

Mayor
Jill Swain

Mayor Pro-Tem
Melinda Bales

Commissioners
Ron Julian
Rob Kidwell
Sarah McAulay
Jeff Neely
Danny Phillips

Town Manager
Gregory H. Ferguson



Department Heads
Max Buchanan, Public Works
Bill Coxe, Transportation
Michael Jaycocks, Parks&Rec
Jack Simoneau, Planning
Cleveland Spruill, Police Chief
Janet Stoner, Finance

Assistant Town Manager
Gerry Vincent

Town Clerk
Janet Pierson

Town Attorney
Bob Blythe

AGENDA
Regular Town Board Meeting
October 5, 2015 - 6:30 PM
TOWN HALL (101 Huntersville-Concord Road)

I. Pre-meeting

- A. Greenway, Trail and Bikeway Commission Update. (5:45 p.m.)
- B. NC Highway 73 Update. (6:00 p.m.)

II. Call to Order

III. Invocation - Moment of Silence

IV. Pledge of Allegiance

V. Mayor and Commissioner Reports-Staff Questions

- A. Mayor Jill Swain (MTC, Commerce Station Management Team)
- B. Commissioner Melinda Bales (LNTC)
- C. Commissioner Ron Julian (LNREDC Board, Planning Coordinating Committee)
- D. Commissioner Rob Kidwell (Olde Huntersville Historic Society)
- E. Commissioner Sarah McAulay (CRTPO, COG, NC 73 Council of Planning)
- F. Commissioner Jeff Neely (Lake Norman Chamber Board, Visit Lake Norman Board)
- G. Commissioner Danny Phillips (Arts and Science Council)

VI. Public Comments, Requests, or Presentations

- A. Presentation of Red Ribbon Week Proclamation.

VII. Agenda Changes

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

VIII. Public Hearings

- A. Conduct public hearing to receive comments on proposed economic development incentives to Nutec, Inc. (*Greg Ferguson/Ryan McDaniels*)

IX. Other Business

- A. Consider authorizing economic development incentive grant as outlined in BIP application. (*Greg Ferguson/Ryan McDaniels*)

X. Consent Agenda

- A. Approve minutes of the September 21, 2015 Town Board Pre-meeting. (*Janet Pierson*)
- B. Approve minutes of the September 21, 2015 Regular Town Board Meeting. (*Janet Pierson*)
- C. Approve budget amendment recognizing insurance revenue in the amount of \$1,784.80 and appropriate to the Police Department's insurance account. (*Janet Stoner/Chief Spruill*)
- D. Approve budget amendment recognizing insurance revenue in the amount of \$173.98 and appropriate to the Police Department's insurance account. (*Janet Stoner/Chief Spruill*)
- E. Approve budget amendment appropriating funds in the amount of \$7,000 received from Olde Huntersville Historic Society to Repairs & Maintenance-Building to provide for roofing of the Old Jail. (*Janet Stoner/Greg Ferguson*)
- F. Approve budget amendment appropriating estimated rental revenue in the amount of \$16,000 for Caroleen Properties to be used for utilities and maintenance of these properties. (*Janet Stoner/Greg Ferguson*)
- G. Approve SL362 Property Tax Refund Report No. 44. (*Janet Stoner/Greg Ferguson*)
- H. Approve SL362 Property Tax Refund Report No. 45. (*Janet Stoner/Greg Ferguson*)
- I. Authorize acquisition of 307 N. Main Street and 109 Church Street and appropriate fund balance in the amount of \$245,000 to cover purchase of land and associated closing costs. (*Greg Ferguson*)
- J. Award bid to Morris Mechanical and authorize the Town Manager to negotiate the AIA contract with Morris Mechanical to complete the installation of the Dectron Units for the 50-meter and 25-yard pool. (*Dee Jetton*)

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 no more than 3 minutes. The Mayor, as the presiding officer may, at her discretion, shorten the time limit for speakers when an unusually large number of persons have signed up to speak.

**AS A COURTESY, PLEASE TURN CELL PHONES
OFF WHILE MEETING IS IN PROGRESS**

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Greg Ferguson, Town Manager
Subject: Nutec Public Hearing

Conduct public hearing to receive comments on proposed economic development incentives to Nutec, Inc. The attached BIP Application outlines the grant incentives and other reimbursements that have been proposed for this project.

ACTION RECOMMENDED:

Conduct Public Hearing

FINANCIAL IMPLICATIONS:

5 year grant based on 50% of taxes paid

ATTACHMENTS:

	Description	Type
☐	BIP Application	Backup Material
☐	Letter	Backup Material



COMPANY APPLICATION FORM Business Investment Program



To be eligible for a Charlotte-Mecklenburg Business Investment Grant, a completed formal application must be received and approved prior to any announcement of the project.

This application is subject to disclosure pursuant to the North Carolina Public Records law. N.C. General Statute 132-1.2 does, however, exempt from disclosure information that qualifies as a "trade secret". Any information claimed to be a trade secret should be labeled "trade secret" at the time of its initial disclosure to the City of Charlotte and Mecklenburg County.

General Information

Name of Company: **Nutec Inc.**

Street Address: Jardin de San Jeronimo 225 Col. San Jeronimo
City: Monterey
State: Nuevo Leon, Mexico
Zip Code: 64640
Federal Tax Identification No.: Nutec Inc. 36-4809144 (Federal Employer Identification Number (FEIN))
Contact Person: Gerardo Muraira
Title: Chief Operations Officer
Telephone: +52 (844) 4320 737 / Mr. Muraira Mobile +52-1-8110505621 / US Cell 936-827-6544
Facsimile: None
Email: gerardomuraira@nutec.com
NAICS Code: 327999 Ceramic Fiber Manufacturing
Type of Business: ☒ Manufacturing ☐ Corporate Headquarters
☐ Transportation & Distribution (Logistics) ☐ Emerging Technologies & Industries
☐ Financial, Insurance & Professional Services
☐ Other (please specify)

In the space below, please provide a general description of the proposed investment project, considering the site location, product/services to be provided, physical improvements/new equipment, the number of jobs, etc:

First U.S. manufacturing and distribution facility for Nutec. The operation will manufacture and distribute high-quality ceramic fiber throughout the United States and Canada. The proposed investment will consist ultimately of a 4-production line manufacturing plant. Within 3 years the operation is expected to employ 62 workers (2 lines) with an approximate \$2.4 million dollar payroll plus employee benefit package. Upon full build out (4 lines) which is expected by 2024 the proposed operation is expected to employ 114 workers with an expected payroll of \$4.6 million dollars plus an employee benefit package. Estimated investment is proposed at \$18.5 million (2 lines) by 2018 and an additional \$16.0 million (4 lines) is proposed by 2024. Total proposed investment is estimated at \$34.5 million by 2024.

Minimum Eligibility Requirements

New Investment:

Address of Proposed Investment Location: 11810 and 11806 Mt Holly-Huntersville Road Huntersville, North Carolina

Parcel Number(s): Ivester 017-202-01 / DeBlander 017-202-04

For help, go to <http://meckcama.co.mecklenburg.nc.us/relookup/>

Current Owner of Investment Location:

Ivester Family (11810) Nicholas DeBlander (11806)

Current/Proposed Interest in the site:

Purchase both parcels

(e.g. option to purchase, leasehold interest, etc...)

Expected **new** investment at location:

Amount

Estimated timeline

Land cost:

\$712,400

Assume 6/30/2015

Buildings, infrastructure:

\$5,000,000

December 30 2018

Machinery and equipment:

\$13,500,000

December 30 2018

Other:

to be determined

Add.invest.prop. by 2024

If other, please describe here >>

Projected Est. Invest by 2024 \$34.5 M

Total investment:

(Based on 12.30.18) \$18,500,000

If any of the machinery or equipment is leased, then complete the following:

Type of Equipment	Value	Owned by:
Transportation such as fork lifts	Not Known	Not Purchased

If you are entering into a lease agreement for your site, what is the amount of space and length of the lease term in the following categories:

Type of Use (office, mfg, etc...)	Square footage	Term (years)
Not Applicable		

Job Creation & Retention:

Proposed new full time jobs: 62 (over three-year period)

Year 1 38 Year 2 24 Year 3 62

If further job creation is contemplated, please describe in detail:

After year 3 (2018) an additional 52 workers are expected to be added by 2024 increasing projected total employment at the proposed operation to 114.

Anticipated average wage for new full-time jobs:

\$40,400

NOTE: this is to be computed by averaging the starting salaries for the new jobs.

If expanding an existing site, how many full-time jobs are currently at the facility?

NA

Average wage for all full-time jobs at facility including the expansion:

\$40,400

NOTE: this is to be computed by averaging the current salaries of the existing jobs together with the starting salaries of the new jobs.

The wage rate requirement can be reduced by up to 20% if 25% of your new hires live within the City's Business Investment Zone and/or participate in economic assistance programs of the Mecklenburg County Department of Social Services (e.g. WorkFirst, food stamps, etc). Could this qualification fit within your overall hiring strategy?

☐ YES ☒ NO

Of the new full-time jobs, please provide your best estimate of the following information:

Salary Range	Number of Employees...	
	Likely to be hired locally	Likely to be relocated

\$32,000 - \$35,000	44	
\$38,000 - \$40,000	2	
\$44,000 - 46,000	8	
\$50,000 - \$52,000	2	
\$65,000	1	
\$75,000	1	
\$90,000	1	
\$100,000 - \$160,000	1	2
based on 2018 / 62 workers	60	2

Is the company likely to move any existing operations out of the area if a grant is not made?

