

Mayor
Jill Swain

Mayor Pro-Tem
Sarah McAulay

Commissioners
Melinda Bales
Charles Guignard
Charles Jeter
Ron Julian
Danny Phillips

Town Manager
Gregory H. Ferguson



Department Heads
Max Buchanan, Public Works
Bill Coxe, Transportation
Michael Jaycocks, Parks & Rec
Craig Norfolk, Electric
Phillip Potter, Police Chief
Jack Simoneau, Planning
Janet Stoner, Finance

Assistant Town Manager
Gerry Vincent

Town Clerk
Janet Pierson

Town Attorney
Bob Blythe

AGENDA

Regular Town Board Meeting
February 20, 2012 – 6:30 p.m.

TOWN HALL (101 Huntersville-Concord Road)

I. Pre-meeting – 5:00 p.m.

- A. Closed Session – Personnel. (5:00 p.m. – 5:30 p.m.)
- B. Retreat follow-up and legislative agenda discussion. (5:30 p.m. – 6:30 p.m.)

II. Call to Order

III. Invocation/Moment of Silence

IV. Pledge of Allegiance

V. Mayor and Commissioner Reports/Staff Questions

- A. Mayor Swain (MTC, NMIP Management Team)
- B. Commissioner Melinda Bales (Police Dispatch)
- C. Commissioner Charles Guignard (LNTC)
- D. Commissioner Charles Jeter (ASC)
- E. Commissioner Ron Julian (LNREDC Board, School Advisory Committee)
- F. Commissioner Sarah McAulay (MPO, COG, NC 73 COP, Planning Coordinating Committee, VLN)
- G. Commissioner Danny Phillips (Lake Norman Chamber)

VI. Public Comments, Requests, or Presentations

- A. Kathryn Sellers – Update on Lake Norman Victim Advocate position.

VII. Agenda Changes

- A. Agenda changes, if any.
- B. Adoption of Agenda.

VIII. Public Hearings

- A. Conduct public hearing on refinancing all or a portion of installment payments under the 1995 contract, the 1999 contract and the 2009 contract so as to reduce the installment payments associated with each of them. **Attachment No. 1.** (Greg Ferguson)

IX. Other Business

- A. Consider adopting proposed Street Name Change Ordinance and associated fees. **Attachment No. 2.** (Catherine Stutts)
- B. Consider authorizing Town Manager to execute agreement between Town of Huntersville, Energy United and Northcross Masters Association related to street lights on NC 73. **Attachment No. 3.** (Max Buchanan)
- C. Consider adopting Resolution requesting NCDOT relinquish to the Town for maintenance a portion of Stumptown Road. **Attachment No. 4.** (Max Buchanan)
- D. Consider adopting Resolution adopting a plan that designates personnel of Novant Health, Inc./Presbyterian Hospital to transport commitment orders and/or respondents in involuntary commitment proceedings. **Attachment No. 5.** (Chief Potter)

- E. Consider adopting Capital Project Ordinance for Ranson Road/Stumptown Road intersection improvements. **Attachment No. 6.** (Janet Stoner/Max Buchanan)
- F. Consider adopting Capital Project Ordinance for McCoy Road/Julian Clark Avenue intersection improvements. **Attachment No. 7.** (Janet Stoner/Max Buchanan)

X. Consent Agenda

- A. Approve minutes of the February 6, 2012 Pre-Meeting. **Enclosure.**
- B. Approve minutes of the February 6, 2012 Regular Town Board Meeting. **Enclosure.**
- C. Approve budget amendment recognizing funds in the amount of \$64,796.63 for the second year funding of the Governor's Crime Commission Victim Advocate Grant. **Attachment No. 8.** (Janet Stoner/Chief Potter)
- D. Clarify a call for public hearing for Monday, March 5, 2012 at 6:30 p.m. at Huntersville Town Hall on Petition #TA12-03, a request by the Town of Huntersville to amend Section 8.400.4 of the Subdivision Ordinance to extend the required maintenance guarantee time period from 1 year up to 2 years (per Huntersville Engineering Standards and Procedures Manual) for street improvements. **Attachment No. 9.** (David Peete)

XI. Closing Comments

XII. Adjourn

To speak concerning an item on the Agenda, please print your name and address on the sign-up sheet on the table outside the Board Room prior to the meeting. If you wish to speak concerning an item that is added to the Agenda during the meeting, please raise your hand during that item. Each speaker will be limited to 3 minutes.
**AS A COURTESY, PLEASE TURN CELL PHONES
OFF WHILE MEETING IS IN PROGRESS**

ATTACHMENT NO. 1

Installment Financing Contracts to be Refinanced

1995 Contract First Union National Bank

- Town Hall, Police Station, Parks & Rec facilities
- Current terms - 5.09% with final maturity in 2015
- January 31, 2012 principal \$1,292,619

1999 Contract Bank of America, N.A.

- Town Aquatic Center, North Meck Park projects
- Current terms - 4.71% with final maturity in 2019
- January 31, 2012 principal \$2,381,250

