

MINUTES FOR BOARD OF ALDERMEN MEETING

January 10th, 2012

6:00 PM

The following elected officials were present: Mayor Coleman, Alderman Beaty, Alderman Huggins, Alderman Martin, Alderwoman Morrow, and Alderman Withers.

The following staff members were present: Ed Munn, Interim Town Manager; Maria Stroupe, Administrative Services Director; Pennie Thrower, Town Attorney; Gary Buckner, Police Chief; Doug Huffman, Electric Director; Bill Trudnak, Public Works Director; Anne Martin, Recreation Director; David Kahler, Community Development Director; and Steve Lambert, Fire Chief.

The Mayor called the meeting to order at 6:00 pm.

Mayor Coleman opened with the Invocation and the Pledge of Allegiance to the Flag. The Mayor asked if there were any additions or deletions to the agenda. There were no additions or deletions to the agenda. Mr. Beaty made a motion to set the agenda, seconded by Mr. Martin, and carried unanimously.

Mr. Beaty made a motion to approve the minutes from the December 13, 2011 regular meeting, seconded by Mr. Withers, and carried unanimously.

Recognition of Citizens:

Ms. Stacey Duff, 517 S. Spargo St., addressed the Board concerning Jagers Park. She would like to see a play area for children constructed, and addition of a picnic area with tables and an additional grill. She would also like to use the field to hold adult softball tournaments for traveling teams that would begin in April and run through mid-summer each weekend. She would also like benches be placed in the dugouts. She submitted a list of items she felt were needed to accomplish all of her requests. (Exhibit A) She does not want the Town to run the tournaments or handle the monies collected, she is just requesting that the Town fund all of the items and supplies on the list. She plans to coordinate the tournaments and handle the proceeds herself. Mayor Coleman stated that the Town would be open to funding items for children, such as a play area, but is not so open to funding an adult tournament facility that would cater to mainly out of town participants. He asked that Ms. Duff meet with the recreation committee to determine a priority list of the items requested for a play area. After this is determined, the Town will look at the current budget to determine if anything can be done this budget year. Currently, there are no monies budgeted for these items and the budget is tight. A plan can be developed to incorporate these items into the budget over the next several budget cycles. Budget preparation for the 2012-2013 fiscal year budget will be beginning within the next month, so she will need to put her requests in writing for consideration during the budget process after meeting with the recreation committee. Ms. Duff stated that she intended to use some of the proceeds from the softball tournaments for future improvements to Jagers Park. She stated that a bank account had been set up at Wells Fargo labeled the "Jagers Ballfield Project", but that there were no plans to set this up as a 401c3 non-profit account.

Mr. George Jagers III addressed the Board asking if items and maintenance on this park were budgeted each year. The Public Works Department does the grounds maintenance on the park. Mr. Jagers also asked if the Town had plans to use the park for any particular purpose. Ms. Martin stated that teams from the Town's recreational baseball league uses the field for practices. Mr. Jagers asked if the field could be used for baseball games for the Town league. Ms. Martin stated that at the facility behind Carr Elementary school there were four fields that are utilized each night for games, as well as bathroom and concession facilities. It would logistically be difficult to hold games at Jagers Park, as it would require additional personnel and she is the only employee in the Recreation Department. Mr. Jagers stated that he would just like to see the park utilized,

especially since it carries his father's name. He feels that more attention should be paid to the park as the Town's recreation department is funded by tax dollars. Mr. Beaty stated that most of the recreation budget is funded by user fees and monies, such as concessions, generated by the recreation department and its participants, with very little of the funding coming from tax dollars.

Ms. Josie Brooks, 1019 Green Circle Dr., Gastonia, addressed the Board concerning the use of Jagers Park. She stated that she was raised in Dallas and still owns five properties in Town. She stated that recreation for the southeast area of town was requested in the 1970's, but was not funded. She would like to see the Town include recreation equipment and maintenance for Jagers Park in future budgets. She would be willing to help the recreation committee work toward trying to get grants to help with funding.

Ms. Reesie Thomasson, Gingles School Steering Committee, would like for the Board to work with her committee for the betterment of Jagers Park and to preserve the history of Gingles School.

Ms. Michelle Brown addressed the Board concerning Jagers Park. She thinks the park should be maintained and reflect the Town's feeling toward Mr. Jagers, whom the park is named for.