☐ YES ☐ NO

If yes, what would be the timetable for the move?

Company is new to the U.S.

Number and location of Charlotte/Mecklenburg jobs to be moved:

Not Applicable

Amount and location of Charlotte/Mecklenburg investment at risk:

Not Applicable

Competition

Other locations being considered for the Project:

State	City/Region	Primary Government Contact
South Carolina		Philip Morgan (803-737-0471)
	York County/Rock Hill	David Swenson (803-802-4300)
		Major incentives are shown below:

Describe the nature of the incentives being offered by these other states. Attach additional sheets, if necessary. For example, for each state:

Cash grants (dollar amount and source):

\$746,120 Job Dev tax cash grant rebate (10 years)

Tax credits (dollar value and tax being offset):

\$1.4M SC Tax Credits+\$959,000 Sale/use exemption

Tax abatements:

\$811,020 local special (5 years) + 30yrs at \$4.8 M

Other incentives:

\$124,000 ready SC work force training

Is this project at substantial risk of being developed or located in another state?

☒ YES ☐ NO

Additional Information

What is the current legal status of your company (e.g. corporation, LLC, etc)?

Corporation

In which U.S. state is your company organized?

State of Delaware

If a foreign applicant, is your company qualified to do business in North Carolina?

☒ YES ☐ NO

Please list below any material subsidiaries, parent companies and affiliated companies of the company and their respective principal businesses. If your company is publicly traded, you may submit a copy of the most recent annual report instead.

Holding Company - Grupo Nutec (Mexico)

Are you aware of any proposed or pending mergers, acquisitions or other corporate reorganizations affecting the company or the proposed investment location(s)?

☐ YES ☒ NO

If so, please describe:

Are you aware of any pending or threatened litigation involving the company that could reasonably be expected to cause a material adverse effect on the company or its proposed investment?

☐ YES ☒ NO

If so, please describe:

Do you have an application pending or do you intend to apply for industrial revenue bond financing for this or a similar project in the Charlotte-Mecklenburg area?

☐ YES ☒ NO

What is the assessed tax value of real and business personal property (BPP) at the investment location?

Real Property: \$502,400

For help, go to <http://meckcama.co.mecklenburg.nc.us/relookup/>

BPP:

REPRESENTATIONS

1. The Company has reviewed and understands the Business Investment Program guidelines.
2. Without this grant from the Charlotte-Mecklenburg Business Investment Program the Company would not undertake this project in Charlotte-Mecklenburg.
3. The Company understands that release of any Business Investment Grant funds will be contingent on meeting performance criteria that will be set out in a mutually agreeable performance contract among the City of Charlotte, Mecklenburg County and the Company.
4. The Company understands that release of any Business Investment Grant funds will be contingent on provision of adequate documentation of the required investment, job creation, and job retention, including submission of copies of the appropriate quarterly N.C. Employment Security Commission forms described in the grant agreement.
5. The Company understands that approval of this project's application by the City of Charlotte and Mecklenburg County does not override or excuse compliance with any existing environmental laws and regulations placed on the facility to be developed.
6. The Company understands that the disbursement of any funds under the Business Investment Program is based upon performance, and that the Company may be responsible to refund part or all of any moneys awarded if the terms of any performance contract are not met.
7. The new jobs used as the basis for this application are new net positions to the Company's operations in the City of Charlotte and will not be transferred from any existing operations of the Company or related entity in Charlotte-Mecklenburg.
8. The information provided in this application is true and correct to the best of my knowledge.
9. The information and data presented regarding the plans and projections of the Company are based on current plans and projections and represent the best data available. Economic conditions within the industry may cause changes. The plans and projections described in this application are made on the basis of the best available information and they so demonstrate the Company's intentions.
10. The following items are attached:
 - a. Most recent tax printout showing the real and business personal property tax valuations of the investment location.
 - b. Signatory statements as to whether any member of management or any principal of the Company has been involved in a financial reorganization, a bankruptcy, or other situation that has led to losses by creditors, bond buyers, or to investor lawsuits or government investigation alleging fraud or impropriety.

c. A completed & signed Waiver of Confidentiality form regarding Quarterly Unemployment Insurance Tax Records.

Signature: _____

Title: _____

Company: _____

Date: _____



NUTEC FIBRATEC, S.A. DE C.V.

Blvd. Industrias #1900

R.F.C. NFI-960102-JE1

Ramos Arizpe, Coah. C.P. 25900

Tel. 01 (844) 432-0737 Fax (844) 488-2719

State of _____

County of _____

I, _____, a notary public of the County of _____ in the State of _____, do
certify that _____ personally appeared before me this day, and first being duly sworn,
acknowledged that he is _____ (title of officer) of _____ (name of
business entity) and that he is authorized to execute the foregoing instrument on behalf of _____
(name of business entity), and executed the foregoing instrument in my presence.

SEAL

Notary Public

My commission expires: _____

Attachment A

**Company Application Form
Business Investment Program**


PRINT OUT OF MOST RECENT TAX VALUATION OF PROPOSED INVESTMENT LOCATION. INCLUDE REAL PROPERTY AND BUSINESS PERSONAL PROPERTY (IF APPLICABLE)

Attachment B

Company Application Form
Business Investment Program

SIGNATORY STATEMENT

No member of management or any principal of GRUPO NUTEC (Company) has been involved in a financial reorganization, a bankruptcy, or other situation that led to losses by creditors, bond buyers, or to investor lawsuits or government investigation alleging fraud or impropriety.



(Signature)

05/27/15 (Date)

GERARDO HUANA (Name, Title) COO

NUTEC INC (Company Name)

 **NUTEC**
NUTEC FIBRATEC, S.A. DE C.V.
Blvd. Industrias #1900
R.F.C. NFI-960102-JE1
Ramos Arizpe, Coah. C.P. 25900
Tel. 01 (844) 432-0737 Fax (844) 488-2719

Attachment C

**Company Application Form
Business Investment Program**

WAIVER OF CONFIDENTIALITY
QUARTERLY UNEMPLOYMENT INSURANCE TAX RECORDS

NAME OF TAXPAYER FOR PROJECT: Nutec Inc.
ADDRESS: Jardin de San Jeronimo 225 Col. San Jeronimo (Monterey, Nuevo Leon - Mexico)
PHONE: +52(844) 4320 737
FEDERAL TAX IDENTIFICATION #: 36-4809144
N.C. UNEMPLOYMENT INSURANCE ACCOUNT #: Still Pending

WAIVER

I hereby waive the right to confidentiality, as found in N.C.G.S. 9604 (t), for information contained in the above company's quarterly unemployment insurance tax records as filed with the North Carolina Employment Security Commission and authorize the City of Charlotte and Mecklenburg County to use such information as public record.

Chief Financial Officer or Other Authorized Company Official (print name)

Signature

Title

Town of Huntersville

NORTH CAROLINA

April 30, 2015

Sr. Gerardo Muraira
Nutec
Vice President Projects
Jardín de San Jerónimo 225
Monterrey, N.L., C.P. 64640

Dear Gerardo:

The Town of Huntersville staff have had the opportunity to review the information that you provided regarding Project 436 and the evaluation of Huntersville, NC as a potential site location. Based on the information provided, it is our opinion that the company would qualify for an incentive grant for corporate relocations available under the Huntersville Business Investment Program. We would recommend approval of a Business Investment Grant to the Huntersville Town Board of Commissioners as outlined below.

Project 436 would be eligible for a five-year grant based upon 50% of the net new property taxes paid by the company to the Town of Huntersville. Our estimate of this grant amount for Phase I is **\$86,391.25**, payable over five years, and upon the company's satisfaction of the following program requirements:

- A taxable investment of approximately \$12,500,000 million in capital investment within Huntersville, NC
- The creation of a minimum of 33 new jobs with an average annual wage that meets or exceeds the regional average (currently \$46,820) or industry specific wage average rate.

The Town will also reimburse Project 436 up to \$22,700 for boring and survey work on the property in conjunction with the first disbursement of the Phase I Business Investment Program funds. Lake Norman Economic Development also provided \$11,700 for site due diligence surveys.

In addition, Project 436 would be eligible for an additional five-year grant based upon 50% of the net new property taxes paid by the company to the Town of Huntersville. Our estimate of this grant amount for the completion of Phase II is **\$37,515.00**, payable over five years.

Please note that these grant amounts are estimates only. The actual grant will vary depending on the timing of the investment and depreciation that affect the amount of property taxes paid over the term. Also, note that grants must be approved by the Huntersville Town Board of Commissioners and include other terms and conditions, including certification of the competitive nature of the project and certification that, but for this grant, the project would locate outside of Huntersville, NC.

We look forward to working with you on this project. As always, we are happy to discuss this grant further and answer any questions about this potential economic development grant.

Sincerely,

A handwritten signature in black ink, reading "Greg Ferguson". The signature is written in a cursive style with a large, stylized "G" and "F".

Greg Ferguson
Huntersville Town Manager

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Greg Ferguson, Town Manager
Subject: Nutec Economic Development Incentives

Consider approving economic development incentives for Nutec, Inc.

ACTION RECOMMENDED:

Authorize BIP Agreement.

FINANCIAL IMPLICATIONS:

5 year grant based on 50% of taxes paid

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Pierson, Town Clerk
Subject: Approval of Minutes - September 21 Pre-meeting

Consider approving minutes of the September 21, 2015 Town Board Pre-meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
□ Draft Pre-meeting Minutes	Backup Material

**HUNTERSVILLE BOARD OF COMMISSIONERS
PRE-MEETING MINUTES**

**September 21, 2015
5:45 p.m. – Town Hall**

GOVERNING BODY MEMBERS PRESENT: Mayor Jill Swain; Commissioners Melinda Bales, Ron Julian, Rob Kidwell, Sarah McAulay, Jeff Neely and Danny Phillips.

