

## MINUTES FOR BOARD OF ALDERMEN MEETING

April 17<sup>th</sup>, 2012

6:00 PM

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

The following staff members were present: Jim Palenick, 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; Steve Lambert, Fire Chief; and David Kahler, Community Development Director. Anne Martin, Recreation Director, was absent.

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 changes to the agenda. Mr. Martin made a motion to set the agenda, seconded by Mr. Huggins, and carried unanimously.

Mr. Huggins made a motion to approve the minutes from the March 13, 2012 regular meeting and the March 12 budget work session, seconded by Mr. Martin, and carried unanimously.

### **Consent Agenda:**

The consent agenda consisted of four items: 1) Action to amend the Board vote of March 13, 2012 on the Stephen Bradley appeal of suspension from Town Recreation facilities. At the March 13, 2012 meeting the Board acted to “Deny” the appeal, which, consistent with current Town Policy, should have kept in place his suspension for one year, through February 5, 2013. (Exhibit A) However, the motion was made and approved to make the suspension “indefinite”. The action needed to be amended to deny the appeal and uphold the one-year suspension, through February 5, 2013. 2) To correct approval for the Sons of Confederate Veterans Memorial Service to Sunday, May 20, 2012 at 2:00 pm, not Saturday, May 19, 2012. Action was taken at the March meeting to approve the request for Saturday, May 19, 2012. A follow-up request, dated March 26, 2012, clarified the day and date as being Sunday, May 20, 2012. (Exhibit B) 3) Request to approve the 2012 Memorial Day Celebration, including closing Main Street from College Street to Holland Street from 8:00 am until 4:00 pm. 4) Approve a resolution recognizing “Municipal Clerk Week”, April 29<sup>th</sup> through May 5<sup>th</sup>, 2012. (Exhibit C) Mr. Beaty made a motion to approve the consent agenda, seconded by Mr. Martin, and carried unanimously.

### **Recognition of Citizens:**

Ms. Darlene Abernethy, 3161 Dallas High Shoals Road, had requested to be placed on the agenda, but she was not present.

Ms. Josie Brooks, 219 Green Circle Dr., Gastonia, NC asked if any consideration had been made for purchasing playground equipment for Jaggars Park. Mayor Coleman stated that now was not the appropriate time for that discussion. He requested that Ms. Brooks contact him or Anne Martin, Recreation Director, during business hours to discuss this matter in reference to the budget.

Mr. Peter Meadows, 109 S. Pine St., wanted to publicly thank the Town staff for their responses to flag issues at the Police Department (replacing torn flags) and for timely repairs to reported water leaks.

## **Recognition of Employees:**

Corporal Travis Wells, Police Department, was recognized for 15 years of service with the Town of Dallas. Officer Bradley Beer, Police Department, was recognized as a new employee with the Town of Dallas.

## **Public Hearing:**

Mr. Beaty made a motion to enter into a public hearing concerning the first reading of an ordinance prohibiting truck traffic on N. Davis St., from E. Main St. to E. Trade St., seconded by Mr. Martin, and carried unanimously. The Town had received a request from a concerned resident along N. Davis St. to “convert: the current two-way traffic configuration along N. Davis St., between E. Trade St. and E. Main St. to “1-way”. Some issues were raised as to the occurrence of traffic accidents at the intersection of N. Davis and E. Trade, and the 1-way conversion was suggested as a possible remedy. However, such a conversion could also create a number of unintended consequences and impact the NCDOT-controlled E. Trade St. Following a public hearing at the March Board of Aldermen meeting to consider the conversion, a consensus was reached that a possible preferred option would be to instead prohibit truck traffic on this section of N. Davis. The purpose of this hearing is to consider this option and to determine an appropriate definition for “trucks”. The proposed ordinance defines trucks as “those primarily-commercial and service vehicles whose gross vehicle weight (gvw) exceeds 10,000 pounds; features more than two (2) axles; or both”. This provision excludes service vehicles traveling directly to an address on this block. (Exhibit D) Mr. Huggins asked if this included school buses. Mr. Palenick responded that if the bus was only passing through, not delivering a child to a residence on that block, and there was an alternate, available route, then the bus would be prohibited. Mr. Beaty questioned the 10,000 pound threshold, as some personal vehicles, for example a Ford F350, could exceed that limit. Mr. Leon Lay, 110 N. Davis St., stated that he brought up this issue initially due to truck traffic using that street as a pass through route. The street is so narrow that even two passenger cars can have difficulty passing. Large passenger trucks, such as duallys can cause someone to have to leave the road surface in order to pass. Mr. Beaty made a motion to exit the public hearing, seconded by Mr. Huggins, and carried unanimously.

Mr. Huggins made a motion to adopt the ordinance as presented, seconded by Ms. Morrow. The motion failed to pass on the first reading with a vote of 3 – 1, as follows: Yays – Mr. Huggins, Mr. Martin, and Ms. Morrow. Nays – Mr. Beaty As stated in G.S. §160A-75, “In addition, no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council.” A two thirds vote of the actual membership would require 4 affirmative votes. The ordinance will be resubmitted at the May meeting for a vote and would require only a simple majority affirmative vote at that time for approval.

## **Old Business:**

Item 9A concerned establishment of a new water and sewer utility fee rate structure. The March 13<sup>th</sup> report on possible, long-term debt financing for water distribution system improvements detailed the requirements for preparing for and servicing the planned \$3Million in debt service necessary to complete the system-wide main replacement project. Included in the recommendations was the proposal for a new rate structure for both water and sanitary sewer utility fees for both in-town and out-of-town customers. The proposed new structure institutes a new minimum, "availability" charge as well as, and in addition to, an "inclining block" rate for actual volume used. The rates also further differentiate between in-town and out-town users, as well as between water and wastewater charges. If implemented, it is estimated that the new structure will generate approximately \$30,045.00/year in additional water revenues (assuming equal use); and approximately \$9,284.00/year in additional wastewater revenues (assuming equal use). This total represents an approximate 2% increase over the \$1,986,986.00 in FY2011 utility user charge revenues. In analyzing water and sewer use customers of the Town of Dallas for the FY2010-2011 year, this structure would cause approximately 49% of In-Town Water Users to see Water Bill Decreases; while 51% would experience increases. Of the increases, over 900

residential users would experience bill increases averaging \$1.12/month; while over 70 commercial/industrial users would see increases averaging \$3.39/month. For out-town users 98% would experience increases, while 2% would see decreases. Most of the increases would involve residential customers whose bills would go up between \$.81/month and \$5.63/month. For wastewater customers, 67% of in-town users would see increases, while 33% would see decreases. Of the increasees, approximately 76% would average \$1.10/month, while 24% would see an increase averaging \$.61/month. The new rate structure would provide a more stable revenue stream because of the greater reliance on the fixed, "availability" charge, while also satisfying the NCDENR Grant requirement that "inclining block volume" charges be in place to be eligible for funding. Also, the contemplated additional revenues, along with the existing surpluses being produced as a result of the last rate increase, will adequately service the new debt as contemplated for the next several years until general inflation would again require a modest increase. (Exhibit E) Mr. Huggins made a motion to table the vote until the May Board of Aldermen meeting to allow time for further review of the structure, seconded by Mr. Beaty, and carried unanimously.

Item 9B was a request for approval of a financial consultant and bond counsel for the Water Distribution System Improvement Project financing. At the March 13<sup>th</sup> Board of Aldermen meeting, a detailed written report and oral presentation was provided with regard to the proposed, long-term debt financing for, and design and construction of system-wide water distribution improvements. The Board gave general approval for the project, with specific approval of the design engineering and surveying for the water main reconstruction. This request is for another component of the efforts required as part of the financing, namely the specific approval for and designation of the Bond Counsel and Financial Consultant. As described in the earlier report, it is recommended that Don Ubell, of Parker Poe Attorneys in Charlotte be engaged as the Town's official "Bond Counsel" for purposes of the installment purchase financing, at the \$7500 proposed fee. Also, as the "Financial Consultant", that Jeremy Carter of DEC Associates, Inc. of Charlotte be engaged to structure, market, and place the securities, as a fee not to-exceed \$25,000. (Exhibit F) All such fees would be included in the overall financing and paid at time of closing. Mr. Martin made a motion to engage Mr. Don Ubell as Bond Counsel and Mr. Jeremy Carter as Financial Consultant for the Water Distribution System Improvement Project financing, seconded by Mr. Beaty, and carried unanimously.

### **New Business:**

Item 10A was presentation of a proposed Banner Policy and Procedures. The Town of Dallas has for many years provided space in a prominent location along Trade St. for the installation and display of community banners, announcing upcoming community and area events. The Electric Department has maintained the banner poles and arranged for and facilitated the banner installations and removals. Because of wind loads, it is important that the banners be designed to certain specification that will ensure safety, visibility, and the integrity of pole structure. Also, it is important that procedures be clearly established so as to define how and when to request installation; the acceptable size, design, material, and graphics of the banners; and the establishment of priority of use, liability, and the possible need for fees to cover the expense of installation, maintenance, and removal. The proposed policy and procedures addresses these points. (Exhibit G) Mr. Beaty made a motion to approve the Banner Policy and Procedures as presented, seconded by Ms. Morrow, and carried unanimously.

Item 10B was a proposed amendment to the Personnel Policy concerning group health insurance. The Town, by policy, currently provides group health and hospitalization insurance coverage for full-time employees and their eligible dependents, according to terms, conditions, and restrictions which are set periodically by the Board of Aldermen. In addition, there is language allowing for certain part-time employees (over 30-hours per week continuous throughout the year) to be eligible for coverage -- even though no such employees exist, or are likely to in the future. The cost of providing coverage has continued to rise well beyond the general rate of inflation and recent years have seen both cuts in benefits as well as increases in deductibles and co-pays in order to effectively budget for such increases. In reviewing the current policy, it appears that there are a number of changes, and/or additions that could be instituted, with little or no undue burden on affected

employees, which could, in turn, save the Town overall costs toward the continuing provision of group health coverage. A proposed, re-written, "Section 2. Group Health and Hospitalization Insurance" portion of the Town's Personnel Policy on Employee Benefits, designed to institute the cost savings, is attached herewith for Review and possible adoption. The changes/additions include: \* Eliminating the language allowing coverage for part-time (30+hour/week year-round) employees, since we have no one currently eligible and don't anticipate such hires in the future. \* Ceasing eligibility for coverage of employees after they reach 65 years of age (medicare eligibility). For those already over 65, effective July 1, 2012, (for which there are 3 employees) we would provide a yearly stipend in lieu-of-payment, which could, in turn, easily pay for so-called "medigap" insurance, equal to \$2,400/year. For those not yet 65, but who remain employed full-time and turn 65 after July 1, 2012, they would simply rely on Medicare for coverage (like what is nearly universal to most organizations). Few employees typically choose to remain employed beyond 65 -- most will have met maximum requirements for state pension vesting prior to that time. \* Creating a "payment-in-lieu-of coverage" , also equal to \$2400/year, for any eligible, full-time employee who shows written proof of enrollment in alternative coverage, and voluntarily opts-out of Town-provided coverage. (Exhibit H) The current cost to cover an employee individually (not counting any eligible dependent coverage) exceeds \$5,600/year, so each employee removed from the roles results in substantial Town cost savings. Since the over-65 employees would have both medicare and the withdrawal to purchase Medigap insurance, they would experience no added burden. For the younger employees, since the program is exclusively voluntary, one would assume that they would only choose the opt-out if it made economic sense....in turn both parties would come out ahead. Mr. Martin made a motion to approve the amendments to the personnel policy as presented, seconded by Mr. Huggins. The vote was as follows: Yays – Mr. Huggins and Mr. Martin. Nays – Mr. Beaty and Ms. Morrow. As provided for in G.S. §160A-69, Mayor Coleman broke the tie vote by casting a vote to the affirmative. The amendment to the Personnel Policy was approved by a 3 – 2 vote.

Item 10C was a request by Mr. Trudnak to declare 3 vehicles as surplus and put them on GovDeals for purchase. (Exhibit I) Truck #524 (Flatbed) has not been used in 4 years and some parts have become obsolete. Truck #525 (Recycle Truck) has been out of service for approximately 3 years and is past its useful life to the Town. Truck #440 (Pickup) has a blown motor, serious interior issues, and multiple dents on the outside body. Mr. Beaty a motion to declare the 3 vehicles surplus and to place them for sale on GovDeals, seconded by Ms. Morrow, and carried unanimously.

Item 10D was a proposal from Ms. Stroupe to move cash assets from a NCCMT Cash Portfolio account to a NCCMT Term Portfolio account. On Wednesday, March 21, 2012, Ms. Stroupe spoke with Mr. Gary Porter, VP NCCMT, about a new account being offered by the North Carolina Capital Management Trust (NCCMT). Currently, Dallas has five accounts with the NCCMT; a regular account, a Powell Bill account, a Rate Stabilization account, a Capital Reserve account, and a Law Enforcement Separation Allowance account. All of these accounts are Cash Portfolio accounts. The new account type is a Term Portfolio account. Currently, the Cash Portfolio accounts are earning 8 basis points or 0.08% interest annually. The Term Portfolio accounts are earning approximately 15 basis points higher than the Cash Portfolio, or 0.23% interest annually. (Exhibit J) The value of our regular account (main account) is \$5,523,365.22. At 0.08% interest, we are on track to earn approximately \$364 per month or \$4,368 annually. If Dallas were to move \$4,000,000 into a Term Portfolio account, the annual interest would be approximately \$767 per month or \$9,200 annually. Of course, this would drop our regular Cash Portfolio account to \$1,523,365.22, which would then earn approximately \$102 per month, or \$1,224 annually. By moving a large portion of our funds from a Cash Portfolio account to a Term Portfolio account, Dallas would earn approximately \$6,056 more annually in interest. Although this is not a large difference, it would provide a small boost of revenue in the General Fund. Mr. Beaty made a motion to move \$4,000,000 into a Term Portfolio account at NCCMT from the current regular Cash Portfolio account, seconded by Mr. Martin, and carried unanimously.

Item 10E was presentation of a resolution approving the Gaston County Comprehensive Solid Waste Management Plan Update. By regulation, updates are presented every three years and adopted by all

municipalities in the county. (Exhibit K) Mr. Beaty made a motion to approve the Gaston County Comprehensive Solid Waste Management Plan Update, seconded by Mr. Huggins, and carried unanimously.

