

MINUTES FOR BOARD OF ALDERMEN MEETING

May 12th, 2015

6:00 PM

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

The following staff members were present: Jim Palenick, Interim Town Manager; Maria Stroupe, Administrative Services Director; Town Attorney, Tom Hunn; Gary Buckner, Police Chief; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Steve Lambert, Fire Chief; Anne Martin, Recreation Director; and Jack Kiser, Development Services Director.

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

Mayor Coleman opened with the Invocation and the Pledge of Allegiance to the Flag.

Mayor Coleman asked if there were any additions or deletions to the agenda. Mayor Coleman asked that Item 10B be deleted from the agenda, as the Dallas Historic Courthouse Foundation had not been able to meet on the subject. Mayor Coleman also stated that Item 8A needed to be added to address a request from the First Baptist Church. Mr. Huggins made a motion to approve the agenda with the one deletion and one addition, seconded by Mr. Cearley, and carried unanimously.

Mr. Withers made a motion to approve the minutes from the April 14, 2015 regular meeting and the April 28, 2015 work session, seconded by Mr. Huggins, and carried unanimously.

Consent Agenda:

Item 5A was a request to adopt a resolution in support of "Respect for Law Week". Each year in May the Town honors our law enforcement professionals by recognizing "Respect for Law Week" by formally adopting a resolution. (Exhibit A) This year the week of May 10th through May 16th is the official time established for this recognition.

Item 5B was a request to approve the uncollectable accounts for May, 2015 in the amount of \$17,793.24.

Mr. Huggins made a motion to approve the Consent Agenda as presented, seconded by Ms. Morrow, and carried unanimously.

Recognition of Citizens:

Mr. Curtis Wilson, 438 S. Gaston St., suggested that outdoor movie nights be considered as part of the Town Sponsored Events line item that was discussed at the Work Session in April. He suggested behind the Museum as a possible site. Mr. Wilson prayed over the agenda, Board of Aldermen, and the meeting.

Mr. Earnest Yon, 302 S. Rhyne St., stated that he would have liked prior knowledge of "Respect for Law Week", so that he and other citizens could be involved in honoring the Police in Dallas. Tonight's meeting is the first he heard of it and it is this week.

Ms. Laura Stroupe, 116 W. Trade St., spoke in opposition to the possible cell tower near E. Church St. This is next to downtown and the historic district. She believes the tower will devalue nearby properties. She stated that she was representing downtown Dallas business owners.

Mr. John O'Daly, 112 Brahman Ct., asked that a number of accounts be given, as well as the total dollar amount of uncollectables. He understands that the names are confidential. He also agrees with Ms. Stroupe and is against any additional cell phone towers in Dallas.

Ms. Sarah Jordan, 511 Colorado Trail, stated that she does not live near the proposed cell tower, or even within the Town Limits, but is speaking on behalf of those who do not know about the proposal or who are not present for whatever reason. She asked the Board to consider the health risks. She has looked up information on the internet. She has discovered that there are 18 towers within three miles of the Administration Building in Dallas and that 11 of these are not registered. She had printed off various sheets of data concerning cell towers and asked to give the Board members copies after the meeting.

Recognition of Employees:

None

Special Events & Requests for In-Kind Services:

Item 8A was the added item concerning a request from the First Baptist Church. The church is desiring to adopt S. Spargo St. between E. Church St. and E. Holly St. in order to clean it up a few times per month. They are requesting help from the Town in the form of safety vests and trash bags. (Exhibit B) Mr. Withers made a motion to approve the request from First Baptist Church and for the Town to assist in providing the requested supplies, seconded by Mr. Huggins, and carried unanimously.

Public Hearing:

Item 9A was a Public Hearing for the final close-out of the CDBG Grant Project. Mr. Cearley made a motion to enter into the Public Hearing, seconded by Mr. Withers, and carried unanimously. Now that the Town has fully completed the construction of the Phase IV water-line reconstruction project, which was financed, in large part, by the \$750,000 CDBG Grant, a final Public Hearing must be conducted to receive any public input relating to the project and how it met its original aims. Mr. Palenick stated that Ralph Hodge Construction has completed the project on time and on budget. He also complemented them on their handling of the project. Mr. Cearley asked that the area of the project be defined. Mr. Trudnak stated that the project consisted of the area from W. Carpenter St., south to Gibbs St., and east to Gaston St. Ms. Mary Boyce, 518 E. Peachtree St., asked when the pot holes created by what she assumed was work on the project, would be paved? She understood that gravel is placed in holes and must settle before paving. In response, Mr. Trudnak stated that the pot-holes she was referring to on Peachtree street were actually the result of a small, sewer repair project initiated by the Town, and that the paving and repair of those areas identified were underway and should be addressed within the next three weeks. Mr. Palenick stated that the engineering firm of Engineering Services had overseen the project and he commended them on their design and oversight. Following no other public comments, Mr. Cearley made a motion to exit the Public Hearing, seconded by Ms. Morrow, and carried unanimously. No action was required.