Greg Ferguson, Town Manager, updated the Board on the Torrence Lytle School. We met with Dr. Dan Morrill of the Charlotte-Mecklenburg Historic Landmarks Commission to discuss strategies for the town potentially acquiring the property over a 5 year period. The option for the HLC to finance the building and renovations is probably off the table because that takes up \$2.5 million of their \$3 million revolving fund. This project would not be eligible for GO bonds. Staff is reviewing other financing options, including traditional bank financing that would be probably along the terms of a 20 year loan and it would require LGC approval. Staff will also explore other methods of funding such as county CDBG grants and US Agriculture Economic Development Administration.

Staff will continue discussions with the HLC to determine best course of action to save and restore the building and bring a recommendation on how to proceed back to the Board.

Commissioner Bales made a motion to go into closed session for property acquisition. Commissioner Neely seconded motion. Motion carried unanimously.

Following closed session, there being no further business, the pre-meeting was adjourned.

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Pierson, Town Clerk
Subject: Approval of Minutes - September 21 Regular Meeting

Consider approving minutes of the September 21, 2015 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Minutes	Backup Material

**TOWN OF HUNTERSVILLE
REGULAR TOWN BOARD MEETING
MINUTES**

**September 21, 2015
6:30 p.m. – Town Hall**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on September 21, 2015.

GOVERNING BODY MEMBERS PRESENT: Mayor Jill Swain; Commissioners Melinda Bales, Ron Julian, Rob Kidwell, Sarah McAulay, Jeff Neely and Danny Phillips.

Mayor Swain called for a moment of silence.

Mayor Swain led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS

Mayor Swain

- The Governor did sign the budget in Raleigh. House Bill 943 is a \$2 billion bond bill that calls for the bond question to be on the November 2016 ballot and includes money for the universities, community colleges, National Guard, agriculture, the zoo, and water and sewer loans and grants. At this point, it does not include transportation.
- The next Metropolitan Transit Commission meeting is Wednesday. We are revisiting discussions on the Transit Finance Working Group and the Red Line Task Force on the 2030 total transportation plan.

Commissioner Bales

- The Lake Norman Transportation Commission met last week and had a presentation regarding the Prioritization 4.0.
- Encouraged Board members to attend forum on October 27 hosted by Charlotte-Mecklenburg Board of Education to discuss Mecklenburg County's changing demographics and the impact on future student assignment decisions.
- Attended the Southwire grand opening.

Commissioner Julian

- There's some things I want to share real quick that really deal with economic development of Huntersville. I'm not running, so I'm not politicking right here. I'm very proud of what this Board and what previous boards and hopefully boards in the future are going to accomplish here in Huntersville. Let me tell you a little history that happened to me the last couple of weeks. I was shopping at Lowes a couple of weeks ago and ran into Mayor Elect John Aneralla. I've known John for years actually. But dispensing with idle chat the conversation turned to Huntersville politics. I was very disappointed with the content of the conversation because of the lack of knowledge he had of the Huntersville budget. One of the first points in the conversation was Huntersville's tax rate was too high and Huntersville was taking in more

revenue per capita than Cornelius. He was comparing us to Cornelius. I was stunned and really amazed how a candidate could have so little knowledge of the Huntersville budget and our revenues. I challenged him to go to the Huntersville and Cornelius websites. The budgets are online out there. There's no excuse for a lack of knowledge. And I said go to the websites and look at the budgets yourself. I challenged him to go to the Huntersville and Cornelius websites and look at the facts and use the facts not fiction if he was going to disseminate the information. He never really responded that he would check into the numbers. I know he works as a financial consultant, so I know John knows numbers are very important. I have handed out what's on the screen, just some facts that I know on the Town of Huntersville, actually Cornelius and Davidson. Let me point out a tax rate means nothing as far as the town's efficiency. If you want to compare a town's efficiency you must use revenue per capita. I've heard Dave Gilroy in Cornelius, and me and Dave had this ongoing I would say push funnies, that Cornelius is the most conservative town based on the tax rate. Cornelius I will tell you, and I will tell Dave Gilroy is pulling the wool over their eyes. I've handed out sheets that show the tax rate revenue per capita. This is the revenue the town has to supply – trash pick-up, build new roads, keep you safe and fight crime, build, maintain and program our parks, provide fire and rescue, plan, permit and uphold zoning and ensure that Huntersville is complying with the thousands of state and federal regulations and a host of other needs. Let me say to the Mayor and Commissioners that are sitting up here tonight, thank you for your commitment and understanding that Huntersville's budget is the most conservative budget in the north towns. And what you have in front of you here is I went right to the websites and took it right off the websites, it's Cornelius's 2016 budget, Huntersville's 2016 budget and Davidson's 2016 budget. Well the ad valorem taxes, that's property taxes, that's how much that Huntersville, Cornelius and Davidson takes in. Also you will see down here the population. Cornelius has a 20,540 per capita population. Huntersville has 52,278. You can either take the ad valorem which are property taxes and divide it by the number of people and you come out with \$1 per capita. Or you can take the total revenue and other revenues come from sales tax fees, car fees....there's a list out there on the website you can look at. But these are the true numbers. Huntersville is at \$335 per capita on the property taxes, per person. Cornelius is \$432. Total revenue per capita, Huntersville is \$633. Cornelius is \$754. Now of course Davidson is a bit higher than both of us. But I'm not pointing any fingers at Davidson because they never said that Huntersville is wasting their money and is not as conservative. What I will tell you is this Board has done a great job with making sure the taxpayers' money is used for the best interest of the taxpayer. So therefore just from the numbers and a lot of these numbers.....I just happened to get this in the mail today. This is from the county and it talks about your tax rate. These numbers are right out of this also. They matched up which is good that they did. I just wanted a little bit of latitude because when I hear untruths or not facts.....I'm not saying that he was disseminating bad information because he wanted to. I'm just saying maybe he didn't go to look at the real facts. I will tell you Huntersville is a very conservative town and then if you look at the area of land.....but there's a lot of good information here for the commissioners and anybody that wants it out there in the audience. Commissioners, Mayor, I thank you for giving me a little latitude. This is not your normal economic development report. But I think it's a very important report that needed to come forward.

Commissioner Kidwell

- Upcoming events at Rural Hill include a Food Truck Rally on September 25 and the Amazing Maize Maze begins October 3.

- Representatives from the Olde Huntersville Historic Society and H.O.H.T. (Helping Others Help Themselves) will give reports on those organizations under Public Comments.

Commissioner McAulay

- The next Centralina Council of Governments Board Meeting is October 14.
- The Charlotte Regional Transportation Planning Organization met September 16. CRTPO will be reviewing projects in Prioritization 4.0 to add to the Transportation Improvement Plan in November or December 2016. A Project Oversight Subcommittee was created to keep tabs on projects that are being funded through the bonus allocation from the managed lane project on I-77.

Commissioner Neely

- Attended the Southwire grand opening. Southwire is the #1 producer of wire in North America and the #3 producer of wire in the world.
- Attended the Visit Lake Norman Board of Directors meeting. In tracking the hotel occupancy rate during the month of June, there was a 13 percent spike from the previous year in the month of June in the three towns. The Small Business Connection Championship (formerly Chiquita Classic) was held at River Run Country Club September 17-20, with 127 pro golfers from 16 countries competing for the \$1 million purse. The VisitLakeNorman.org Kickoff soccer tournament was held August 22-23 at various fields. One hundred thirty-eight (138) youth soccer teams from three states competed. Eight official Lake Norman hotels were utilized during this event. The Visit Lake Norman Official Visitors Guide and other brochures are now available.
- Fall Into Huntersville is September 26.
- Bill Russell will give update from the Lake Norman Chamber under Public Comments.

Commissioner Phillips

- Attended the Arts & Science Council Board Meeting on September 16. Robert Bush has been recognized by Barry's List as being one of the Top 50 Most Powerful and Influential Leaders in the Non-Profit Arts in the United States.
- Remember to shop local.

Commissioner Bales requested the Board have a future work session to receive update on NC 73.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Jeremy Stephenson announced his candidacy for at-large seat on the Charlotte-Mecklenburg Board of Education.

Joe Carbon and Vickie Stevens with Helping Others Help Themselves (H.O.H.T) updated the Board on their organization. A Job Networking event will be held October 6.

Bill Russell, Lake Norman Chamber, updated the Board on Chamber activities. The Champions of Diversity Lunch was held September 17. Dave Yochum earned the lifetime achievement award. Novant Health Huntersville Medical Center earned the large business diversity award. Dr. John Chen earned the small business diversity award. Announced dates for upcoming candidate forums. The Chamber Public

Safety Luncheon will be held October 15. The evening of October 15 will be Business After Hours at Aquesta Bank in Huntersville. The Chamber's Focus Friday on October 16 is going to be on Highway 73.

Mayor Swain presented Mayor's Achievement Award to Rohan Handa, a Huntersville resident who participated on the 15U USA National Baseball Team that recently won the Gold Medal in the COPABE PANAM Games in Aguascalientes, Mexico.

Dan Boone, Olde Huntersville Historic Society, presented a \$7,000 check to the Board to help offset cost of replacing roof on the old jail.

Mayor Swain presented Be The Match proclamation to Jeff Reid and Bethany Welch.