Awards and Recognition of Employees:

Mr. Michael Hurt was recognized for 10 years of service with the Town of Dallas. Mr. Hurt was originally hired as a plant operator to work in Dallas through a contracted service that operated the Town's Water Plant and Waste Water Plant. When Dallas took back over operation of the two plants, Michael was hired by Dallas to continue in the operator's position on December 17, 2001. Currently, Michael oversees the operations of the Water Treatment Plant. Mayor Coleman presented Mr. Hurt with a Certificate of Recognition for his service. (Exhibit B)

Mr. Robert Starr was recognized for 10 years of service with the Town of Dallas. Mr. Starr was originally hired as a plant operator to work in Dallas through a contracted service that operated the Town's Water Plant and Waste Water Plant. When Dallas took back over operation of the two plants, Bob was hired by Dallas to continue in the operator's position on December 17, 2001. Bob continues to serve the Town as an operator at the Water Treatment Plant. Mayor Coleman had a Certificate of Recognition to present to Mr. Starr for his service, but he was not present. (Exhibit C)

Public Hearing:

Mr. Withers made a motion to enter into a public hearing concerning application for a CDBG Infrastructure Grant, seconded by Mr. Martin, and carried unanimously. The Town has the opportunity to apply for a CDBG grant to replace old faulty water lines within its system. (Exhibit D) The grant (with an award up to \$750,000) requires a 5% match from the Town. Staff has spoken with Mr. Gary Wilson of Benchmark and they have indicated a willingness to assist the Town in applying for and administering the grants and its required paperwork. They would only be paid if the Town is successful in its application. Johnny Denton, Diamond Engineering, was present and showed maps of the targeted area and discussed the plan for the project. Based on the data, the targeted area would be the southwest quadrant of town. The area chosen was based on dirty water calls and low hydrant flow problems. Mr. Huggins made a motion to exit the public hearing, seconded by Mr. Martin, and carried unanimously.

Mr. Beaty made a motion to authorize staff to apply for the CDBG infrastructure grant, seconded by Mr. Huggins, and carried unanimously.

Old Business:

Item 8A was presentation of the 2011 Audit. Rob Collis, Collis and Associates, presented the audit to the Board. The audit has been accepted by the NC Local Government Commission. There was no management letter this year and an unqualified opinion was rendered on the audit. The only negative comment contained in the audit is the same comment that is listed each year concerning not having a CPA on staff. This comment applies to Dallas most small jurisdictions in the state and the LGC expects to see this comment in the audit. Mr. Collis was very complimentary to Ms. Stroupe and her staff for the work done in Dallas. He stated that each year the staff in Dallas strives to take on more responsibility and lessen the amount of adjusting entries required by the auditor. Mr. Martin made a motion to accept the 2011 audit, seconded by Mr. Huggins, and carried unanimously.

Mr. Munn asked if Item 9A could be addressed next, as Mr. Kevin O'Donnell was standing by via telephone to make his presentation. Mayor Coleman stated there would be a short break while Mr. Munn set up the phone conversation with Mr. O'Donnell. (7:25) Mayor Coleman reconvened the meeting. (7:32)

Item 9A was a presentation via telephone from Mr. Kevin O'Donnell, Nova Energy Consultants. (Exhibit E) Mr. O'Donnell has reviewed the projected increases to the demand, energy, and transmission charges that Duke Energy proposes for this year. He estimates that the combined increase will cause our costs to rise by approximately 7%. To offset these costs, he recommended a 5% retail rate increase to our electric customers. This increase will only cover the increased costs from Duke Energy. Energy costs are rising across the nation. Dallas still has the 19th lowest electric rate out of 106 electric utilities in North Carolina. Mr. Beaty made a motion to approve a 5% increase to Dallas's electric rates to be applied to bills generated after January 1, 2012, seconded by Ms. Morrow, and carried unanimously.

Resuming the order on the agenda, Item 8B was presentation of the 2012 Holiday Schedule. At the December meeting, the Board requested that the holiday schedule for 2012 be determined and that any changes or exceptions be included with the schedule's publication. The presented schedule (Exhibit F) follows the State official schedule as dictated by the Personnel Policy, except that Dallas will provide two days off for Christmas, while the State provides three days. Upon approval, this schedule will be published and a copy provided to each employee. Mr. Huggins made a motion to approve the 2012 Holiday Schedule as presented, seconded by Mr. Withers, and carried unanimously.

Item 8C was a resolution approving financing terms for purchase of a new electric line truck. Staff obtained quotes from two area banks for financing no more than \$220,000 for a term of three years to purchase a this line truck. BB&T provided the best quote at 1.87% for the three year term. (Exhibit G) Mr. Martin made a motion to approve the financing agreement with BB&T, seconded by Mr. Beaty, and carried unanimously.