Old Business:

Item 10A was a request to reschedule the Public Hearing and possible action on the Special Use Permit request for a cell tower located near E. Church St. and S. College St. to June 9, 2015. The Planning Board has met on this item, but at their last meeting decided to continue their meeting until May 21st in order to obtain additional information from the State Historic Preservation Society and results of a study to determine supportability. After completion of the Planning Board meeting, a recommendation will be made to the Board of Aldermen for consideration at the June 9, 2015 meeting. (Exhibit C) Mr. Withers made a motion to reschedule the Public

Hearing and possible action on the Special Use Permit request for a cell tower to June 9, 2015 as requested, seconded by Mr. Cearley, and carried unanimously.

Item 10B was the deleted item from the Dallas Historic Courthouse Foundation requesting Town funding for design and contract administration of the Public Plaza/ Gazebo/Band Shell improvements.

Item 10C was a request to adopt, upon a second reading, the Ordinance Amendment to the Town Zoning Code establishing fence standards in residential districts. (Exhibit D) As per G.S. §160A-75, “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.” For Dallas, 4 affirmative votes would be required. This amendment was first brought to the Board at the April 14, 2015 meeting. The vote in April was 3 – 2 in favor of the amendment, which was not sufficient to pass the ordinance on the first reading. Mr. Withers made a motion to approve amending the Zoning Code to establish fence standards in residential districts as first approved at the April meeting by a 3 – 2 vote, seconded by Ms. Morrow, and carried unanimously.

New Business:

Item 11A was a request to amend the loan agreement with Dallas High School Apartments LLC to replace William Farris as a co-managing partner with Lutheran Services Carolinas. On October 31, 2002, the Town of Dallas entered into a development agreement with William Farris and Scott Redinger, co-managing partners of Dallas High School Apartments LLC, to seek a \$250,000 CDBG loan to assist the redevelopment of the old Dallas High School as 33 senior apartments. Later, in a promissory note dated April 12, 2005, the Town loaned the LLC \$230,000 of the funds at 2% interest and a 20-year amortization rate, with only interest due each year, and a balloon payment due on December 10, 2024. The project went well and continues to be well managed and maintained and is always fully occupied. Now, William Farris, one of the original principals, has sold his interest to Lutheran Services Carolinas and the Town must formally approve of this change within the terms of its loan agreement. (Exhibit E) Lutheran Services Carolinas is a well-regarded, faith-based owner and operator of many quality housing facilities throughout the Carolinas and will make a fine successor to Mr. Farris as a co-managing partner. This is simply an administrative move and no other terms of the agreement will change as a result. Mr. Huggins made a motion to amend the loan agreement with Dallas High School Apartments LLC to replace William Farris as a co-managing partner with Lutheran Services Carolinas as presented, seconded by Ms. Morrow, and carried unanimously.

Item 11B was a request to approve a resolution adopting the 5-year Local Water Supply Plan for NCDENR. For communities who operate and provide municipal potable water systems in the State of North Carolina, the State Department of Environment and Natural Resources requires an approved and adopted Water Supply Plan, which must be updated at least every 5 years. Recently, NCDENR accepted Dallas’ update, dated 2012, which now must be formally adopted by action of the Board of Aldermen. (Exhibit F) Mr. Withers made a motion to approve the resolution adopting the Local Water Supply Plan as accepted by NCDENR, seconded by Mr. Huggins, and carried unanimously.

Item 11C was a petition for voluntary, noncontiguous annexation submitted by Steve and Maria Mason. Mr. and Mrs. Mason are requesting that the Town annex 41 acres of vacant land adjoin the south margin of Ratchford Road and the west margin of US-321. (Exhibit G) This is the same annexation the Board denied on October 8, 2013, with an additional 13 acres in this request. At this time, the Masons have stated that their proposed use of the property is undecided. In order to move forward with the request, the Board must direct the Town Clerk to investigate the sufficiency of the petition to determine if it meets the standards of G.S. §160A-58.1. Mr. Cearley made a motion to direct the Town Clerk to investigate the sufficiency of the petition and to report the findings back to the Board on June 9, 2015, seconded by Ms. Morrow, and carried unanimously.

Mr. Palenick gave a Manager's Report, noting current projects. He reminded the Board and audience of the Budget Work Session scheduled for Thursday, May 14, 2015 at 6:00 pm at the Fire Department Community Room.

Mr. Withers made a motion to adjourn, seconded by Mr. Huggins, and carried unanimously. (6:42)

Rick Coleman, Mayor

Maria Stroupe, Town Clerk

The Town of Dallas
210 N. Holland Street
Dallas, NC 28034
704-922-7681 Fax 704-922-4701

Resolution:

Passed May 12, 2015

Resolution for Respect for Law Week

Whereas, The Board of Alderman has for many years observed National Respect for Law Week, and;

Whereas, The Town of Dallas recognizes and appreciates the dedication of those serving in Law Enforcement, and;

Whereas, Citizens of every nation recognize the dangers faced by officers every day, and;

Whereas, We realize that these public servants are recognized too seldom for the services performed.

Therefore be it resolved that – We the Board of Alderman of the Town of Dallas declare the week of May 10, 2015 Respect for Law Week and thank the above listed public servants who work behind the badge, and all supportive staffs for their work and loyal dedication.

Be it Resolved by the Town Board of the Town of Dallas.

