SECTION 2. G.S. 162A-205 reads as rewritten:

"§ 162A-205. Supporting analysis.

A system development fee shall be calculated based on a written analysis, which may constitute or be included in a capital improvements plan, that:

- (1) Is prepared by a financial professional or a licensed professional engineer qualified by experience and training or education to employ generally accepted accounting, engineering, and planning methodologies to calculate system development fees for public water and sewer systems.
- (2) Documents in reasonable detail the facts and data used in the analysis and their sufficiency and reliability.
- (3) Employs generally accepted accounting, engineering, and planning methodologies, including the buy-in, incremental cost or marginal cost, and combined cost methods for each service, setting forth appropriate analysis as to the consideration and selection of a method appropriate to the circumstances and adapted as necessary to satisfy all requirements of this Article.
- (4) Documents and demonstrates the reliable application of the methodologies to the facts and data, including all reasoning, analysis, and interim calculations underlying each identifiable component of the system development fee and the aggregate thereof.
- (5) Identifies all assumptions and limiting conditions affecting the analysis and demonstrates that they do not materially undermine the reliability of conclusions reached.
- (6) Calculates a final system development fee per service unit of new development and includes an equivalency or conversion table for use in determining the fees applicable for various categories of demand.
- (7) Covers a planning horizon of not less than five years nor more than 20 years.
- (8) Is adopted by resolution or ordinance of the local governmental unit in accordance with G.S. 162A-209.
- (9) Uses the gallons per day per service unit that the local governmental unit applies to its water or sewer system engineering or planning purposes for water or sewer, as appropriate, in calculating the system development fee."

SECTION 3. G.S. 162A-207 reads as rewritten:

"§ 162A-207. Minimum requirements.

- (a) Maximum. – A system development fee shall not exceed that calculated based on the system development fee analysis.
- (b) Revenue Credit. – In applying the incremental cost or marginal cost, or the combined cost, method to calculate a system development fee with respect to ~~water or sewer~~ capital improvements, the system development fee analysis must include as part of that methodology a

credit against the projected aggregate cost of ~~water or sewer~~ capital improvements. That credit shall be determined based upon generally accepted calculations and shall reflect a deduction of either the outstanding debt principal or the present value of projected water and sewer revenues received by the local governmental unit for the capital improvements necessitated by and attributable to such new development, anticipated over the course of the planning horizon. In no case shall the credit be less than twenty-five percent (25%) of the aggregate cost of capital improvements.

(c) Construction or Contributions Credit. – In calculating the system development fee with respect to new development, the local governmental unit shall credit the value of costs in excess of the development's proportionate share of connecting facilities required to be oversized for use of others outside of the development. No credit shall be applied, however, for ~~water or sewer~~ capital improvements on-site or to connect new development to ~~water or sewer~~ facilities."

SECTION 4. Article 7 of Chapter 62 of the General Statutes is amended by adding a new section to read:

"§ 62-133.12B. Computation of income tax expense for rate-making purposes; taxable contributions.

A water or wastewater public utility is solely responsible for funding the income taxes on taxable contributions in aid of construction and customer advances for construction and shall record the income taxes the water or wastewater utility pays in accumulated deferred income taxes for accounting and rate-making purposes."

SECTION 5. This act is effective when it becomes law and clarifies existing law with minimum standards employed by all generally accepted accounting, engineering, and planning methodologies used to calculate system development fees for public water and sewer systems.

In the General Assembly read three times and ratified this the 24th day of June, 2021.

s/ Mark Robinson
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 12:03 p.m. this 2nd day of July, 2021

APPENDIX B

Local Water Supply Plan

Boiling Springs

2022 ▾

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

1. System Information

Contact Information

Water System Name:	Boiling Springs	PWSID:	01-23-025
Mailing Address:	PO Box 1014 Boiling Springs, NC 28017	Ownership:	Municipality
Contact Person:	Mike Gibert	Title:	Public Works Director
Phone:	704-434-2357	Cell/Mobile:	--
Secondary Contact:	Justin Longino	Phone:	704-434-2357
Mailing Address:	PO Box 1014 Boiling Springs, NC 28017	Cell/Mobile:	--

Complete

Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Asbestos Cement	6	2.00 %
Cast Iron	6	5.00 %
Ductile Iron	6-16	10.00 %
Polyvinyl Chloride	2-12	83.00 %

What are the estimated total miles of distribution system lines? **43 Miles**

How many feet of distribution lines were replaced during 2022? **1,430 Feet**

How many feet of new water mains were added during 2022? **0 Feet**

How many meters were replaced in 2022? **12**

How old are the oldest meters in this system? **20 Year(s)**

How many meters for outdoor water use, such as irrigation, are not billed for sewer services? **123**

What is this system's finished water storage capacity? **0.2000 Million Gallons**

Has water pressure been inadequate in any part of the system since last update? *Line breaks that were repaired quickly should not be included.* **No**

The Town plans to start replacing the oldest water meters in the system starting this year 2023.

Programs

Does this system have a program to work or flush hydrants? **Yes, Monthly**

Does this system have a valve exercise program? **Yes, As Needed**

Does this system have a cross-connection program? **Yes**

Does this system have a program to replace meters? **Yes**

Does this system have a plumbing retrofit program? **Yes**

Does this system have an active water conservation public education program? **Yes**

Does this system have a leak detection program? **Yes**

Water Conservation

What type of rate structure is used? **Increasing Block**

How much reclaimed water does this system use? **0.0000 MGD** For how many connections? **0**

Does this system have an interconnection with another system capable of providing water in an emergency? **Yes**

2. Water Use Information

Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population
Broad River (01-1)	100 %	Cleveland	100 %

What was the year-round population served in 2022? **4,769**

Has this system acquired another system since last report? **No**

Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	1,784	0.2323	0	0.0000
Commercial	148	0.0420	0	0.0001
Industrial	1	0.0011	0	0.0000
Institutional	47	0.0770	0	0.0000

How much water was used for system processes (backwash, line cleaning, flushing, etc.)? **0.0052 MGD**

System processes = estimated water main flushing, fire department training and usage.
 Non-metered usage = bulk water purchased.

Water Sales

Purchaser	PWSID	Average Daily Sold (MGD)	Days Used	MGD	Contract Expiration	Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
Cleveland County SD	01-23-055	0.0000	0			Yes	Yes	6	Emergency

3. Water Supply Sources

Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	0.3350	0.4420	May	0.3780	0.5010	Sep	0.4030	0.4990
Feb	0.3490	0.4150	Jun	0.4370	0.5750	Oct	0.3710	0.4800
Mar	0.3160	0.3780	Jul	0.5100	0.7650	Nov	0.3230	0.4220
Apr	0.3690	0.6900	Aug	0.4290	0.5620	Dec	0.3170	0.5370

All water purchased from the City of Shelby. PWS ID # 01-23-010.