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

The first item addressed pavement resurfacing alternatives. A memo was sent to the Board outlining various alternatives and budgetary implications. (Exhibit L) Mr. Huggins made a motion to approve the first three items on the recommended list as this would stay within the current budget, with consideration item 4 (Franklin Gym Parking Lot) in the FY 2013 budget, seconded by Ms. Morrow, and carried by the following vote: Yays – Mr. Beaty, Mr. Huggins, and Ms. Morrow. Nays – Mr. Martin.

The second item was an update on the progress of the Historic Courthouse Renovation. Paperwork has been drafted and filed with the State in order to set up a non-profit Dallas Historic Courthouse Foundation to facilitate the renovation project. (Exhibit M) Also, Mr. Palenick asked that the Board approve an agreement with Harris Architects for their services on the project at a cost of \$78,500. The majority of this cost would not occur in this fiscal year. Mr. Beaty made a motion to approve the agreement with Harris Architects for their services pertaining to the Historic Courthouse Renovation, seconded by Mr. Martin, and carried unanimously.

The third item was information concerning updated values to Town properties by Watson Insurance. We have received the revised value statements (Exhibit N), but have not received an adjusted invoice yet.

The last item was information concerning a proposed change to the Stormwater Fee structure. (Exhibit O) This was for information purposes only and will be brought back before the Board at the May meeting.

Mr. Martin made a motion to adjourn, seconded by Mr. Huggins, and carried by the following vote: Yays – Mr. Huggins, Mr. Martin, and Ms. Morrow. Nays – Mr. Beaty. (7:57)

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Rick Coleman, Mayor

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Maria Stroupe, Town Clerk



**Mayor**  
Rick Coleman

**Aldermen**  
John Beaty  
Allen Huggins  
Scott Martin  
Darlene Morrow  
Hoyle Withers

**Town Manager**  
James M. Palenick

**Town Clerk**  
Maria Stroupe

**Town Attorney**  
Pennie M. Thrower

**Public Works**  
Bill Trudnak

**Electrical**  
J. Huffman

**Police Chief**  
Gary Buckner

**Planning**  
David Kahler

**Fire Chief**  
Steve Lambert

**Recreation**  
Anne Martin

Town of Dallas  
10 N. Holland St.  
Dallas, NC 28034

**Phone:**  
4-922-3176  
**Fax:**  
4-922-4701  
**Web Page:**  
[www.dallasnc.net](http://www.dallasnc.net)

March 14, 2012

Mr. Stephen E. Bradley  
2362 Puetts Chapel Road  
Bessemer City, NC 28012

Re: Appeal of Suspension from Recreation Property.

Dear Mr. Bradley:

Please be advised that the Board of Aldermen of the Town of Dallas took action on your "Appeal of Suspension" from attendance at Town Recreation Facilities and Youth Athletic events, at their regularly-scheduled Board Meeting on Tuesday, March 13, 2012.

The Board voted 4 to 1 to Deny your Appeal. As such, you remain suspended from any and all Town Recreation property or facilities, or School recreation property while same is being used for Town Recreation or youth Athletics, for at least the period up to, and including, February 5<sup>th</sup>, 2013, consistent with Town Policy. Any Change to this requirement would require additional Board of Aldermen action.

Your continuing cooperation in this matter is appreciated.

Sincerely,

James M. Palenick  
Interim Town Manager

Cc: Gary Buckner, Police Chief  
Anne Martin, Recreation Director  
Mayor & Board of Aldermen



**To: Town Council; Dallas, NC**

**March 26, 2012**

We, The Col. William A. Stowe Camp #2142, Dallas, NC, Sons of Confederate Veterans, request permission be granted to us to hold a Confederate Memorial Service on the grounds of The Old Gaston County Courthouse on Sunday, May 20, 2012 at 2:00 PM.

Jim Lowery  
1<sup>st</sup> Lt. Commander  
Col. William A. Stowe Camp #2142  
Dallas, NC Gaston County



Resolution Recognizing Municipal Clerks Week

**2012 Municipal Clerks Week Resolution**

**WHEREAS**, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, The Office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS**, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS**, The Municipal Clerk serves as the information center on functions of local government and community; and

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Dallas Board of Aldermen do recognize the week of April 29 through May 5, 2012, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Maria Stroupe, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Adopted this the 17<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
Rick Coleman, Mayor

ATTEST:

\_\_\_\_\_  
Maria Stroupe, Town Clerk



**AN ORDINANCE TO AMEND CHAPTER H, "TRAFFIC", OF THE COMPILED CODE OF ORDINANCES OF THE TOWN OF DALLAS, NORTH CAROLINA**

**WHEREAS**, Following a properly-Noticed Public Hearing before the Board of Aldermen, held On April 17, 2012, and in consideration of the information and research materials Received and reviewed,

**NOW, THEREFORE BE IT ORDAINED**, by the Board of Aldermen of the Town of Dallas, North Carolina, that the Compiled Code of Town Ordinances is hereby Amended as follows:

That Chapter H, "Traffic"; Article I, Section 1; Definitions of Words and Phrases, be Amended by adding the Definition of "Trucks", To Read:

**TRUCKS.**

Those primarily-commercial and service vehicles whose gross vehicle weight (gvw) exceeds 10,000 pounds; features more than two (2) axles; or both. Excluded from this definition shall be Trucks, including those operated by Public Safety, Utility, Sanitation, or Service Providers, when traveling directly to a destination address along a prohibited roadway, for loading, unloading, servicing, or responding to an emergency; if and when there is no alternative route to said destination address on streets or alleys where such Truck traffic is not prohibited.

That Chapter H, "Traffic"; Article VII, Miscellaneous Regulations; "Schedule XVI (No Trucks Allowed)", be Amended by Adding:

STREET	FROM OR TO	TO OR FROM
N. Davis St.	E. Main St.	E. Trade St.

**YEAS:**

**NAYS:**

**Attest:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

**Rate Proposal****Water (Incl. Irrigation)**

<u>Usage</u>	<u>In-City</u>	<u>Out-City</u>	<u>Avail. Fee (Min.)</u>	<u>Vol Charge (Per 1,000 gl)</u>
0-1000	X		<b>\$8.30/Month</b>	<b>\$2.60</b>
1,001-3000	X			
3,001-5000	X			
5,001-10,000	X			
Over 10,000	X			
0-1000		X	<b>\$23.60/Month</b>	<b>\$2.60</b>
1,001-3000		X		
3001-5,000		X		
5,001-10,000		X		
Over 10,000		X		

**Sewer**

<u>Usage</u>	<u>In-City</u>	<u>Out-City</u>	<u>Avail. Fee (Min.)</u>	<u>Vol. Charge (Per 1,000 gl)</u>
0-1000	X		<b>\$9.10/Month</b>	<b>\$2.60</b>
1001-3000	X			
3,001-5,000	X			
5,001-10,000	X			
Over 10,000	X			
0-1000		X	<b>\$12.50/Month</b>	<b>\$2.60</b>
1,001-3,000		X		
3,001-5,000		X		
5,001-10,000		X		
Over 10,000		X		

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**Revenue Analysis**  
**(FY2010-2011)**

<b><u>WATER:</u></b> <b>(Inside-City)</b> <b><u>Residential</u></b>	<b><u>Avg. # Of</u></b> <b><u>Users</u></b>	<b><u>Avg. gl/</u></b> <b><u>Month</u></b>	<b><u>(\$)Revenue</u></b>	<b><u>% Of</u></b> <b><u>Revenue</u></b>
0-1,000 gl	206	434	\$20,633.43	4.29
1,001-3,000 gl	585	2,069	\$118,969.31	24.79
<b><u>Over 3,000 gl</u></b>	<b><u>937</u></b>	<b><u>5,355</u></b>	<b><u>\$340,319.69</u></b>	<b><u>70.91</u></b>
<b>Totals:</b>	<b>1,728</b>	<b>3,656</b>	<b>\$479,922.43</b>	<b>100.00%</b>
<b><u>Indus./Comm</u></b>				
0-1000 gl	91	279	\$9,741.60	6.76
1,001-3,000 gl	37	1,825	\$7,629.96	5.29
<b><u>Over 3,000 gl</u></b>	<b><u>72</u></b>	<b><u>25,987</u></b>	<b><u>\$126,722.01</u></b>	<b><u>87.95</u></b>
<b>Totals:</b>	<b>200</b>	<b>9,820</b>	<b>\$144,093.57</b>	<b>100.00%</b>
<b><u>Irrigation</u></b>				
0-1,000 gl	28	56	\$749.10	3.49
1,001-3,000 gl	0	0	0	0.00
<b><u>Over 3,000 gl</u></b>	<b><u>18</u></b>	<b><u>8,328</u></b>	<b><u>\$23,545.57</u></b>	<b><u>96.51</u></b>
<b>Totals:</b>	<b>46</b>	<b>8,203</b>	<b>\$24,402.23</b>	<b>100.00%</b>
<b>(Outside-City)</b>				
<b><u>Residential</u></b>				
0-1,000 gl	76	433	\$14,963.48	4.30
1,001-3,000 gl	226	2,077	\$92,277.38	26.52
<b><u>Over 3,000 gl</u></b>	<b><u>337</u></b>	<b><u>5,262</u></b>	<b><u>\$240,646.60</u></b>	<b><u>69.18</u></b>
<b>Totals:</b>	<b>639</b>	<b>3,561</b>	<b>\$347,887.46</b>	<b>100.00%</b>
<b><u>Indus./Comm</u></b>				
0-1,000 gl	30	315	\$6,513.24	1.97
1,001-3,000 gl	13	1,865	\$5,261.61	1.59
<b><u>Over 3,000 gl</u></b>	<b><u>45</u></b>	<b><u>51,939</u></b>	<b><u>\$317,498.26</u></b>	<b><u>96.44</u></b>
<b>Totals:</b>	<b>88</b>	<b>26,922</b>	<b>\$329,273.11</b>	<b>100.00%</b>
<b>TOTAL WATER:</b>				
<b>Inside-City:</b>	<b>1,974</b>		<b>\$648,418.23</b>	<b>49.00</b>
<b>Outside-City:</b>	<b>727</b>		<b>\$677,160.57</b>	<b>51.00</b>
<b>Total:</b>	<b>2,701</b>		<b>\$1,325,578.80</b>	<b>100.00%</b>

<u>SEWER:</u> (Inside-City)	<u>Avg. # Of Users</u>	<u>Avg. g/ Month</u>	<u>(\$)</u> Revenue	<u>% Of Revenue</u>
<u>All Users</u>				
0-1000 gl	292	407	\$29,897.15	4.65
1,001-3,000 gl	643	2,048	\$130,785.27	20.36
Over 3,000 gl	1,009	7,046	\$481,698.46	74.99
<b>Totals:</b>	<b>1,944</b>	<b>3,657</b>	<b>\$642,380.88</b>	<b>100.00%</b>
 (Outside-City)				
<u>All Users</u>				
0-1,000 gl	0	0	0	0.00
1,001-3,000 gl	0	0	0	0.00
Over 3,000 gl	39	7,046	\$19,027.59	100.00
<b>Totals:</b>	<b>39</b>	<b>7,046</b>	<b>\$19,027.59</b>	<b>100.00%</b>
 TOTAL SEWER:				
Inside-City:	1,944		\$642,380.88	97.12
Outside-City:	39		\$19,027.59	2.88
<b>Total:</b>	<b>1,983</b>		<b>\$661,408.47</b>	<b>100.00%</b>

## Revenue Analysis

(Incorporating Revised Water & Sewer Rate Structure)

<u>WATER:</u> <u>In-City:</u>	<u># Of</u> <u>Avg. Users</u>	<u>Current</u> <u>Bill</u>	<u>With New</u> <u>Rate Proposal</u>	<u>%</u> <u>Change</u>	<u>Total Revenue</u> <u>Change</u>
<u>Avg. Usage</u>					
<u>Residential</u>					
434 gl	206	\$9.55	\$9.43	-1.26%	-\$259.98
2,069 gl	585	17.11	15.07	-11.92%	-\$14,181.14
5,355 gl	937	30.53	31.65	+3.67%	+\$12,489.73
				<b>SubTotal:</b>	<b>-\$1,951.39</b>
<u>Ind./Comm.</u>					
278 gl	91	\$9.55	\$9.02	-5.55%	-\$540.65
1,825 gl	37	17.11	14.12	-17.47%	-\$1,332.95
25,987 gl	72	148.13	151.52	+2.29%	+\$2,901.93
				<b>SubTotal:</b>	<b>+\$1,028.33</b>
<u>Irrigation</u>					
56 gl	28	\$9.55	\$8.45	-11.52%	-\$86.29
8,328 gl	18	47.48	47.20	-0.60%	-\$141.27
				<b>SubTotal:</b>	<b>-\$227.56</b>
<b>TOTAL (IN-CITY) WATER REVENUE CHANGE:</b>					<b>-\$1,150.62</b>
<u>Out-City:</u>					
<u>Residential</u>					
433 gl	76	\$19.10	\$24.73	+29.5%	+\$4,414.23
2,077 gl	226	34.23	35.08	+2.48%	+\$2,288.48
5,262 gl	337	60.04	62.88	+4.73%	+\$11,382.58
				<b>SubTotal:</b>	<b>+\$18,085.29</b>
<u>Ind./Comm.</u>					
314 gl	30	\$19.10	\$24.42	+27.86%	+\$1,814.59
1,864 gl	13	34.23	32.94	-3.77%	-\$198.36
51,039 gl	45	592.62	614.07	+3.62%	+\$11,493.43
				<b>SubTotal:</b>	<b>+\$13,109.66</b>
<b>TOTAL (OUT-CITY) WATER REVENUE CHANGE:</b>					<b>+\$31,194.95</b>

## Revenue Analysis

(Incorporating Revised Water & Sewer Rate Structure)

<u>SEWER:</u> In-City:	<u># Of</u> <u>Avg. Users</u>	<u>Current</u> <u>Bill</u>	<u>With New</u> <u>Rate Proposal</u>	<u>%</u> <u>Change</u>	<u>Total Revenue</u> <u>Change</u>
<u>Avg. Usage</u>					
<u>All Users</u>					
407 gl	292	\$9.55	\$10.16	+6.40%	+\$1,913.42
2,048 gl	643	17.11	15.79	-7.70%	-\$10,070.46
5,458 gl	937	31.12	32.22	+3.50%	+\$12,307.40
26,947 gl	72	153.61	157.23	+2.36%	<u>+\$3,069.38</u>
			SubTotal:		+\$7,219.74
TOTAL (IN-CITY) SEWER REVENUE CHANGE:					+\$7,219.74
<u>Out-City:</u>					
<u>All Users</u>					
6,800 gl	37	\$38.77	\$43.00	+10.91%	+\$1,899.46
11,595 gl	2	63.62	70.09	+10.17%	<u>+\$164.48</u>
			SubTotal:		+\$2,063.94
TOTAL (OUT-CITY) SEWER REVENUE CHANGE:					+\$2,063.94
TOTAL WATER REVENUE CHANGE:					+\$30,044.33
TOTAL SEWER REVENUE CHANGE:					<u>+\$9,283.68</u> +\$39,328.01

TOWN OF DALLAS  
WATER AND SEWER SERVICE  
INSIDE CORPORATE LIMITS

RATE SCHEDULE NOS.  
1-W & 4-W

Water available through metered service to Residential, Commercial and Industrial Consumers inside the Corporate Limits of the Town of Dallas, North Carolina.