New Business:

Item 9B was a proposed fee schedule for business licenses. Mr. Kahler presented a proposed fee schedule based on state statutes governing business license fees. (Exhibit H) G.S. §105 governs the types of business that may be charged business license fees and the amount that may be charged. This new fee schedule will bring Dallas into compliance with the statutes. Mr. Kahler recommended these fees be effective for the 2012-2013 fiscal year. Mr. Beaty made a motion to approve the proposed fee schedule as presented, seconded by Mr. Martin, and carried unanimously.

Item 9C concerned Planning Board appointments. The 2 year terms of Tim Parrish, Curtis Wilson, and David Harvell have expired. All three individuals have been excellent board members and have expressed an interest to serve an additional term. Mr. Kahler made a recommendation to reappoint all three members to an additional term on the Planning Board beginning January 10, 2012 until January 1, 2014. There are still two alternate positions open on the Planning Board and Mr. Kahler would appreciate recommendations to fill these positions.

Mr. Huggins made a motion to reappoint Tim Parrish, Curtis Wilson, and David Harvell to an additional two year term on the Planning Board, seconded by Ms. Morrow, and carried unanimously.

Item 9D was selection of a delegate to represent Dallas at Centralina Council of Government. Meetings are held four to six times a year at various locations in the greater Charlotte Region. Our current delegate is Mayor Coleman, with Alderman Withers as the alternate. Mr. Huggins made a motion to reappoint Mayor Coleman as the COG delegate and Alderman Withers as the alternate delegate, seconded by Ms. Morrow, and carried unanimously.

Item 9E concerned review of two personnel policies requested by Mr. Beaty. The first police reviewed concerned outside employment. After discussing the current policy (Exhibit I) no changes were made to the policy. It was determined that management should be aware of these situations and monitor them accordingly. The second policy reviewed concerned employment of relatives. Mr. Beaty's recommendation is that no relatives of current Town employees be allowed to work at the Town. The current policy was reviewed (Exhibit J). Currently there are no full time or part time employees that are supervised by a family member. However, there are seasonal employees in the recreation area and volunteer fire fighters at the fire department that are related to those respective supervisors. Mr. Beaty made a motion that the personnel policy be changed to not allow employment of relatives, the depth of that relationship to be determined by the Administration Committee, with the Fire Department being exempt from this directive and anyone currently employed by the Town would be grandfathered from this policy, seconded by Ms. Morrow, and carried by a vote of 3-2 as follows: Yays – Mr. Beaty, Mr. Huggins, and Ms. Morrow. Nays – Mr. Martin and Mr. Withers. The Administration Committee will report back to the Board a recommendation as to the depth of the relationship of prohibited relatives.

Mr. Munn gave a Manager's Report highlighting various projects underway.

Mr. Withers made a motion to adjourn, seconded by Mr. Martin, and carried unanimously. (8:53)

Rick Coleman, Mayor

Maria Stroupe, Town Clerk

Jaggers ballfield

EXHIBIT A(1)

Duff

Sport time magazine page - 249

* player bench - \$359.95 (need 2 dugout)

Insurance

Toledo Physical Education supply

catalog

p. 228 - Heavy duty rubber home plate \$9.99

Safety style rubber bases

set of 3 bases \$128.99 p. 228

Umpire indicator 6 @ 2.25 each page - 236

page - 225 P12YL - (44 cor) 4.50 each (5)

Easton bat

ESSB34 34" 2799

field marker DS-FM503 \$157.99

dust 15.99 bag p-236

steel drag \$149.99

= 2608.46

Horse shoe pitch

- Picnic tables can remain indefinitely

Children's Play Area

Wood stepping stumps Pg. 81
(Play w/ a purpose book)

Cedar Portable balance beam pg. 81
(Play w/ a purpose book)

(Jaggers
Balfield)

Monies raised during the
tournament some will be used
to pay umpires, concession and
for trophies at the end, the
other additional money will
be saved for future park
equipment ex: playground
equipment.