Ayes _____

Nays _____

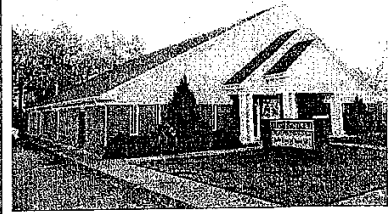
Abstains _____

Richard C. Coleman
Mayor of Dallas

Attest: _____
Maria Stroupe
Town Clerk

FIRST BAPTIST CHURCH

REVEREND FRANK L. MILTON, JR. SENIOR PASTOR
310 S. RHYNE STREET
P.O. BOX 564
DALLAS, NC 28034
(704) 922-1212
EMAIL: fbcDallas@gmail.com
Tax ID#: 56-1402946



May 6, 2015

Dear Board of Alderman,

We the members of First Baptist Church located 310 S. Rhyne Street Dallas NC would like to adopt a street in the community we live. The adoption would consist of routine clean up a few times per month. The street we would like to adopt is S. Spargo St. Specifically between E. Church Street and E. Holly Street. The only thing would ask the Town of Dallas to assist with is trash bags or cans. If possible, we would also like assistance with safety vest. We plan to have around 10 people assist with the clean-up efforts. Whatever you can provide would be greatly appreciated. We would like for our first clean up begin ASAP. Our planned cleaning day will be on Saturday's. Thank you for the consideration of approving this project. We believe our town is everyone's responsibility.

In the service of the Lord,
Rev. Frank L. Milton, Jr.

Reverend Frank L. Milton, Jr.
Senior Pastor

Charles E. Lindsay
Chairman Deacon Board

Minister Pearl Burris-Floyd
Chairman Trustee Board

MEMORANDUM

April 30, 2015

TO: Mayor and Board of Aldermen
FROM: Jack Kiser, AICP, and Development Services Director
THRU: Jim Palenick, Interim Town Manager
RE: SCI Towers- Hearing for Request of Special Use Permit for Cell Tower

This matter was last continued to the May 12, 2015 Board of Aldermen meeting. The Planning Board started, but did not finish, its public hearing on April 16, 2015. The Planning Board decided to continue its public hearing on this matter until its May 21, 2015 meeting in order to obtain additional information. So, in order for the Board of Aldermen to allow the Planning Board to finish its public hearing on May 21, and provide their recommendation to the Board of Aldermen, ***it will be necessary for the Board of Aldermen to continue its hearing and consideration of the Special Use Permit until its June 9, 2015 meeting.***

This matter was duly re-advertised for the June 9, 2015 Board of Aldermen meeting. Staff has also sent out new mail notices to all real property owners whose property is within or touches a 400-foot radius of the property on which the tower is proposed to be located.

POTENTIAL CHANGES FOR BOARD OF ALDERMEN TO CONSIDER ON
APRIL 14, 2015

An Ordinance to Amend Title XV, Chapter 153, "Zoning Code" of the Compiled Code of Ordinances of the Town of Dallas, North Carolina

An Ordinance amending Article I, "In General," to provide standards for fences in residential districts.

Whereas, the Town of Dallas recognizes that the installation of fences is customary in residential zoning districts; and

Whereas, it is typical for municipal zoning ordinances to establish minimal standards for fences in residential zoning districts; and

Whereas, the Town of Dallas finds that the establishment of minimal standards for fences for residential zoning districts is necessary for maintaining the economic stability and aesthetic value of properties in residential districts and for public safety.

NOW, THEREFORE BE IT HEREBY ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina, that Title XV, Chapter 153, "Zoning Code" of the Compiled Code of Town Ordinances be amended as follows:

Section 1. Article I, "In General" shall be amended by adding a new Section 1-I-16 to read in its entirety as follows:

Sec. 1-I-16 FENCES IN RESIDENTIAL DISTRICTS

In any Residential (R) District any fence installed from and after the effective date of this Section shall meet the following standards:

- (a) Fences and their customary appurtenances shall be constructed of materials designed, intended and customarily used for fencing.
- (b) Fences installed between the front building line of the principal residential structure (a line that runs along the front wall and extends therefrom in a straight line to either side property line) and the fronting street shall not exceed four (4) feet in height. Except that, if a fence is substantially transparent the height limit in said front yard shall be five (5) feet. (Examples of "substantially transparent" fences include: (1) Chain link fences with a typical 2" mesh fabric without slats; and (2) Steel picket fences with 1/2" pickets separated by 3/4" spaces.) No portion of any wall that functions as a retaining wall shall be included in determining the height of a fence.
- (c) Notwithstanding the preceding Paragraph (b), when the Zoning Administrator finds that there exists an unusual or extraordinary circumstance where an overwhelming public interest is served by allowing a fence of additional height to protect a residential use from negative impacts of adjoining non-residential uses, he may permit an opaque fence up to eight (8) feet high in the front yard along the property line separating the residential and non-residential uses.

(b) No fence shall be installed within two (2) feet of any fire hydrant.

Section 2. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 4. This ordinance shall take effect and be in force from and after the date of its adoption.

Adopted, this the _____ day of _____, 2015.