2009 Contract BB&T

- Town Center, Parking Deck and property
- Current terms – 4.59% with final maturity in 2024
- January 31, 2012 principal \$16,179,389

Total Principal 19,853,258

Target Rate +/- 2.5%

ATTACHMENT NO. 2

**Town of Huntersville
REQUEST FOR BOARD ACTION
February 20, 2012**

REVIEWED:
Town Manager <u> </u>
Finance Officer <u> </u>
Town Attorney <u> </u>

To: The Honorable Mayor and Board of Commissioners

From: Catherine Stutts, Planning Technician

Subject: **Code of Ordinances, Title IX: General Regulations, Chapter 97: Street Name Changes & Fees**

Request consideration of and possible action on the proposed Street Name Change ordinance and fees on Monday, February 20, 2012 at 6:30 PM, Huntersville Town Hall. Town staff was approached by a resident to change an existing street name, but there was no procedure in place to accommodate such request. Therefore, staff prepared the attached ordinance for street name changes in order to establish a procedure and evaluation criteria for the review of said requests. The fees proposed for street name changes cover the expense of reviewing applications and installing new street signs. (Staff: Catherine Stutts)

ACTION RECOMMENDED: Consideration and possible action on February 20, 2012

ATTACHMENTS:

- Staff Report
- A - Proposed ordinance for street name changes
- B - Proposed fees for street name changes
- C - Sample - Application for street name changes
- D - Support material - Summary of street renaming requirements and processes for 11 NC communities

ENCLOSURES: N/A

FINANCIAL IMPLICATIONS: N/A

Title IX: General Regulations, Chapter 97: Street Name Changes & Fees

EXPLANATION OF THE REQUEST

Title IX: General Regulations, Chapter 97: Street Name Changes is an amendment to the Code of Ordinances. This new chapter establishes a procedure for interested parties to submit requests for street name changes and evaluation criteria for the Board of Commissioners to consider said requests. The fees proposed for street name changes cover the expense of reviewing applications and installing new street signs.

BACKGROUND & STAFF ANALYSIS

The Town Manager was approached by a resident to change an existing street name, but there was no procedure in place to accommodate such request. Therefore, the Planning Department Staff was asked to prepare a street renaming procedure.

Staff assessed eleven communities¹ and found eight adopted a street renaming ordinance while three communities adopted a policy (Attachment D). Staff shared these findings with the Town Attorney, and it was recommended the town pursue a street renaming ordinance instead of a policy.

The street renaming ordinances reviewed by staff varied from very brief to very detailed. Several ordinances began with a purpose and included definitions. Every ordinance addressed the criteria and procedure for renaming streets.

The main criteria for renaming streets is to avoid duplicates or similar sounding names of existing streets in order to prevent the misdirection of emergency responders. Other criteria include the promotion of consistency along joined alignments; clarification of names at changes in traffic patterns; and to honor an individual, group, place or historic event.

Initiatives to change a street name can come from the municipality or property owners. Typically, requests require a fee and are routed through the Planning Department. If the initiative comes from property owners, a majority of owners of the lots abutting the street in question must be in support of the change. The process typically requires a public hearing and the change is made official by resolution. If a change is approved, the majority of surveyed jurisdictions notify a number of agencies, such as the U.S. Postal Service.

¹ The eleven communities assessed by staff include Asheville, Cary, Chapel Hill, Charlotte, Concord, Greensboro, Greenville, Hickory, Raleigh, Rocky Mount, and Waynesville.

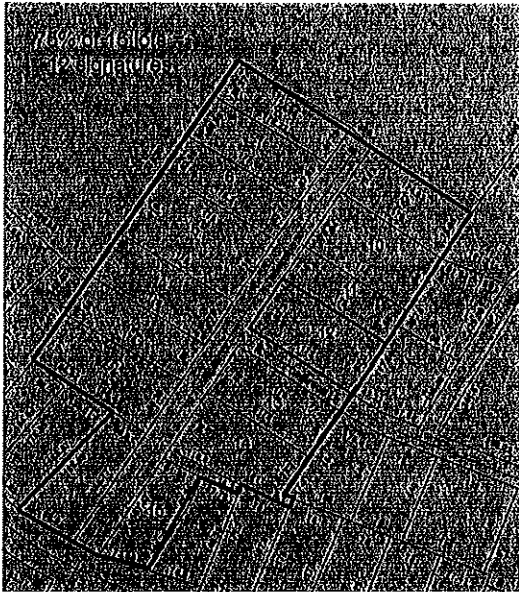
BOARD COMMENTS

The first call for consideration was held on December 19, 2011, and the following three issues were raised:

1. Does the 75% of property owner support in favor of a name change refer to the number of property owners who abut the subject street OR the linear feet of street frontage?
2. Why does the application require a telephone number for each property owner abutting the subject street?
3. Why does the application require foot of road frontage owned by each property owner abutting the subject street?