Storage Unit

CERTIFICATE OF APPRECIATION

This certificate is awarded to

MICHAEL WAYNE HURT

in recognition of his 10th anniversary with the Town of Dallas on December 17, 2011
and in gratitude for his years of dedication and service

TOWN OF DALLAS



Rick Coleman

Signature

1-10-12

Date

Edwin C. Hill

Signature

1-10-12

Date

CERTIFICATE OF APPRECIATION

This certificate is awarded to

ROBERT ALLAN STARR

in recognition of his 10th anniversary with the Town of Dallas on December 17, 2011
and in gratitude for his years of dedication and service

TOWN OF DALLAS



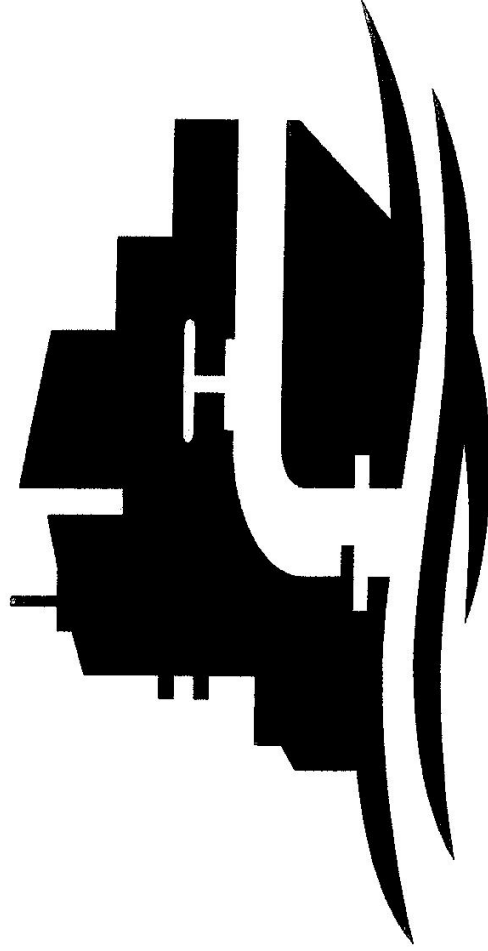
Rick Coleman
Signature

1-10-12
Date

Edna C. M.
Signature

1-10-12
Date

2011 Infrastructure Program



PURPOSE

To improve the quality of life in a:

- *Residential area (Target Project Area) or*
- *Local Government's Jurisdiction (Area-Wide Jurisdictional Project)*

ACTIVITIES

- Installation of New Public Water or Sewer Lines
- Replacement of Public Water or Sewer Lines
- Replacement of Appurtenances
- Improvements to Water or Sewer Treatment Plants with Special Problems (e.g., moratoriums or special orders of consent)
- Priority given to drought related activities.

OVERVIEW

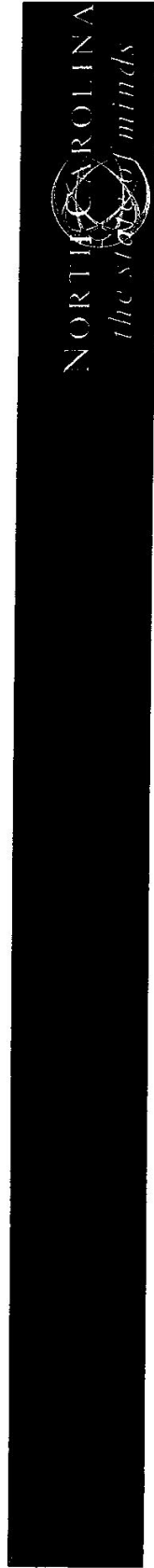
- Ready Project
- Threshold
- Grant Limitations
- Two pools of funds
- Matching funds
- Performance Measures

Two Pools of Funds for Infrastructure:

Water and/or Sewer in Residential Areas

(NC: minimum 70% LMA benefit for project area)

21 st Century/Tier 1 Communities	Regular Pool
<ul style="list-style-type: none">• Available funds: \$3,000,000• Maximum Grant Amount- \$750,000• Selection criteria<ul style="list-style-type: none">– Regional solution– Severity of water needs• No match required unless<ol style="list-style-type: none">1) the lines are over 8”2) vacant land over 1/4 mile or project costs more than \$750,000 or3) serving or connecting over income persons.	<ul style="list-style-type: none">• Available Funds: \$3,000,000• Maximum Grant Amount- \$750,000• Selection criteria<ul style="list-style-type: none">– Regional solution– Severity of water needs• 5% match

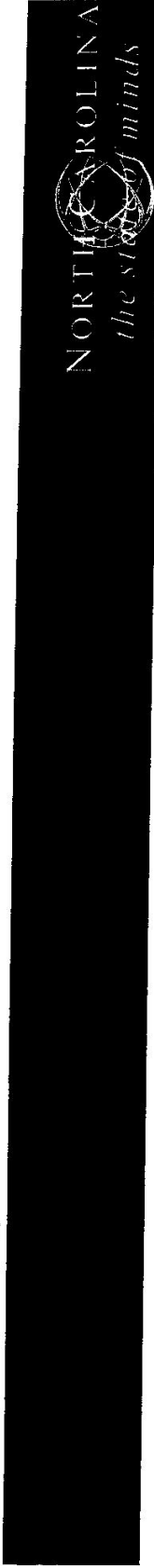


THE APPLICATION PROCESS

3 STEPS

1. Submit a letter of interest signed by the chief elected official. (No phone calls)
 - a. Attachment preliminary evidence of a first public hearing
 - b. From an Official Source, submit documentation of need (see application)
 - c. Attach a completed Preliminary Information Form

Note: Submit the above information at the same time as a packet.