RATE

IF USAGE IS	
Between 0-1000 gals.	\$9.55 per month (see Minimum below)
Between 1001-3000 gals.	\$17.11 per month (see Minimum below)
Over 3000 gals.	\$ 5.70 per month per 1000 gallons per month

MINIMUM

Minimum charge for the 0-1000 and 1001-3000 per month whether water equal to that Amount in value shall be used or not. (Minimum charge for 1001-3000 includes 0-1000 charge)

SEWER SERVICE RESIDENTIAL  
COMMERCIAL AND INDUSTRIAL

RATE SCHEDULE NOS.  
1-S & 4-S

Sewer charge is based on the number of gallons of water used each month through a Metered service.

RATE

IF USAGE IS	
Between 0-1000 gals	\$9.55 Per Month (See Minimum below)
Between 1001-3000 gals.	\$17.11 Per Month (See Minimum below)
Over 3000 gals.	\$5.70 per 1000 gallons per month

MINIMUM

Minimum charge for the 0-1000 and 1001-3000 and 1001-3000 per month whether water equal to that amount in value shall be used or not. (Minimum charge for 1001-3000 includes 01000 charge.)

Effective on July 1, 2010

Replaced 07-01-04

**TOWN OF DALLAS  
WATER AND SEWER SERVICE OUTSIDE  
CORPORATE LIMITS**

**SCHEDULE NOS. 2-W & 3-W**

Available through metered service to Residential, Commercial and Industrial Consumers outside the Corporate Limits of the Town of Dallas, North Carolina.

**RATE**

**IF USAGE IS:**

Between 0-1000 gals.	\$19.10 per month (see Minimum below)
Between 1001-3000 gals.	\$34.23 per month (see Minimum below)
Over 3000 gals.	\$11.41,per 1000 gallons per month

**MINIMUM**

Minimum charge for the 0-1000 and 1001-3000 per month whether water equal to that amount in value shall be used or not (Minimum charge for 1001-3000 includes 01 000 charge)

**SEWER SERVICE RESIDENTIAL  
COMMERCIAL AND INDUSTRIAL**

**SCHEDULE NOS. 1-S & 4-S**

Sewer charge is based on the number of gallons of water used each month through a metered service.

**RATE**

**IF USAGE IS:**

Between 0-1000 gals	\$9.55 per month (see Minimum below)
Between 1001-3000 gals.	\$17.11 per month (see Minimum below)
Over 3000 gals	\$5.70 per 1000 gallons per month

**MINIMUM**

Minimum charge for the 0-1000 and 1001-3000 per month whether water equal to that amount in value shall be used or not (Minimum charge for 1001-3000 includes 0-1 000 charge)

Effective on July 1, 2010

Replaced 07-01-04

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**Jim Palenick**

**From:** Ubell, Donald P. [donubell@parkerpoe.com]  
**nt:** Wednesday, February 29, 2012 11:40 AM  
**Subject:** 'Jim Palenick'  
 jcarter@decassociatesinc.com  
 RE: Town of Dallas Debt Financing

Thanks again for giving us the opportunity to be considered as the Town's bond counsel. Set forth below are proposed fees for the various options:

**General Obligation Referendum.** Here is the manner in which we bill for referendum work:

1. If the Bonds are *not* approved at the referendum, we will charge the Town for our services at our actual hourly rates for the time expended; the total costs generally do not exceed \$2,500. If the Bonds are approved at the referendum, we will charge the Town a fee which includes the cost of the work on the referendum, but is payable when the Bonds are issued so that the Town does not have out-of-pocket legal expenses until the Bonds are issued.

2. If the Bonds are approved at the referendum, the Town could sell the Bonds to a financial institution in what we call a "private placement" since the Town's rating is less than AA or it could sell the Bonds in a competitive sale. If the Bonds were sold in a private placement, we would charge the Town \$7,500 (again, including the time for the referendum); if the Town elected a public sale, we would charge \$10,000. The additional amount is attributable to the fact that we would need to review an Official Statement and a Notice of Sale and do somewhat more documentation for the closing. In either case, we would be delivering an opinion as to the validity of the Bonds and the tax treatment of interest on the Bonds.

In each case also, we would also expect reimbursement of disbursements incurred on behalf of the Town for such items as photocopying, long distance telephone, travel, facsimile, express delivery and preparation of the transcripts. Other than the transcript preparation costs, these costs now are generally less than \$250 because of the use of email to send documents.

**Installment Financing.** For a privately placed installment financing obligation of the size currently contemplated, we would charge the Town a fee which would be payable when the obligation is issued in an amount of \$7,500. Again, disbursements would be additional costs to the Town. Our work here would be drafting the documentation and delivering an opinion as to the validity of the obligation and the tax treatment of interest on the obligations.

**Revenue Bonds.** The Town could issue revenue bonds to finance the improvements if the net revenues of the enterprise system can support debt service coverage on the bonds to be issued. For a privately placed revenue bond financing of the size currently contemplated, we would charge the Town a fee which would be payable when the revenue bond is issued in an amount of \$7,500. Again, disbursements would be additional costs to the Town. Our work here would be drafting the documentation and delivering an opinion as to the validity of the revenue bond and the tax treatment of interest on the revenue bond.

In any financing, I want to emphasize that we understand that the local government for which we are working does not do this every day and also has other tasks its staff needs to be doing. Consequently, we aim to assist in whatever way we can to make the process less burdensome on you. Let me know if you need more information if we need to discuss these alternatives.



March 5, 2012

Mr. Jim Palenick  
Interim Town Manager  
Town of Dallas, North Carolina

**RE: 2012 Water System Financing**

Jim,

It was great speaking with you on Friday and hearing more of the exciting things happening in the Town of Dallas: specifically the upcoming water system improvements.

Our Firm would be happy to assist the Town in this matter and believe our experience in this type of structure and financing would be beneficial to the financing team. At first glance we would most likely suggest a Private Placement with a Bank. If engaged, our joint examination of the financing model and available revenue sources will guide the Town's decisions regarding amortization, security interest, credit impacts, and the appropriate "fit" with a Private Placement.

Typically for a private placement our Firm would charge a fee in the range of \$25,000. As part of our engagement we would assist the Town with:

- Updating and analysis of the financing model and needs,
- make necessary appearances to review the plan and answer questions for the Board of Alderman,
- prepare and distribute the Request for Proposal,
- assist in determining the winning bidder, the right "fit" for the Town, and negotiate the most advantageous terms given our market expertise,
- assist with any necessary Local Government Commission approvals,
- assist in the preparation of documents and the closing of the transaction.

I hope this information meets your request, and we appreciate your consideration of our Firm and stand ready to assist the Town of Dallas with this endeavor. Please let me know if you have any questions.

Thank you,

Jeremy A. Carter  
Director  
DEC Associates Inc  
704-334-7479

2133 Southend Drive . Charlotte NC, 28203 . 704-334-7480

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## **TOWN OF DALLAS**

### **BANNER POLICY AND PROCEDURES**

The Town of Dallas provides space to banners across Trade Street with the intent of advertising community events. This location is reserved on a first-come first-served basis.

The Town Manager's office / Electric Department will facilitate the hanging of banners across Trade Street with final approval from the Town Manager.

The following criteria and procedures shall apply to all requests for banner placement over Trade Street:

1. A Trade Street Banner Application and Banner Policy and Procedure form must be obtained from the Town Manager's office and completed by the party making the request and returned to the Town Manager's office no less than fourteen (14) days prior to the date requested to hang the banner.
2. The exact legend of the banner must be indicated in writing (see specific area on application form). For your benefit, it is found that banners are most visually effective when kept simple: i.e., event, date, organization and logo. The organization may wish to make their banners in such a manner that they can be reused from year to year (ie: no specific date, but rather "this weekend")
3. No commercial advertising will be allowed, except in cases where a sponsoring entity's name is part of the name of the event. In such cases the organization promoting the event may not construct the banner such that the sponsoring entity's commercial name is the most overwhelming aspect of the banner.
4. Political advertising on banners (even by a non-profit organization) is prohibited.
5. Banners must comply with the following specifications:
  - a) Be constructed of durable material:
  - b) Rectangular or semi-circular wind flaps in banner as indicated on drawing:
  - c) metal grommets (#3) minimum, at all corners, and every 24 inches along the top and bottom of the banner; and
  - d) size will be eighteen (18) to thirty-six (36) feet in length and twenty four (24) to thirty-six (36) inches in width.

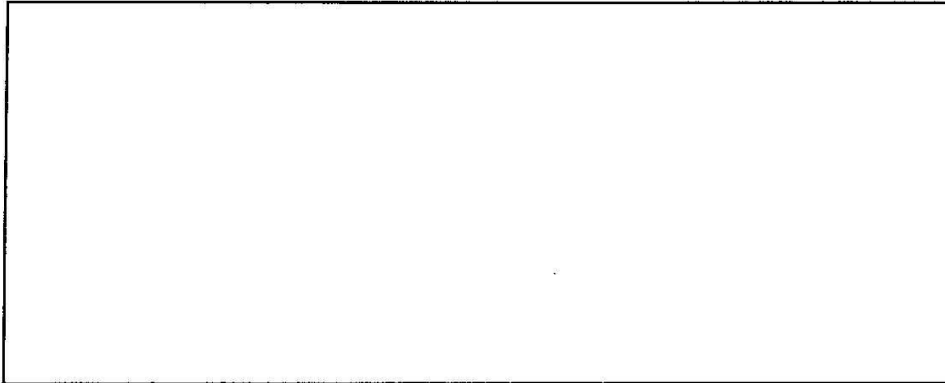
6. A fee of **\$25** per banner per week, must accompany the application form and be received in the Town Manager's office 14 days prior to the date the banner will be hung. All organizations will be charged the same rate. Additional weeks may be available when they are consecutive weeks. Consecutive weeks are only available when others do not have the space reserved.
7. Banner approvals are not guaranteed and banners will only be hung upon availability of the Electric Department staff. The length of time that a banner is to be hung is not guaranteed, and may be shortened at the discretion of the Town Manager. Based on his/her judgment as to the best interest of the Town. The Town Manager, Mayor and Board of Alderman may determine which banners are to be given priority when there are multiple requests for the same time period.
8. All banners should be delivered directly to the Town Manager's office by noon the previous Friday prior to the Monday hang date. Any banner not delivered by noon the previous Friday is subject to an additional \$10 charge, and/or possible loss of the reserved space.
9. Banners must be picked up from the Town Manager's Office within 14 days after the display week(s). The Town of Dallas assumes no responsibility for banners and any banners left more than 14 days will be discarded.
10. The Town of Dallas is not responsible for any damage to banners that may occur while installing or removing the banner or any damage to banners that may occur while the banner is displayed.

If you have any questions regarding this procedure or policy, please call the Town Manager's office at 704-922-3176.

Signature of responsible party indicating you have read the Town of Dallas Banner Policy

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In the area below, closely replicate exactly what your banner will say and depict. For your benefit, note that banners seem to be most effective visually when kept simple, i.e. event, date, organization or logo.

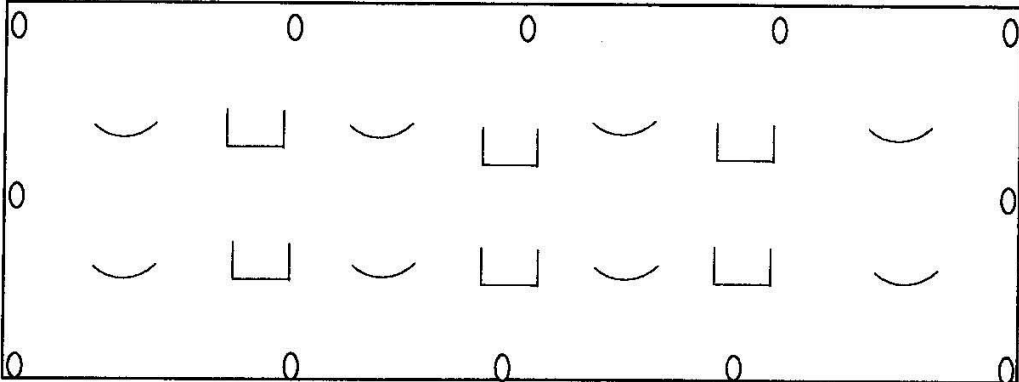


Please remember to include your banner fee. Your request will not be confirmed/reserved on the schedule until payment is received. **All banners should be delivered directly to the Town Manager's office, by noon the Friday prior to the Monday hang date.** Any banner not delivered by noon the previous Friday is subject to an additional \$10 hang fee or the possible loss of the reserved banner space. Please pick up the banner from the Town Manager's Office within 14 days after display week(s). The Town of Dallas assumes no responsibility for banners, and any banner left more than 14 days may be discarded.

If you have any questions, please call the Town Manager's office at 704-922-3176. Please return this form with payment at least 14 days prior to hang date to: Town Manager's office at the Town of Dallas Administrative Office.