Staff comments:

1. The 75% of property owner support in favor of a name change refers to the owner(s) of 75% or more of the lots which directly abut the subject street (see image below). 75% of property owner support does not refer to the linear feet of street frontage.
2. Staff must notify by first class mail all persons owning property abutting the subject road of the time and place of the public hearing. Therefore, telephone numbers are unnecessary and the field was removed from the application.
3. The feet of road frontage owned by each property owner is irrelevant and this field was removed from the application.



STAFF RECOMMENDATION

Planning Staff supports the adoption of Title IX: General Regulations, Chapter 97: Street Name Changes, as provided in Attachment A. Staff also recommends establishment of new fees to cover the review of applications and installation of new street signs (Attachment B). Attached for reference is an application proposed for use, in accordance with §97.05 (Attachment C).

ATTACHMENTS/ENCLOSURES

Attachments

- A - Proposed street name change ordinance
- B - Proposed fees for street name changes
- C - Sample - Application for street name changes
- D - Support Material - Summary of street renaming requirements and processes for 11 NC communities

Code of Ordinances, Title IX: General Regulations, Chapter 97: Street Name Changes

Section

- 97.01 Purpose
- 97.02 Approval Authority
- 97.03 Evaluation Criteria
- 97.04 Authorized Submission
- 97.05 Application
- 97.06 Fees
- 97.07 Procedure

§97.01 Purpose.

To establish a procedure to allow interested parties to submit requests for street name changes and evaluation criteria for the review of said requests as either: 1) recognizing a person, group, place, or historic event as being noteworthy to the community and meriting a street being named after that subject; or 2) addressing an existing street naming issue that a local government agency has identified as a concern.

§97.02 Approval Authority.

Proposed name changes for public and private streets shall be submitted to Planning Department Staff. After completion of application is verified, staff will request Town Board of Commissioners take action to set a public hearing.

§ 97.03 Evaluation Criteria.

(A) The Town Board of Commissioners shall consider the following criteria when evaluating any resolution for a street name change under their respective authority:

1. The delivery of personal, public and emergency services;
2. The similarity to existing street names;
3. Pronunciation and spelling;
4. Any condition which may confuse the traveling public;
5. Place, name association or history;
6. The expense to abutting property owners; and
7. The expense to affected governmental agencies, including but not limited to the Town of Huntersville, Mecklenburg County, N.C. Department of Transportation, and the U.S. Postal Service.

§ 97.04 Authorized Submission.

The Town Board of Commissioners, a department of the Town of Huntersville, or any property owner along the subject street may initiate a request to change the name of that street. The term "property owner" shall constitute the person(s), firm or corporation as listed in the Mecklenburg County tax records and referenced by the deed description on the applicable parcel card. Where a lot is held in joint, common or other form of multiple ownership, all the owners having title or interest in the lot must sign the petition.

§97.05 Application.

Any property owner, public body or agency authorized to request a street name change may complete an application form provided by the Planning Department (Attachment C) and submit it to staff. In order to be processed, applications must include all requested information.

§97.06 Fees.

The Town may establish an application fee (Attachment B) to help defray the expenses of processing the request as well as a fee for the purchase and installation of new street signs. All applicants, except the Town Board of Commissioners or staff, must submit the application and sign fees with the application. If the proposed street name is not approved, the fee for new signs will be returned to the applicant in full.

§97.07 Procedure.

(A) Prior to processing any street name change request, staff must confirm with the County the name is available for assignment.

(B) Applications to change a street name which are submitted by property owners must state the reason for the proposed change. Applications shall also include a list with the names and addresses of every person owning property abutting the road and a petition in favor of the name change signed by the owners of 75% or more of the lots which directly abut the subject street.

(C) If staff confirms the name is available and the petition is sufficient, staff shall request a public hearing and publish notice of the proposed street name change. Notice of the public hearing shall be published once in a newspaper of general circulation. The notice shall be published not less than 10 days or no more than 25 days before the public hearing. Staff will also notify by first class mail all persons owning property abutting the road of the time and place of the public hearing.

(D) At the time of the Town Board hearing, interested parties may sign up to speak to the proposed name change. The Town Board of Commissioners may elect to make a decision on the item either at the current or subsequent meeting.

(E) After renaming a road, staff shall notify the postmaster with jurisdiction over the road and the following agencies: Mecklenburg County GIS, town police department and fire department.

Fees**Title IX: General Regulations, Chapter 97: Street Name Changes**

Staff recommends establishment of new fees in accordance with §97.06.

1. Street Name Change Application Fee: \$150 (covers notice of public hearing and staff review)
2. One Double-Blade Street Sign: \$100 (number of signs contingent on number of intersections)

Town of Huntersville NORTH CAROLINA

SAMPLE APPLICATION

1 Please read the petition and all other information carefully. It is important that you understand what you are signing and how it will affect you.

Refer to the Fee Schedule for Current Processing Fee.

1 This petition was submitted by

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax # _____

Email _____ Today's Date _____

2 Description of portions of street to be changed _____

3 Reason for changing the name of this street _____

4 Existing Name _____ Requested Name _____

5 Map- Attach a copy of a map which shows the subject street or alley and abutting properties. Each property is to be identified by a parcel ID.