Water Purchases From Other Systems

Seller	PWSID	Average Daily Purchased (MGD)	Days Used	MGD	Contract Expiration	Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
CLEVELAND COUNTY SD	01-23-055	0.0000	0			Yes	Yes	6	Emergency
SHELBY	01-23-010	0.3800	365	1.0000	2034	Yes	Yes	16	Regu

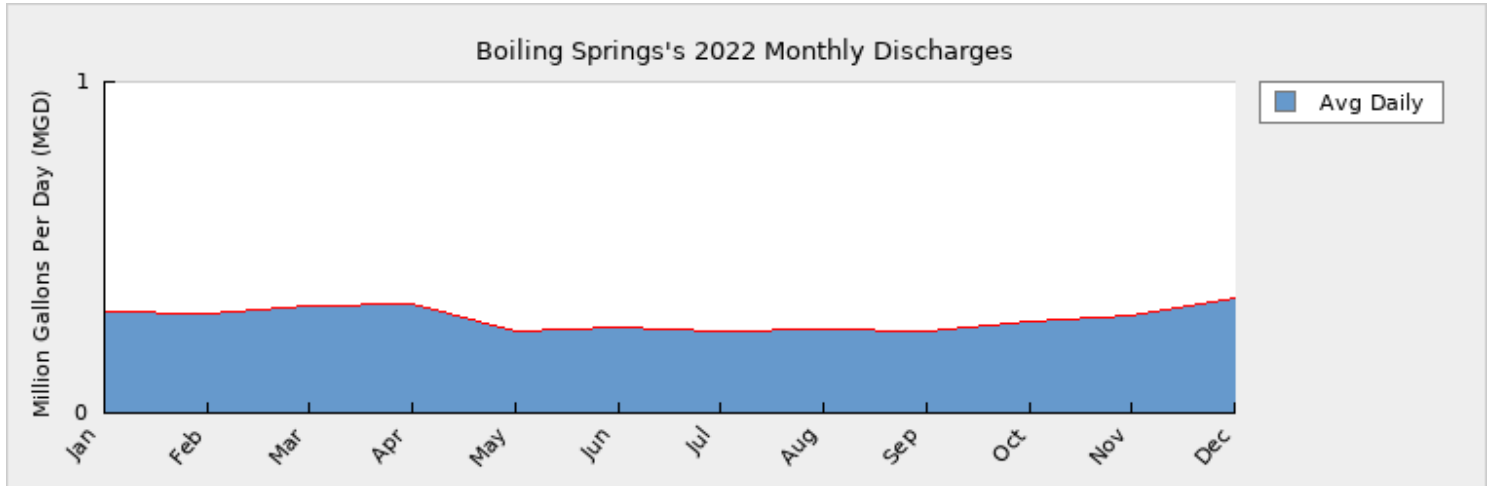
Cleveland County Water installed a new larger 6" receiving interconnect to the Town of Boiling Springs water system. Currently the interconnect is used for emergency use.

Item 1.

4. Wastewater Information

Monthly Discharges

	Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)
Jan	0.3040	May	0.2490	Sep	0.2480
Feb	0.3020	Jun	0.2560	Oct	0.2760
Mar	0.3260	Jul	0.2470	Nov	0.2920
Apr	0.3300	Aug	0.2510	Dec	0.3460



How many sewer connections does this system have? 1,066

How many water service connections with septic systems does this system have? 779

Are there plans to build or expand wastewater treatment facilities in the next 10 years? Yes

The Town W/S CIP recommends plans to upgrade the electric power from 208 volts 3 phase to 480 volts 3 phase and build a new residuals digester in the next 5 years at the wastewater treatment plant.

The average daily discharge includes the wastewater from the Town of Lattimore collection system permit # WQCS00717.

Wastewater Permits

Permit Number	Type	Permitted Capacity (MGD)	Design Capacity (MGD)	Average Annual Daily Discharge (MGD)	Maximum Day Discharge (MGD)	Receiving Stream	Receiving Basin
NC0071943	WWTP	0.6000	0.6000	0.2860	1.0000	SANDY RUN CREEK	Broad River (01-1)
WQCS00222	CS	0.0000	0.0000	0.0000		COLLECTION SYSTEM	Broad River (01-1)

Wastewater Interconnections

Water System	PWSID	Type	Average Daily Amount		Contract Maximum (MGD)
			MGD	Days Used	
Cleveland County SD	01-23-055	Receiving	0.0170	365	0.0750

The Town of Boiling Springs operates the sewer collection system and treats the wastewater from the Town of Lattimore. The water provider for the Town of Lattimore is Cleveland County Water.

5. Planning

Projections

	2022	2030	2040	2050	2060	Item 1.
Year-Round Population	4,769	4,800	4,850	4,900	4,950	5,000
Seasonal Population	0	0	0	0	0	0
Residential	0.2323	0.2370	0.2390	0.2410	0.2430	0.2450
Commercial	0.0421	0.0426	0.0431	0.0436	0.0441	0.0446
Industrial	0.0011	0.0013	0.0015	0.0017	0.0019	0.0022
Institutional	0.0770	0.0775	0.0780	0.0785	0.0790	0.0795
System Process	0.0052	0.0053	0.0054	0.0055	0.0056	0.0057
Unaccounted-for	0.0223	0.0225	0.0230	0.0235	0.0240	0.0245

Demand v/s Percent of Supply

	2022	2030	2040	2050	2060	2070
Surface Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Ground Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Purchases	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Future Supplies		0.0000	0.0000	0.0000	0.0000	0.0000
Total Available Supply (MGD)	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Service Area Demand	0.3800	0.3862	0.3900	0.3938	0.3976	0.4015
Sales	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Future Sales		0.0000	0.0000	0.0000	0.0000	0.0000
Total Demand (MGD)	0.3800	0.3862	0.3900	0.3938	0.3976	0.4015
Demand as Percent of Supply	38%	39%	39%	39%	40%	40%



The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.

Your long-term water demand is 49 gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here. **No changes**

Are there other demand management practices you will implement to reduce your future supply needs? **The Town of Boiling Springs will work to reduce the per capita water use by continuing our active water conservation public education program, a plumbing retrofit program, a rate structure that encourages water conservation, and a water meter replacement program.**

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs? **The Town of Boiling Springs future per capita demand will be evaluated annually and additional measures will be implemented as needed to ensure that the per capita usage is being maintained or reduced.**

How does the water system intend to implement the demand management and supply planning components above? **With continued technical assistance from engineering and NCRWA. The Town recently recieved funding from an AIA grant \$150,000 for updating the Town Distribution System GIS Mapping, Distribution System Hydraulic Modeling, CIP, and Revenue Modeling.**

Additional Information

Has this system participated in regional water supply or water use planning? **No**

What major water supply reports or studies were used for planning?

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues:

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR

staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

Item 1.



ZONING MAP AMENDMENT

Mayor Action:

- Declare Public Hearing Open
- Staff Report
- Public Comment
- Declare Public Hearing Closed

Council Options to Proceed:

1. Motion to rezone parcel 44091 from R15 to R10.
2. Motion to that parcel 44091 not be rezoned.
3. Motion to table the request.

If there is a motion to rezone (or not rezone), a 'consistency statement' is needed. An example if the property is being rezoned: "Motion to rezone the property from R15 to R10. The request is consistent with the Future Land Use map and surrounding zoning districts"

Staff and Planning Board recommend Option 1.

SUMMARY

Katherine and Marvin Hoyle have requested their property be rezoned from R15 to R10. The parcel is located at 204-206 W. College Ave (on the corner of Wellington St and W. College).

Currently, two duplexes sit on the property. One was burned a year or so ago and has sat vacant. They plan to tear down the buildings and would seek to build two new duplexes.

The request is in line with the Future Land Use Map which shows this area as medium-density residential. Also, two parcels zoned R10 exist across W. College from this parcel.

From the [Unified Development Ordinance](#):

The R-15 district is established as a district in which the principal use of land is for medium-density residential uses and associated public and private facilities typically associated with such districts.

The R-10 district is a district in which the principal use of land is for medium-density, one, two, and multi-family dwellings and associated public and private facilities typically associated with such districts.

MATERIALS PROVIDED

- **Zoning Map Amendment Petition**
- **GIS aerial and zoning map of parcel**
- **Future Land Use Map**



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

Zoning Map Amendment Petition

General Information

This form is used to request a change to the zoning classification of a particular parcel on the Town's official Zoning Map. This process is often referred to as a rezoning. An alternative name of this form is Parcel Map Rezoning Petition. A consultation with planning and zoning staff is recommended prior to submitting this process.