18' to 36' Length

24" to  
36"  
Width



**Metal Grommets on all corners and every 24" across top and bottom**

**Wind flaps may be either rectangular or semi-circular.**

## ARTICLE VI. EMPLOYEE BENEFITS

### Section 2. Group Health and Hospitalization Insurance

#### Proposed New Language.....

“The Town provides group health and hospitalization insurance program coverage for full-time, non-medicare-eligible employees under the age of 65, along with a program of coverage for eligible family members, according to terms, conditions, and restrictions which are approved by action of the Board of Aldermen and may, no more frequently than once per fiscal year, be amended to reflect then-current or projected premium costs or economic conditions. Effective July 1, 2012, full-time employees who reach the age of sixty-five shall cease to thereafter remain eligible for individual or family coverage under the Town group plan, but instead shall be covered under the Federal Medicare coverage plan. For those full-time employees, sixty-five years or older and covered under Town group healthcare programs prior to July 1, 2012, they shall thereafter also cease to remain eligible for individual or family coverage under the Town plan, but shall instead be eligible for and receive, in addition to any Federal Medicare coverage, a “payment-in-lieu-of-coverage” equal to twenty-four-hundred dollars (\$2,400.00) per year, paid quarterly, for each year (pro-rated for partial years) that they remain employed full-time thereafter by the Town.

Further, effective July 1, 2012, any full-time employee eligible for coverage under the Town-provided group health and hospitalization insurance program, but who, in the alternative, has access to and chooses to enroll in a health care coverage plan separate from and unaffiliated with the Town’s group plan, is eligible for and will receive a “payment-in-lieu-of-coverage” equal to twenty-four-hundred dollars (\$2,400.00) per-year, paid quarterly, (pro-rated if a partial year). To opt-out of Town-provided coverage, the employee must file for the payment-in-lieu-of-coverage and show written evidence of alternative coverage not less than forty-five (45) calendar days in advance of the open-enrollment period for annual coverage renewal.

Information concerning the then-effective costs and benefits of coverage shall be made available, to all employees by the Human Resources office. Forms to request “Payment-in-lieu-of-coverage” shall be provided by, and returned to the Human Resources office.”

**ARTICLE VI. EMPLOYEE BENEFITS****Section 1. Eligibility**

All full-time and part-time employees of the Town are eligible for employee benefits as provided for in this Article which are subject to change at the Town's discretion. Temporary employees are eligible only for workers' compensation and FICA.

**Section 2. Group Health and Hospitalization Insurance**

The Town provides group health and hospitalization insurance programs for full-time employees and their families, and eligible part-time employees.

Employees who are scheduled to work 30 hours or more per week on a continuous year-round basis may, if they so desire, purchase available group health through the Town for themselves or for themselves and qualified dependents. A prorated amount of the cost of coverage paid for a full-time employee shall be paid by the Town with the remainder of the cost being paid by the employee. This prorated amount shall be based on regularly scheduled hours.

Information concerning cost and benefits shall be available to all employees from the Human Resources Office.

**Section 3. Group Life Insurance**

The Town provides group life insurance for each employee subject to the stipulations of the insurance contract. Life insurance will be provided by the Town in an amount approved by the Town, subject to appropriation.

**Section 4. Other Optional Group Insurance Plans**

The Town may make other group insurance plans available to employees upon authorization of the Town Manager or Board of Aldermen.

**Section 5. Retirement**

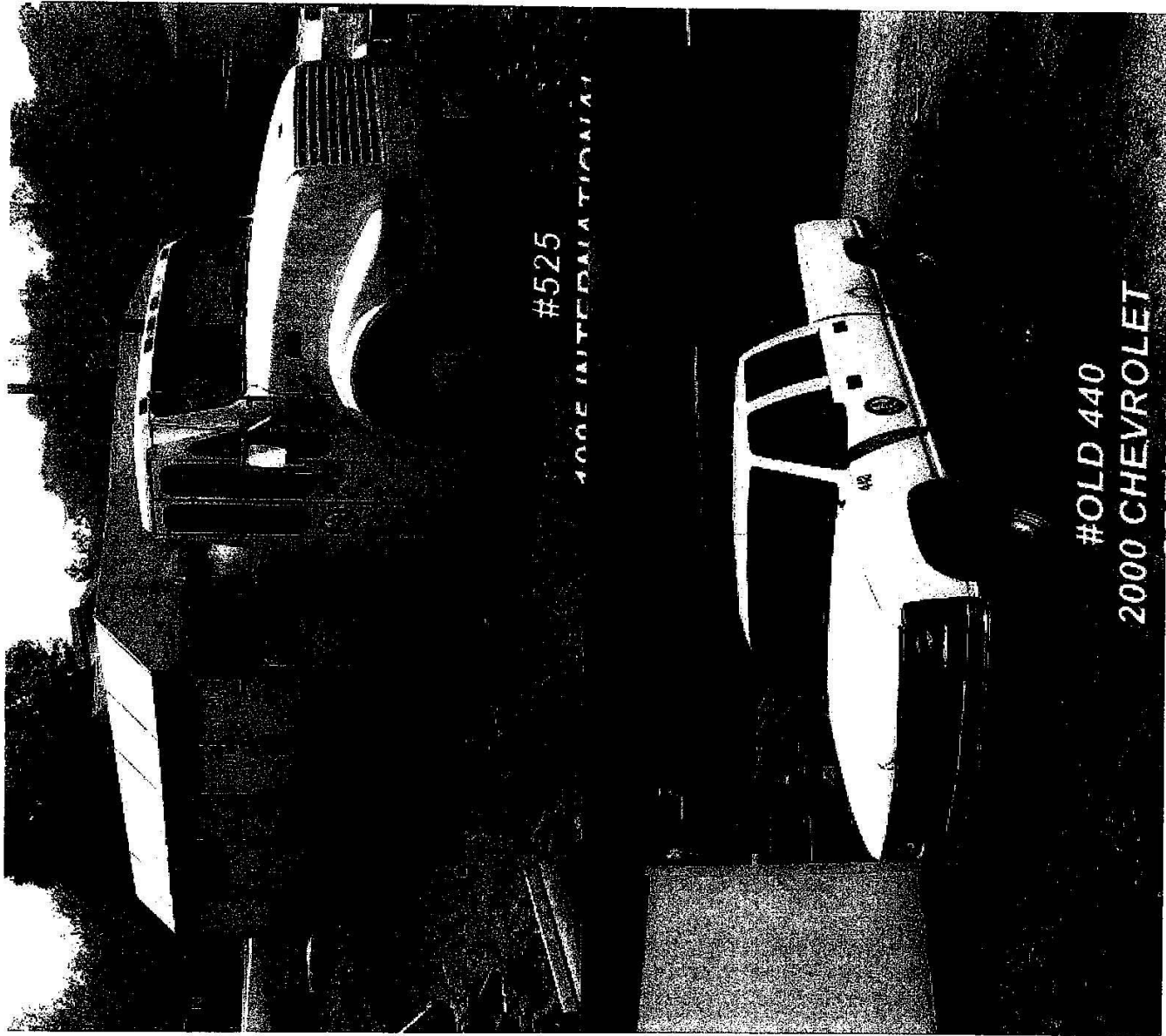
Each full-time and eligible part-time employee who is expected to work for the Town more than 1,000 hours annually shall join the North Carolina Local Governmental Employees' Retirement System after 90 days of employment. New hires who are current members of the NC Local or State Government Employees' Retirement Systems shall be covered under the retirement system by the Town on their first day of employment.

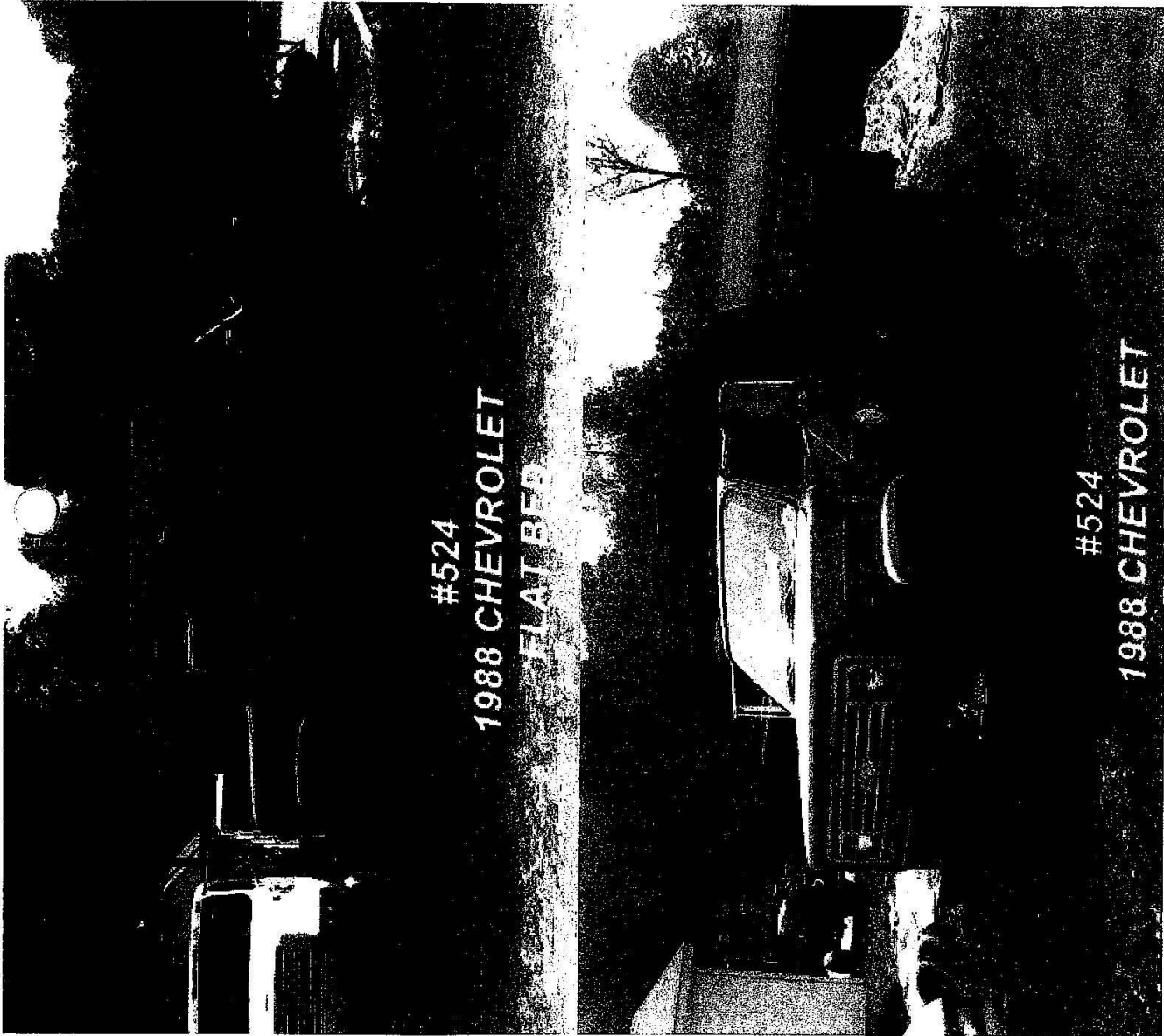
**Section 6. Supplemental Retirement Benefits**

The Town provides 401-K benefits for its full and eligible part-time employees as a percentage of salary as designated by the Board of Aldermen upon completion of probation, subject to appropriation by the Board of Aldermen.

Each law enforcement officer shall receive 401-K benefits as prescribed by North Carolina State Law upon completion of probation.

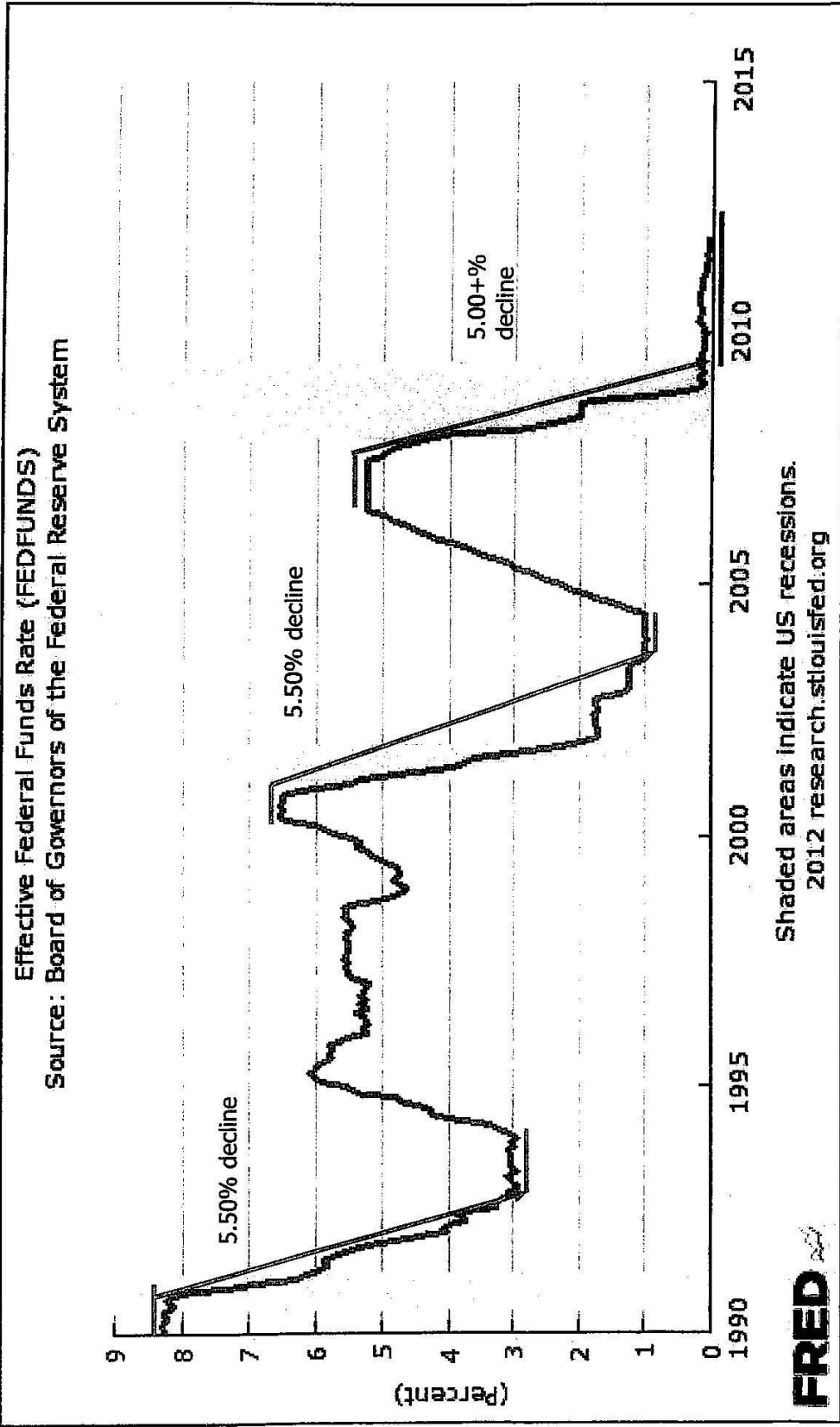






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# Fed Helps Banks but Crushes "Savers"



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## Term Portfolio

### Purpose

- This bond fund seeks to obtain as high a level of current income as is consistent with the preservation of capital.
- Economic and convenient means to invest temporarily available cash and bond proceeds.