Please include all of the following (check off) - If any information is missing from the application package, you will be asked to complete the application and re-submit:

Application Fee. This fee is intended to cover the cost of advertising and public notification.

Sign Fee. This fee is intended to cover the purchase and installation of new street signs. If the proposed street name is not approved by the Town Board of Commissioners this fee will be returned to the applicant in full.

List of Property Owners. Provide a list of the names and addresses of all property owners abutting the street in question.

Signed Petition. The petition in favor of the proposed name change must be signed by the owners of 75% or more of the lots which directly abut the subject street. Please print out additional sheets if needed.

Office Use Only

File # _____ Fee _____ Amount Paid _____

Check # _____ Received Date _____ Received By _____

2 Sign the petition as signed on the deed. If there are multiple owners, signatures must be listed in the same manner as on the deed.

3 If you are signing on behalf of a corporation, give your title and place your corporate seal over your signature.

Note: Incorrect signatures are not binding on the petition and may cause delay in processing.
If you have any questions, call the Planning Department at 704-875-7000.

We, the undersigned property owners, owning land abutting the street or alleys shown on the attached map, hereby petition the Town of Huntersville Board of Commissioners to change the street name

from _____
to _____

Parcel Identification Number		
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		
Property Owner		
Mailing Address		
City	State	Zip
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Parcel Identification Number			
Property Owner			
Mailing Address			
City	State	Zip	
Signature			
Parcel Identification Number			
Property Owner			
Mailing Address			
City	State	Zip	
Signature			

Street Name Changes: Comparison of Requirements and Processes from 11 NC Communities

Town/City	Policy or Ordinance	Approval Authority	Evaluation Criteria	Authorized Initiators	Application / Fee	Petition/ Percent of Required Property Owner Signatures	Public Hearing	Fee for New Street Signs	Notification After Approval	Notes
Asheville	Ordinance	City Council	No	City Officials, Property Owners	No - initiated by City Council or 1/2 + property owners	More than 1/2 of property owners along said street	Yes	No	No	
Cary	Policy	Town Council	Yes	Property Owners, Staff	Yes	Yes	100% property owner support - Council may adopt w/o public hearing	Yes	Town Staff notifies all parties on the address notification list	
Chapel Hill	Ordinance	Town Council	Yes	Address Administrator, Property Owners	No	75% of Property Owners	Yes	Yes	No	Town uses Orange County's Naming and Addressing Ordinance
Charlotte	Policy	Charlotte Dept. of Transportation (CDOT)	Yes	City Officials, Property Owners	No	60% of Property Owners	No	Business pays for new street signs when renamed after the company.	CMS, CMPD, City Eng., Tax, Utilities, NCDOT, USPS, CMFD, CMUD	CDOT decisions can be appealed to City Council
Concord	Ordinance	City Council	Yes	City Officials, Staff	No	No	Yes	No	Tax, Utilities, Billings, Instructions to contact USPS	
Greensboro	Policy	City Council	Yes	City Council, Planning Board, Property Owners, Staff	Yes	80% Property Owners	Yes	No	No	

Street Name Changes: Comparison of Requirements and Processes from 11 NC Communities

Town/City	Policy or Ordinance	Approval Authority	Evaluation Criteria	Authorized Initiators	Application / Fee	Petition/ Percent of Required Property Owner Signatures	Public Hearing	Fee for New Street Signs	Notification After Approval	Notes
Greenville	Ordinance	Plan/Zone Comm.; For honor of individual, event or location - City Council	Yes	City Council, Planning and Zoning Commission, Property Owners, Staff	No	60% Property Owners	Yes	No	No	
Hickory	Ordinance	City Council	Yes	City Officials, Property Owners	No	80% Property Owners	Yes	Yes	No	
Huntersville	Ordinance	Town Board	Yes	Town Officials, Property Owners	Yes	75% Property Owners	Yes	Yes	Yes	
Raleigh	Ordinance	City Council	Yes	City Officials, Property Owners, Staff	Yes	Majority of Property Owners	Yes	Yes	Utilities, City Depts., Wake County Gov., NCDOT, USPS	
Rocky Mount	Ordinance	City Council	Yes	Issue of safety-E911 coordinator; Conflict b/w existing names-Addressing; Property Owners	Yes	No	Yes	No	City & County emergency services, Tax, Elections and School Boards, NCDOT, Affected Property Owners	
Waynesville	Ordinance	Board of Aldermen	Yes	Board of Aldermen, Staff, Property Owners	Yes	65% Property Owner Signatures	Yes	Yes	Postmaster, State DOT, County Sheriff, Town Police and Fire, Land Records, School Board	

ATTACHMENT NO. 3

**Town of Huntersville
REQUEST FOR BOARD CONSIDERATION
February 20, 2012
MEETING**

To: The Honorable Mayor and Board of Commissioners

From: Max L. Buchanan, PE – Director of Engineering & Public Works

Subject: Execution of Agreement between Town of Huntersville, Energy United, & Northcross Masters Association related to street lights on NC73

Prior to the NC73 widening project, there were approximately 60 street lights located within the following areas:

On NC73 between I-77 and Rich Hatchett Road
On US21 between Holly Point Drive and Caldwell Creek Drive

Since early 1990's, the cost of the NC73 street lights has been a shared cost with the Town of Huntersville and Northcross Masters Association (NMA) each responsible for 50% of the monthly invoice. The unit price during this period included a decorative component and has averaged about \$28.00 per light per month. (\$14.00 per light per month to each party)

In lieu of continuing the current arrangement for the NC73 street lights, the NMA has proposed to buy-down the decorative component of the street lights with the understanding that the Town of Huntersville would then be solely responsible for the monthly costs of the street lights. Once the buy-down cost, as established by Energy United, has been satisfied by NMA; the unit price of the street lights will no longer include the decorative component and will result in a savings to the Town through the lower unit price of \$11.61 per light per month.

In addition to the buy-down of the street lights impacted by the NC73 widening project, NMA is also proposing to buy-down the cost of the 15 existing street lights on the west side of I-77 which will result in similar savings to the Town.

It is our recommendation that this Agreement be approved and executed to formalize the details for all three parties.

ACTION RECOMMENDED:	Approval of Agreement
ATTACHMENTS:	Proposed Agreement Supporting Referenced Agreement
ENCLOSURES:	None
FINANCIAL IMPLICATIONS:	General Fund - Estimated (\$3,000 annual savings)

AGREEMENT BETWEEN THE TOWN OF HUNTERSVILLE ("TOWN"), ENERGY UNITED ELECTRIC MEMBERSHIP CORPORATION ("ENERGY UNITED") AND THE NORTHCROSS MASTER ASSOCIATION ("NMA") TO AGREE ON STREET LIGHTING UPGRADES AND THE TERMINATION OF LIGHTING PAYMENTS BY THE NMA TO THE TOWN, ENERGY UNITED OR OTHER POWER COMPANY OR GOVERNMENT AGENCY.

WHEREAS, the NMA paid an up-charge lease premium for street lighting fixture upgrades since the early 1990's, and the parties hereto desire to provide that the NMA will no longer pay the town or any other entity for street lighting in the area identified on the attached map which shows areas to the east and west of the I-77 and Sam Furr Road interchange effective with payment by NMA of the fees identified hereafter.

THEREFORE, in consideration of the mutual agreements hereafter set forth, the Parties agree that:

NMA will pay directly to Energy United \$63,513.00 for sixty (60) upgraded light poles of a "mongoose" design in a bronze color as a onetime upgrade fee for lighting in the NMA area of responsibility to the east of the I-77 and Sam Furr interchange as described in the attached diagram and information brochure and

NMA will pay \$5871.42 for all other street lights in the NMA area to "pay-off" the original upgrade from the early 1990's in the NMA area of responsibility and

NMA will cease payments for street lighting effective April 1st or with payment of the agreed amounts above whichever is earlier. The NMA may pay the upgrade fee of \$5871.42 immediately to remove itself from the current lighting agreement, and

Town will be responsible for payment to Energy United, or any successor, for the monthly charge for lighting facilities and support as set forth in the attached Lighting Agreement, or any amendments thereto.

IN WITNESS WHEREOF, the Parties hereto, through their duly authorized representative, have executed this Agreement as of the _____ day of _____, 2012.

TOWN OF HUNTERSVILLE

By: _____
Town Manager

Northcross Master Association

By: _____

Its: _____

EnergyUnited Electric Membership Corporation

By: _____

LIGHTING AGREEMENT

THIS AGREEMENT, made this 10 day of FEBRUARY, 2012 by and between ENERGYUNITED ELECTRIC MEMBERSHIP CORPORATION, hereinafter called "EnergyUnited", and TOWN OF HUNTERSVILLE hereinafter called "Member", for a development in MECKLENBURG County called SAM FURR - Hwy 21 Lighting.

CONDITIONS OF SERVICE

- This Agreement and the installation of lighting facilities will constitute a binding contract for lighting service. EnergyUnited agrees to install the lighting facilities and supports. The Member may select the location of the lighting facilities within the guidelines of EnergyUnited's operating practices, lighting standards, and/or other rules of authority.
- EnergyUnited shall furnish electricity and ongoing maintenance for the lighting facilities. EnergyUnited shall not be liable for an interruption in lighting service due to circumstances beyond its control, nor shall it be responsible for losses incurred due to an interruption. EnergyUnited reserves the right to interrupt lighting service to inspect and repair its substations, lines, and service facilities.
- EnergyUnited will render charges for the lighting service monthly to the Member. The monthly charge per luminaire will be as specified under EnergyUnited's Security Light Rate Schedule SL, a copy of which will be made available to the Member upon request. Additional charges may be added if the cost to install the lighting facilities exceeds customary or established practices. These additional charges may include but not limited to 1) unusual or difficult installation due to presence of rock, existing underground facilities, or other conflicts, 2) additional cost to EnergyUnited due to special lighting materials specified by the Member, 3) the Cooperative may implement a Wholesale Power Cost Adjustment charge at such time as its actual or projected cost of power from its wholesale suppliers exceeds or is less than the cost of purchased power recovered in the Cooperative's retail rate schedules.
- If the Member desires to terminate the Agreement prior to the expiration of the agreement period, the Member shall pay to EnergyUnited an amount equal to the loss due to early retirement of the facilities covered under this Agreement plus actual removal costs. Loss due to early retirement is original installed cost of the facilities; less depreciation accrued at three percent (3%) per year.
- The contract period for this Agreement shall be one of the following:
One (1) Year for the installation of new direct-buried wood pole(s), any type.
Five (5) Years for the installation of new non-wood decorative pole(s), any type.
Ten (10) Years for the installation of new non-wood decorative pole(s), any type (commercial).
- The monthly charge may be adjusted within the contract period. Such changes will be applied with revisions to Security Light Rate Schedule SL.
- The member agrees that if the light is requested to be placed in a location that requires EnergyUnited to cross the Member's property with EnergyUnited or its contractor vehicles, the Member will hold harmless and release EnergyUnited from any liability resulting from the construction, maintenance or inspection of the light. The Member waives all claims for property damage or other loss, injury or claim against EnergyUnited arising out of the installation, removal, maintenance or inspection of said facilities. The member similarly agrees to indemnify and hold harmless EnergyUnited against all loss or liability from risks or claims arising from facilities location or replacement. Damage will include, but not limited to, ruts left by vehicles, damage to any landscaping or lawns and damage to any underground facilities (septic tanks, sprinkler systems, etc.)

CONTRACT TERMS

1. Type and quantity of lighting facilities:

<u>Fixture Type</u>	<u>Pole Type</u>	<u>OH/UG</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total Price</u>
<u>PL 8-40H</u>	<u>P30-SD</u>	<u>UG</u>	<u>11.61</u>	<u>60</u>	<u>696.60</u>

2. Other Charges: _____ \$ _____
 3. Applicable Taxes (applies to Other Charges only): _____ \$ _____

4. Contract Period: - One (1) year [wood pole(s)]
 - Five (5) years [decorative pole(s)]
 - Ten (10) years [decorative pole(s)/commercial]

BUY DOWN

5. Total Charges: Contribution-in-Aid Deposit = \$ 63,513.00 Total Monthly Charges = \$ 696.60

IN WITNESS WHEREOF, the parties hereto have executed this agreement this date:

ATTEST: Matt Shape
 EnergyUnited Electric Membership Corporation

ATTEST: Neil Brink
 DIRECTOR OF ENGINEERING & PW
 TOWN OF HUNTERSVILLE

Map Reference Location: _____

ATTACHMENT NO. 4

**Town of Huntersville
REQUEST FOR BOARD CONSIDERATION
February 20, 2012
MEETING**

To: The Honorable Mayor and Board of Commissioners
From: Max L. Buchanan, PE – Director of Engineering & Public Works
Subject: Resolution requesting NCDOT relinquish to the Town for maintenance a portion of Stumptown Road

The portion of Stumptown Road between US21 and Hugh Torance Parkway is currently maintained by the North Carolina Department of Transportation.

Huntersville Engineering and Public Works is proposing that this portion of Stumptown Road, excluding the bridge over I-77, be considered for addition to the Town of Huntersville Street System.

In 2011, NCDOT completed a full-depth reclamation project on the majority of this 0.70 mile section of Stumptown Road restoring the integrity of the pavement structure. It is our opinion that the Powell Bill funds generated by the addition of this portion will be sufficient to address all anticipated maintenance needs over the next 15-20 years. With the addition of this portion to the Huntersville Street System, Town Engineering & Public Works will have full control of the access management and will also be afforded the ability to respond more quickly to citizens' requests on all issues related to this portion.

It is our recommendation that a Resolution be approved to begin the process of requesting NCDOT to relinquish maintenance of the portion of Stumptown Road between US21 and Hugh Torance Parkway roundabout.

ACTION RECOMMENDED: Approval of Resolution

ATTACHMENTS: Proposed Resolution
Aerial Map of Portion of Stumptown Road

ENCLOSURES: None

FINANCIAL IMPLICATIONS: Powell Bill Funds - Additional Revenue
Estimated (\$5,000 annually)

**RESOLUTION REQUESTING
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
RELINQUISH TO THE TOWN OF HUNTERSVILLE
A PORTION OF STUMPTOWN ROAD FOR MAINTENANCE**

WHEREAS, Stumptown Road in Huntersville, North Carolina, *from its intersection with US21, through the roundabout located at Hugh Torance Parkway, and to a point 150 linear feet north of the center of the roundabout defined as the nose of the northernmost concrete splitter island*, is maintained by the North Carolina Department of Transportation; and

WHEREAS, this portion of Stumptown Road functions as a local street; and

WHEREAS, The Town of Huntersville would like to provide maintenance on this portion of Stumptown Road, excluding the bridge spanning I-77;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of Huntersville hereby request the North Carolina Department of Transportation to relinquish to the Town of Huntersville for maintenance the portion of Stumptown Road from its intersection with US21, excluding the bridge spanning I-77, through the roundabout located at Hugh Torance Parkway, and to a point 150 linear feet north of the center of the roundabout defined as the nose of the northernmost concrete splitter island.

ADOPTED THIS _____ DAY OF _____, 20__

MAYOR

ATTEST:

TOWN CLERK

Resolution/NC DOT Relinquish portion of Stumptown Road – February, 2011

R-2012-03

ATTACHMENT NO. 5

**Town of Huntersville
REQUEST FOR BOARD ACTION
February 20, 2012**

REVIEWED:

Town Manager *P*

Finance Officer

Town Attorney

To: The Honorable Mayor and Board of Commissioners

From: Philip K. Potter, Chief of Police

Subject: Resolution Adopting a Plan that Designates Presbyterian Hospital to
Transport Commitment Orders and/or Respondents in Involuntary
Commitment Proceedings

On Monday, February 6, 2012, as a follow up to the Huntersville Town Board Strategic Planning Retreat, Mayor Jill Swain provided an opportunity for the Police Chief to discuss the issue of the Involuntary Commitment Orders with Tanya S. Blackmon, the President of Presbyterian Huntersville. As a result of that meeting, Presbyterian Hospital is agreeable to utilizing their Public Safety Officers from the Main Campus and Huntersville Campus to transport the Involuntary Commitment Orders for Presbyterian Huntersville to and from the Magistrates Office in Center City Charlotte. This is permissible under NCGS 112C-252(a) and is similar to the plans that are already in place with the City of Charlotte for CMPD and the Town of Mathews for Mathews PD.

This agreement will result in Huntersville Police Officers responding only to Presbyterian Huntersville to actually serve the Involuntary Commitment Orders that are delivered by security officers, as these must be served by a sworn law enforcement officer. If the patient needs transportation to Presbyterian Main Hospital then it would be the responsibility of the Huntersville Police Department to provide that service, until such time that Presbyterian Hospital Security personnel are adequately trained, have the necessary equipment, sufficient personnel and agree to provide that additional service. This resolution is written broad enough to permit that future service when it is mutually agreeable to do so.

As a result of this agreement and this Resolution a Huntersville Police Officer will only be required to leave Huntersville to actually transport a patient to Presbyterian's Main Campus and in those cases of Involuntary Commitment Orders that Presbyterian Hospital does not have enough resources at the time to complete the task. In the past Huntersville Police Officers would make as many as three (3) round trips to the Magistrates' Office in Center City and/or Presbyterian Main to carry out our responsibilities related to Involuntary Commitment Orders under the North Carolina General Statues, since Presbyterian Hospital Huntersville is located within the town limits of the Town of Huntersville. Since each round trip averages 1.75 to 2.00 hours per trip this is projected to save about four (4) hours per call. Based upon the almost 200 calls in 2011, this is a positive development. Our goal was to reduce our trips to Charlotte for Involuntary Commitment Orders to one (1) trip, that being to transport the patient and with this action we will have accomplished that goal.

When CMC-Huntersville begins the operation of an Emergency Room in Huntersville at the North Cross Campus in April 2012, we plan to bring forward a separate Resolution similar to this one to cover that facility. The current Resolution also does not cover those incidents where a private person swears out an Involuntary Commitment Order for someone in a private residence in Huntersville, as the Huntersville Police Department is solely responsible for all aspects of that service and transportation. These types of calls represent a small percentage of such calls. However, Mecklenburg County is currently pursuing options to ask for legislative changes in the upcoming legislative session to revise the applicable state laws to permit the use of electronic signatures and service to supplement the current system, which would also reduce the number of trips that Huntersville Police Officers are required to make to the Magistrates' Office in Center City Charlotte. The Town Board may elect to either verbally or by a separate Resolution demonstrate their support of such legislative changes to Mecklenburg County.

The Resolution has been forwarded to the Town Attorney for review.

ACTION RECOMMENDED:

Town Board Approval of the attached Resolution.

ATTACHMENTS: Copy of Resolution Adopting a Plan that Designates Presbyterian Hospital to Transport Commitment Orders and/or Respondents in Involuntary Commitment Proceedings

FINANCIAL IMPLICATIONS: Substantial manpower costs saving in terms of sworn police officer hours dedicated to this task currently.

**RESOLUTION OF THE HUNTERSVILLE TOWN BOARD ADOPTING A PLAN THAT
DESIGNATES PERSONNEL OF NOVANT HEALTH, INC./PRESBYTERIAN HOSPITAL TO
TRANSPORT COMMITMENT ORDERS AND/OR RESPONDENTS IN INVOLUNTARY
COMMITMENT PROCEEDINGS**

WHEREAS, N.C.G.S. 122C-252(a) provides that cities, towns, and counties are responsible for providing transportation for commitment orders and/or respondents in involuntary commitment proceedings under Article 5 of Chapter 122C of the North Carolina General Statutes; and

WHEREAS, officers of the Huntersville Police Department (HPD) currently assist in providing transportation services for commitment orders and/or respondents in involuntary commitment proceedings at Novant Health, Inc./Presbyterian Hospital (Presbyterian) located at 200 Hawthorne Lane, Charlotte, North Carolina and