ATTEST:

Rick Coleman, Mayor

Maria Stroupe, Town Clerk

MEMORANDUM

April 2, 2015

TO: Mayor and Board of Aldermen

FROM: Jack Kiser, AICP, and Development Services Director

THRU: Jim Palenick, Interim Town Manager

RE: Zoning Code Amendment for Fence Standards in Residential districts

This amendment was first brought to you on February 10, 2015. The purpose of the amendment was to establish in the zoning code standards for fences *in residential districts*. The propose amendment dealt with three standards: (1) that fences should be constructed of materials meant for fencing; e.g., chain link, fabricated metal picket fence, wooden fence pickets, wooden or vinyl stockade fencing, masonry units, etc.; (2) that fences in font yards of residences in residential districts should be no higher than four feet (no height limit for rear yards or side yards behind the front building face); and (3) fences should be closer than two feet from any fire hydrant. Fence standards for residential districts are a typical provision in municipal zoning ordinances and four feet is a typical front yard standard, including Gastonia and Gaston County ordinances. *The Planning Board in January voted 4-3 to recommend approval of the proposed ordinance.*

At your February meeting there was considerable discussion regarding the front yard four-foot limitation. The Board voted to delay action on the amendment to a later meeting when it could consider language drafted by staff that would allow five-foot high fences in front yards if such fences were substantially transparent, such as chain link.

As per you request, staff drafted such language and took it to the Planning Board for review on March 19. Staff also saw a need for a minor change that would allow the Zoning Administrator to permit the installation of an opaque fence of up to eight feet on residentially zoned lots where unusual or extraordinary situations create a compelling public interest need to protect residences from non-residential uses. The Planning Board voted on these two amendments to the proposed code change separately because it had already voted to approve the original ordinance, and the two proposed changes were viewed as separate matters.

The proposed changes to the proposed code amendment are as follows (proposed change shown in bold italic):

(b) Fences installed between the front building line of the principal residential structure (a line that runs along the front wall and extends therefrom in a straight line to either side property line) and the fronting street shall not exceed four (4) feet in height. ***Except that, if a fence is substantially transparent the height limit in said front yard shall be five (5) feet. (Examples of "substantially transparent" fences include: (1) Chain link fences with a typical 2" mesh fabric without slats; and (2) Steel picket fences***

with ½" pickets separated by 3¾" spaces.) No portion of any wall that functions as a retaining wall shall be included in determining the height of a fence.

The Planning Board voted 6-0 AGAINST this proposed modification with members Beaty, Bratton, Clemmer, Heywood, O'Daly, and Wilson present.

(c) Notwithstanding the preceding Paragraph (b), when the Zoning Administrator finds that there exists an unusual or extraordinary circumstance where an overwhelming public interest is served by allowing a fence of additional height to protect a residential use from negative impacts of adjoining non-residential uses, he may permit an opaque fence up to eight (8) feet high in the front yard along the property line separating the residential and non-residential uses.

The Planning Board voted 5-1 FOR this proposed modification members Bratton, Clemmer, Heywood, O'Daly, and Wilson voting FOR and member Beaty voting AGAINST.

Staff Recommendations:

1. Staff recommends that the modification proposed in "(b)" above **NOT BE APPROVED**, consistent with the Planning Board recommendation and the original staff proposal. That is, in general, height limits to fences in front yards in residential districts be left as originally proposed at four (4) feet, which is typical of municipal codes. However, if the Board of Aldermen feels that a five-foot front yard standard is more appropriate for Dallas, then staff recommends that fences exceeding four feet be "substantially transparent" as set forth in the draft language provided in "(b)" above.
2. Staff further recommends that the modification proposed in "(c)" above (allowing the Zoning Administrator to grant exceptions in extraordinary circumstances to protect a residential use from a non-residential use) be **APPROVED** consistent with the Planning Board recommendation.
3. Finally, staff recommends that the **ORDINANCE BE APPROVED** consistent with the first two recommendations.



April 14, 2015

Mr. Jim Palenick
Town of Dallas Manager
210 N. Holland St.
Dallas, NC 28034-1625

RE: Replacement of William Farris, Co-Managing Member, Dallas High School Apartments
(DHS Apartments, LLC)

Dear Mr. Palenick:

I am writing to request approval from the Town of Dallas, which currently holds a promissory for the property in the amount of \$230,000, for the replacement of William Farris by LSA Management, Inc., doing business as Lutheran Services Carolinas (LSC). LSC has a long history of serving seniors in North Carolina dating back over 50 years, most recently with the addition of Trinity Elms, a 100-bed nursing facility in Clemmons which opened in October 2014. In addition, LSC is a founding member of three PACE programs (Program of All-inclusive Care for the Elderly), including Senior TLC in Gastonia. LSC is hopeful that beyond the fact of serving more low income seniors at DHS Apartments, some synergies can be gained through connecting senior housing and services such as Senior TLC that can help people live fuller, richer lives in the community.

To the end of gaining approval for Lutheran Services Carolinas to replace William Farris as Co-Managing Member, I am pleased to enclose the following information:

1. **Offering Statement from the \$44,790,000 North Carolina Medical Care Commission bond issue from December 2012.** While it's a large document with many specifics regarding the refinancing of debt and the construction of two nursing homes, the document does provide some good background on Lutheran Services Carolinas (Lutheran Services for the Aging represents the senior programs of the organization).
2. **Audited financial statements for the previous three years, 2014, 2013, 2012.** The statements consolidate all of LSC's affiliates and demonstrate the financial strength and staying power of the corporation.
3. **Board resolution giving the president the authority to move forward with the process.**

We are pleased at the prospects of becoming involved with DHS Apartments in order to serve the low income senior population in the area. If there is other information that the Town of Dallas would need in order to facilitate the approval of LSA Management replacing William Farris as a Co-Managing Member, please let me know.