Subject Property

Physical Address 204-206 West College Ave

Land Area 0.49 acres

Parcel Number* 44091

Parcel Number can be found online on here: <https://www.webgis.net/nc/cleveland/>. Enter your address into the search bar to find your parcel number.

PIN 2505278110

Tax Map BS18

Block 2

Lot 44

Deed Book 1850

Page 1156

Property Owner(s) Katherine and Marvin Hoyle

Owner Mailing Address 236 Churchview Dr., Lawndale, NC 28090

Owner Telephone 704-477-6997 or 704-477-6307

Owner Email kittyhoyle@hoyleholdings.com

Applicant Name Katherine Hoyle

Applicant Mailing Address 236 Churchview Dr., Lawndale, NC 28090

Applicant Telephone 704-477-6997

Item 2.

Applicant Email kittyhoyle@hoyleholdings.com

Applicant Relation to Property Owner

Zoning Map Amendment Requested

Current Zoning Classification R-15

Current Classification on Future Land Use Map Medium Density Residential

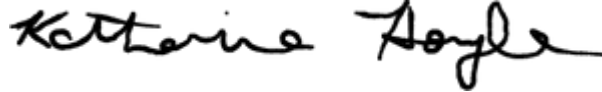
Requested Classification on Zoning Map R-10

Petitioner Comments R-10 exists across the street and in other nearby locations. R-10 would allow owners to make improvements to the site that would benefit the appearances of the town.

Owner/Applicant Signatures

I hereby certify that the information on this application is true and correct. I will adhere to the conditions, comments, and restrictions, provided of this application's review. Petitions not made by or on behalf of the property owner require owner notification in accordance with state law.

Owner Signature



Print Name Katherine Hoyle

Date 03/30/2023

Applicant Signature

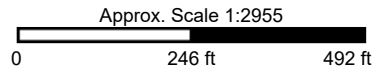


Print Applicant Name Katherine Hoyle

Date 03/30/2023



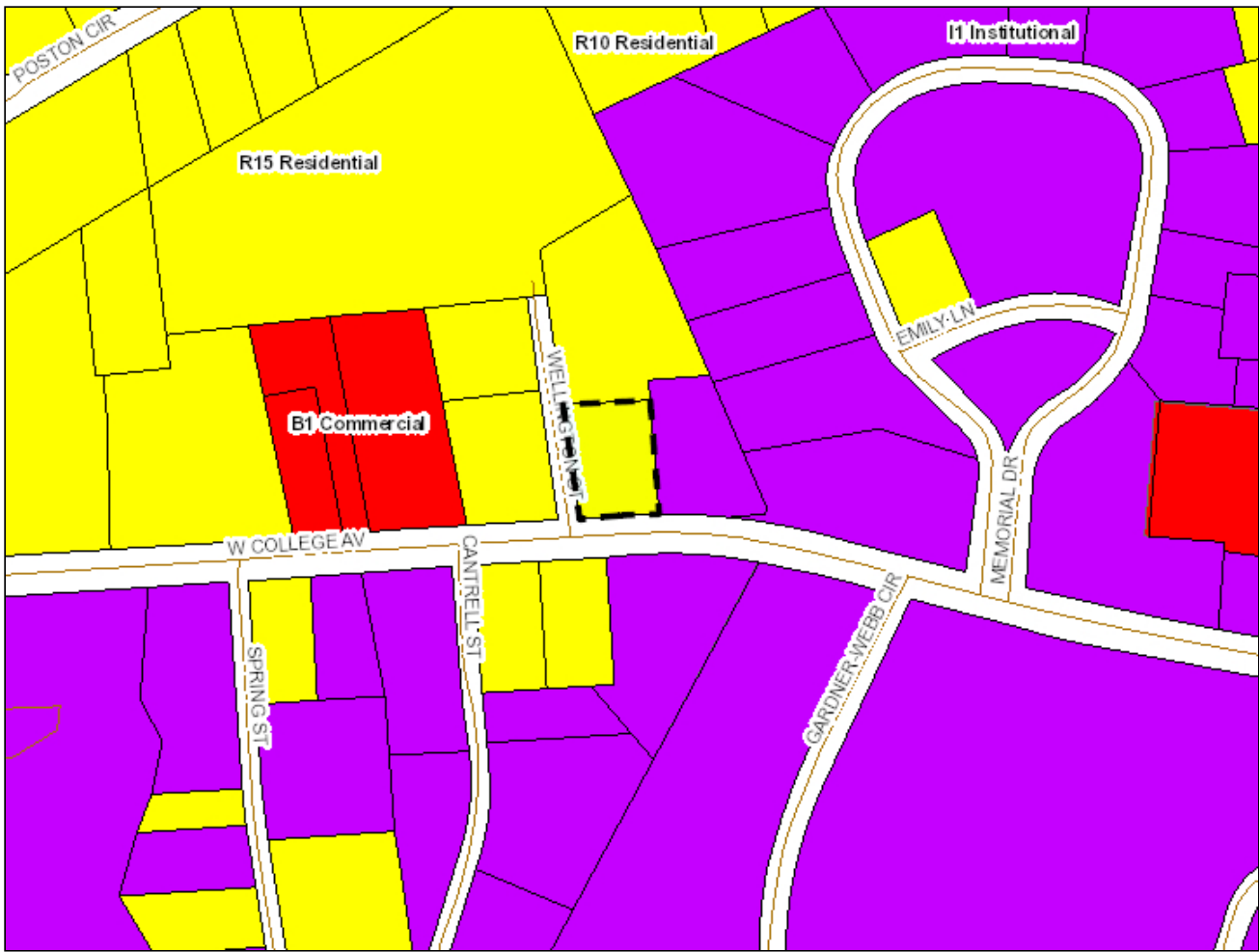
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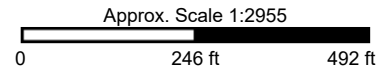
Layer: Parcels

SEQNUM:	44091	Lot:	44
Owner1:	HOYLE MARVIN HAROLD	LandValue:	24675
Owner2:	HOYLE KATHERINE HAMRICK	BldgValue:	95903
DeedBook_P:	1850-1156	AdjValue:	120578
Deeded_Acr:	0.49	TaxYear:	2023
PIN:	2505278110	TaxCode2:	R
SUM_Calcul:	0.47602132	ParAddr:	204
ParcelNo:	44091	ParDirPref:	W
OwnerName1:	HOYLE MARVIN HAROLD	ParRdName:	COLLEGE
OwnerName2:	HOYLE KATHERINE HAMRICK	ParRdType:	AVE
OwnerAddr1:	236 CHURCHVIEW DR	ParAddrX:	A
OwnerAddr2:	LAWNDALE NC 28090	NeighCode:	B158
OwnerCity:	LAWNDALE	Tax_Distri:	2
OwnerState:	NC	Occ_Code:	18W
OwnerZip:	28090	Use_Code:	R
ParcelAddr:	204 W COLLEGE AVE, A	Year_Built:	1900
DeedBook:	1850	Shape_Length:	585.62366604206
DeedPage:	1156	Shape_Area:	20740.848715039
MapNo:	BS18	TAZ:	4167
Block:	2		:

Layer: Zoning Class: R15 Residential Municipality: CITY OF BOILING SPRINGS	Layer: 2000 Census Tracts Census Tract: 951500
Layer: NC House and Senate Districts Senate: 44th	Layer: Flood Zones GRID: 2505 PANEL_: 3710250500J
Layer: Voting Precincts Precinct: Broad River Voting Site: BOILING SPRINGS BAPTIST CHURCH	Layer: Fire Districts DISTRICT: Boiling Springs
Layer: Watersheds ZONE: WSIV	Layer: Jurisdictional Limits Name: BOILING SPRINGS