TOWN OF HUNTERSVILLE
PROCLAMATION

WHEREAS, every four minutes someone is diagnosed with blood cancer which can happen to anyone at any time and 70 percent of all patients who need a marrow transplant do not have a matched donor in their family; and

WHEREAS, for thousands of critically ill blood cancer patients, there is a cure; and

WHEREAS, you could be the cure! Be The Match connects patients with people just like you for their life-saving marrow match; and

WHEREAS, the cure for blood cancer is in the hands of the citizens of Huntersville; and

WHEREAS, Be The Match has more than 11 million potential marrow donors on the Be The Match Registry, but it's not enough; and

WHEREAS, we have citizens in our own community that are searching for a marrow donor; and

WHEREAS, Be The Match will host a marrow drive during the Be The Match Walk+Run where citizens can go to register and join the Be The Match Registry of potential marrow donors.

NOW, THEREFORE, I, Jill Swain, Mayor of the Town of Huntersville, do hereby proclaim the week of September 20, 2015 as "**Be The Match Week**" and encourage all residents in the Town of Huntersville who are at least 18 years of age, not greater than 44 years of age and meet the medical criteria to join the Be The Match Registry of potential marrow donors. Together with your help we can offer hope to those waiting a life-saving transplant.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Huntersville to be affixed this the 21st day of September, 2015.

Mayor Swain proclaimed the week of September 20, 2015 as Ocular Melanoma Awareness week.

TOWN OF HUNTERSVILLE
PROCLAMATION

WHEREAS, Ocular Melanoma is a rare cancer that strikes 1 in 5 million people annually, and there is no documented evidence as to what causes this type of cancer and there is no known cure; and

WHEREAS, Ocular Melanoma is the most common primary cancer of the eye in adults and of those diagnosed, half will see their disease spread to other parts of their body. Once it has spread, it is most often fatal; and

WHEREAS, there are emerging treatment options that show promise. These emerging options are only possible through funding that is critically low due to the rareness of this cancer; and

WHEREAS, there have been twelve documented cases of this rare eye cancer diagnosed in area residents in the Huntersville area within the last five years; and

WHEREAS, the only way to diagnose Ocular Melanoma is through regular eye examinations; and

WHEREAS, the North Carolina Chapter of A Cure in Sight is committed to public awareness and providing insight into this disease and will be holding a 5k Walk/Run event on September 26, 2015 at the Huntersville Business Park which will bring together local citizens and renowned medical professionals for a fun-filled day, along with a time to collaborate on possible causes/treatments/cures for this disease, and to raise funds for continued medical research; and

WHEREAS, discovering the cause, finding a cure and preventing future generations from being diagnosed with Ocular Melanoma is an important task Huntersville and all North Carolinians should support.

NOW, THEREFORE, I, Jill Swain, Mayor of the Town of Huntersville, do hereby proclaim the week of September 20, 2015 as **“OCULAR MELANOMA AWARENESS WEEK”** in the Town of Huntersville and encourage all residents of Huntersville to learn more about Ocular Melanoma and the possible causes, detection and treatment of the disease.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Huntersville to be affixed this the 21st day of September, 2015.

Mayor Swain proclaimed the week of October 18-24, 2015 as Male Breast Cancer Awareness Week.

TOWN OF HUNTERSVILLE
PROCLAMATION

WHEREAS, an estimated 2,300 men in the United States are diagnosed with breast cancer each year and an estimated 450 men each year will die from the disease; and

WHEREAS, the public commonly thinks of breast cancer as a disease affecting only women, a misconception that can delay diagnosis and treatment in men, often leading to death; and

WHEREAS, early detection of male breast cancer is critical, as men who are diagnosed when breast cancer is in its earliest stages have an increased chance of successful treatment and, ultimately, survival; and

WHEREAS, due in part to a lack of awareness that men can develop the disease, men are generally diagnosed with breast cancer at a later stage than women, which affects prognosis and treatment; and

WHEREAS, in order to facilitate early diagnosis and prompt treatment of male breast cancer, public education, awareness, and understanding of the disease is necessary; and

WHEREAS, the Town of Huntersville remembers the men who have lost their lives to breast cancer, and supports those who are currently fighting this often overlooked disease.

NOW, THEREFORE, I, Jill Swain, Mayor of the Town of Huntersville, do hereby proclaim October 18-24, 2015 as **“MALE BREAST CANCER AWARENESS WEEK”** in the Town of Huntersville and commend its observance to all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Huntersville to be affixed this the 21st day of September, 2015.

AGENDA CHANGES

Commissioner McAulay made a motion to adopt the agenda.

Commissioner Neely seconded motion.

Motion carried unanimously.

PUBLIC HEARINGS

Petition #ANNEX15-03. Mayor Swain called to order public hearing on Petition #ANNEX15-03, a request by Gwendolyn J. Howard (working with LStar) to annex 15.582 acres into the Town of Huntersville.

David Peete, Principal Planner, entered the Staff Report into the record. *Staff Report attached hereto as Attachment No. 1.* All statutory requirements have been satisfied.

Commissioner McAulay said will this property come under the Bryton development plan.

Mr. Peete said there is a pending sketch plan that will re-do and yes it will, but it does not require a rezoning.

There being no further comments, Mayor Swain closed the public hearing.

Petition #ANNEX15-04. Mayor Swain called to order public hearing on Petition #ANNEX15-04, a request by Skybrook LLC to annex 37.418 acres into the Town of Huntersville.

David Peete, Principal Planner, entered the Staff Report into the record. *Staff Report attached hereto as Attachment No. 2.* All statutory requirements have been satisfied.

Commissioner Phillips said on the back line where it looks like a blue creek that's coming through there, it looks like there is a small piece of property in between that and the creek or is that just part of that property line.

Mr. Peete said I see that little gap you are talking about. The contiguity is happening on the existing part of Parkside.

Commissioner Phillips said I was just curious about any reasoning for that gap to be there.

Mr. Peete said what changed a lot of that dynamic is when some of that property was traded with Metrolina and that gap may have been created. I'll be glad to look into that further and talk with Scott Moore from Skybrook as well.

There being no further comments, Mayor Swain closed the public hearing.

OTHER BUSINESS

Petition #TA15-04. Petition #TA15-04 is a request by the Huntersville Planning Board to amend Article 7.4 of the Zoning Ordinance in regard to calculating specimen tree save mitigation requirements.

Jack Simoneau, Planning Director, entered the Staff Report into the record. *Staff Report attached hereto as Attachment No. 3.* The Planning Board at their August meeting did recommend approval unanimously of this text amendment. There's two significant changes to the code. The existing regulations what you have today is if you have a specimen tree which is 24" or greater in size and that is supposed to be protected and has to come down, then it's replaced with one 2" tree. The Planning Board would like to modify that to say that if you have a specimen tree that's required to be preserved and you don't have to preserve all of them but if it's one that has to be preserved but it has to be replaced because the development just cannot accommodate the tree, then it's replaced with 30 percent of the removed caliper, so that 24" tree or whatever size tree it is, 30 percent of that, that's how many trees you can plant. When people plant trees those trees are planted at 2" in caliper. That's the one request. The second request is actually kind of a reducing down of some of the tree planting standards. Today under the ordinance if you have a tree save area that needs to be protected and it's somehow disturbed by accident or even on purpose the way the ordinance reads today is that has to be replaced at 10 trees per 1,000 sq. ft. and 40 shrubs per 1,000 sq. ft. We want to modify that and reduce it down because that's too many trees in that tight of area. It's just unhealthy, so the recommendation is to remove that language and have 5 trees per 1,000 sq. ft. and 20 shrubs per 1,000 sq. ft.

Commissioner Kidwell said I had sent an e-mail and I think it was distributed earlier today to the rest of the Board on Session Law 1997 HB437 talks about the preservation of trees and curious as we look at

moving forward to make sure the law versus what we are about to vote on specifically, how it does not apply to single-family development in Huntersville. I just want to make sure that if we move forward we are doing everything correctly.

Bob Blythe, Town Attorney, said I don't think there's any conflict at all in that these particular amendments apply to any type of subdivision if it is applicable or in other words applies to things other than property developed for single-family or duplex use. Now when that 1997 amendment first came out, it was not an amendment it was an attach-on to a bill from Mt. Pilot and applies only to Huntersville, Cornelius, Davidson and Nags Head, it was a question exactly what the application was. I think we have come to a consensus here that it does not apply necessarily to an overall subdivision but only to the building lots within not only a subdivision but any just stand alone lot or anything of that nature. My opinion is that the passage of this is not going to conflict with any of the existing old session law. Whether or not there is of course an open question and there was at the time and still remains exactly how does it affect a single-family or duplex usage. I'm quite comfortable really that it does not really apply to things in a subdivision which are in a subdivision plan such as tree save areas, open space which cannot be used for residential single-family residential or duplex usage. I think Jack can probably fill you in on what the practice has been as far as the application in the past on those particular usages.

Mr. Simoneau said what we have found is residential subdivisions have not been the issue. The issue has been the industrial development, the commercial development and some of the apartment complexes.

Commissioner Phillips said isn't this kind of making this kind of vague in the law or are we trying to skirt the law.

Mr. Blythe said I don't think you are trying to skirt the law. I think it's already vague. I think it was vague to begin with. In fact this matter came up before this board again in 2009 for a potential amendment to that session law. This board did not support a change at that time. I think from reading the minutes primarily there was a fear that it's going to affect usage where you already got a house, just any private property the way the proposed amendment was worded which was first promulgated by Cornelius and then Representative Tillis was trying to handle it through at that time so it did not go through. I don't see the conflict itself other than the open questions that remain from the original session law.