Sincerely,

Ted Goins, Jr., President

LSC Administrative Office • P.O. Box 947 • Salisbury, NC 28145-0947 • (704) 637-2870

www.LSCarolinas.net

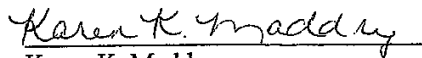


SECRETARY'S CERTIFICATION

I, Karen K. Maddry, Corporate Secretary of LSA Management, Inc., hereby certify that the following is a true and correct copy of unanimous action taken by the members of the Board of Directors via a written consent to action:

“That LSA Management, Inc. enter into agreements to become co-managing partner, and eventually the sole managing partner, of the Dallas High School Apartments, LLC. Further, that the president be authorized to take any and all action he deems necessary to effectuate, complete, and carry out the intent and purposes of this action, including, but not limited to, entering into, executing, acknowledging or attesting any commitments, arrangements, agreements, instruments, or documents.”

This, the 19th day of March, 2015.


Karen K. Maddry
Corporate Secretary

[SEAL]

NORTH CAROLINA
GASTON COUNTY

**DALLAS HIGH SCHOOL APARTMENTS
HOUSING DEVELOPMENT
LOAN REPAYMENT AGREEMENT**

THIS AGREEMENT is entered into by and between the DHS Apartments, LLC, authorized to transact business within the State of North Carolina, hereinafter referred to as the DEVELOPER and the TOWN OF DALLAS, a North Carolina Municipal Corporation, hereinafter referred to as the TOWN.

WHEREAS, the Town has received a Community Development Block Grant (CDBG) from the Division of Community Assistance in the amount of \$250,000 to be used to benefit low and moderate income persons by financing renovations to the Historic Dallas High School building located within the Town of Dallas.

NOW THEREFORE, in consideration of these premises and mutual covenants and promises, as set forth herein, the parties agree as follows:

In addition to the "Development Agreement" executed by the Town of Dallas and the Developer on October 31, 2002, both parties do also agree upon the following loan re-payment schedule:

LOAN REPAYMENT SCHEDULE

WHEREAS, the TOWN has provided a loan of \$230,000 which will accrue at a rate of 2% with a balloon payment at twenty (20) years. Based on the "Twenty Year Operating Proforma" included in the Housing Development application, the DEVELOPER agrees to make annual payments to the TOWN in the amount of \$3,720 to the Town of Dallas, with a balloon payment due at the end of the twenty (20) year term.

WHEREAS, the initial annual payment will be made one year following the date of the "Certificate of Occupancy" received from the Gaston County Building Inspections Department.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by its officers by authority duly given, this the _____ day of _____, 2003

TOWN OF DALLAS

DHS Apartments, LLC

Sam C. Rhyne, Mayor

William B. Ferris, Managing Member

Scott A. Redinger, Managing Member

ATTEST:

ATTEST:

Nicholas E. Vlaservich, Clerk



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

March 30, 2015

Ms. Amelia Hamrick, ORC
Town of Dallas Water System
700 E. Holly Street
Dallas, NC 28034

Subject: LWSP Meets Minimum Criteria
Town of Dallas Water System
PWSID Number: 01-36-065
Gaston County

Dear Ms. Hamrick,

This letter is to notify you that our staff has reviewed the information contained in the 2012 Local Water Supply Plan (LWSP) update submitted by your office. Since all the required information is complete, the 2012 LWSP for the Town of Dallas' water system hereby meets the minimum criteria established in North Carolina General Statute 143-355 (l).

Your water system's 2012 LWSP is now viewable online from the *Local Water Supply Plans* link at <http://www.ncwater.org/>. The plan has been made available after our best efforts to screen any errors. As a final check, please review and report any mistakes or omissions to Dennis Ramsey, the review engineer. Unless notified otherwise, the Division of Water Resources considers your 2012 LWSP complete.

The 2012 LWSP must next be adopted by your water system's governing board; a model resolution is enclosed for guidance. A copy of the signed resolution must be submitted to Linwood Peele, Supervisor, Water Supply Planning Branch, at the address printed at the bottom of this letter. The LWSP cannot be considered compliant with the requirements of NCGS 143-355(l) until an adopted resolution is received.

Thank you very much for your efforts to provide your customers with a safe and reliable supply of drinking water. We look forward to continuing to work with you in these efforts. Please contact Dennis Ramsey at dennis.ramsey@ncdenr.gov or 919/707-9037 or me at linwood.peele@ncdenr.gov or 919/707-9024 if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Linwood E. Peele".

Linwood E. Peele, Supervisor
Water Resources, NC DENR

Enclosure

1601 Mail Service Center, Raleigh, North Carolina 27699-1601
Phone: 919-707-8600 \ Internet: www.ncdenr.gov

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RESOLUTION FOR APPROVING LOCAL WATER SUPPLY EXHIBIT F(2)

WHERE AS, North Carolina Statute 143-355 (1) requires that each unit of local government at provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHERE AS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for The Town of Dallas, has been developed and submitted to the Division of Water Resources, North Carolina Department of Environment and Natural Resources for approval; and

WHERE AS, the Division of Water Resources, North Carolina Department of Environment and Natural Resources finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for The Town of Dallas, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Dallas North Carolina that the Local Water Supply Plan entitled, Dallas dated 2012, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town Council of Dallas North Carolina intends to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the _____ day of _____, 2015.