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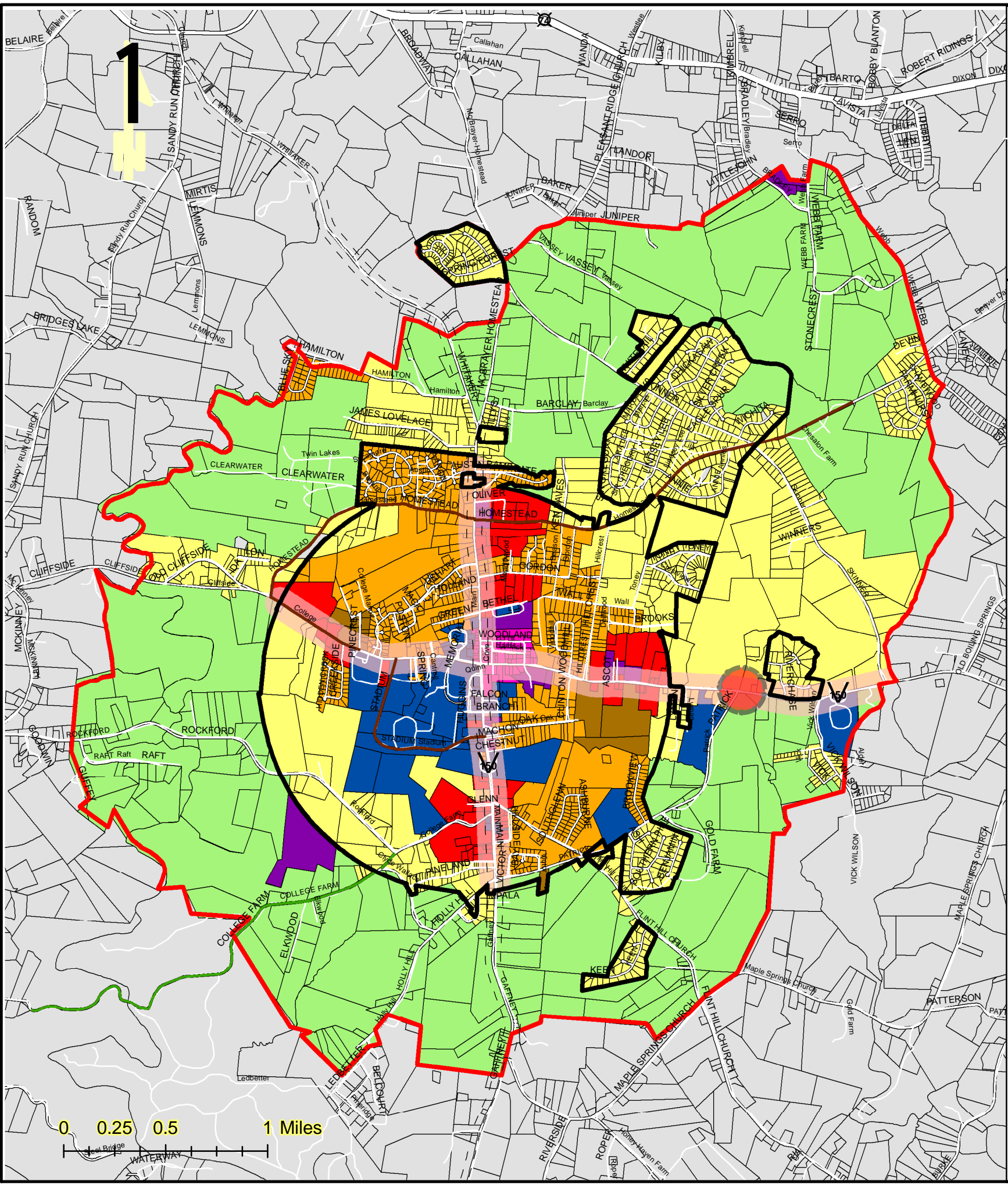


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OwnerCity:	LAWNDALE	Tax_Distri:	2
OwnerState:	NC	Occ_Code:	18W
OwnerZip:	28090	Use_Code:	R
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Boiling Springs, NC Recommended Future Land Use



- Town Limit
- ETJ
- Roads
- Parcels
- Greenway Trail
- Stadium/Homestead Trail
- County-Wide Bike Loop
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Central Business
- Institutional
- Industrial
- Open Space/Farmland Presv.
- Commercial/Mixed-Use
- College Ave Business Corridor
- Main St. Business Corridor



February 2009





ZONING ORDINANCE TEXT AMENDMENT

Mayor Action:

- Declare Public Hearing Open
- Staff Report
- Public Comment
- Declare Public Hearing Closed

Council Options to Proceed:

1. Motion to amend the Unified Development Ordinance as requested.
2. Motion to denial the request.
3. Motion to recommend a different change/wording.

Staff and Planning Board recommend Option 1.

SUMMARY

Ms. Keelee Jones has requested a change to [Section 8.10](#) of the Town’s Unified Development Ordinance. The section applies to “exterior building material standards” and **currently reads:**

“These standards shall apply to all nonresidential buildings in the B-1, B-2, and O&CS districts, as well as any other nonresidential building located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance.”

Ms. Jones purchased property on Machon Ave and plans to move her business, Magnolia Mill, into a new home on the two parcels she now owns. In working with a builder, she found the standards to be cost-prohibitive and somewhat excessive for the planned development sitting back off S. Main St and behind an existing business. She approached staff who worked with her on the requested change.

Staff supports this decision based on a discussion at the Town Council’s recent planning retreat regarding the desire to ensure standards and ordinances are not *too* prohibitive to allow for additional business growth. Additionally, most businesses in Boiling Springs are located on Main St. or College Ave. The original intent of these standards was to ensure a positive first impression as visitors and residents drive these main corridors. The standards would still apply to parcels on these routes and additional standards would still apply to those parcels within the [Downtown Overlay District](#). Staff’s evaluation of the change is that the impact will be minimal.

The amended text, as requested, is shown below:



THE TOWN OF
BOILING SPRINGS
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These standards shall apply to all nonresidential buildings ~~in the B-1, B-2, and O&CS districts, as well as any other nonresidential building~~ located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance.

MATERIALS PROVIDED

- **Text Amendment Application**



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

Zoning Text Amendment Petition

General Information

This form is used to request a text amendment to the Town's Code of Ordinances. A consultation with planning and zoning staff is recommended prior to submitting this form.

- \$260 fee required to process Zoning Text Amendment Petitions
- Signature Required on Page 2
- Zoning Text Amendments are considered by the Board of Planning & Adjustment and Town Council
- Town will give official Public Notice and hold a Public Hearing

Subject Property (if applicable)

Physical Address 108 NORTH MAIN STREET

Land Area United States

Parcel Number 560 + 561

Tax Map 560 + 561

Deed Book 1144

Page 1372

Property Owner (if applicable)

Property Owner(s) KEELEE JONES

Owner Mailing Address PO BOX 325 BOILING SPRINGS NC 28017

Owner Telephone 704-692-6180

Owner Email INFO@MAGNOLIAMILL.COM

Applicant

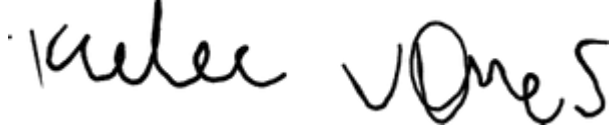
Applicant Name	KEELEEE JONES	Item 3.
Applicant Mailing Address	PO BOX 325 BOILING SPRINGS	
Applicant Telephone	7046926180	
Applicant Email	INFO@MAGNOLIAMILL.COM	
Applicant Relation to Property	Owner	

Zoning Text Amendment Requested

Requested Text Amendment Requesting the standards be removed from b-1, b-2, and o&cs districts, as well as any other nonresidential buildings. So moving forward, the new standards would read as follows: "These standards shall apply to all nonresidential buildings located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance."