Commissioner Phillips said you do agree that it is open to interpretation.

Mr. Blythe said yes, I definitely do as to where do you draw that line – is it on the individual lots or any place else in the subdivision. I think Jack's explanation is the most logical explanation but on the other hand there are disagreements and as I pointed out at the time there were disagreements between the other two towns on how to interpret it.

Commissioner Julian said I read that legislation. Thank you bringing it up. I have not studied it but as I read through it one of the things it looked like the legislation was somewhat trying to do and it is very vague, but I think they were trying to give the towns or at least it should be giving the towns ability to regulate their tree specimens on a town level rather than try to do it out of Raleigh. What I would like to see is the Board ask Representative Jeter to look into that legislation and pass a legislation that allows this Board to make their own decisions rather than the state trying to tell them what to do because I think it's very vague legislation and I think we all agree that we don't like the federal government telling us what to do and on the town side we don't like the state telling us what to do, especially as far as

some tree save legislation or ordinance. I understand what Bob is saying that it is confusing but what I would do is put it back to the legislators and then for the town to go ahead and adopt our policies and then if something gets changed up in Raleigh or at least ask our legislators to make the change in the legislation that directs the town control of that.

Commissioner Kidwell said I want to thank the Planning Board and staff for working a couple of years on this and going through it.....Bob, Jack, Greg, thanks for speaking on the legislation. Huntersville is bigger than all three communities. We have a lot more to offer in terms of residential development, economic development and in terms of land tree save. When originally speaking on this we talked and there was anywhere from 25 to 50 percent and I'm good with 30 percent.

Commissioner Kidwell made a motion in considering TA15-04 amending Article 7 of the Zoning Ordinance, the Town Board recommends approval based on Policy E-3 of the 2030 Community Plan to support and enhance environmental regulations pertaining to tree preservation, buffer yards, open space, water quality, wetland and stream protection.

Commissioner Neely seconded motion.

Commissioner Julian said I'm going to honor Commissioner Kidwell's motion. I would love to see it at 40/50, but having the Board move forward with this ordinance I'm going to vote for the 30. I do think trees are very important and hopefully in the future we can continue to look at how we can save more trees for our kids and for the community.

Commissioner Bales said I agree and I think at some point we can come back and review and see how this particular change has made our town better and if tweaks need to be made we can do that then, but I think it's a great first step.

Commissioner Neely said just to echo that, we've been working on this since 2009. And again I congratulate the Planning Board for finally finalizing it and getting it to us. The 30 percent I believe is a good starting point. It takes it from where we are now which was not a good point and we just need to monitor where we go into the future.

Commissioner McAulay said for clarification did the motion include the recommendation – the latest recommendation from Planning reducing it from 10 to 5 trees per 1,000 sq. ft.

Mr. Simoneau said it does include the change.

Mayor Swain called for the vote to approve Petition #TA15-04.

Motion carried 5 to 1, with Commissioner Phillips opposed.

Adopt-A-Street Program. The Town of Huntersville recognizes the need for litter-free streets and sidewalks. The Adopt-A-Street program has been established to address this need and enable residents, community and civic organizations, or religious and social groups to contribute toward our town beautification efforts. Staff recommends approval of the Huntersville Adopt-A-Street Program.

Commissioner Phillips made a motion to approve Huntersville Adopt-A-Street Program.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

Adopt-A-Street Program attached hereto as Attachment No. 4.

Capital Project Ordinance. Commissioner Kidwell made a motion to adopt a Capital Project Ordinance for the purchase of land and the construction of a fire station on McIlwaine Road.

Commissioner Bales seconded motion.

Motion carried unanimously.

Capital Project Ordinance attached hereto as Attachment No. 5.

Reimbursement Resolution. Commissioner Julian made a motion to adopt resolution declaring the intent of the Town of Huntersville to reimburse itself for Capital Expenditures incurred in connection with the acquisition, construction, equipping and furnishing of a fire station and the acquisition of land therefor from the proceeds of certain tax-exempt obligations to be issued during Fiscal Year 2016.

Commissioner Bales seconded motion.

Motion carried unanimously.

Resolution attached hereto as Attachment No. 6.

Purchase of Property – McIlwaine Road. Commissioner Kidwell made a motion to authorize the Town Manager to execute purchase contract for property on McIlwaine Road identified as Tax Parcel #015-121-15.

Commissioner Neely seconded motion.

Commissioner Bales said a huge thank you to all of staff for making this possible. We have been looking for quite some time for a location to put a Fire Station 4 and to see it finally start to come out of the ground, that's going to be a great thing. I can't wait for that grand opening.

Motion carried unanimously.

Purchase Contract attached hereto as Attachment No. 7.

CONSENT AGENDA

Approval of Minutes – August 17 Pre-meeting. Commissioner Neely made a motion to approve minutes of the August 17, 2015 Town Board Pre-meeting. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Approval of Minutes – August 17 Regular Meeting. Commissioner Neely made a motion to approve minutes of the August 17, 2015 Regular Town Board Meeting. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Annexation Ordinance #ANNEX15-03. Commissioner Neely made a motion to adopt Annexation Ordinance #ANNEX15-03 to annex 15.582 acres into the Town of Huntersville. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Annexation Ordinance #ANNEX15-03 attached hereto as Attachment No. 8.

Annexation Ordinance #ANNEX15-04. Commissioner Neely made a motion to adopt Annexation Ordinance #ANNEX15-04 to annex 37.418 acres into the Town of Huntersville. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Annexation Ordinance #ANNEX15-04 attached hereto as Attachment No. 9.

Lease – K-9 Police Dog Training Facility. Commissioner Neely made a motion to authorize the Town Manager to negotiate and execute a ground lease with Mecklenburg County for a 200' x 200' portion of Tax Parcel 019-371-03 to be used by the Town for a K-9 Police Dog Training Facility. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Purchase Tax Parcel 017-101-11. Commissioner Neely made a motion to authorize the Town Manager to execute purchase contract for Tax Parcel 017-101-11 in the amount of \$330,000 with an additional \$5,000 in contingency for other costs incurred to execute said purchase contract. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

CMS Joint Use Agreement Amendment. Commissioner Neely made a motion to approve first amendment to the CMS Joint Use Agreement. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Amendment to Joint Use Agreement attached hereto as Attachment No. 10.

Fall 2015 Resurfacing Project. Commissioner Neely made a motion to authorize award of Fall 2015 Resurfacing Project to Ferebee Corporation. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Budget Amendment – HFFA. Commissioner Neely made a motion to approve budget amendment recognizing insurance revenue in the amount of \$4,076.10 and appropriate to the HFFA non-capitalized equipment account. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Budget Amendment – Police. Commissioner Neely made a motion to approve budget amendment recognizing insurance revenue in the amount of \$500.00 and appropriate to the Police Department's insurance account. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

SL362 Property Tax Refund Report No. 42. Commissioner Neely made a motion to approve SL362 Property Tax Refund Report No. 42. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Property Tax Refund Report No. 42 attached hereto as Attachment No. 11.

SL362 Property Tax Refund Report No. 43. Commissioner Neely made a motion to approve SL362 Property Tax Refund Report No. 43. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

Call for Public Hearing – Economic Development Incentives. Commissioner Neely made a motion to call a public hearing for Monday, October 5, 2015 at 6:30 p.m. at Huntersville Town Hall to receive comments on proposed economic development incentives to Nutec, Inc. Commissioner Julian seconded motion. Motion carried 5-1, with Commissioner Phillips opposed.

CLOSING COMMENTS

None

There being no further business, the meeting was adjourned.

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Chief Spruill
Subject: Budget Amendment

Recognize insurance revenue (103820.9999) in the amount of \$1,784.80 and appropriate to the Police Department's insurance account (105100.0452).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$1,784.80.

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Chief Spruill
Subject: Budget Amendment

Recognize insurance revenue (103820.9999) in the amount of \$173.98 and appropriate to the Police Department's insurance account (105100.0452).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$173.98.

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Greg Ferguson
Subject: Budget Amendment

Appropriate funds in the amount of \$7,000 (10-3998-9999-16006) received from Olde Huntersville Historic Society to Repairs & Maintenance-Building (10-4100-0351) to provide for roofing of the "Old Jail".

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$7,000 received.

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Greg Ferguson
Subject: Budget Amendment

Appropriate estimated rental revenue (10-3226.9999-06011) in the amount of \$16,000 for "Caroleen Properties". Funds will be used for utilities and maintenance of these properties (10-5700-0351-06011).

ACTION RECOMMENDED:

Approve Budget Amendment

FINANCIAL IMPLICATIONS:

Additional revenue.

**Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015**

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Greg Ferguson
Subject: SL362 Property Tax Refunds

Attached is Report 44 from Mecklenburg County of SL362 refunds. The Report contains 24 refunds. To date the Town of Huntersville has processed 9,295 refunds for a total of \$261,501.60 (\$237,746.84 without interest).

ACTION RECOMMENDED:

Approve SL362 property tax refund report.

FINANCIAL IMPLICATIONS:

Decrease in Revenue.