Name: _____

Title _____

Signature _____

ATTEST:

MEMORANDUM

May 4, 2015

TO: Mayor and Board of Aldermen

FROM: Jack Kiser, AICP, and Development Services Director

THRU: Jim Palenick, Interim Town Manager

RE: Petition for Noncontiguous ("Satellite") Annexation- Steve and Maria Mason

The subject annexation request is located roughly 0.3 to 0.7 mi. north of its closest point to the primary corporate limits of the Town of Dallas. The 41.126 acre assembly of tracts fronts on the north along Ratchford Road, along the east by the US-321 corridor, along the south by Gibson Industrial Park, and on the west by tracts that include a mobile home park and other tracts that also lie along the south margin of Ratchford Road. Although it adjoins the Gibson Industrial Park satellite annexation, the Mason annexation request must also be treated as a noncontiguous (or satellite) request, because under state law an extension of a satellite is also treated as a satellite. A location map and a survey of the requested annexation are attached hereto. The procedures for this type of annexation are set forth in NCGS Chapter 160A, Article 4A, Part 4.

§ 160A-58.2. Public hearing. Upon receipt of a petition for annexation under this Part, the city council shall cause the city clerk to investigate the petition, and to certify the results of his investigation. If the clerk certifies that upon investigation the petition appears to be valid, the council shall fix a date for a public hearing on the annexation. Notice of the hearing shall be published once at least 10 days before the date of hearing. At the hearing, any person residing in or owning property in the area proposed for annexation and any resident of the annexing city may appear and be heard on the questions of the sufficiency of the petition and the desirability of the annexation. If the council then finds and determines that (i) the area described in the petition meets all of the standards set out in G.S. 160A-58.1(b), (ii) the petition bears the signatures of all of the owners of real property within the area proposed for annexation (except those not required to sign by G.S. 160A-58.1(a)), (iii) the petition is otherwise valid, and (iv) the public health, safety and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation, the council may adopt an ordinance annexing the area described in the petition. The ordinance may be made effective immediately or on any specified date within six months from the date of passage. (1973, c. 1173, s. 2.)

In accordance with the above statutory requirements, the Town Board of Aldermen must now direct the Town Clerk to investigate the petition for sufficiency and whether it meets the standards of GS 160A-58.1 and certify such findings to the governing body. If the petition is found by the Clerk to be sufficient and meeting the standards of GS 160A-58.1, the Board of Aldermen will be required to set a public hearing on the matter of the petition for annexation.

Staff Recommendation: *Direct the Town Clerk to investigate the sufficiency of the petition for noncontiguous annexation from Steve and Maria Mason and whether it meets the standards of GS 160A-58.1 and to report such findings to the Board of Aldermen.*

60

Steve P. Mason
Maria C. Mason
4210 Springview Drive
Dallas, NC 28034

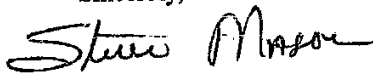
Town of Dallas
210 N Holland Street
Dallas, NC 28034

Dear Sir or Ma'am:

This letter is to state our interest in having annexed into the city limits approximately 41 acres of land located on Ratchford Rd, Dallas. My wife, Maria C. Mason, and I are the current owners of the property. The dimensions are included on the attached drawing. At this time my wife and I are undecided on how the property will be developed. We are looking to have the property annexed in order to have access to city sewer and water if and when the property is developed.

We greatly appreciate your consideration and look forward to hearing from you concerning this matter. If you need any further information please feel free to contact me at (704) 678-1714.