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THE APPLICATION PROCESS (continued)

2. Meet with Program Development Staff.
 - a. Who attends?
Local Government Staff
Engineer and
Preparer
 - b. Why?
To show readiness



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READINESS

A Ready Project Means That:

- ✓ The Preliminary Engineering Report (PER) is complete
- ✓ One Public Hearing has been held
- ✓ Surveys of Beneficiaries have been done

ELIGIBLE OR INELIGIBLE?

CI will send the local government either a

- Letter of Eligibility
 - If so, applications forms will go to preparer
 - Funds will be earmarked up to 60 calendar days
- Letter of Ineligibility



NORTH CAROLINA
the state of minds

Application Window

- Preliminary application window opens
February 1, 2012 until February 29, 2012

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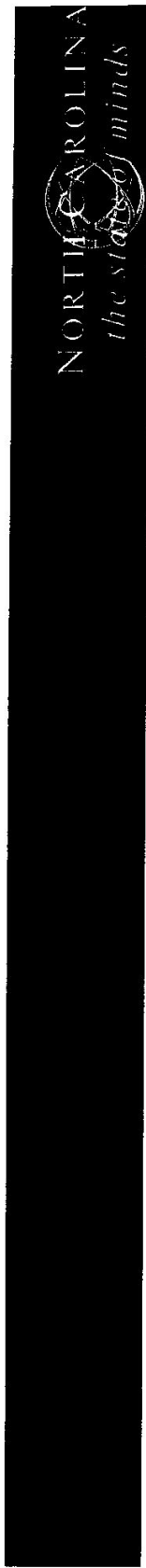
REVIEW CRITERIA

- **Severity of Needs**
- **Benefit**
- **Feasibility of the Project**
- **Basic Required Criteria**
- **Level of Readiness**
- **Overall Priorities**
- **Commitment of Other Funds for the Project**

Local Government Roles and Responsibilities

24 CFR Part 570.501

- Management and Oversight
 - Elected officials are legally, financially, contractually and programmatically responsible for CDBG project
 - Local Government is responsible to the State and the Federal government even if they have a contract administrator or a sub-recipient relationship



Roles and Responsibilities Continued

- Financial Management
 - Proper accounting of funds (avoid disallowed costs)
 - Accurate identification of project costs and cash balances
 - Proper internal controls
- Project Files-24 CFR Part 570.506 and .508
 - Establish a system for CDBG files to ensure that they are complete, accurate and open for public review and inspection where applicable
 - Maintain files for period of time after closeout as required by applicable laws and regulations



Roles and Responsibilities Continued

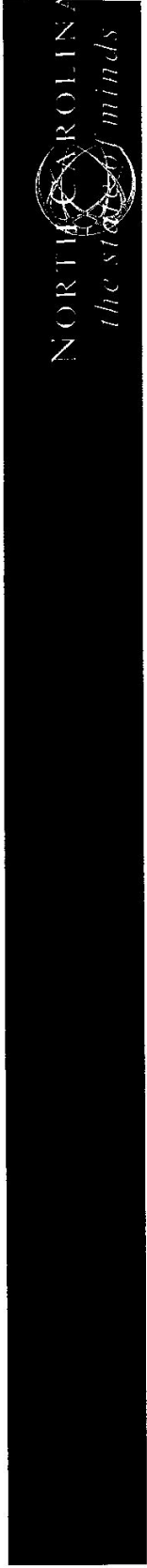
- Statement of Assurances and Certifications
 - Read and understand these documents and what you have to do to implement
 - Examples include Affirmatively Further Fair Housing, Drug free, etc.
- Grant Agreement (24 CFR Part 570.501 and .502)
 - Contractually binding
 - Document cannot be changed without State approval
 - Local Government promise of what it intends to deliver



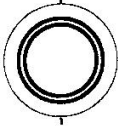
CDBG National Objectives
section 105 (a) HCDA of 1974

as amended

- **Benefit low-and moderate-income persons**
- **Aid in the preventive or elimination of slums of blight**
- **Urgent Need**



Town of Dallas 2012 Rate Forecast



**PRESENTED
BY
NOVA ENERGY CONSULTANTS, INC.
JAN. 10, 2012**

Current Status of Dallas Electric Fund

2

- Good news - at the present time, the Dallas electric fund is doing well.
- Good news – Dallas continues to have some of the lowest electric rates in NC. See accompanying ranking showing Dallas with the 19th lowest electric costs out of 106 reporting utilities.
- Bad news – Duke Energy, our power supplier, is continuing to undergo major plant expansion efforts and our rates continue to rise.
- Electric rates are going up across the country.