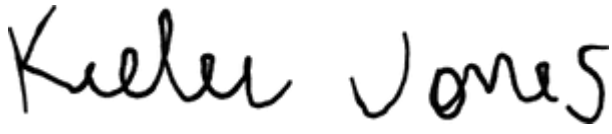
Petitioner Comments Keeping the regulations in place for those located on NC highway 150, SR 1003, and SR 1161 will help maintain the "look" of the city, and will be inviting to more franchise style businesses while removing for those in b-1, b-2, and o&cs districts will offer some relief to the smaller businesses who dream of building a permant business in boiling springs. Thank you for taking this into consideration.

Applicant / Owner Signatures

Owner Signature 

Print Name Keelee Jones

Date 04/12/2023

Applicant Signature 

Print Name Keelee Jones

Date 04/12/2023



THE TOWN OF
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PARK MASTER PLAN AGREEMENT

Options to Proceed:

1. Motion to approve the agreement and budget amendment for a Park Master Plan with Cole, Jenest, & Stone.
2. Motion to rebid the plan for other proposals.
3. Motion to table the request for further review.

Staff recommends Option 1.

SUMMARY

Cole, Jenest, & Stone have submitted the attached proposal for a Park Master Plan. It will have some overlap with the Future Land Use Plan update the same firm is working on for us. The cost is \$35,800 and they expect to have it completed in 6 months. There is an attached budget amendment that would move ARPA funds to pay for this project.

MATERIALS PROVIDED

- **Agreement**
- **Budget Amendment**

Exhibit A – Task Order

32928.23 – Boiling Springs Park Master Plan

April 7, 2023

New Contract

Amendment

To: Town of Boiling Springs

Attention: Justin Longino

Email: justin.longino@boilingspringsnc.net

Phone: 704.434.2357

Bolton & Menk, Inc doing business as “ColeJenest & Stone” (“CJS”) is pleased to provide our proposal to the Town of Boiling Springs, North Carolina (herein after referred to as the “Client”) for master planning and landscape architecture services for the 28 +/- acre project study area located between East College Avenue and East Branch Avenue in Boiling Springs, North Carolina and as illustrated in Exhibit D. This proposal will be based around the Client’s interest in pursuing a Park Master Plan for the said project study area.

Assumptions/Notes

- I. Exhibit D illustrates the proposed project study area. The project study area is comprised of parcels with multiple owners, including public and private.
- II. Project duration for Park Master Planning is estimated to be six months.
- III. It is assumed a steering committee comprised of Town staff and Client-identified local stakeholders will be established under the direction of the Town to serve as a review board for guidance and critical decisions during the design process.

Scope of Services

I. Project Management & Meetings

- A. CJS will attend a Client organized tour of the project study area as illustrated in Exhibit D for interested consultant team members to review important constraints, opportunities, programming needs, areas of interest, etc. If possible, the tour of the study area will coincide with another site visit identified within this Scope of Services.
- B. CJS will facilitate and participate in six (6) 1-hour virtual milestone meetings or conference calls with the Client throughout Park Master Planning, including a kick-off meeting. Milestone meetings may be used to present preliminary findings, discuss on-going action items, or obtain feedback on draft deliverables.
- C. CJS will provide management and coordination of the project schedule and perform related project management and coordination throughout Park Master Planning. Routine coordination between milestone meetings or conference calls will occur via telephone, email, or interaction over a file share site or online whiteboard.
- D. For budgeting purposes, CJS assumes a six-month period for Park Master Planning.
- E. Deliverables:
 1. Tour of Project Study Area
 2. Milestone meetings (six total)

II. Public Engagement

- A. CJS will plan a balanced approach to hosting in-person events and meetings coupled with virtual engagement opportunities to gather community information, perceptions, ideas, and expectations for the project, discuss data and work to develop the goals and visions for the Park Master Plan. CJS proposes the process be led by a steering committee.
1. **Community Workshop:** CJS will plan and lead an in-person, open-house style community workshop. The focus of this initial workshop will be to identify an overall vision for the Town's revitalized park space and to identify specific needs and issues that have arisen and where specific investments are desired for the future. This workshop will take place in conjunction with a planned Boiling Springs Land Use Plan workshop. CJS will develop and supply explanatory materials and limited in-person activities for the workshop and will staff the community workshop as needed to adequately facilitate the meeting. CJS will provide materials to the Client in advance of the community workshop as needed for public advertisement.
 2. **Steering Committee Meeting(s):** The Client will identify a collection of key stakeholders to include in a steering committee. Members of this committee may include Town departments, including maintenance and operations, the university, the school district, business organizations, community organizations, key landowners, or other groups identified by the Client. CJS will meet with the steering committee early in the process to discuss opportunities and constraints for the Park Master Plan. For budgeting purposes, CJS will identify two steering committee meetings at critical points throughout the project. These meetings will be virtual.
 3. **Virtual Engagement:** CJS will develop and supply explanatory materials and virtual activities that can be placed onto a project website by the Client. These materials will inform visitors about the process and act as virtual equivalents to the activities available at the in-person Community Workshop. CJS will assist with one traditional online survey. This online engagement will be made available for several weeks and is expected to debut before or at the same time as the Community Workshop and in conjunction with planned Boiling Springs Land Use Plan engagement.
 4. **Deliverables:**
 1. Community Workshop (one)
 2. Steering Committee Meetings (two)
 3. Online Survey
 4. Exhibits for Engagement

III. Project Discovery – Data, Inventory + Analysis

- A. CJS will meet with the Client to discuss and establish project goals, schedule, and gather pertinent information including a steering committee/stakeholder contact list. This meeting will occur in a monthly virtual milestone meeting as outlined in Task I.
- B. CJS will conduct town-related project due diligence based on the intended purpose of the project as follows:
1. CJS will coordinate a baseline data exchange with the Client to obtain GIS data, resource documents, growth forecasts, economic data, stakeholder contact lists, development data, etc. identified as important to the Park Master Planning process. Data will be exchanged via a file share site or hard drive disk. CJS will rely on this information for its inventory and analysis to support recommendations in subsequent phases of the park master planning process.
 2. CJS will review Client-supplied site data (comprehensive plans, area plans, master plans, environmental studies, traffic studies, and other pertinent reports, etc.) as available.
 3. Research jurisdictional codes, maps, and plans as they relate to:
 1. Zoning local
 2. Current and Future Land Use
 3. Transportation (NCDOT and Local)
 4. Environmental Conditions

5. Physical Conditions
6. Water & Sanitary Sewer Service
7. Stormwater Drainage

C. Deliverables:

1. Existing Conditions Map

IV. **Develop and Present Park Master Plan**

- A. CJS will prepare up to two Conceptual Site Plans based on an understanding of the community's vision, programming needs, current opportunities, and constraints, in addition to synthesizing data and feedback received throughout the Master Planning process. These plans will be high-level and informal in nature for review with the Client and Client-designated steering committee. Plans may include:
 1. Concept including all proposed parcels illustrated in Exhibit D.
 2. Concept excluding private parcels illustrated in Exhibit D.
- B. CJS will virtually present the Conceptual Site Plan(s) to the Client and Client-designated steering committee for one round of feedback. This meeting will occur in a bi-monthly virtual milestone meeting as outlined in Task I.
- C. CJS will revise the Conceptual Site Plan(s) based on feedback received from the Client and Client-designated steering committee and prepare a Final Park Master Plan.
- D. CJS will provide a rough order of magnitude (ROM) cost for an agreed upon number of priority projects. This will be a high-level estimate based on proposed park elements.
- E. CJS will deliver the Final Park Master Plan to staff for presentation to Council and the public. Final graphics will be prepared using InDesign and will be approachable for the public and staff to digest and work towards implementing.
- F. Deliverables:
 1. Conceptual Park Site Plans (up to 2 concepts)
 2. Final Park Master Plan (illustrative site plan)
 3. Rough order of magnitude (ROM) cost outline