### Authority

- Invests in obligations of the U.S. Government, certain of its agencies or instrumentalities; obligations fully guaranteed by the U.S. Government; obligations of the State of North Carolina; or bonds and notes of any North Carolina local government or public authority.
- Buys high-grade money market instruments which are authorized for investment by units of local government as specified in North Carolina General Statute 159-30 and 20 North Carolina Administrative Code 3.0703.

### Participation

- Offered exclusively to the following entities of the State of North Carolina who are current participants in the Cash Portfolio:
  - local governments
  - public authorities
  - school administrative units
  - local ABC boards
  - community colleges
  - public hospitals

### Suitability

- Potential solution for cash investments with an investment horizon of three months or longer and the ability to invest in a variable net asset value product.
- Provides a preferred combination of reduced net asset value (NAV) volatility as compared to the previous Term Portfolio structure, with the potential for higher returns than money market funds. As a bond fund, the NAV will fluctuate.
- Offers participants the benefits of convenient, next-day liquidity and professional management
- Withdrawals may be processed on the next business day. There are no penalties or additional charges associated with withdrawals made in this fund.

### Professional Management

- Term Portfolio is a diversified bond fund of the North Carolina Capital Management Trust, an open-end management investment company.
- Term Portfolio is managed by Fidelity Management and Research Company.
- Capital Management of the Carolinas, LLC is Term Portfolio's distributor and servicing agent.

THE NORTH CAROLINA CAPITAL MANAGEMENT TRUST  
 LOCAL: (704) 377-3535 TOLL-FREE (800) 222-3232

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**CAPITAL MANAGEMENT**  
**OF THE CAROLINAS, L.L.C.**

*distributors of*  
 The North Carolina  
 Capital Management Trust

**NCCMT Term Portfolio**  
**December 2011 Performance**

<b>DATE</b>	<b>1 Day Distribution</b>	<b>NAV</b>	<b>Prior 30 Day Yield</b>	<b>ASSETS (MM)</b>
12-1	.23	9.68	.09	63.7
12-2	.20	9.68	.10	66.7
12-5	.17	9.68	.12	68.7
12-6	.18	9.68	.12	71.7
12-7	.18	9.68	.13	76.7
12-8	.17	9.68	.13	81.7
12-9	.17	9.68	.14	86.7
12-12	.15	9.68	.15	86.7
12-13	.18	9.68	.16	86.7
12-14	.19	9.68	.16	91.7
12-15	5.10	9.68	.17	91.6
12-16	.22	9.68	.17	91.6
12-19	.22	9.68	.18	96.6
12-20	.22	9.68	.18	101.7
12-21	.21	9.68	.18	101.7
12-22	.23	9.68	.18	101.7
12-23	.23	9.68	.18	101.7
12-26	<b>HOLIDAY</b>			
12-27	.23	9.68	.19	101.7
12-28	.23	9.68	.19	101.7
12-29	.22	9.68	.19	107.9
12-30	.20	9.68	.19	107.9

Term Portfolio's yield and share price change daily and are based on changes in interest rates and in market conditions, the qualities and maturities of its investments, and in response to other economic, political or financial developments. In general, bond prices rise when interest rates fall, and vice versa. This effect is usually more pronounced for longer-term securities. You may have a gain or loss when you sell your shares. It is important to note that neither the fund nor its yield is guaranteed by the Federal Deposit Insurance Corporation (FDIC) or any other government agency.

1520 South Boulevard, Suite 230 • Charlotte, North Carolina 28203  
 NC Toll Free 800-222-3232 • Locally 704-377-3535 • Facsimile 704-332-4151

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**CAPITAL MANAGEMENT**  
**OF THE CAROLINAS, L.L.C.**

*distributors of*  
The North Carolina  
Capital Management Trust

**NCCMT Term Portfolio**  
**January 2012 Performance**

<b>DATE</b>	<b>1 Day Distribution</b>	<b>NAV</b>	<b>Prior 30 Day Yield</b>	<b>ASSETS (MM)</b>
<b>1-2</b>	<b>HOLIDAY</b>			
<b>1-3</b>	<b>.13</b>	<b>9.68</b>	<b>0.19</b>	<b>108.0</b>
<b>1-4</b>	<b>.24</b>	<b>9.68</b>	<b>0.19</b>	<b>113.0</b>
<b>1-5</b>	<b>.20</b>	<b>9.68</b>	<b>0.19</b>	<b>118.0</b>
<b>1-6</b>	<b>.23</b>	<b>9.68</b>	<b>0.19</b>	<b>123.0</b>
<b>1-9</b>	<b>.21</b>	<b>9.68</b>	<b>0.19</b>	<b>128.0</b>
<b>1-10</b>	<b>.21</b>	<b>9.68</b>	<b>0.19</b>	<b>133.0</b>
<b>1-11</b>	<b>.20</b>	<b>9.68</b>	<b>0.19</b>	<b>138.0</b>
<b>1-12</b>	<b>.20</b>	<b>9.68</b>	<b>0.19</b>	<b>143.0</b>
<b>1-13</b>	<b>.22</b>	<b>9.68</b>	<b>0.19</b>	<b>148.0</b>
<b>1-16</b>	<b>HOLIDAY</b>			
<b>1-17</b>	<b>.19</b>	<b>9.68</b>	<b>0.20</b>	<b>153.0</b>
<b>1-18</b>	<b>.20</b>	<b>9.68</b>	<b>0.19</b>	<b>158.0</b>
<b>1-19</b>	<b>.20</b>	<b>9.68</b>	<b>0.19</b>	<b>163.0</b>
<b>1-20</b>	<b>.20</b>	<b>9.68</b>	<b>0.19</b>	<b>168.0</b>
<b>1-23</b>	<b>.19</b>	<b>9.68</b>	<b>0.19</b>	<b>173.0</b>
<b>1-24</b>	<b>.19</b>	<b>9.68</b>	<b>0.19</b>	<b>178.0</b>
<b>1-25</b>	<b>.19</b>	<b>9.68</b>	<b>0.19</b>	<b>183.3</b>
<b>1-26</b>	<b>.19</b>	<b>9.68</b>	<b>0.19</b>	<b>188.5</b>
<b>1-27</b>	<b>.18</b>	<b>9.68</b>	<b>0.19</b>	<b>193.5</b>
<b>1-30</b>	<b>.26</b>	<b>9.68</b>	<b>0.19</b>	<b>198.6</b>
<b>1-31</b>	<b>.26</b>	<b>9.68</b>	<b>0.20</b>	<b>203.2</b>

Term Portfolio's yield and share price change daily and are based on changes in interest rates and in market conditions, the qualities and maturities of its investments, and in response to other economic, political or financial developments. In general, bond prices rise when interest rates fall, and vice versa. This effect is usually more pronounced for longer-term securities. You may have a gain or loss when you sell your shares. It is important to note that neither the fund nor its yield is guaranteed by the Federal Deposit Insurance Corporation (FDIC) or any other government agency.

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The North Carolina  
Capital Management Trust

**NCCMT Term Portfolio**  
**February 2012 Performance**

<b>DATE</b>	<b>1 Day Distribution</b>	<b>NAV</b>	<b>Prior 30 Day Yield</b>	<b>ASSETS (MM)</b>
02-01	.20	9.68	0.20	208.3
02-02	.20	9.68	0.19	213.3
02-03	.21	9.68	0.20	218.2
02-03	.19	9.68	0.20	223.2
02-06	.19	9.68	0.20	223.2
02-07	.20	9.68	0.19	228.3
02-08	.21	9.68	0.19	233.3
02-10	.22	9.68	0.19	243.3
02-13	.20	9.68	0.20	248.3
02-14	.22	9.68	0.19	253.3
02-15	.22	9.68	0.19	258.3
02-16	.22	9.68	0.19	263.3
02-17	.23	9.68	.19	268.3
02-20	<b>HOLIDAY</b>			
02-21	.22	9.68	0.20	273.3
02-22	.21	9.68	0.19	278.3
02-23	.22	9.68	0.19	283.3
02-24	.22	9.68	0.19	288.3
02-27	.21	9.68	0.20	293.3
02-28	.20	9.68	0.19	298.3
02-29	.21	9.68	0.19	303.3

Term Portfolio's yield and share price change daily and are based on changes in interest rates and in market conditions, the qualities and maturities of its investments, and in response to other economic, political or financial developments. In general, bond prices rise when interest rates fall, and vice versa. This effect is usually more pronounced for longer-term securities. You may have a gain or loss when you sell your shares. It is important to note that neither the fund nor its yield is guaranteed by the Federal Deposit Insurance Corporation (FDIC) or any other government agency.

1520 South Boulevard, Suite 230 • Charlotte, North Carolina 28203  
NC Toll Free 800-222-3232 • Locally 704-377-3535 • Facsimile 704-332-4151

6A

**CAPITAL MANAGEMENT**  
OF THE CAROLINAS, L.L.C.

distributors of

The North Carolina  
Capital Management Trust

**NCCMT Term Portfolio**  
**March 2012 Performance**

DATE	1 Day Distribution	NAV	Prior 30 Day Yield	ASSETS (MM)
03-01	.25	9.68	0.19	308.4
03-02	.25	9.68	0.19	313.4
03-05	.23	9.68	0.16	318.4
03-06	.24	9.68	0.18	323.7
03-07	.24	9.68	0.19	328.7
03-08	.24	9.68	0.19	333.7
03-09	.24	9.68	0.19	338.7
03-12	.23	9.68	0.19	343.7
03-13	.22	9.68	0.19	348.7
03-14	.23 <sup>7/8</sup>	9.68	0.19	353.7

Term Portfolio's yield and share price change daily and are based on changes in interest rates and in market conditions, the qualities and maturities of its investments, and in response to other economic, political or financial developments. In general, bond prices rise when interest rates fall, and vice versa. This effect is usually more pronounced for longer-term securities. You may have a gain or loss when you sell your shares. It is important to note that neither the fund nor its yield is guaranteed by the Federal Deposit Insurance Corporation (FDIC) or any other government agency.

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65



**TOWN OF DALLAS**

**RESOLUTION**

**Approving The Gaston County Comprehensive Solid Waste Management Plan Update**

**WHEREAS**, effective, ongoing planning for solid waste management and recycling will serve to protect the public health and preserve the natural environment; assure an improved and more efficient solid waste management and collection and disposal system; better utilize natural resources; and ultimately better control the cost of waste handling and disposal; **and**,

**WHEREAS**, North Carolina General Statute 103A-309.09A(b) requires that each Unit of local government, either individually or in cooperation with other Units of local government, develop a ten-year Comprehensive Solid Waste management Plan, as well as prepare three-year Plan Updates; **and**,

**WHEREAS**, The Town of Dallas, as a component municipality of Gaston County, has representatively participated in the planning and development of the most recent update to the Gaston County Comprehensive Solid Waste Management Plan and does hereby declare it to be in the best interest of the Town to adopt.

**NOW, THEREFORE BE IT RESOLVED** that the Town of Dallas, by the affirmative vote of its Board of Aldermen, Does hereby adopt and approve the Gaston County Comprehensive Solid Waste Management Plan Update for the three-year period 2012 – 2015.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2012

**AYES:**

**NAYS:**

**Attest:**

## Memo

**From:** James M. Palenick, Interim Town Manager  
**To:** Mayor & Board of Aldermen  
**Re:** Budgeted FY 2012 Street Repaving Program  
**Date:** April 13, 2012

For the Fiscal-Year 2011-2012, the Town Budgeted \$65,000 for Street Resurfacing and we would have typically been pursuing and completing such work beginning in Mid-Spring, repaving as many component street sections as the budget allotment would allow, and identified and prioritized on a "worst-first" (as to condition of surface) basis. We have chosen to hold off on any such effort, however, knowing that our expedited plans for comprehensively replacing much of the Town's underground water distribution main system, will have us tearing up a majority of Town street surfaces in the process. With this in mind, it would seem highly imprudent and financially irresponsible to repave street sections that are likely to then be torn up in a matter of months.

In light of the aforementioned, I, along with staff, would recommend that, for this year's resurfacing program (FY2011-12/\$65,000.00), we re-allocate our budgeted funds to accomplish asphalt paving work in non-street locations as follows; (listed in prioritized order):

- 1.) Walking Track: (1/5<sup>th</sup> mile long; 8-foot wide) at park across from Civic center. Track is currently unpaved, fine-aggregate stone surface.
- 2.) Jaggers Park: Basketball court and parking lot; crack-filling and seal-coating to improve surface and aid in long-term ease of use and maintenance.
- 3.) Parking Lot At Park Across From Civic Center: Area is currently unpaved and partially covered in gravel/aggregate and partially grassed. Paving would provide approx. (72) paved, striped spaces.
- 4.) Franklin Gym Parking Lot: Area is currently unpaved and covered in packed, crushed stone.