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Why are Electric Costs Rising?

3

1. Duke is building plants. Cliffside, Dan River, Buck, and, maybe in the future, the Lee Nuclear Plant.
2. Environmental costs –EPA recently issued new rules for mercury. These rules will be expensive.
3. Fuel costs – will ebb and flow relative to the economy. Right now, fuel costs look to be contained given the slow improvement show in the economy.



Duke's Retail Rate Increases

4

- Duke's retail rates 5% for a fuel increase (effective Sept., 2011) and will increase another 7.2% in Feb, 2012 for a base rate increase. This 12% rate hike to Duke retail customers occurred in 2 separate rate changes.
- Dallas changes its retail rate once per year. We increased rates 6% last year.

Duke Costs to Dallas are Headed Up

5

- Wholesale cost from Duke to Dallas increased by about 6% in 2012. Transmission cost increase resulted in another 1% cost increase meaning that our total increase from Duke is about 7%. This cost increase is actually about 5% LOWER than what was forecasted last year. Good news, but still a tough pill to swallow.
- Duke's costs to Dallas is expected to increase by another 8% in 2013.
- Dallas cannot absorb these rate increases from Duke. Budget is simply too tight to allow for the town to absorb the increase.

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Nova Recommendation

6

- **We recommend that Dallas increase rates by 5% across the board – customer charges, energy rates, and demand rates. This charge is intended to cover ONLY the wholesale cost increase from Duke.**

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2012 Holiday Schedule

<u>Holiday Name</u>	<u>Date Holiday Observed</u>
New Year's Day	Monday, January 2, 2012
Martin Luther King's Birthday	Monday, January 16, 2012
Good Friday *	Friday, April 6, 2012
Memorial Day	Monday, May 28, 2012
Independence Day	Wednesday, July 4, 2012
Labor Day	Monday, September 2, 2012
Veteran's Day	Monday, November 12, 2012
Thanksgiving Day	Thursday, November 22, 2012
Thanksgiving Friday *	Friday, November 23, 2012
Christmas Eve Holiday	Monday, December 24, 2012
Christmas Holiday	Tuesday, December 25, 2012

* Due to the discrepancy in holiday hours (10 hours for Public Works/Electrical per day versus 8 hours per day for all other Town employees-resulting in 24 extra hours of holiday time and pay annually), Public Works/Electrical employees will return the Good Friday and Thanksgiving Friday holidays. Though these employees will not work these days, they will also not receive extra holiday pay. This will bring the difference down to 2 hours.

In addition, each employee may choose one floating holiday per year once they have completed probation. This day is a day of their choosing, upon approval from the Department Manager.

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BB&T Governmental Finance

5130 Parkway Plaza Boulevard
 Charlotte, North Carolina 28217
 (704) 954-1700
 Fax (704) 954-1799

January 3, 2012

Maria Stroupe
 Administrative Services Director
 Town of Dallas
 210 North Holland Street
 Dallas, North Carolina 28034

Dear Ms. Stroupe:

Branch Banking and Trust Company ("BB&T") is pleased to offer this proposal for the financing requested by the Town of Dallas, North Carolina (the "Town").

- (1) **Project:** One Electric Vehicle
- (2) **Amount To Be Financed:** \$220,000.00
- (3) **Interest Rates, Financing Terms and Corresponding Payments:**

Term	Rate
3 years	1.87%

Payments shall be annually in arrears, as requested. See the attached amortization schedule for information on payments.

The financing proceeds shall be deposited on behalf of the Town in a project fund account as needed with Branch Banking & Trust. Earnings on the project fund shall accrue to the benefit of the Town for use on Project costs or interest payments.

The interest rate stated above is valid for a closing not later than 45 days after today. A convenient date and time shall be mutually agreed upon for closing. Closing is contingent upon completing documentation acceptable to BB&T and upon the condition of the equipment acceptable to BB&T. BB&T shall provide a list of required documentation for closing should we be the successful proposer. Additionally, we shall review your most recent financial statements before funding this transaction.