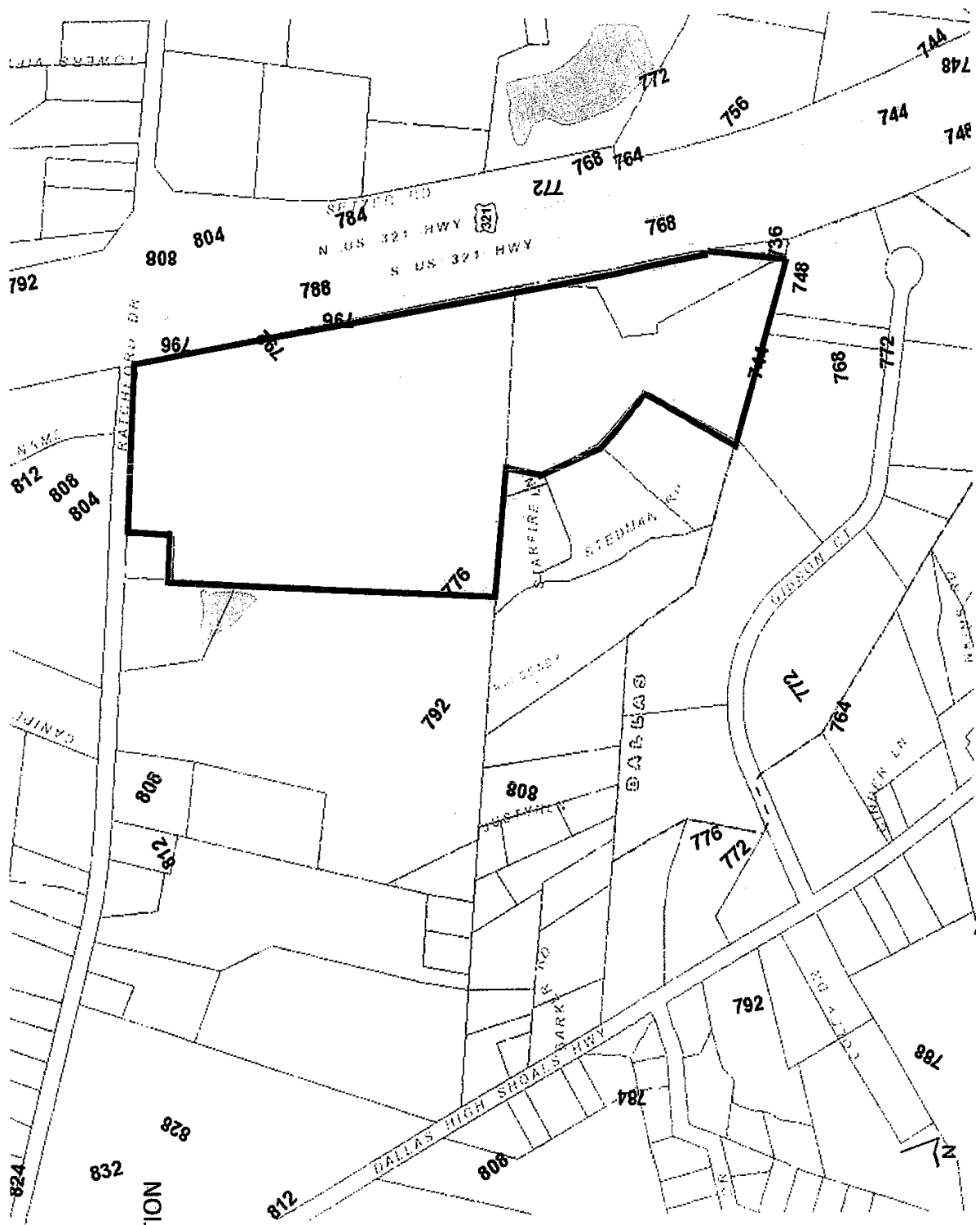
Sincerely,



Steve P. Mason
Maria C. Mason

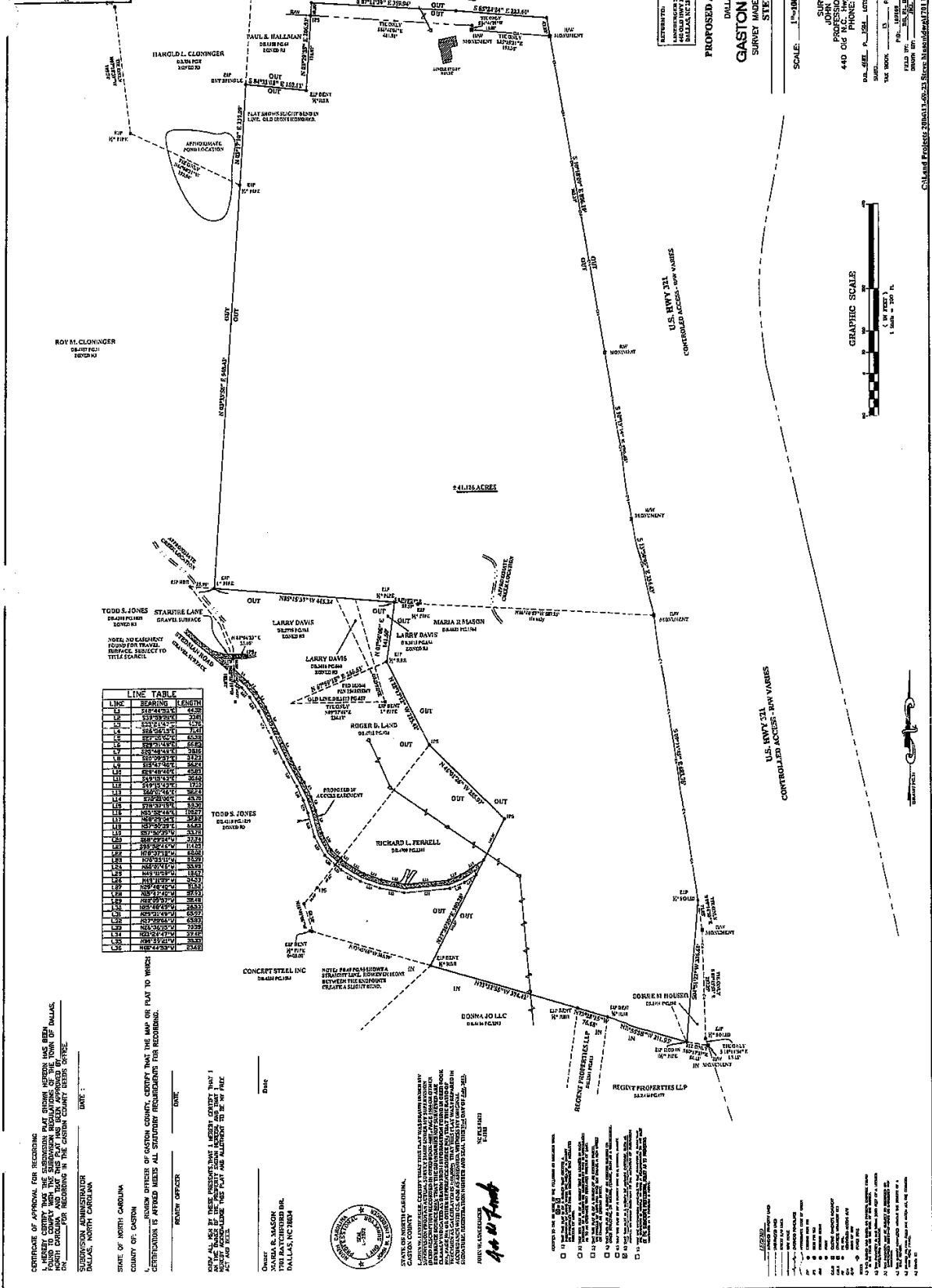


6/1



ANNEXATION
PETITION
STEVE &
MARIA
MASON

62

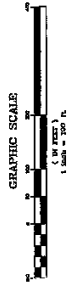


LINE TABLE

LINE #	BEARING	LENGTH
L1	S 89° 44' 33" E	14.28
L2	S 73° 29' 28" W	2.95
L3	S 89° 44' 33" E	14.28
L4	S 89° 44' 33" E	14.28
L5	S 89° 44' 33" E	14.28
L6	S 89° 44' 33" E	14.28
L7	S 89° 44' 33" E	14.28
L8	S 89° 44' 33" E	14.28
L9	S 89° 44' 33" E	14.28
L10	S 89° 44' 33" E	14.28
L11	S 89° 44' 33" E	14.28
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L22	S 89° 44' 33" E	14.28
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L95	S 89° 44' 33" E	14.28
L96	S 89° 44' 33" E	14.28
L97	S 89° 44' 33" E	14.28
L98	S 89° 44' 33" E	14.28
L99	S 89° 44' 33" E	14.28
L100	S 89° 44' 33" E	14.28

PROPOSED ANNEXATION PLAT
 DALLAS TOWNSHIP
 GASTON COUNTY, N.C.
 SURVEY MADE AT THE REQUEST OF:
 STEVE MASON

SCALE: 1" = 100' DATE: 23 JULY 2013
 REVISED 5 J
 SURVEY BY: JOHN W. LINDBERGER
 REGISTERED PROFESSIONAL SURVEYOR
 440 Old N.C. Hwy. 277, Suite 100
 Phone: (704) 827-3072



CERTIFICATE OF APPROVAL FOR RECORDING
 I, HENRY CERRY, CLERK OF THE SUPERVISOR PLAT SHOWING HEREON, HAVE BEEN
 DULY SWORN AND HAVE REVIEWED THE PLAT AND THE RECORDING INFORMATION
 ON _____ FOR RECORDING IN THE GASTON COUNTY DEEDS OFFICE.
 SUBDIVISION ADMINISTRATOR
 DALLAS, NORTH CAROLINA

DATE: _____

STATE OF NORTH CAROLINA
 COUNTY OF GASTON
 I, HENRY CERRY, CLERK OF THE SUPERVISOR PLAT SHOWING HEREON, HAVE BEEN
 DULY SWORN AND HAVE REVIEWED THE PLAT AND THE RECORDING INFORMATION
 ON _____ FOR RECORDING IN THE GASTON COUNTY DEEDS OFFICE.
 SUBDIVISION ADMINISTRATOR
 DALLAS, NORTH CAROLINA

DATE: _____

OWNER:
 JOHN W. LINDBERGER
 1700 RATCHFORD DR.
 DALLAS, NC 28034

NOTICE TO THE PUBLIC
 THIS PLAT WAS PREPARED BY JOHN W. LINDBERGER, REGISTERED PROFESSIONAL SURVEYOR, AND IS SUBJECT TO THE
 PROVISIONS OF THE SURVEYING ACT OF 1971 AND THE SURVEYING REGULATIONS OF 1972.
 THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEYING DATA AND THE
 CORRECTNESS OF THE LEGAL DESCRIPTIONS THEREON. THE SURVEYOR DOES NOT WARRANT
 THE ACCURACY OF THE DATA OR THE LEGALITY OF THE CLAIMS THEREON. THE SURVEYOR
 DOES NOT WARRANT THE ACCURACY OF THE DATA OR THE LEGALITY OF THE CLAIMS
 THEREON. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE DATA OR THE
 LEGALITY OF THE CLAIMS THEREON.

OWNER:
 JOHN W. LINDBERGER
 1700 RATCHFORD DR.
 DALLAS, NC 28034

STATE OF NORTH CAROLINA
 COUNTY OF GASTON
 I, JOHN W. LINDBERGER, REGISTERED PROFESSIONAL SURVEYOR, HAVE BEEN
 DULY SWORN AND HAVE REVIEWED THE PLAT AND THE RECORDING INFORMATION
 ON _____ FOR RECORDING IN THE GASTON COUNTY DEEDS OFFICE.
 SURVEYOR
 DALLAS, NORTH CAROLINA

DATE: _____

OWNER:
 JOHN W. LINDBERGER
 1700 RATCHFORD DR.
 DALLAS, NC 28034

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63