We have solicited quotes/bids from three, separate local paving contractors for the above-listed projects (#'s 1., 3., and 4.), as well as a single quote/bid for the crack-sealing and seal-coating required for project (#2), with the results revealing that the low overall paving contract bid is that of Dallas-based Tarpon Construction at \$71,825.00 without the "add-alternate"; while the quote for the Jaggers Park work came in at \$6,920.00. Combined, this would total \$78,745.00, which

is, of course, \$13,745.00 above our Budget for Resurfacing. As such, I would recommend that we select Projects #1, 2, and 3 for completion this Budget year (**Totaling \$66,432.00 which is \$1,432.00 over Budget, but which could be absorbed**) and, in turn, put off the Gym Parking Lot paving to a future budget since it is, based on this memo and analysis, the lowest-priority of the projects detailed.

## Tarpon Construction, Inc.

◆◆◆  
521 E. Main St. ◆ Dallas, NC 28034  
Phone (704) 923-8215 ◆ Fax (704) 922-6138


### QUOTATION

Quote to: Public Works  
Attention: Bill Trudnak  
Job Name: Asphalt paving of Carr walking trail  
Bid Date: April 2, 2012  
Owner: Town of Dallas

ITEM	DESCRIPTION	QUANT	UNIT	UNIT PRICE	AMOUNT
<b>Asphalt Walking Trail at Carr School</b>					
1	Trim edges of existing walking trail and shape for proper drainage including adding an average of 2 additional inches of stone base to existing	1	LS	\$ 3,890.00	\$ 3,890.00
2	Pave prepared base with 6 foot wide walking trail with surface asphalt type S 9.5 A	940	SY	\$ 12.75	\$ 11,985.00
3	Place dirt material along edges of asphalt and seed and straw	1	LS	\$ 1,065.00	\$ 1,065.00
<b>BASE BID</b>					\$ 16,940.00
<b>ADD ALTERNATE</b>					
4	Add an additional 2 foot of width to the asphalt surface for an 8 foot wide path	1	LS	\$ 3,000.00	\$ 3,000.00
<b>TOTAL BID WITH ADD ALTERNATE</b>					\$ 19,940.00

**NOTES:**

1. Tarpon Construction is a certified SBE with the NCDOT.
2. Quotes are good for 30 days from date of bid.
3. Increasing asphalt thickness to 2 inches will add an additional \$3400.00 to the project.

  
Ben Bumgardner  
Estimator

## Tarpon Construction, Inc.

◆◆◆  
521 E. Main St. ◆ Dallas, NC 28034  
Phone (704) 923-8215 ◆ Fax (704) 922-6138

~~Bill Trudnak~~  
Ben Bumgardner

### QUOTATION

Quote to: Public Works  
Attention: Bill Trudnak  
Job Name: Dallas Park at Rescue Squad  
Bid Date: March 30, 2012  
Owner: Town of Dallas  
Description: Grade and Pave Town Park parking lot

ITEM	DESCRIPTION	QUANT	UNIT	UNIT PRICE	AMOUNT
1	Strip grass in existing stone base parking lot, and grind existing asphalt on south end, and grade remainder of area between Oakland and Maple Streets for proper drainage and ready for stone base	1	LS	\$ 5,880.00	\$ 5,880.00
2	Add additional stone base to existing base to achieve a 6 inch thick average over the entire proposed parking area, approximately 300 feet long and 45 feet wide	350	TONS	\$ 26.80	\$ 9,380.00
3	Place 2 compacted inches of new surface asphalt type S 9.5 B over prepared stone base	1880	SY	\$ 12.40	\$ 23,312.00
4	Tie existing sidewalk to drive entrance on west of parking lot	20	LF	\$ 25.00	\$ 500.00
5	Strip parking lines	1	LS	\$ 500.00	\$ 500.00
<b>TOTAL BID</b>					<b>\$ 39,572.00</b>

**NOTES:**

1. Tarpon Construction is a certified SBE with the NCDOT.
2. Quotes are good for 30 days from date of bid.

*Ben Bumgardner*

Ben Bumgardner  
Estimator

\$ 71,325

## Tarpon Construction, Inc.

◆◆◆  
521 E. Main St. ◆ Dallas, NC 28034  
Phone (704) 923-8215 ◆ Fax (704) 922-6138

### QUOTATION

Quote to: Public Works  
Attention: Bill Trudnak  
Job Name: Dallas Park at Rescue Squad  
Bid Date: April 10, 2012  
Owner: Town of Dallas  
Description: Grade and Pave Community Center on Church St.

ITEM	DESCRIPTION	QUANT	UNIT	UNIT PRICE	AMOUNT
1	Fine grade and set existing stone base for proper drainage and compaction	1	LS	\$ 1,870.00	\$ 1,870.00
2	Place 2 compacted inches of new surface asphalt type S 9.5 B over prepared stone base	660	SY	\$ 14.80	\$ 9,768.00
3	Strip parking lines	1	LS	\$ 675.00	\$ 675.00
<b>TOTAL BID</b>					\$ 12,313.00
<b>ADD ALTERNATE</b>					
4	Remove sidewalk and grass between new paved lot and street and pour 6 inches concrete slopped entrance	1	LS	\$ 1,750.00	\$ 1,750.00

**NOTES:**

1. Tarpon Construction is a certified SBE with the NCDOT.
2. Quotes are good for 30 days from date of bid.



Ben Bumgardner  
Estimator

# Proposal

## ASPHALT PAVING OF SHELBY, INC.

P.O. Box 1526  
Phone 704-739-4568

Office & Plant - Hwy. 74 East

Shelby, North Carolina 28150  
Fax 704-739-1654

PROPOSAL SUBMITTED TO <b>Town of Dallas</b>		PHONE	DATE <b>16-Apr-12</b>
STREET		JOB NAME <b>Paving Improvements</b>	
CITY, STATE AND ZIP CODE		JOB LOCATION <b>Various</b>	
ARCHITECT	DATE OF PLANS	PERSON OF CONTACT <b>Bill Trudnak</b>	FAX

We hereby submit specifications and estimates for:

### Gravel Parking Lot

Condition, compact and bring to final grade existing stone base.  
Pave with 2" asphalt surface course.

TOTAL: \$8,600.00

### Walking Track

Widen track 2 feet and install stone base  
Condition, compact and bring to final grade stone base  
Pave with 2" asphalt surface course.

TOTAL: \$16,530.00

### Law Parking Lot

Grade to achieve appropriate slope  
Install stone base  
Condition, compact and bring to final grade existing stone base.  
Pave with 2" asphalt surface course.

TOTAL: \$64,100.00

\$ 87,230

**We propose** hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

**See Above Prices** dollars. **See Above**

Payment to be made as follows:

**Upon completion of job.**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized  
Signature

*L.K. Fannin*

Ken Fannin Estimator

Note: This proposal may be withdrawn  
by us if not accepted within **30** days.

**Acceptance of Proposal** - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature \_\_\_\_\_

Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

# CUSTOM PAVING COMPANY

Since 1967

EXHIBIT L(7)

PO Box 6280  
Gastonia, NC 28056

*Grading – Paving – Utilities – Concrete*

NC License 6736  
SC License G11938

Phone: (704) 865-2479  
Fax: (704) 868-8408  
www.custompavingcompany.com

## CONTRACT/PROPOSAL

Submitted To	Mr. Bill Trudnak	Proposal Date	April 5, 2012
Principal/Owner	Town of Dallas	Project Name	Parking Lot Paving/Various Locations
Address	700 East Ferguson Street	Type of Work	Stone Set Up/Asphalt Paving
City, State, Zip	Dallas, NC 28034	Location	Dallas, NC
Phone	704-922-9961	Estimator	Kent Huggins
Email	btrudnak@dallasnc.net	Estimator Email	kent@custompavingcompany.com

We herewith submit our proposal to furnish labor, equipment, materials and supervision required to complete the below outlined project on subject job, in consideration of the terms, conditions and stipulations incorporated herein.

**SCOPE OF WORK:** To construct parking lot at Old Dallas Gym (592 square yards), High School Parking Lot (1,930 square yards), and pave walking track (1,140 square yards) as shown to us by Mr. Trudnak. Our scope of work includes all rough grading, light demolition of concrete in High School lot, fine grading, stone supplementation as required, and paving all areas with two (2) inches of Type 9.5B Hot Mix Asphalt. We will paint parking lines to accommodate maximum amount of automobile parking.

OLD DALLAS GYM LOT..... \$ 10,250.00


HIGH SCHOOL PARKING LOT..... \$ 43,000.00

WALKING TRACK..... \$ 29,000.00

STORM DRAINAGE ALLOWANCE FOR WALKING TRACK..... \$ 1,500.00

**\$ 83,750**

**NOT INCLUDED UNLESS SPECIFICALLY STATED IN PROPOSAL:** Loading pad, dumpster pads, fencing, backfilling including backfilling of building and/or retaining walls, clearing/grading beyond construction limits, surveying, staking, engineering, landscaping, utility work, utility adjustments, manhole/water valve adjustments, remove/replace undercut, suitable fill, permits, street washing, testing of sub grade, herbicide, testing stone base, construction entrance, repair of haul routes, concrete work including sidewalk in the perimeter of the building, guard rail, hand rails, diversion ditches, layouts, trees, shrubs, mulch, sod, mass/trench rock excavation, pole relocation, power utilities (gas/electric), prime coat, railroad insurance, removal of hazardous materials, retaining walls, rip rap ditches, road widening, rock check dams, sanitary sewer, silt fence tapping fees associated with local municipal authorities, water meters, testing and inspections, tree protection fence, trucking soil on/off site, water meters, water service, well capping, roof drainage systems or anything not specifically stated. Inspection and testing observation of water and sewer installation on private property to be provided by Owner's Engineer at no expense to Custom Paving Company.

Initialed By: Custom Paving Company  Customer \_\_\_\_\_



# CUSTOM PAVING COMPANY

Since 1967

EXHIBIT L(8)

Box 6280  
Gastonia, NC 28056

*Grading – Paving – Utilities – Concrete*

NC License 6736  
SC License G11938

Phone: (704) 865-2479  
Fax: (704) 868-8408  
[www.custompavingcompany.com](http://www.custompavingcompany.com)

## General Conditions and Terms

The above price shall remain valid for 30 days, after which time it will need to be reviewed. Due to the volatility of asphalt prices, the escalation clause is valid only until the end of the month.

CPC (Custom Paving Company) will not be responsible for failure to complete the work covered by this proposal when prevented by labor disruptions, accidents, strikes, machinery breakdowns, fire, floods, vandalism, adverse weather conditions, or by reason of other contingencies beyond our control.

While due care shall be taken by CPC to protect against damage or destruction of concealed underground utilities or services, such as: meters, tanks, drain lines, septic tanks, electrical lines, storm drains, sewer lines, pumps, wells, water lines, or gas lines, etc..., CPC assumes no responsibility for the repair or replacement of such unknown or undiscovered hidden structures. Locating of detectible utilities shall be the responsibility of CPC. If CPC fails to have said utilities located and they are damaged, CPC shall be responsible financially for the repairs.

CPC shall not be responsible for any damage to existing asphalt due to construction traffic.

CPC shall not be responsible for any damages, direct, incidental, consequential or otherwise which are attributable to any failure, fault or deficiency in any Customer specified materials used in the work covered by this proposal; as evidenced by signature on the front side hereof, the parties expressly agree that all materials to be used in the work covered by this proposal have been specified, designated, or approved by the customer in accepting this proposal.

Proposal is based on 1 mobilization of a paving crew.

Proposal is based on all work being made available to CPC concurrently.

CPC is not responsible for drainage problems in areas with less than 2% fall.

Unless specifically included above, CPC is not responsible for subsurface conditions not ascertainable by visual inspection. In the Owner's best interest, an independent testing company should be retained to make soil tests on the proposed site prior and during any grading activities. The Contractor shall coordinate such tests, but to avoid any conflicts of interest, the Owner should make direct payment to the testing company for its services

Dirt subgrade placed by others shall be firm and unyielding to the passing specifications of the owner's testing agency prior to asphalt placement. (Proof roll done by others.)

CPC carries the necessary Public Liability and Workers Compensation insurance as required by the State of North Carolina and State of South Carolina.

A properly signed and dated copy of this proposal must be returned to and accepted as a contract by CPC before work can begin.


Performance and payment bonds not included. If required, add 1½% of contract amount, to be paid upon receipt of bonds.

Customer agrees to pay a finance charge of 1½% per month, commencing 30 days after the date of the first invoice on past due charges, and agrees to pay all costs of collection of past due items, including reasonable attorney fees.

If the "Price" listed on the first page hereof is based on unit prices, payment to CPC shall be based on the actual quantity(s) of work performed

CPC does not waive any rights to future or further performance of the Provisions & Conditions of this Proposal/Contract by not insisting upon performance of the same.

Payment to CPC is to be made in the form of personal check, business check or money order. Should in person payment be made, sufficient verification must be made that the individual receiving payment on behalf of CPC is fully authorized to receive such payment.

Initialed By: Custom Paving Company  Customer \_\_\_\_\_

**CUSTOM PAVING COMPANY**

Since 1967

*Grading – Paving – Utilities – Concrete*

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Gastonia, NC 28056

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[www.custompavingcompany.com](http://www.custompavingcompany.com)

**ESCALATION CLAUSE FOR CONSTRUCTION MATERIALS**

The contract price for this commercial construction project has been calculated based on the current prices for the component construction materials. However, the market for the construction materials that are hereafter specified is considered to be volatile, and sudden price increases could occur. The Contractor agrees to use his best efforts to obtain the lowest possible prices from available construction material suppliers, but should there be an increase in the prices of these specified materials that are purchased after execution of contract for use in this commercial construction project, the Owner agrees to pay that cost increase to the Contractor. Any claim by the Contractor for payment of a cost increase, as provided above, shall require written notice delivered by the Contractor to the Owner stating the increased cost, the building material or materials in question, and the source of supply, supported by invoices or bills of sale.

Date	Current Price	Supplier	Specified Construction Materials
4/5/12	\$67.25/Ton	REA	Asphalt (9.5B )

\*\*\*Above prices include sales tax\*\*\*

Asphalt pavement is based on the asphalt price of \$ 634.29 liquid ton. For each \$1.00 variance in the index cost of a ton of liquid asphalt, the price will increase or decrease by \$.10 per ton of hot mix used. Invoice calculations will be based on the NCDOT Asphalt Binder Index for the month the hot mix is placed.

The NCDOT Asphalt Binder Index can be found at the following web site:

[http://www.ncdot.org/doh/operations/dp\\_chief\\_eng/constructionunit/paveconst/Asphalt Mgmt/ac prices/2011/averages/](http://www.ncdot.org/doh/operations/dp_chief_eng/constructionunit/paveconst/Asphalt Mgmt/ac prices/2011/averages/)

**ACCEPTANCE**

By execution of this document, I agree to have read and fully understand all statements and implications of this document. I agree to explicitly abide by and follow the above conditions as listed in this] agreement.

Custom Paving Company Proposal Submitted By:

4/5/12

Kent Huggins \_\_\_\_\_ Date

Signature \_\_\_\_\_ Date

Signature \_\_\_\_\_ Date

Accepted as a Contract By Custom Paving Company:

Accepted as a Contract By Owner/GC

Initialed By: Custom Paving Company \_\_\_\_\_ Customer \_\_\_\_\_

**ESTIMATE**

**Southeastern Sealcoating & Striping**

2149 Old Hickory Grove Rd.  
 Mt. Holly, NC 28120  
 704-913-8849

ESTIMATE # 3351  
 DATE: APRIL 2, 2012

**TO** Town of Dallas  
 Dallas, NC

Work at Jagers Park

	DESCRIPTION	UNIT PRICE	LINE TOTAL
	We will furnish the materials and perform the labor necessary for the completion of: 1) Clean parking lot 2) Crack fill approx. 4675 Lft. 3) Apply 2 coats of Gemseal coal tar sealer  Please note we are fully insured with one million dollars in general liability and full workers compensation coverage for your protection as well as ours. All work is guaranteed to meet your standards.	No charge \$3413.00 \$3507.00	No charge \$3413.00 \$3507.00
		<b>SUBTOTAL</b>	
		<b>SALES TAX</b>	
Payment Due - Completion of job		<b>TOTAL</b>	<b>\$6920.00</b>

**THANK YOU FOR YOUR BUSINESS!**

State of North Carolina  
Department of the Secretary of State

NONPROFIT CORPORATION'S DESIGNATION OF PRINCIPAL OFFICE ADDRESS

Pursuant to §55A-16-23(a) of the General Statutes of North Carolina, the undersigned nonprofit corporation does hereby submit the following for the purpose of designating its principal office address.

- 1. The name of the corporation is: The Dallas Historic Courthouse Foundation
- 2. (Check only if applicable.)  The street address of the principal office is not currently on file with the Secretary of State.
- 3. (Check only if applicable.)  The mailing address of the principal office is not currently on file with the Secretary of State.
- 4. The street address and county of the designated principal office of the corporation is:  
Number and Street: 131 North Gaston St.  
City, State, Zip Code: Dallas, NC 28034 County: Gaston
- 5. The mailing address *if different from the street address* of the designated principal office is:  
210 North Holland St., Dallas, NC 28034

This designation will be effective upon filing, unless a later date and/or time is specified: \_\_\_\_\_

The Dallas Historic Courthouse Foundation  
Name of Corporation

*Rick Coleman*  
Signature

Rick Coleman, Designated Agent  
Type or Print Name and Title

NOTES:

<sup>1</sup> Filing fee is \$5. This designation and one exact or conformed copy of it must be filed with the Secretary of State.

(Revised January 2000)  
CORPORATIONS DIVISION

P.O. BOX 29622

(Form N-11)  
RALEIGH, NC 27626-0622

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**State of North Carolina  
Department of the Secretary of State**

**ARTICLES OF INCORPORATION  
NONPROFIT CORPORATION**

Pursuant to §55A-2-02 of the General Statutes of North Carolina, the undersigned corporation does hereby submit these Articles of Incorporation for the purpose of forming a nonprofit corporation.

1. The name of the corporation is: The Dallas Historic Courthouse Foundation
2.  (Check only if applicable.) The corporation is a charitable or religious corporation as defined in NCGS §55A-1-40(4).
3. The street address and county of the initial registered office of the corporation is:  
 Number and Street 131 North Gaston St.  
 City, State, Zip Code Dallas, NC 28034 County Gaston
4. The mailing address *if different from the street address* of the initial registered office is:  
210 North Holland St., Dallas, NC 28034
5. The name of the initial registered agent is:  
Rick Coleman  
 The name and address of each incorporator is as follows: Rick Coleman; 606 Brookgreen Drive, Dallas, NC 28034
7. (Check either a or b below.)  
 a.  The corporation will have members.  
 b.  The corporation will not have members.
8. Attached are provisions regarding the distribution of the corporation's assets upon its dissolution.
9. Any other provisions which the corporation elects to include are attached.
10. The street address and county of the principal office of the corporation is:  
 Number and Street 131 North Gaston St.  
 City, State, Zip Code Dallas, NC 28034 County Gaston
11. The mailing address *if different from the street address* of the principal office is:  
210 North Holland St., Dallas, NC 28034

Revised January 2000

Form N-01

CORPORATIONS DIVISION

P. O. BOX 29622

RALEIGH, NC 27626-0622

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12. These articles will be effective upon filing, unless a later time and/or date is specified: NA

This is the 29th day of March, 2012.

The Dallas Historic CourtHouse Foundation

*Rick Coleman*

*Signature of Incorporator*

Rick Coleman, Designated Agent & Incorporator

*Type or print Incorporator's name and title, if any*

NOTES:

1. Filing fee is \$60. This document must be filed with the Secretary of State.

Revised January 2000

Form N-01

CORPORATIONS DIVISION

P. O. BOX 29622

RALEIGH, NC 27626-0622

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**ARTICLES OF INCORPORATION  
OF  
THE DALLAS HISTORIC COURTHOUSE FOUNDATION**

**Article I  
The Corporation**

**Section 1. Name**

The corporation shall be known, and referred to as, "The Dallas Historic Courthouse Foundation".

**Section 2. Purpose**

The Dallas Historic Courthouse Foundation is a corporation organized specifically for charitable and/or educational purposes, including the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1986 (herein the "Code") (or the corresponding provisions of any future United States Internal Revenue Code.)

**Section 3. Prohibited Activities**

No part of the net earnings of the corporation shall inure to the benefit of or be distributable to, its directors, officers, or other private persons except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of purposes set forth in these articles of incorporation. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provisions of these articles, the corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code.

**Section 4. Distributions Upon Dissolution**

Upon the dissolution of the corporation, The Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable or educational purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Code as the Board of Directors shall determine, or to federal, state, or local governments to be used exclusively for public purposes. Any such assets not so disposed of shall be disposed of by the Superior Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organizations, such as the

court shall determine, which are organized and operated exclusively for such purposes, or to such governments for such purposes.

**Article II**  
**Bylaws**

The Dallas Historic Courthouse Foundation shall be governed by, and operate consistent with an official set of Bylaws which, in turn, shall be adopted, maintained, and/or amended consistent with and in furtherance of the articles of incorporation.



**BYLAWS  
OF  
THE DALLAS HISTORIC COURTHOUSE FOUNDATION**

**Article I  
Offices**

**Section 1. Principal Office**

The principal office of the corporation, which shall also constitute the registered office, shall be located in the County of Gaston, Town of Dallas, North Carolina.

**Section 2. Change of Address**

The Board of Directors may, from time to time, change the principal office from one location to another within the named County and Town by noting the changed address and effective date below, and such change of address shall not be deemed, nor require, an amendment of these Bylaws.

----- Dated-----,20-----  
----- Dated-----,20-----  
----- Dated-----,20-----  
----- Dated-----,20-----

**Article II  
Purposes**

**Section 1. Nature Of Corporation**

The Dallas Historic Courthouse Foundation is a nonprofit corporation formed and organized under section 501(c)(3) of the Internal Revenue Code; and shall carry on such activities as are lawfully permitted by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

**Section 2. Specific Mission and Purpose**

The specific Mission and purpose of The Dallas Historic Courthouse Foundation is to solicit, provide, and manage resources and support for the preservation, protection, renovation, improvement, upkeep, maintenance, and operations of the Nationally-Registered, historic (1848) Courthouse building and surrounding public square in Dallas, North Carolina.

## **Article III Board of Directors**

### **Section 1. General Powers**

The Board of Directors shall have the general power to manage and control the affairs and property of the Dallas Historic Courthouse Foundation, and shall have full power, by majority vote, to adopt rules, regulations, and policies governing the action of the Board of Directors, its Agents, Officers, or employees.

### **Section 2. Number, Terms, Appointment, and Qualifications**

The Board of Directors shall consist of nine (9) total members, made up of: one (1) ex-officio Director, who shall have and maintain at all times, full voting rights, and who shall as a qualification of service hold the Office of Mayor for the Town of Dallas, NC; two (2) ex-officio Directors, who shall have and maintain at all times, full voting rights, and who shall as a qualification of service hold the Office of Alderman for the Town of Dallas, NC; and six (6) Directors, whose qualification for service shall be that of legal residents of the State of North Carolina, and that of committed professionals interested in and dedicated to the historic preservation and cultural enrichment of the Town of Dallas and its historic courthouse building and surrounding downtown public square.

Ex-officio Directors shall serve terms to run concurrent with their corresponding terms of Office. Three (3) of the non-ex-officio Directors shall be appointed by action of the Town of Dallas Board of Aldermen and serve initial terms of three (3) years, while the remaining three (3) non-ex-officio Directors shall also be appointed by action of the Town of Dallas Board of Aldermen and serve initial terms of two (2) years. Following expiration of initial terms, non-ex-officio Directors shall be appointed by the Board of Directors of The Dallas Historic Courthouse Foundation to terms established by the Board.

### **Section 3. Vacancies**

Any vacancy occurring among non-ex-officio Directors prior to the expiration of their term shall be filled by such person as shall be elected by the remaining members of the Board of Directors, and he/she shall hold office for the unexpired term of his/her predecessor in office. Any vacancy occurring among ex-officio Directors, either as a result of their resignation from the Board of Directors of the corporation prior to the expiration of their term of elected public office, or as a result of their no longer holding elected public office, shall be filled by appointment of the Board of Alderman of the Town of Dallas, from among the ranks of the then-serving Aldermen, for a term concurrent with their remaining term of elected public office.

### **Section 4. Officers**

The Board of Directors shall designate from among its members a President, Vice-President, Secretary, and Treasurer, and shall entrust each with such duties and responsibilities as it may

further prescribe, except that: no one Director shall hold more than one "Office" as designated herein, except for the Offices of Secretary and Treasurer, which may be held concurrently; and, the Vice-President shall assume all duties and responsibilities of the President when acting in his/her absence.

#### **Section 5. Annual, Regular, and Special Meetings**

The Board of Directors shall hold an Annual meeting at such time and place as the Board of Directors shall, by resolution, prescribe. The Board of Directors shall further prescribe, by resolution, the time and place of such other Regular meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any three (3) Directors. The person or persons authorized to call Special meetings may fix any reasonable date, time, and place for the holding of any special meeting called by them.

#### **Section 6. Notice**

The annual and regular meetings of the Board of Directors of the Dallas Historic Courthouse Foundation may be conducted without public notice, however, for "special" meetings, Directors shall be notified, in writing via regular mail or e-mail, of such special meeting, not less than five (5) calendar days prior to the commencement of said meeting.

#### **Section 7. Quorum, Proxies, and Manner of Acting**

A majority of the total number of Directors in office shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. proxies shall not be permitted. Except as otherwise provided by law, the act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

#### **Section 8. Compensation and Resignation**

Directors shall receive no regular salary or compensation for service on the Board, however, they may be reimbursed for reasonable expenses, if pursuant to, and consistent with a duly-adopted policy of the Board of Directors. A Director may resign from the Board of Directors at any time by giving notice of said resignation in writing addressed to the President or Secretary of the Board.

#### **Section 9. Liability and Indemnification of Directors.**

The Directors shall not be personally liable for debts, liabilities, or other obligations of the corporation. In addition, the Directors and Officers of the corporation shall be indemnified by the corporation to the fullest extent permissible under the laws of the state of North Carolina. The Board of Directors may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any agent of the corporation (including Director, Officer, employee, or other agent) against liabilities asserted against or incurred by the agent, when such agent is acting in an authorized, lawful, and non-negligent manner on behalf of the corporation.

## **Article IV Officers**

### **Section 1. Officers Election, Term of Office, Removal, and Vacancies**

A President, Vice-President, Secretary, and Treasurer of the Dallas Historic Courthouse Foundation shall be elected by a majority vote of the Board at the organizational meeting and at every annual meeting of the Board thereafter. Each Officer shall hold office for a term of one (1) year and thereafter until his/her successor shall have been duly elected. Any Officer may be removed upon an affirmative vote of a majority of the Board, whenever in its judgment, the best interests of the corporation would be served thereby. A vacancy in any office because of death, resignation, removal or otherwise, may be filled by the Board for the unexpired portion of the term.

### **Section 2. President.**

The president shall be the chief executive officer of the corporation and shall, subject to the control of the Board of Directors, supervise and control the affairs of the corporation and the activities of the officers. The president shall preside at all meetings of the Board. The president may sign, with the Secretary or any other Board-authorized officer of the corporation, any deeds, mortgages, bonds, contracts, or other instruments or documents which the Board has authorized to be executed. In addition, the president shall perform all such other duties as may be prescribed by the Board of Directors from time to time.

### **Section 3. Vice-President.**

In the event of the absence, death, resignation, or removal of the president, the person who serves as vice-president shall assume the office, role, and responsibilities of the president until such time as the president returns, or until the Board of Directors elects a successor to the president. The vice-president shall perform such other duties as may be prescribed by the Board of Directors from time to time.

### **Section 4. Secretary.**

The secretary shall keep the minutes of the meetings of the Board of Directors; see that all notices are duly given in accordance with the provisions of the Bylaws or as required by law; be the custodian of the corporate records and seal; and perform such other duties as from time to time shall be established by the Board of Directors.