All applicable taxes, permits, costs of counsel for the Town and any other costs shall be the Town's responsibility and separately payable by the Town. The financing documents shall allow prepayment of the principal balance in whole on a scheduled payment date with a 1% prepayment premium.

The stated interest rate assumes that the Town expects to borrow less than \$10,000,000 in calendar year 2012 and that the Town shall comply with IRS Code Sections 141, 148, 149(e) and Section 265(b)(3). BB&T reserves the right to terminate its interest in this bid or to negotiate a mutually acceptable rate if the financing is not a qualified tax-exempt financing.


BB&T Governmental Finance

5130 Parkway Plaza Boulevard
 Charlotte, North Carolina 28217
 (704) 954-1700
 Fax (704) 954-1799

January 3, 2012

Maria Stroupe
 Administrative Services Director
 Town of Dallas
 210 North Holland Street
 Dallas, North Carolina 28034

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The stated interest rate assumes that the Town expects to borrow less than \$10,000,000 in calendar year 2012 and that the Town shall comply with IRS Code Sections 141, 148, 149(e) and Section 265(b)(3). BB&T reserves the right to terminate its interest in this bid or to negotiate a mutually acceptable rate if the financing is not a qualified tax-exempt financing.

(4) Financing Documents:

BB&T and its counsel shall prepare all documentation for the Town. We shall provide a sample of those documents to you should BB&T be the successful proposer. This financing shall be secured by a first lien security interest in all personal property acquired with proceeds.

* * * * *

BB&T appreciates the opportunity to make this financing proposal and requests to be notified within ten days of this proposal should BB&T be the successful proposer.

BB&T shall have the right to cancel this offer by notifying the Town of its election to do so (whether or not this offer has previously been accepted by the Town) if at any time prior to the closing there is a material adverse change in the Town's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Town or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to BB&T. We reserve the right to negotiate and/or terminate our interest in this transaction should we be the successful proposer.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to BB&T. If your board adopts this resolution, then BB&T shall not require any further board action prior to closing the transaction.

Please call me at (704) 954-1700 with your questions and comments. We look forward to hearing from you.

Sincerely,

BRANCH BANKING AND TRUST COMPANY

F. Louis Loyd, III/BAS
Senior Vice President

Enclosure

Resolution Approving Financing Terms

WHEREAS: The Town of Dallas, North Carolina (the "Town") has previously determined to undertake a project for the purchase of one electric vehicle (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated January 3, 2012. The amount financed shall not exceed \$220,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.87% and the financing term shall not exceed three (3) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of _____, 2012.

By: _____
Title: _____

By: _____
Title: _____

SEAL

Recommendation for Updated Business License Charges

NC General Statute 160A-211 grants cities authority to levy privilege license taxes on all trades, occupations, professions, businesses and franchises within its jurisdiction. GS 105 contains a schedule of fees for individual types of businesses, services and professions.

Currently, the Town of Dallas charges a flat \$60.00 Privilege License fee for all businesses which operate within the Town of Dallas. Staff would like to make the following amendments to the Fee Schedule, based upon NCGS 105:

1. Amusements:
 - a. Outdoor Theatres- \$100.00 per screen
 - b. Indoor Theatres- \$200.00 per screen
 - c. Game Rooms, Pool Halls, Skating Rinks- \$25.00 plus \$5.00 per video game
 - d. Internet Sweepstakes/ Online Gaming- \$1000.00 per location and \$2500.00 per machine
 - e. Bowling Alleys- \$10.00 per alley
2. Collection Agencies- \$50.00
3. Undertakers/Funeral Homes- \$50.00
4. Pawnbrokers- \$275.00
5. Contractors:
 - a. General Contractor, Painting, Roofing- \$10.00
 - b. Plumbing, heating and Cooling, Electrical- \$50.00
6. Hotels, Motels, Bed and Breakfasts, Tourist Homes- \$1.00 per room, \$25.00 Minimum
7. Restaurants:
 - a. 4 or fewer seats- \$25.00
 - b. 5 or greater seats- \$42.50
8. Dry Cleaners, Pressing Plants- \$50.00
9. Firearms Dealers/Dealers in other Weapons- \$50.00 for firearms, \$200.00 for knives, dirks, swords, other edged weapons.
10. Self Service Laundries- \$50.00
11. Automobile Sales, Service, Accessories
 - a. Sales- \$25.00
 - b. Service and Repair- \$12.50
 - c. Gasoline/Diesel Fuel Sales- \$25.00
12. Motorcycle Dealers/Service- \$12.50
13. Employment/Staffing Agencies- \$50.00