V. **Exclusions/Additional Services**

- A. Rezoning, administrative amendment or variance preparation, submittals, or consulting.
- B. Survey services (mapping, preparation of plats, as-builts, etc.).
- C. Geotechnical investigation or Environmental Analysis
- D. Architectural, structural, electrical, mechanical, or plumbing (including gas) design services.
- E. Transportation impact studies.
- F. Wetland coordination, delineation or permitting.
- G. Changes to Site Plan or building footprints following approval of the Conceptual Master Plan and Preliminary Engineering Plans that results in increased complexity or requiring re-work of plans.
- H. Public street or transportation improvements (turn/deceleration lanes, widenings, curb and drainage, signalization, etc.).
- I. Off-site utility improvements (stormwater drainage, water distribution, sanitary sewer, etc.).
- J. Retaining wall design and permitting (to be prepared by structural engineer).
- K. Temporary or permanent site shoring or dewatering design.
- L. Stormwater drainage or sanitary sewer pump station design and permitting.
- M. Global/regional drainage studies beyond the project limits, including flood studies.
- N. Site lighting design, including preparation of photometric plans.
- O. Irrigation design.
- P. Fountain or water feature design and coordination.
- Q. Green roof or amenity deck over structure or other related design.
- R. Design/detail of parking areas/circulation within the building footprints or parking deck.
- S. Preparation of cost estimates or quantity take-offs, not specifically described in the Scope of Services.
- T. Stormwater fee credit applications.

- U. Preparation and permitting of phased construction plans not specifically described in the Scope of Services.
- V. Digital 3-D Models or Perspectives
- W. Express permit review processes requiring designer attendance at review session.
- X. LEED or other green building related coordination and certification submittals.
- Y. Preparation and execution of Lender Agreements (engineer's consent/certification, etc.).
- Z. Other Client-directed services not specifically described in the Scope of Services.

The above-described services are not included under this agreement. Should these services be required in the future, a Task Order amendment may be prepared to cover the additional scope of work and associated fee.

VI. Fee Summary

Task	Phase	Fee Type	Fee
I.	Project Management & Meetings	Lump Sum	\$4,575
II.	Public Engagement	Lump Sum	\$10,175
III.	Project Discovery – Data, Inventory + Analysis	Lump Sum	\$5,550
IV.	Develop and Present Park Master Plan	Lump Sum	\$15,500
V.	Exclusions / Additional Services	Hourly	

Fees valid for 30 days of proposal date.

VII. Signature

By signature below, Client confirms acceptance of the above-described Scope of Services and fee.

- Subject to the Terms and Conditions and Hourly and Reimbursable Expense Rates included in the attached Professional Services Agreement.

Town of Boiling Springs

By:

Print:

Title:

Date:

- Subject to the Terms and Conditions and Hourly and Reimbursable Expense Rates of the original Agreement dated.

Bolton & Menk, Inc., d/b/a ColeJenest & Stone

By:

Print: Paul Kunze

Title: Project Manager

Date:

**TOWN OF BOILING SPRINGS
CAPITAL PROJECT ORDINANCE AMENDMENT GPOA# 230502**

WHEREAS, the Town Council of the Town of Boiling Springs adopted a grant project ordinance on June 29, 2021 which established revenues and authorized expenditures for the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF); and

WHEREAS, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the grant project ordinance to fund salary expenses incurred during the grant reporting period;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Boiling Springs that the grant project ordinance as adopted on June 29, 2021 be and is hereby amended as follows:

<u>Section 1.</u>	Revenues	
	Appropriation from Special Revenue Fund-ARP Grant	<u>Increase</u> <u>\$ 35,800</u>

<u>Section 2.</u>	Expenditures	
	General Fund Administration Salaries	<u>Increase</u> <u>\$ 35,800</u>

This the 2nd day of May 2023.

Daniel Thomas, Mayor

ATTEST:

Noah Saldo, Town Clerk



THE TOWN OF
BOILING SPRINGS

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The Town of Boiling Springs Strategic Plan 2023-2024

Town Council

Mayor Daniel Thomas

Councilmember Tommy Greene

Mayor Pro Tem Patrick Litton

Councilmember Caleb Edwards

Councilmember Marty L. Thomas

Councilmember Tonya Gantt

Justin Longino, Town Manager

On March 18th, the Boiling Springs Town Council and staff met at the Shelby-Cleveland County Airport to review the past year and determine goals for the next 12 months. These goals and decisions will guide the budgeting process and give staff direction for decisions made through 2023-2024.

The ethos for Boiling Springs continues to be “respectful growth” with a focus on encouraging new business development while ensuring we continue to provide the highest quality of life to our residents.

The following is the result of this meeting and a plan to guide the Town forward.

Downtown Master Plan and Corridor Study Priorities

The Downtown Master Plan and Corridor Study is a big-picture plan with broad goals. To ensure staff effectively works toward a shared vision, the Town Council identified these two overall priorities to guide the continued implementation of this plan.

The priorities are not listed in order of importance.

Priority 1: Continue to make progress on the downtown streetscape.

Transforming our downtown core will take an abundance of time, effort, and money. The Council has chosen to take a phased approach, with the first step being focused on the South Main Streetscape. McGill & Associates continues to assist staff with this project and the continued success of this will include, but is not limited to:

- Continued partnership with McGill & Associates
- Public input on the design and amenities for downtown
- Creating a safer downtown
- Improving the traffic signals, through aesthetics and the addition of protected left turns
- Creating a public gathering space

Priority 2: Reimagine the Old Town Hall building.

The Old Town Hall building has been a quagmire since it was vacated several years ago. Council continues to have the desire to use this prominent land as a catalyst for change on that end of downtown. Success for the coming year will include:

- Releasing a Request for Quotes before the end of 2023. This will include a scope for firms to use in evaluating next steps for the property, a cost analysis of those options, and opportunities for stakeholder relations going forward.
- Continued conversation with Gardner-Webb over their interest in the building or property. This could include partnership, purchase, or land-swapping options.

Overall Priorities

The following overall priorities were preserved due to their continued success. The objectives under each priority have been adjusted to deliver newly created, specific, measurable goals for this year.

Priority 1 Business Recruitment

- Objective 1A Town Commons Plaza**
Continue Retail Strategies training and follow the established Conceptual Execution Package timeline.
- Objective 2A Form a Business Committee**
This committee should set specific business recruitment goals and review regulations to balance having a well-regulated and uniform community without overburdening potential investors and business owners.
- Membership should consist of members of the Town Council, Town Staff, and local business stakeholders. Actionable items for this group should include, but not be limited to a survey to seek input on current regulations and a survey for GWU parent/students to gauge potential needs.
- This should be created and have its first meeting before the end of 2023.*

Priority 2 Staffing

- Objective 1A Review Current and Potential Positions**
This should include the evaluation of a planner and/or grant writer and recommendations on the Code Enforcement position. It will also consider the effectiveness of the Police Department's staffing levels. *Review will be included in the FY23 budget process.*
- Objective 2A Explore expanding benefits for current and future employees**
Review will be included in the FY23 budget process.