### **Section 5. Treasurer.**

The treasurer shall be responsible for all funds and securities of the corporation; receive and give receipts for monies due and payable to the corporation; and, deposit all such monies in the name of the corporation in such banks, trust companies, or other depositories as shall be selected and designated; consistent with the provisions of law, these Bylaws, and any and all rules or policies

adopted by the Board of Directors. The treasurer shall further perform such other duties as from time to time shall be established by the Board of Directors.

## **Article V Committees**

### **Section 1. Purpose, Rules and Powers.**

In order to assist it in the performance of its duties, the Board of Directors may establish such standing, ad-hoc, or advisory committees as it considers appropriate. The number of committee members, their terms of office, qualifications, and responsibilities shall be determined by action of the Board. Each committee so-established may adopt rules for its own operation and governance consistent with these Bylaws and any and all other rules or policies adopted by the Board of Directors. Each committee shall have such powers as the Board of Directors shall grant it consistent with law, articles of incorporation, these Bylaws and all other rules or policies adopted by the Board of Directors.

### **Section 2. Executive Committee.**

The executive committee of the corporation shall be comprised of the president, vice-president, secretary, and treasurer of the corporation. The executive committee shall regularly meet and interact in order to regularly report to the full Board of Directors background information on issues of interest to the Board, as well as updates and details on the business and affairs of the corporation. Routine, administrative matters and functions may be carried out by action of the executive committee on behalf of the corporation, but only to the extent that same are authorized by and consistent with policy adopted by the full Board of Directors.

## **Article VI Instruments, Checks, Deposits, and Funds**

### **Section 1. Execution of Instruments.**

The Board of Directors may, by resolution, authorize any officer of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent, or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or to render it liable monetarily for any purpose or in any amount.

### **Section 2. Checks and Notes.**

Except as otherwise specifically approved by resolution of the Board of Directors, or as otherwise required by law, all checks, drafts, promissory notes, orders for payment of money, and other evidence of indebtedness of the corporation shall be signed by the treasurer and countersigned by the president of the corporation.

**Section 3. Deposits.**

All funds of the corporation shall be deposited and/or invested from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors shall select. The deposit and holding of such funds on behalf of the corporation shall seek to minimize risk while maximizing the return on the funds so deposited or invested.

**Section 4. Contributions, Gifts, and Proceeds.**

The Board of Directors may accept on behalf of the corporation any contributions, gifts, bequests, grants, or pledges of funds or fund-commitments so long as such funds or commitments of funds are lawfully consistent with the nonprofit purposes of the corporation and the specific Mission of the corporation, as set forth in Article II, Section 2., herein. The Board may further solicit, generate, hold, and or utilize proceeds derived from commemorative brick, plaque, or furnishing sales; sponsorship or naming rights payments; funds raised through special events; and grants from private, public, or non-profit groups or foundations, or from governments or agencies of government.

**Article VII  
Books, Records and Seal**

**Section 1. Maintenance of Records.**

The Dallas Historic Courthouse Foundation shall keep accurate and complete books and records of account, and also shall keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors.

**Section 2. Corporate Seal.**

The seal of the Dallas Historic Courthouse Foundation shall consist of a depiction of all or a portion of the elevation view of the 1848 Courthouse building along with the words, "Dallas Historic Courthouse Foundation" inscribed beneath or around. Failure to affix the seal to corporate instruments, however, shall not affect the validity of any such instrument.

**Article VIII  
Fiscal Year**

**Fiscal Year.**

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The fiscal year of the Dallas Historic Courthouse foundation shall begin on the first day of July and end on the last day of June in each year.

## **Article IX**

### **IRS 501 (c)(3) Tax Exemption Provisions**

#### **Section 1. Limitations On Activities.**

No substantial part of the activities of this corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and this corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to any candidate for public office.

Notwithstanding any other provisions of these Bylaws, this corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

#### **Section 2. Prohibition Against Private Inurement.**

No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to, its Directors, Officers or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of this corporation.

#### **Section 3. Distribution Upon Dissolution.**

Upon the dissolution of this corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or shall be distributed specifically to the Municipal corporation for the Town of Dallas, North Carolina, as then constituted, for public purpose. Such distribution shall be made in strict accordance with all applicable provisions of the laws of the State of North Carolina.

## **Article X**

### **Construction and Amendment of Bylaws**

#### **Section 1. Construction and Terms.**

If it is determined that these Bylaws conflict with the Articles of Incorporation of this corporation, the provisions of the Articles of Incorporation shall govern.

Should any of the provisions of these Bylaws, or portions thereof, be found to be unlawful or invalid for any reason, the remaining provisions, or portions thereof, shall remain unaffected by such findings.

All references in these Bylaws to the "Articles of Incorporation" shall be to the forms of documentation and registry filed with the North Carolina Secretary of State's office and used to first establish the legal existence of this corporation and to declare its structure as operating consistent with exempt purposes under Section 501(c)(3) of the Internal revenue Code.

All references in these Bylaws to a section or sections of the Internal Revenue Code shall be to such sections of the Internal Revenue Code of 1986 as amended from time to time, or to corresponding provisions of any future federal tax code.

**Section 2. Amendment.**

The Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by the affirmative two-thirds (2/3rds) majority vote of the Board of Directors at any annual, regular, or special meeting, if at least ten (10) calendar days in advance of said meeting, public notice of such intention to alter, amend, or repeal the Bylaws or to adopt new Bylaws is provided to each Director by regular mail or e-mail, and to the general public in a newspaper of general circulation covering the portion of Gaston County wherein the principal office of the corporation is housed.

**Section 3. Adoption.**

**We, the undersigned**, being the duly-elected initial Board of Directors of this corporation, consent to and hereby adopt and approve the foregoing Bylaws, consisting of these eight preceding pages, as the Bylaws of the Dallas Historic Courthouse Foundation:

Dated: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

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BY: \_\_\_\_\_

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STATEMENT OF VALUES

OF 10 RC

DATE (MM/DD/YYYY)  
4/5/2012

AGENCY Watson Insurance Agency, Inc. 245 E. Second Avenue P. O. Box 879 Gastonia, NC 28053 Robert P. Watson	PHONE (A/C, No, Ext): 704-865-8584 FAX (A/C, No): 704-866-9866	COMPANY Emcasco	NAIC CODE: 21407	PAGE 1 OF 2																																								
CODE: BX83435 AGENCY CUSTOMER ID TOWNO-1	SUBCODE:	INSURED / APPLICANT Town Of Dallas	POLICY NUMBER 4A44572	EFFECTIVE DATE 07/01/11																																								
		HEADQUARTERS ADDRESS 210 North Holland Street Dallas, NC 28034-1625																																										
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APPLICABLE FORM NUMBERS (Attach completed forms and endorsements that require completion to provide necessary information affecting rates or loss costs)

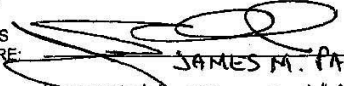
CLASS CODE	LOC #	BLDG #	DESCRIPTION AND ADDRESS OF PROPERTY	ACV/RC	SUBJECT	100% VALUES	RATE OR LOSS COST	PREMIUM
	1	1	DESC: Historic Court House ADDRESS: 131 North Gaston Street Dallas, NC 28034		BLDG	750000		
	1	1	DESC: Historic Court House ADDRESS: 131 N Gaston Street Dallas, NC 28034	RC	BPP	45980		
	2	1	DESC: Police Station ADDRESS: 207 W Church Street Dallas, NC 28034	RC	BLDG	600000		
	2	1	DESC: Police Station ADDRESS: 207 W Church Street Dallas, NC 28034	RC	BPP	40000		
	3	1	DESC: Rescue Squad/Civic Bldg ADDRESS: 205-207 S Oakland Dallas, NC 28034	RC	BLDG	762289		
	4	1	DESC: warehouse ADDRESS: 700 Ferguson Street Dallas, NC 28034	RC	BLDG	300000		
	4	1	DESC: warehouse ADDRESS: 700 Ferguson Street Dallas, NC 28034	RC	BPP	100000		
	5	1	DESC: Waste water treatment plant-Blower Bldg ADDRESS: 700 East Holly Street Dallas, NC 28034	RC	BLDG	88613		
	5	1	DESC: Waste water treatment plant ADDRESS: 700 East Holly Street Dallas, NC 28034	RC	M&E	2677000		
	5	2	DESC: Waste water treatment plant - Lab Office ADDRESS: 700 East Holly Street Dallas, NC 28034	RC	BLDG	55062		
	5	3	DESC: Waste water treatment plant-Chemical Bldg ADDRESS: 700 East Holly Street Dallas, NC 28034	RC	BLDG	22286		
TOTAL						\$ 16922235	N/A	\$

**INSTRUCTIONS**

- ACV (Actual Cash Value) or RC (Replacement Cost): If other valuation basis applies, provide necessary information.
- SUBJECT: Building S = Stock F = Furniture & Fixtures M = Machinery P = Your Business Personal Property PPO = Personal Property of Others BI = Business Income R = Rental Income Other - specify
- RATE OR LOSS COST: For class rated property, attach class rate information form or equivalent information for each location. For specifically rated property, attach specific rate or loss cost information if known.

**SIGNATURE**

ALL VALUES AND LOCATION INFORMATION ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

INSURED'S SIGNATURE:  JAMES M. PALENICK

TITLE: INTEKIM TOWN MANAGER

DATE: APRIL 5, 2012

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**Town Of Dallas  
Rate Re-Structuring Proposal  
For:  
STORMWATER FEES**

<u>Account Class</u>	<u>#Of Accounts</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
Sing.-Fam. Res.	1952	\$2.08/Month	\$1.85/Mo.
Non-Residential	196	\$2.08/Month	\$1.85 per ERU/Mo.

An **“ERU”** is an **“Equivalent Residential Unit”**, Which is calculated and set at 2500 square feet of impervious surface area. For ALL Single-Family Residential properties, the ERU shall be established as (1) regardless of actual impervious surface area on the parcel. For ALL Non-Residential Properties, the Town has established precisely the actual square footage of impervious surface area on each parcel (through a contracted study completed by the Centralina Council of Governments), and the ERU for each shall be the total impervious surface area divided by (2500).

The Rate Structure as proposed shall include, for each Non-residential Account, a **Fee Credit** opportunity, for those properties who have on-site **“B.M.P’S”** (“Best Management Practices”, consisting of Stormwater retention, detention, and/or treatment, containment, or significant mitigation facilities, when same are certified by Town inspection as being adequately designed, engineered, constructed, and maintained).

The **CREDIT Shall Equal 50% of the Monthly Fee**, for as long as the BMP facility remains in-place, functional, and properly-maintained (as evidenced by yearly inspection by Town personnel or agent).

**The current Town Stormwater Rate policy provides for NO differentiation** between the most modest home, with little of any impervious surface area and equally-little impact on the overall system; to the largest of Mega-Box Retail Plaza developments where there may be 10 acres or more of paved parking lots and buildings creating impervious surface area and massive impacts to the stormwater management system. This is clearly unfair to the users and ineffective in matching cost of service to impact on the system. **As such, the Proposed New Rate Policy attempts to better attach fairness and proportionality to the setting of fees.**

**REVENUE ANALYSIS**  
**Storm-water Fees**  
**(Current)**

<u>Acct Class</u>	<u># Accts</u>	<u>Mo. Rate</u>	<u>Mo. Revenue</u>	<u>Yrly Revenue</u>	<u>% Of Total</u>
S.F. Res.	1952	\$2.08	\$4,060.16	\$48,721.92	91%
<u>Non-Res.</u>	<u>196</u>	<u>\$2.08</u>	<u>\$407.68</u>	<u>\$4,892.16</u>	<u>9%</u>
Totals:	2148		\$4,467.84	\$53,614.08	100%

**(Proposed)**

<u>Acct Class</u>	<u># Accts</u>	<u># ERU'S</u>	<u>Mo. Rate</u>	<u>Mo. Revenue</u>	<u>Yrly Rev.</u>	<u>%</u>
S.F. Res.	1952	1952	\$1.85	\$3,611.20	\$43,334.40	51%
<u>Non-Res.</u>	<u>196</u>	<u>1911</u>	<u>\$1.85</u>	<u>\$3,335.35</u>	<u>\$42,424.20</u>	<u>49%</u>
Totals:	2148	3863		\$7,146.55	\$85,758.60	100%

**(Difference)**

<u>Acct Class</u>	<u>Current Yrly Revenue</u>	<u>Proposed Yrly Rev.</u>	<u>Change</u>
S.F. Res.	\$48,721.92	\$43,334.40	-\$5,387.52
<u>Non-Res.</u>	<u>\$4,892.16</u>	<u>\$42,424.20</u>	<u>+\$37,532.04</u>
Totals:	\$53,614.08	\$85,758.60	+\$32,144.52

**TOP '15' STORMWATER RATE-PAYERS**

(Under Proposed Amended Structure)

<b><u>Name:</u></b>	<b><u>Imperv. Surf.:</u></b>	<b><u>ERU's:</u></b>	<b><u>Mo. Rate:</u></b>	<b><u>Yearly Rate:</u></b>
Windsor Shopping Ctr	396,291 s.ft.	159	\$294.15	\$3,529.80
Ingles	384,644	154	284.90	3,418.80
Carr Elementary	196,085	79	146.15	1,753.80
Food Lion	185,937	75	138.75	1,665.00
Old Summey Build. S.	122,802	50	92.50	1,110.00
CDS Inc.	120,630	49	90.65	1,087.80
Chapman Point	116,275	47	86.95	1,043.40
Post Office	111,479	45	83.25	999.00
Oak Forest Apts.	105,974	43	79.55	954.60
Old Mill 202 E. Church	98,775	40	74.00	888.00
R&R Powder Coat.	82,204	33	61.05	732.60
Old Mill 205 E. Rob'sn	59,396	24	44.40	532.80
Dallas Church of God	57,330	23	42.55	510.60
N. Gaston Church/God	53,862	22	40.70	488.40
<u>Coleman's Body S.</u>	<u>52,006</u>	<u>21</u>	<u>38.85</u>	<u>466.20</u>
<b>Totals:</b>	<b>2,143,690 s.ft.</b>	<b>864</b>	<b>\$1,598.40</b>	<b>\$19,180.80</b>

- Under existing Rate structure, each of these Accounts pay \$2.08/Month, or \$24.96/Year.