ATTACHMENTS:

Description	Type
☐ Tax Refund Report	Backup Material

Bill Number	Parcel #	BOCC Month	Type	Adjustment #	Adjustment Reason	Date Of Adjustment	Refund Recipient Name	Address Line 1	Address Line 2	City	State	Zip Code	Payment Date	Int if pd by	
													For Interest	Total Refund	10/2/2015
0001455145-2011-2011-0000-00	00901128	3/1/2014	REI	425365	SL 362 Adjustment	4/9/2015	LOGAN, BONNIE WILEY	7620 BABE STILWELL FARM RD		HUNTERSVILLE	NC	28078-8715	1/6/2012	1.13	0.21
0001458964-2011-2011-0000-00	00920130	3/1/2014	REI	424993	SL 362 Adjustment	4/8/2015	RANSON, JOE BOST	14309 STANIL RD		HUNTERSVILLE	NC	28078	1/6/2012	1.13	0.21
0001466007-2011-2011-0000-00	01119117	3/1/2014	REI	424866	SL 362 Adjustment	4/8/2015	MULLIS, TED CLIFTON	9900 HAGERS RD		HUNTERSVILLE	NC	28078	1/6/2012	0.42	0.08
0001466008-2011-2011-0000-00	01119118	3/1/2014	REI	424857	SL 362 Adjustment	4/8/2015	HULEN, LILLIAN S	12200 MCCORD RD		HUNTERSVILLE	NC	28078	1/6/2012	0.52	0.85
0001467002-2011-2011-0000-00	01123119	3/1/2014	REI	424419	SL 362 Adjustment	4/8/2015	BJORNEBOE, PAUL JR	12001 MAYES RD		HUNTERSVILLE	NC	28078	1/6/2012	2.54	0.47
0001468461-2011-2011-0000-00	01304214	3/1/2014	REI	424582	SL 362 Adjustment	4/7/2015	ALLISON, WILLIAM MARTIN	12800 ALLISON FERRY RD		HUNTERSVILLE	NC	28078	1/6/2012	7.07	1.32
0001468489-2011-2011-0000-00	01306213	3/1/2014	REI	424579	SL 362 Adjustment	4/7/2015	HOUSTON, ROBERT P JR	6548 JIM KIDD RD		HUNTERSVILLE	NC	28078	1/6/2012	6.50	1.22
0001468753-2011-2011-0000-01	01310119	3/1/2014	REI	424596	SL 362 Adjustment	4/7/2015	LKN PROPERTIES LLC	9815-J SAM FURR RD STE 230		HUNTERSVILLE	NC	28078	1/6/2012	1.70	0.32
0001469079-2011-2011-0000-00	01313105	3/1/2014	REI	424972	SL 362 Adjustment	4/8/2015	SOUTHLAKE FARM LLC	14614 BROWN MILL RD		HUNTERSVILLE	NC	28078	1/6/2012	4.24	0.79
0001480837-2011-2011-0000-00	01701122	3/1/2014	REI	424320	SL 362 Adjustment	4/7/2015	FERGUSON, EARL BROOK S JR	9940 HAMBRIGHT RD		HUNTERSVILLE	NC	28078	1/6/2012	5.08	0.95
0001480838-2011-2011-0000-00	01701123	3/1/2014	REI	424605	SL 362 Adjustment	4/7/2015	FERGUSON, FRED	PO BOX 1250		HUNTERSVILLE	NC	28070	2/29/2012	0.28	0.05
0001480872-2011-2011-0000-00	01702102	3/1/2014	REI	424571	SL 362 Adjustment	4/7/2015	STRICKLAND, RANDY	500 N HOSKINS RD		CHARLOTTE	NC	28216	1/6/2012	0.28	0.05
0001480900-2011-2011-0000-00	01703204	3/1/2014	REI	424309	SL 362 Adjustment	4/7/2015	BLYTHE LACKEY CLAN LLC	11001 MT HOLLY-HUNTERSVILLE RD		HUNTERSVILLE	NC	28078	1/6/2012	2.54	0.47
0001481447-2011-2011-0000-00	01709210	4/1/2014	REI	425314	SL 362 Adjustment	4/8/2015	BROWN, ALMA FAYE	110 VIRGINIA AV		HUNTERSVILLE	NC	28078	1/6/2012	1.55	0.29
0001481496-2011-2011-0000-00	01709410	4/1/2014	REI	425144	SL 362 Adjustment	4/8/2015	HINSON, PANSY O	503 HILLCREST DR		HUNTERSVILLE	NC	28078	1/6/2012	0.96	0.10
0001481686-2011-2011-0000-00	01711302	4/1/2014	REI	424985	SL 362 Adjustment	4/24/2015	BUTLER, DAVID F	124 WATKINS ST		HUNTERSVILLE	NC	28078	1/6/2012	0.57	0.11
0001488471-2011-2011-0000-00	01905317	6/1/2014	REI	356369	SL 362 Adjustment	2/21/2015	ESTATE OF VERA M JONES	PO BOX 1415		HUNTERSVILLE	NC	28070	1/6/2012	0.28	0.05
0001488485-2011-2011-0000-00	01905327	6/1/2014	REI	356370	SL 362 Adjustment	2/21/2015	HOLBROOK, DONALD K	2104 PINEFIELD CT		GASTONIA	NC	28056	1/6/2012	1.70	0.32
0001488493-2011-2011-0000-00	01905406	4/07/21	REI	407111	SL 362 Adjustment	5/13/2015	JENNINGS, AVIS D	407 GIBSON DR		HUNTERSVILLE	NC	28078	1/6/2012	0.43	0.08
0001488600-2011-2011-0000-00	01905488	6/1/2014	REI	356371	SL 362 Adjustment	2/21/2015	PEEK, KAMIIKHA K	3855 SAXONBURY WAY		CHARLOTTE	NC	28269	1/6/2012	1.41	0.26
0001492400-2011-2011-0000-00	02111458	5/10/2015	REI	40093	SL 362 Adjustment	5/10/2015	NGUYEN, ANTHONY VAN QUYEN	11219 SKYTOP DR		HUNTERSVILLE	NC	28078	1/6/2012	3.67	0.69
0001455357-2011-2011-0000-00	00904105B	3/1/2014	REI	424423	SL 362 Adjustment	4/8/2015	COOKSON LIMITED PARTNERSHIP RLLP	15032 ERVIN COOKE RD		HUNTERSVILLE	NC	28078-7559	1/6/2012	1.70	0.32
0001455357-2012-2012-0000-00	00904105B	3/1/2014	REI	424427	SL 362 Adjustment	4/8/2015	COOKSON LIMITED PARTNERSHIP RLLP	15032 ERVIN COOKE RD		HUNTERSVILLE	NC	28078-7559	1/8/2013	1.70	0.23
0001455357-2013-2013-0000-00	00904105B	3/1/2014	REI	424431	SL 362 Adjustment	4/8/2015	COOKSON LIMITED PARTNERSHIP RLLP	15032 ERVIN COOKE RD		HUNTERSVILLE	NC	28078-7559	1/7/2014	1.70	0.15
														52.70	9.60

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Greg Ferguson
Subject: SL362 Property Tax Refunds

Attached is Report 45 from Mecklenburg County of SL362 refunds. The Report contains 26 refunds. To date that Town of Huntersville has processed 9,321 refunds for a total of \$269,347.79 (\$244,776.57 without interest).

ACTION RECOMMENDED:

Approve SL362 property tax refund report.

FINANCIAL IMPLICATIONS:

Decrease in Revenue

ATTACHMENTS:

Description	Type
☐ Tax Refund Report	Backup Material

Tax Year	Bill Number	Parcel #	Source Type	Adjustment #	Adjustment Reason	Date of Adjustment	Refund Recipient Name	Address Line 1	Address Line 2	City	State	Zip Code	Payment Date for Interest Calculation	Total Refund (\$)	Total Interest to Pay if mailed on or before 10/16/2015 (\$)
2014	0001462538-2014-2014-0000-00	00934426	REI	446055	BER SL362 Decision	6/12/2015	FERNALD, RICHARD L	13710 MOREHOUSE ST		HUNTERSVILLE	NC	28078	1/6/2015	13.73	0.53
2011	0001470400-2011-2011-0000-01	01501126	REI	445584	BER SL362 Decision	7/10/2015	BARNETTE, BERTRAM A III	14700 BEATTIES FORD RD		HUNTERSVILLE	NC	28078	1/6/2012	104.55	19.75
2012	0002616924-2012-2012-0000-01	01716507	REI	445683	BER SL362 Decision	6/9/2015	HUNTERSVILLE BUSINESS PROPERTY OWNERS	13801 RESSE BLVD	SUITE 300	HUNTERSVILLE	NC	28078	1/8/2013	192.95	26.72
2013	0002616924-2013-2013-0000-01	01716507	REI	445684	BER SL362 Decision	6/9/2015	HUNTERSVILLE BUSINESS PROPERTY OWNERS	13801 RESSE BLVD	SUITE 300	HUNTERSVILLE	NC	28078	1/7/2014	192.95	17.10
2014	0002616924-2014-2014-0000-01	01716507	REI	445685	BER SL362 Decision	6/9/2015	HUNTERSVILLE BUSINESS PROPERTY OWNERS	13801 RESSE BLVD	SUITE 300	HUNTERSVILLE	NC	28078	1/6/2015	208.32	8.08
2011	0001486637-2011-2011-0000-00	01746438	REI	446113	BER SL362 Decision	6/12/2015	BRADLEY FAMILY REVOC, TRUST(THE)	14207 MAYA CR		MOORPARK	CA	93021	1/6/2012	1.41	0.27
2011	0001487611-2011-2011-0000-00	01747463	REI	446114	BER SL362 Decision	6/12/2015	COURCHENE, DONALD	14064 LYON HILL LN		HUNTERSVILLE	NC	28078	1/6/2012	26.28	4.96
2012	0001487611-2012-2012-0000-00	01747463	REI	446115	BER SL362 Decision	6/12/2015	COURCHENE, DONALD	14064 LYON HILL LN		HUNTERSVILLE	NC	28078	1/8/2013	26.28	3.64
2013	0001487611-2013-2013-0000-00	01747463	REI	446065	BER SL362 Decision	6/11/2015	JONES, MATTHEW P	6426 COLONIAL GARDEN DR		HUNTERSVILLE	NC	28078	1/7/2014	26.28	2.33
2014	0001487611-2014-2014-0000-00	01747463	REI	446061	BER SL362 Decision	6/11/2015	JONES, MATTHEW P	6426 COLONIAL GARDEN DR		HUNTERSVILLE	NC	28078	1/6/2015	28.36	1.10
2011	0001488786-2011-2011-0000-00	01905717	REI	446054	BER SL362 Decision	6/12/2015	VERMILLION COMMUNITY ASSOCIATION	P O BOX 1378		DAVIDSON	NC	28036	10/10/2012	91.54	13.81
2012	0001488786-2012-2012-0000-00	01905717	REI	446162	BER SL362 Decision	6/15/2015	VERMILLION COMMUNITY ASSOCIATI ON	PO BOX 1378		DAVIDSON	NC	28036	1/8/2013	84.75	11.74
2013	0001488786-2013-2013-0000-00	01905717	REI	446053	BER SL362 Decision	6/12/2015	VERMILLION COMMUNITY ASSOCIATI ON	PO BOX 1378		DAVIDSON	NC	28036	1/7/2014	84.75	7.51
2014	0001488813-2014-2014-0000-00	01905737	REI	446116	BER SL362 Decision	6/12/2015	LOEB, SUZAN	13819 HILL ST		HUNTERSVILLE	NC	28078	1/6/2015	71.98	2.79
2014	0007268980-2014-2014-0000-00	01905761	REI	446121	BER SL362 Decision	6/15/2015	PARKER, ANTHONY N	13825 HILL ST		HUNTERSVILLE	NC	28078	1/6/2015	71.98	2.79
2011	0001492235-2011-2011-0000-00	02111310	REI	446088	BER SL362 Decision	6/12/2015	SCHWARTZ, JOHAN C	14411 GREENPOINT LN		HUNTERSVILLE	NC	28078	2/13/2012	263.59	52.10
2012	0001492235-2012-2012-0000-00	02111310	REI	446087	BER SL362 Decision	6/12/2015	SCHWARTZ, JOHAN C	14411 GREENPOINT LN		HUNTERSVILLE	NC	28078	1/8/2013	276.00	38.22
2013	0001492235-2013-2013-0000-00	02111310	REI	446086	BER SL362 Decision	6/12/2015	SCHWARTZ, JOHAN C	14411 GREENPOINT LN		HUNTERSVILLE	NC	28078	1/7/2014	276.00	24.46
2014	0001492235-2014-2014-0000-00	02111310	REI	446085	BER SL362 Decision	6/12/2015	SCHWARTZ, JOHAN C	14411 GREENPOINT LN		HUNTERSVILLE	NC	28078	1/6/2015	223.26	8.66
2011	0001492249-2011-2011-0000-00	02111317	REI	446205	BER SL362 Decision	6/15/2015	MARTIN, ROBERT C	1409 WILBUR RD		MEDINA	OH	44256	1/6/2012	137.29	25.93
2012	0001492249-2012-2012-0000-00	02111317	REI	446202	BER SL362 Decision	6/15/2015	MARTIN, ROBERT C	1409 WILBUR RD		MEDINA	OH	44256	1/8/2013	137.29	19.01
2013	0001492249-2013-2013-0000-00	02111317	REI	446201	BER SL362 Decision	6/15/2015	MARTIN, ALICE PORTER	14509 GREEN POINT LN		HUNTERSVILLE	NC	28078	1/7/2014	137.29	12.17
2014	0001492249-2014-2014-0000-00	02111317	REI	446200	BER SL362 Decision	6/15/2015	MARTIN, ALICE E PORTER	14509 GREENPOINT LN		HUNTERSVILLE	NC	28078	1/6/2015	83.26	3.23
2011	0001482579-2011-2011-0000-00	01715215A	REI	386718	BER SL362 Decision	3/12/2015	DDRM ROSEDALE SHOPPING CENTER LLC	1 CVS DRIVE OCC EXP DEPT #2563-01		WOONSOCKET	RI	02895	1/6/2012	1,380.01	260.69
2012	0001482579-2012-2012-0000-00	01715215A	REI	386719	BER SL362 Decision	3/12/2015	DDRM ROSEDALE SHOPPING CENTER LLC	1 CVS DRIVE OCC EXP DEPT #2563-01		WOONSOCKET	RI	02895	1/8/2013	1,380.01	191.12
2014	0001482579-2014-2014-0000-00	01715215A	REI	386717	BER SL362 Decision	3/12/2015	DDRM ROSEDALE SHOPPING CENTER LLC	1 CVS DRIVE OCC EXP DEPT #2563-01		WOONSOCKET	RI	02895	1/6/2015	1,489.62	57.75
														7,029.73	816.46

**Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015**

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Greg Ferguson, Town Manager
Subject: Purchase of Berryhill Properties

Mr. Berryhill has accepted the offer to sell his two properties for \$237,836 in order to extend Fourth Street into the northern terminus of Main Street Upgrade.

ACTION RECOMMENDED:

Authorize acquisition of 307 N. Main Street and 109 Church Street and appropriate fund balance in the amount of \$245,000 to cover purchase of land and associated closing costs.

FINANCIAL IMPLICATIONS:

\$237,836 plus closing costs

ATTACHMENTS:

Description	Type
□ Memo	Backup Material

L. David Berryhill, Jr.

Memo

To: Nate Bowman
From: L. David Berryhill, Jr.
CC: Leigh Wall
Date: May 4, 2015
Re: Huntersville property offer

We need to do a 1031 exchange. These properties are under lease for less than a year.

The sole purpose for the acquisition of these properties is to gain access to the land to use for building a road or roads. Therefore the value is in the land.

You have shared that Huntersville is paying \$143280 for 101 Church St. and \$88160 for 103 Church St. For 101 Church St. they are paying \$10.61 per sq. ft. for the land. $143280 / 13504 = \$10.61$. 103 Church St. they are paying \$11.24 per sq. ft. for the land. $\$88160 / 7841 = \11.24 per sq. ft. Our land is equally as valuable. Taking the average price per sq. ft. of the two of \$10.92 is the market value of our land.

307 N. Main $\$10.92 \times 16988 \text{ sq. ft.} = \$185,508$.

109 Church $\$10.92 \times 4792 \text{ sq. ft.} = \$52,328$.

$\$ 237,836$

Town of Huntersville
REQUEST FOR BOARD ACTION
10/5/2015

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Dee Jetton, Executive Director, HFFA
Subject: Award Bid for Dectron Units - HFFA

Consider awarding bid for the Installation of the Dectron Units for 50-meter and 25-yard pool.

ACTION RECOMMENDED:

Award bid to Morris Mechanical and authorize the Town Manager to negotiate the AIA contract with Morris Mechanical to complete the installation of the Dectron Units for the 50-meter and 25-yard pool.

FINANCIAL IMPLICATIONS:

Town Manager will negotiate a contract using value engineering opportunities and eliminating alternates listed in the bid to insure the final contract including contingency does not exceed the remaining budget from Mecklenburg County for the project (\$639,000). HSW has already provided a list of alternates to be removed in order of priority for Town Manager's consideration.

ATTACHMENTS:

Description	Type
□ Morris Mechanical Bid	Backup Material

PROPOSAL SUBMITTED BY

Morris Mechanical Inc

ADDRESS

PO Box 1215 109 White Pine Dr.Dallas, NC 28034

TELEPHONE NO.

(704) 922-9727

LICENSE NO.

11047

TO:

Dee Jetton

HFFA

11725 Verhoeff Drive

Huntersville, NC 28209

The Undersigned, having examined, compared, and familiarized him/herself with the Instructions to Bidders, the Supplementary Instructions to Bidders, and the Contract Documents as prepared by **Caveo Consulting Engineers** and having examined the site of the work and familiarized him/herself with all conditions and requirements pertaining thereto, hereby proposes to furnish all material, labor, equipment, services, and transportation necessary to complete the work in accordance with the Contract Documents for the Project entitled:

HFFA

Natatorium HVAC Replacement Project

for the sum of:

BASE BID: GENERAL CONTRACT – (Do **NOT** include taxes) (\$662,965.00).

NOTE: The award of the Contract will be based on the lowest bona fide Base Bid Amount and any accepted Alternates **excluding** taxes. Only specified items are to be included in the base bid. Voluntary alternates and voluntary value engineering items are **not** to be included in the base bid nor as part of any specified alternates and will **not** be considered as part of the award process. The voluntary alternates and voluntary value engineering items are only for the purpose of information to show proposed substitutions that may be used by the owner as a cost savings or value added item. Provide a lump sum amount for each voluntary alternate and voluntary value engineering items with any additional documentation attached. The below Estimated Tax Amount is for information in determining the Contract Amount. The Contract Amount will be the sum of Base Bid, accepted Alternates, and the Estimated Tax Amount.

Estimated Tax Amount on Base Bid: (\$ 17,743.00).

The undersigned further proposes to undertake work on the Date of Commencement as established in the Agreement and shall achieve Substantial Completion of the entire Work within not more than 105 calendar days.

Alternate No 1: Pre-construction TAB report for total airflow for each of the three rooftop units.

Deduct: (\$ 265.00)

Alternate No. 2: Inspection and potential cleaning of supply ductwork for all three of the rooftop units.