14. Branch/Chain Stores- \$50.00
15. Video Rentals/Sales- \$25.00
16. Bicycle Dealers (Sales, Accessories, Service) - \$25.00
17. Barber/Beauty Shops- \$2.50 per chair
18. Piano, Television, Radios and Recorders (sales, repairs) \$5.00
19. Alcohol
 - a. Beer- Off-Premise: \$5.00, On- Premise: \$15.00
 - b. Wine- Off-Premise: \$10.00, On-Premise: \$15.00
20. Loan Agency or Broker- \$100.00
21. Security Dealers/Stock Brokers- \$50.00
22. Sundries (Soft drinks, tobacco, wrapped sandwiches, candy) - \$4.00
23. Video Movie Rentals and Sales- \$25.00
24. Vendor/Solicitor/Peddler
 - a. \$20.00 per person on foot
 - b. \$25.00 per vehicle/mobile cart
25. Ice Cream (Retail) - \$2.50
26. Day Care Centers- \$50.00
27. Car Washes (all types) - \$12.50
28. Wholesale Merchant - \$50.00
29. Lawn Care/Mowing- \$25.00
30. Other Non-Exempt Business Not Listed- \$50.00

Exemptions:

Certified Public Accountants	Alarm Systems
Architects	Attorneys at Law
Banks	Chiropractors
Cooperative Marketing Associations	Dentists
Professional Engineers	Manufacturers/Distributors of Film
Home Inspectors	Insurance Agents
Land Surveyors	Veterinarians
Office Machines, Home Appliances, Computer Hardware	Optician
Optometrists	Osteopaths
Pest Control Applicators	Photographers
Physicians	Private Detectives/Investigators

ARTICLE V. CONDITIONS OF EMPLOYMENT

Section 1. Work Schedule

Department Heads shall establish work schedules, with the approval of the Town Manager which meet the operational needs of the department in the most cost effective manner possible.

Section 2. Political Activity

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

- a) Engage in any political or partisan activity while on duty;
- b) Use official authority of influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- c) Be required as a duty of employment or as condition for employment, promotion, or tenure of office to contribute funds for political or partisan purposes;
- d) Coerce or compel contributions from another employee of the Town for political or partisan purposes;
- e) Use any supplies or equipment of the Town for political or partisan purposes; or
- f) Be a candidate for nomination or election to office under the Town Charter;

Any violation of this section shall subject the employee to disciplinary action including dismissal.

Section 3. Outside Employment

The work of the Town shall have precedence over other occupational interests of employees. Conflicting employment may be grounds for disciplinary action up to and including dismissal. Examples of conflicts of interest in outside employment *include but are not limited to*:

- a) employment with organizations or in capacities that are regulated by the employee or employee's department; or
- b) employment with organizations or in capacities that negatively impact the employee's perceived integrity, neutrality, or reputation related to performance of the employee's Town duties.

Section 4. Dual Employment

A full or part-time employee of the Town may simultaneously hold another position with the Town if the temporary position is in a different department and clearly different program area from that of the full or part-time position. The work of the temporary position must also be performed on an occasional or sporadic basis as identified in Fair Labor Standards Act regulations. However, the work of the full or part-time position shall take precedence over the temporary position, and such temporary work will not count toward the calculation of overtime for pay or time off.

Section 5. Employment of Relatives

The Town will consider employing family members or related persons in the service of the Town, provided that such employment does not:

- 1) result in a relative supervising relatives;
- 2) result in a relative auditing the work of a relative;
- 3) create a conflict of interest with either relative and the Town; or
- 4) create the potential or perception of favoritism.

This provision shall not apply retroactively to anyone employed when the provision is adopted by the Town.

Section 6. Harassment Prohibited

The Town prohibits harassment in any form that is based on sex, race, color, religion, national origin, age, and/or disability. Harassment is defined as conduct that culminates in tangible employment action or is sufficiently severe or pervasive to create a hostile work environment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment includes repeated offensive sexual remarks, continual or repeated comments about an individual's body and offensive sexual language.

Any employee who believes that he or she may have a complaint of harassment may follow the Grievance Procedure described in this Policy or may file the complaint directly with the Human Resources Officer or Department Head who will immediately notify the Town Manager. The employee may file the complaint directly with the Town Manager if it involves a Department Head. The Human Resources Officer will ensure that an investigation is conducted into any allegation of harassment and advise the employee and appropriate management officials of the outcome of the investigation.

Employees who are found to be engaged in harassment are subject to disciplinary action up to and including dismissal. Employees making complaints of harassment are protected against retaliation from alleged harassers or other employees.