Priority 3 Infrastructure

- Objective 3A Sewer Extension Policy**
Continue to seek public input on the draft policy and present a final version of the policy to Council before the end of 2023.
- Objective 3B Explore Purchase Options for Water**
Evaluate Cleveland County Water and Shelby Water purchase options. This should be reviewed during the FY 23 budget process.
- Objective 3C Continue Work Toward Intersection Improvements**
Monitor beacon installation approaching Hillcrest from E. College.

Work toward downtown intersection improvement and other improvements to increase pedestrian safety.

Priority 4 Quality of Life and Placemaking

- Objective 4A Evaluate the Park & Usage of the Space**

Complete the Parks Master Planning process.

Continue to promote the park and consider additional park events.
- Objective 4B Explore Partnerships with the Earl Scruggs Center**
- Objective 4C Community Engagement**

Continue to build town events (Music on Main, Christmas Tree Lighting, Webbstock, etc.) and explore options for a signature Town event.

Continue to expand marketing for the town. This could include signs for amenities, expanding our digital and physical marketing, and/or determining our niche.

Form an events committee to assist with increasing events.



DISCUSS RECREATIONAL VEHICLE REGULATIONS

Requested Action: Staff requests feedback from the Town Council.

Staff would like to hear comments from Town Council on the existing language and on the need for new regulations.

SUMMARY

Town staff has encountered several instances of individuals living in recreational vehicles (RVs, campers, etc.) in the last year. Most of these have been RVs on existing residential lots (i.e. a second dwelling unit where someone is living in an RV in someone's backyard, behind their house). We currently have an ordinance that requires 'secondary dwelling units' to be separate water/sewer connections (i.e. an additional meter), but nothing that specifically prohibits a person living in an RV. State regulations point to a desire to restrict this type of behavior. However, they are vague and provide little specific guidance on the exact restrictions placed on a permanent or semi-permanent recreational vehicle living situation.

The exception to this issue of vague language is in the Flood Damage Prevention chapter of our Code of Ordinances where it states in [Sec. 14.9.2\(E\)](#):

(F) Recreational vehicles. Recreational vehicles shall either:

(1) *Temporary placement.*

- i. Be on site for fewer than 180 consecutive days; or
- ii. Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.)

(2) *Permanent placement.* Recreational vehicles that do not meet the limitations of temporary placement shall meet all the requirements for new construction.

Staff is requesting feedback on whether the Town Council would like to leave the current standards in place or have staff explore what restrictions we could implement to limit this behavior.

The Planning Board's feedback was that there should be *some* restrictions in place, but that they should not be *too* restrictive. Staff can utilize this to implement some definitions or similar language to slightly strengthen the regulations.

MATERIALS PROVIDED

- None



DISCUSS DOWNTOWN PARKING LOT CLOSURE

Requested Action: Staff seeks direction on how to proceed.

Possible options for moving forward:

1. Leave the entrance closed
2. Reopen the entrance
3. Increase the number of accessible parking spaces
4. Install speed bumps
5. Two of the above or another option

If the entrance remains closed, staff would move forward with the additional parking spaces along S. Main. DOT has confirmed they would allow more on-street parking.

SUMMARY

REVIEW:

Last month, the entrance to the downtown parking lot off S. Main Street (between the Broad River Greenway office and the Talk of the Town salon) was closed about 1 week after the Council meeting (4/10/23, about 3:45pm). Public Works employees placed cones and barricades in the area to make the entrance closure highly visible to travelers on S. Main.

**Accessible parking is the accepted term by the ADA to describe 'handicapped parking'*

FEEDBACK RECEIVED:

The Town Manager spoke with the owners of Talk of the Town salon, Snack Shop, and Turner Trucking before the closure. Ms. Creswell said she was open to trying it, Mr. Tsambounieris said he didn't 'think it was a great idea, but thought it would impact the salon more than him,' and Mr. Turner said he was 'worried about the children at Pelican's and access during an emergency.'

We heard from the salon a week or two later that it was inconveniencing their customers and Ms. Creswell stated it was "killing them." She also expressed concerns about the EV charging stations that were recently installed. Mr. Tsambounieris reiterated his same comments from before. In both instances, business owners expressed concerns about parking for individuals with disabilities. Additionally, Mr. Turner felt even with the closure that speed bumps needed to be installed.

We spoke to one of the employees at Pelican's who is related to the owner. She said she was "confused at first about why it was closed, but has realized that it's creating a safer area for their customers and will continue to provide a safer space as they grow."



Other citizens vocalized support to the staff of the closure stating that it “felt safer, with less traffic” when they visited Pelican’s with their children. As a reminder for Council’s consideration, Turner Trucking owns from about the alleyway over to Town Commons Drive. The Town owns from the alleyway to S. Main St.

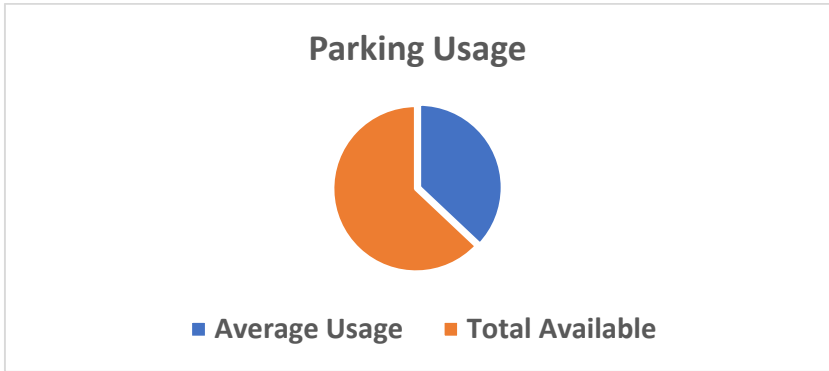
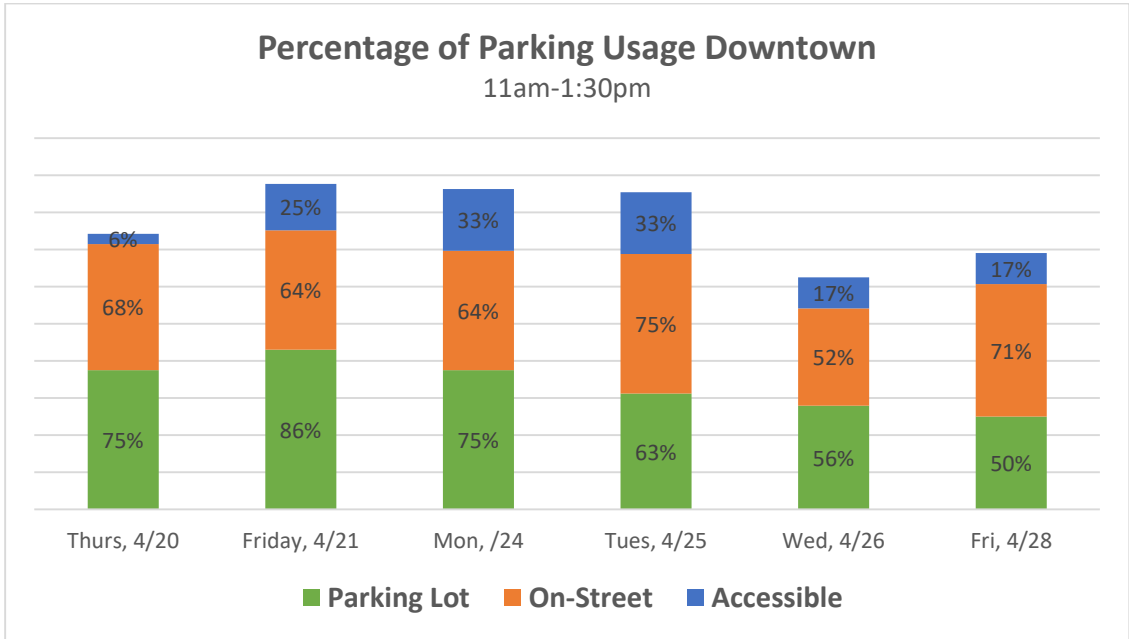
We posted about the closure on April 18th on Facebook. The post had 34,698 impressions, reached 33,708 people, and had 2,810 engagements. It also had 39 shares and 23 comments. Some of the comments included:

- “We were doing this 30 years ago to avoid that light.”
- “I think it’s dangerous to have tables and chairs in the parking places, parking places are needed.”
- “Will signage be added to Town Commons Drive...”
 - *Signage was added on E. College and at the intersection of Town Commons and the parking lot. We would plan to place more permanent signage if the entrance stayed closed.*
- There were a couple of comments about moving the barricade to the “middle” (closer to where the alleyway is).
- There were a couple of comments about having to turn around in the parking lot and not being able to exit on Main St.
- There were other comments about keeping it closed, closing the other end, speed bumps, and some others.
- Additionally in the post, we attempted to promote parking at Town Hall as an option for anyone.

STAFF ACTION:

After hearing this range of feedback from business owners, residents, and Facebook, staff evaluated the usage of the parking lot on an almost daily basis starting on April 20th. We found on *average*, during peak times (11am-1:30pm), that 1 out of 6 accessible spaces were used, 18 out of 28 regular spaces were used, and 9 out of 14 on-street parking spaces were used. These numbers varied, but out of the 6 days recorded, the highest usage was 75% for on-street and parking lot spaces (one exception is Webbstock, which increased usage to 86% for ‘regular’ spaces). A graph of these findings is below.

Additionally, an estimated 25% of vehicles were used by employees of the downtown businesses. These were observed through vehicles seen on a regular basis and by seeing employees leave vehicles and enter rear business entrances. Approximately 3 vehicles were seen pulling into, turning around, and then leaving the parking lot without issue.



SUMMARY & RECOMMENDATION:

The goal of the closure was to increase safety in the area. This entrance being closed eliminates some traffic, slows down vehicles that go into the lot, and eliminates vehicles driving across a downtown sidewalk. There is ample room to turn around and maneuver back out of the parking lot. Staff's evaluation of the feedback and data collected is that the parking lot closure has been an inconvenience



for people, but it has also accomplished the goal of increased safety. We also conclude that general parking availability is a non-issue.

Staff recommends keeping the entrance closed, adding on-street parking on S. Main, and adding additional accessible parking spaces in the Town lot. We also recommend encouraging the use of parking at Town Hall for employees of the downtown businesses.

ADDITIONAL NOTES:

On a related note, we have been pursuing a grant for work on the courtyard area that has been planned as part of the streetscape project. A rendering and aerial are included. This layout would rearrange the parking but would only subtract 1 parking spot.

MATERIALS PROVIDED

- **Rendering of Courtyard**
- **Aerial of Parking Lot**

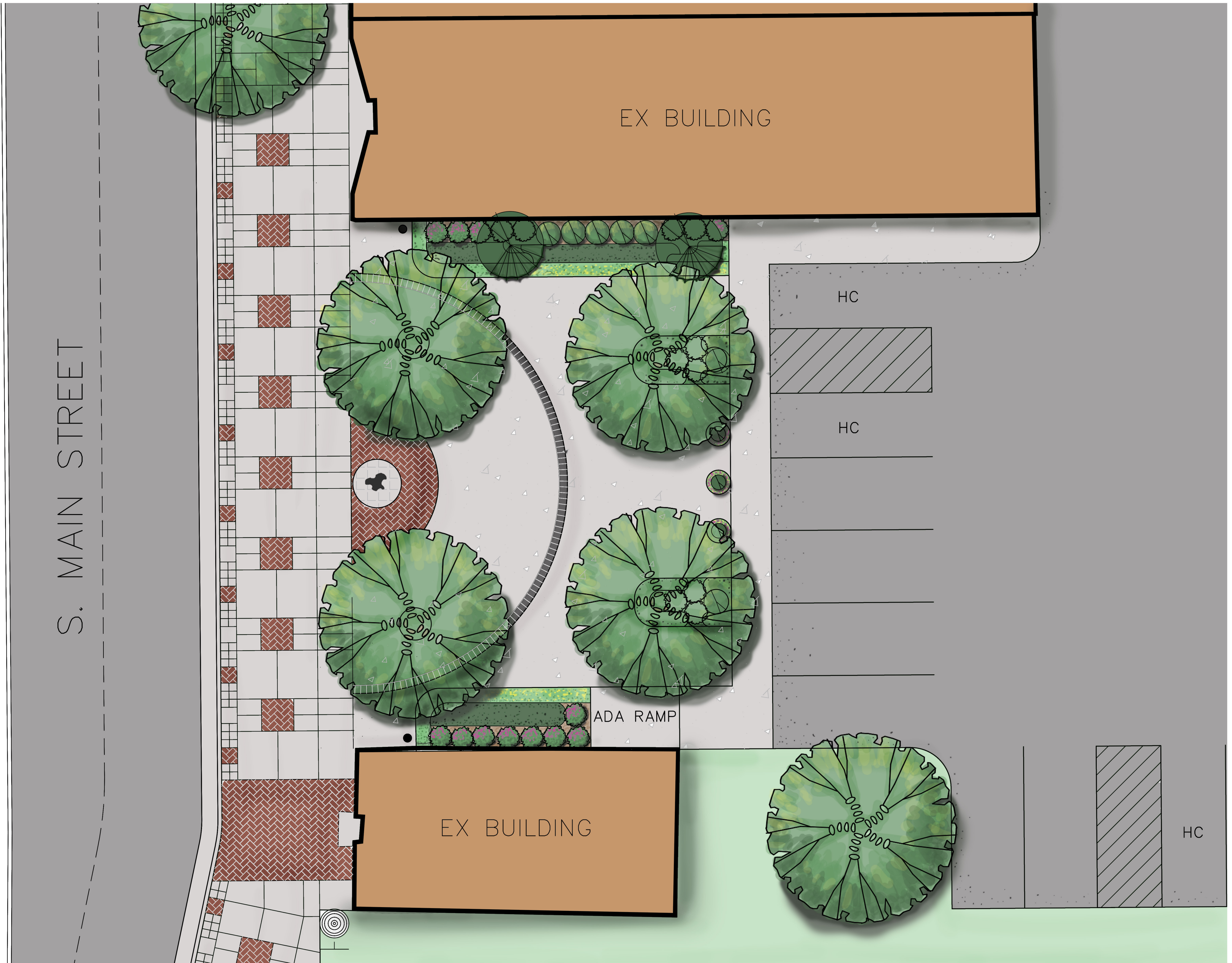


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COURTYARD IMPROVEMENTS

BOILING SPRINGS, NORTH CAROLINA



THE TOWN OF
BOILING SPRINGS
ONE TOWN • ONE UNIVERSITY • ONE COMMUNITY

REPORTS

TOWN MANAGER | JUSTIN LONGINO

COUNCILMEMBER TONYA GANTT

COUNCILMEMBER MARTY THOMAS

COUNCILMEMBER PATRICK LITTON

COUNCILMEMBER CALEB EDWARDS

COUNCILMEMBER TOMMY GREENE

MAYOR DANIEL THOMAS