WHEREAS, N.C.G.S. 122C-251(g) provides that the governing body of a city, town, or county may adopt a plan for the transportation of commitment orders and/or respondents in involuntary commitment proceedings and that private agency personnel may be designated to provide all or parts of the transportation required by said proceedings; and

WHEREAS, N.C.G.S. 122C-251(g) further provides that persons designated in the plan to provide transportation shall assure adequate safety and protection for both the public and the respondent; and

WHEREAS, security personnel for Presbyterian receive adequate training in the transportation and restraint of mental health patients and are capable of providing transportation in a manner that ensures the safety and protection of both the public and the respondents to the extent mutually agreed upon by the Huntersville Police Department and Presbyterian Hospital; and

WHEREAS, N.C.G.S. 122C-251(g) further provides that law enforcement, other affected agencies, and the area authority shall participate in the development of a plan for the transportation of commitment orders and/or respondents in involuntary commitment proceedings; and

WHEREAS, the Huntersville Police Department and Presbyterian Hospital have consulted together and have agreed to a plan whereby Presbyterian Security personnel will be designated to provide transportation of commitment orders and/or respondents.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Huntersville that a plan is hereby adopted whereby Presbyterian Hospital personnel are designated to provide transportation of commitment orders and/or respondents in involuntary commitment proceedings under Article 5 Chapter 122C of the North Carolina General Statutes.

Adopted this 20th day of February, 2012.

Jill Swain, Mayor

Janet Pierson, Town Clerk

ATTACHMENT NO. 6

**Town of Huntersville
REQUEST FOR BOARD ACTION
February 20, 2012**

REVIEWED:

Town Manager *JS*

Finance Officer

Town Attorney

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Max Buchanan
Subject: Capital Project Ordinance

Transfer funds in the Transportation Reserve fund from the "NC73/Beatties Ford Road Project (\$25,000)" and "David Kenney Farm Road Extension (\$150,000)" to the "Ranson Road/Stumptown Road Project". Funds in the amount of \$175,000 will be used to provide for a signalized intersection including some minor roadway reconfiguration. This will improve safety and peak hour traffic flow at the intersection.

ACTION RECOMMENDED: Approve Capital Project Ordinance

ATTACHMENTS: None

ENCLOSURES: None

FINANCIAL IMPLICATIONS: Funds will be transferred in the Transportation Reserve Fund.

**TOWN OF HUNTERSVILLE
RANSON ROAD/STUMPTOWN ROAD
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized will provide for a signalized intersection including some minor roadway reconfiguration to be completed by Transportation Reserve Funds.

SECTION 2. The officers of the unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

SECTION 3. The following amounts are appropriated for the project:

Ranson Road/Stumptown Road Project	<u>\$ 175,000</u>
TOTAL PROJECT COSTS	<u>\$ 175,000</u>

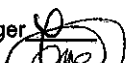
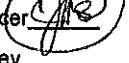
SECTION 4. The following revenues are anticipated to be available to complete this project:

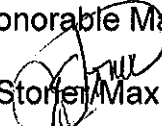
Transportation Reserve Funds	<u>\$ 175,000</u>
TOTAL PROJECT REVENUE	<u>\$ 175,000</u>

SECTION 5. The Finance Director is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Finance Director is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

ATTACHMENT NO. 7

**Town of Huntersville
REQUEST FOR BOARD ACTION
February 20, 2012**

REVIEWED:
Town Manager 
Finance Officer 
Town Attorney _____

To: The Honorable Mayor and Board of Commissioners
From: Janet Storer  Max Buchanan
Subject: Capital Project Ordinance

Transfer funds in the Transportation Reserve fund from the "NC73/Beatties Ford Road Project (\$175,000)" to the "McCoy Road/Julian Clark Avenue". Funds in the amount of \$175,000 will be used for the widening of McCoy Road and construction of left-turn lane to Julian Clark Avenue. This project will improve safety and provide storage for McCoy Road southbound traffic turning left onto Julian Clark Avenue. It is expected that this intersection will be the primary access to the new Police Department.

ACTION RECOMMENDED: Approve Capital Project Ordinance

ATTACHMENTS: None

ENCLOSURES: None

FINANCIAL IMPLICATIONS: Funds will be transferred in the Transportation Reserve Fund.

**TOWN OF HUNTERSVILLE
MCCOY ROAD/JULIAN CLARK AVENUE
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is the widening of McCoy Road and construction of a left turn lane to Julian Clark Avenue to be completed by Transportation Reserve Funds.

SECTION 2. The officers of the unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

SECTION 3. The following amounts are appropriated for the project:

McCoy Road/Julian Clark Project \$ 175,000

TOTAL PROJECT COSTS \$ 175,000

SECTION 4. The following revenues are anticipated to be available to complete this project:

Transportation Reserve Funds \$ 175,000
TOTAL PROJECT REVENUE \$ 175,000

SECTION 5. The Finance Director is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Finance Director is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

ATTACHMENT NO. 8

ATTACHMENT NO. 9