Deduct – Inspection: (\$ 575.00)Deduct – Cleaning RTU-1: (\$ 8050.00)Deduct – Cleaning RTU-2: (\$ 8050.00)

© CAVEO Consulting Engineers #15-2739

Huntersville Family Fitness and Aquatic Center
Natatorium HVAC Replacement Project
Construction Documents

September 4, 2015

Deduct – Cleaning RTU-3: _____ (\$ 8050.00)

Alternate No. 3: Return air plenum modification within each natatorium.

Deduct: _____ (\$ 16,999.00)

Alternate No. 4: Supply diffuser modification in the 50m pool area.

Deduct: _____ (\$ 5485.00)

Alternate No. 5: Domestic hot water preheat system connection to new rooftop units.

Deduct: _____ (\$ 44,275.00)

Alternate No. 6: Turning over the existing three rooftop units to the owner for their own salvage.

Deduct: _____ (\$ 4650.00)

Alternate No. 7: New air and humidity sensors in each natatorium.

Deduct: _____ (\$ 7590.00)

Alternate No. 8: Heating water pump replacement. One pump per pool

Deduct: _____ (\$ 8812.98)

Alternate No. 9: Supply diffuser modification in the 25m pool area.

Deduct: _____ (\$ 4168.00)

Alternate No. 10: Evacuator modification in the 25m pool area.

Deduct: _____ (\$ 3992.00)

Alternate No. 11: The cost of Performance and Payment Bonds.

Add: _____ (\$ 23,825.00)

Voluntary Alternates and Value Engineering Items: use existing duct stands (\$ 9696.00)

Voluntary Alternates and Value Engineering Items: _____ (\$ _____)

The undersigned acknowledges that he has received and reviewed the below enumerated addenda and has taken them into account in the preparation of this proposal.

Addendum No. _____ dated _____.

Addendum No. _____ dated _____.

Electrical Contractor Morris Mechanical Inc.

Temperature Control Contractor Morris Mechanical Inc.

Plumbing Contractor MJ Plumbing
Structural Contractor Structural Steel of Carolina

Respectfully submitted this 25th day of September, 2015

By: Morris Mechanical Inc.
(Name of Firm or Corporation making bid)

By: James Morris
President
Title: (Owner, Partner, or Corp. Pres. or Vice-Pres. Only).

WITNESS:
Christa Pepler
(Proprietorship or Partnership)

ATTEST:
BY: Lee Ann Morris
TITLE: Corporate Secretary (CORPORATE SEAL)
(Corp. Sec. or Assist. Sec. Only)

At Bidder's option, this form may be attached to the bid form or may be faxed to the Owner within twenty-four (24) hours after bid date.

For Base Bid Only, CSI Cost Breakdown (including Overhead and Profit)

Division 1:	<u>N/A</u>
Division 6:	<u>N/A</u>
Division 7:	<u>N/A</u>
Division 8:	<u>N/A</u>
Division 9:	<u>N/A</u>
Division 10:	<u>N/A</u>
Division 11:	<u>N/A</u>
Division 12:	<u>N/A</u>
Division 21:	<u>N/A</u>
Division 22:	<u>44,275.00</u>
Division 23:	<u>595,723.00</u>
Division 23 - Temperature Controls :	<u>7590.00</u>
Division 25:	<u>N/A</u>
Division 26:	<u>33,120.00</u>
Division 27:	<u>N/A</u>
Division 28:	<u>N/A</u>
Division 31:	<u>N/A</u>

Division 32: NIADivision 40: NIA

List use of Minority and Women Business Enterprises (MWBE) by company name and dollar amount of sub-contract.

Company: _____
\$ _____

Company: _____
\$ _____

Company: _____
\$ _____

Company: _____
\$ _____

BID BOND

U. S. Specialty Insurance Company
601 S. Figueroa Street, Suite 1600 Los Angeles, CA 90017

CONTRACTOR:

(Name, legal status and address)

Morris Mechanical, Inc.
P O Box 1215/ 109 White Pine Drive
Dallas, NC 28034

OWNER:

(Name, legal status and address)

Huntersville Fitness & Aquatic
11725 Verhoeff Drive, Huntersville, NC 28070

SURETY:

(Name, legal status and principal place of business)

U. S. Specialty Insurance Company

601 S. Figueroa Street, Suite 1600
Los Angeles, CA 90017

BOND AMOUNT: NOT TO EXCEED 5% (\$28,000.00)

PROJECT:

(Name, location or address, and Project number, if any)

HFFA Dectrons
Replacing Three Detron Pool Units

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 24th day of September, 2015.

Lee Ann Morris
(Witness)

Sara C. Hall
(Witness)

Morris Mechanical, Inc.

James Morris
(Principal) (Seal)
President
(Title)

U. S. Specialty Insurance Company

Jessica N. Griffin
(Surety) (Seal)
Attorney In Fact
(Title)





U.S. Specialty Insurance Company
601 S. Figueroa Street, Suite 1600, Los Angeles, California 90017

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That, U.S. SPECIALTY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint,

JESSICA NOEL GRIFFIN

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver bond number BB2000511, issued in the course of its business and to bind the Company thereby, in an amount not to exceed Five million and 00/100 (\$5,000,000.00). This Power of Attorney shall expire without further action on December 20th, 2017. Said appointment is made under and by authority of the following resolutions of the Board of Directors of U. S. Specialty Insurance Company:

"Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." Adopted by unanimous written consent in lieu of meeting on September 1st, 2011.

The Attorney-in-Fact named above may be an agent or a broker of the Company. The granting of this Power of Attorney is specific to this bond and does not indicate whether the Attorney-in-Fact is or is not an appointed agent of the Company.

IN WITNESS WHEREOF, U.S. Specialty Insurance Company has caused its seal to be affixed hereto and executed by its Senior Vice President on this 1st day of December 2014.

State of California

County of Los Angeles SS:



U.S. SPECIALTY INSURANCE COMPANY

By: _____

Adam S. Pessin, Senior Vice President

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On this 1st day of December 2014, before me, Maria G. Rodriguez-Wong, a notary public, personally appeared Adam S. Pessin, Senior Vice President of U.S. Specialty Insurance Company, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(seal)



I, Michael Chalekson, Assistant Secretary of U.S. Specialty Insurance Company, do hereby certify that the Power of Attorney and the resolution adopted by the Board of Directors of said Company as set forth above, are true and correct transcripts thereof and that neither the said Power of Attorney nor the resolution have been revoked and they are now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of September, 2015.

Bond No. BB2000511

Agency No. 12245



Michael Chalekson, Assistant Secretary



P O Box 1215
109 White Pine Drive
Dallas, NC 28034
Phone 704-922-9727 Dallas
Phone 704-331-0455 Charlotte
Fax 704-922-4929
Website www.morrismechanical.com
Email Info@morrismechanical.com



Name	Huntersville Family Fitness & Aquatics			Date	9/23/15
Attn	Dee Jetton			Job Name	Dectron Units
Address	11725 Verhoeff Drive				
	Huntersville	NC	28070	Job Location	Pool Area
Phone	704-766-2222				
FAX	704-947-7230				
Email	djetton@huntersville.org				



NC LICENSE #11047 SC STATE LICENSE #M3769 NC ELECTRICAL LICENSE #13295-L

This proposal is to provide the labor and materials to install three new Dectron units provided by owner Huntersville Family Fitness & Aquatics. The price includes the changes made by the engineer to provide new spring isolated curbs for units and removing the existing curbs and new steel bases. Factory startup and warranties on equipment included by Huntersville Family Fitness & Aquatics. Morris Mechanical Inc will provide a one year labor warranty on work performed by Morris Mechanical Inc. Due to changes on the installation of the equipment for roofing issues and the change to provide new spring isolation curbs in lieu of rigid frame on original plans Morris Mechanical will not be responsible to size i beams to set new curbs on that must go down to existing W-10 i beams to install a solid continuous steel frame for new curbs to sit on. The new curbs are not designed to span a 70" span between the existing W-10 i beams. There must be a solid complete frame for new curbs. The old curbs and steel frames will have to be removed to install new curbs. The new curbs cannot go around old curbs due to the size of the new curbs. This could and most likely will cause a longer install time. I recommend that the December 30th 2015 deadline be extended to January 31st 2016 and extend the \$1,000 a day penalty in order to allow time needed to provide a quality install of the new equipment. Even with the extended time frame at no time would both the 50 meter or 25 meter pools be shut down at the same time. We propose to change the #1 unit first, the #3 unit second and the #2 unit third in order to keep the 50 meter operating at all times with the 25 meter pool being down for possibly a 2.5 week period. Should the now proposed penalties and time frame to install units be kept in place please disregard the bid from Morris Mechanical Inc. I would not want to disappoint a customer of our's that has allowed Morris Mechanical Inc the privilege to provide service to your facility these many years by not being able to complete the job on the current time frame. We do thank you for allowing us to offer our quote and suggestions to install the new units. In order to prevent future problems and the critical install requirements from Dectron, the equipment provider, the extended time would be most needed.

WE APPRECIATE THE OPPORTUNITY TO OFFER THIS PROPOSAL AND LOOK FORWARD TO YOUR APPROVAL.

MMINC WILL FURNISH MATERIALS AND LABOR, COMPLETE IN ACCORDANCE WITH THE ABOVE SPECIFICATIONS FOR THE SUM OF:

TOTAL JOB COST..... **\$680,708.00**

All materials are to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra cost 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 Workmen's Compensation Insurance. This quote is null and void after 30 days of issuance if you want to proceed with the job at that time it will have to be reevaluated. Terms are upon receipt unless specified in body above.

Authorized Signature

Junior Morris

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance _____