

Town of Dallas
 Agenda
 July 9, 2018
 6:00 PM
 BOARD OF ALDERMEN
 Rick Coleman, Mayor

Allen Huggins

Darlene Morrow

Stacey Thomas

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

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- | | | |
|------------|--|----|
| 1. | Invocation | |
| 2. | Pledge of Allegiance to the Flag | |
| 3. | Approval of Agenda with Additions Or Deletions | |
| 4. | Approval of Minutes | |
| | A. June 11 th Regular Meeting and June 25 th Special Meeting | 2 |
| 5. | Consent Agenda (to be acted on collectively, unless removed for further discussion) | |
| | A. Back to School Event | 6 |
| 6. | Recognition of Citizens: Time set by Mayor | |
| | A. Jim Bailey | |
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| | B. Discussion on Economic Development of 130 W. Trade St. | 31 |
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12. Closed Session:



TOWN OF DALLAS
MINUTES FOR BOARD OF ALDERMEN MEETING
JUNE 11, 2018
6:00 PM

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

The following staff members were present: Maria Stroupe, Town Manager; Da'Sha Leach, Town Clerk; Tom Hunn, Town Attorney; Allen Scott, Police Chief; Tiffany Faro, Development Services Director; Bill Trudnak, Public Works Director; Jonathan Newton, Finance Director; Robbie Walls, Police Captain; Steve Lambert, Fire Chief; Doug Huffman, Electric Director and Steven Aloisa, Recreation Director.

Mayor Coleman called the meeting to order at 6:00 pm. He opened with the Invocation and the Pledge of Allegiance to the Flag followed. He welcomed everyone to the meeting.

Mayor Coleman read the meeting rules for the audience. He asked if there were any additions or deletions to amend the agenda. Alderman Huggins made a motion to approve the agenda with added item in New Business 10D, seconded by Alderman Cearley, and carried unanimously.

Alderwoman Thomas made a motion to approve the minutes from May 14th Regular Meeting and June 21st Work Session as presented, seconded by Alderman Cearley, and carried unanimously.

Consent Agenda:

Item 5A was the Authorizations of Submission of Written Off Accounts to NC Debt Setoff

Item 5B was July 4th Concert and Fireworks (Exhibit A)

Item 5C was Facebook Policy/Disclaimer Statement (Exhibit B)

Item 5D Enforcement of State Fire Code Interlocal Application (Exhibit C)

Item 5E Statement of Work for CDBG Neighborhood Revitalization Application (Exhibit D)

Alderman Huggins made a motion to approve the Consent Agenda, seconded by Alderman Withers, and carried unanimously.

Recognition of Citizens:

Mr. William Frietch was recognized by Chief Lambert for his 20 year service with the Town of Dallas Fire Department. Mr. Frietch is greatly appreciated for his service to the community.

Ms. Donna Wallace was recognized by Chief Lambert due to her experience with Cardiac arrest. She was brought back to life by several Fire Department members since they are the first responders in an emergency scene. Chief Lambert gave a lifesaving coin and he allowed Ms. Wallace to give the Firemen a coin while she thanked them. She didn't recall the experience but was glad they saved her life. The Firemen are greatly appreciated for their service to the community.

Mr. Curtis Wilson, 438 S. Gaston St., He prayed for the community and Board.

Special Events & Requests for In-Kind Services: NONE

Public Hearings:

Item 8A was a Public Hearing for the proposed Budget Ordinance for Fiscal Year 2018-2019, including the proposed fee schedules. An original proposal was submitted to the Board on March 21, 2018 for review at a Budget Work Session held on March 26, 2018. A proposal modified from this work session was submitted to the Board on May 14, 2018 for review at a Budget Work Session held on May 21, 2018. This proposal has been modified by discussions held during the Board's two previous budget work sessions. A copy of this proposed budget was submitted to the Board on May 25, 2018. As proposed, the FY2018-19 budget for the Town of Dallas would total \$16,443,673. The budget is based upon Ad Valorem (property) tax rate of \$0.40 (which reflects not change), a \$5.00 per vehicle adjustment to the Motor Vehicle Fee, no changes to the Water & Sewer rates, no changes to the Electric rates, and a 25¢ increase in the Storm water per unit fee. Alderman Cearley made a motion to enter the Public Hearing, seconded by Alderwoman Thomas and carried unanimously. There was some questions between the Board and Staff to clarify a few items. Mayor Coleman asked to audience members if they had any questions, or comments. Alderwoman Thomas made a motion to exit the Public Hearing, seconded by Alderman Withers, and carried unanimously. Alderman Wither made a motion to approve the FY2018-19 Budget and Fee Schedule as presented, seconded by Alderman Cearley, and carried unanimously. (Exhibit E)

Old Business: NONE

New Business:

Item 10A was to appoint members to the Planning Board. Mr. Eric Clemmer was up for re-appointment to the Planning Board since his term recently expired on May 31, 2018. The Planning Board also received a resignation from Dr. Heywood so her seat will need to be filled. There are currently two alternate positions filled by Mr. Simms and Mr. Jones, he is willing to move to a permanent seat on the Planning Board. Several applications came in from citizens willing to serve on the Planning Board if the Board of Aldermen appointed them. The applications received were submitted to the Board for review. Alderman Cearley made a motion to re-appoint Mr. Eric Clemmer to the Planning Board, seconded by Alderman Cearley, and carried unanimously. His term will be from June 1, 2018-May 31, 2021 as the ETJ member of the Planning Board once approved by Gaston County Board of Commissioners. Alderwoman Morrow made a motion to appoint Mr. David Jones to a permanent member on the Planning Board, seconded by Alderman Huggins, and carried unanimously. Alderman Huggins made a motion to table the new applicant appointment decisions until July 9th Board Meeting, seconded by Alderwoman Morrow, and carried unanimously. This will give the Board more time to review the applicants. (Exhibit F)

Item 10B was approval of the Gaston College Area Sidewalk Project Agreement. The Locally Administered Project Agreement outlining the CMAQ Sidewalk Project Grant received by the Town for installation of three segments of sidewalks totaling approximately 2800 linear feet, as described on Page 3 of the agreement. The total estimated cost of the project is \$479,724, with 80% grant funds covering \$383,779 and the Town supplying 20% matching funds of \$95,945. The design phase of the project is expected to be completed within the 2018-19 fiscal year and is accounted for in the FY2018-19 Budget. The construction phase of the project is anticipated in the following year. Alderwoman Thomas made a motion to approve as presented, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit G)

New Business continued.....:

Item 10C was a discussion regarding the Uniform Guidance Procurement Policy and Conflict of Interest Policy. The Office of Management and Budget (OMB) issued Title 2 U.S. *Code of Federal Regulations*, Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) in December 2013. Uniform Guidance is applicable to state and local governments, American Indian tribes, higher education institutions and not-for-profit organizations for all federal awards or funding increments to existing awards made on or after December 26, 2014. Due to significant changes in the Uniform Guidance procurement requirements, OMB delayed the requirement to implement those Uniform Guidance provisions for a full three years from the effective date. The first year the procurement standards under Uniform Guidance would be applied is fiscal year 2019 (July 1, 2018, through June 30, 2019). In order to receive federal funds for purchases of goods, services, or construction or repair projects, policies must be adopted prior to June 30, 2018. Attached is a proposed compliant Uniform Guidance Procurement Policy and a Uniform Guidance Conflict of Interest Policy adapted from examples provided by the UNC School of Government. Alderman Withers made a motion to approve as presented, seconded by Alderman Cearley, and carried unanimously. (Exhibit H)

Item 10D was a proposal to give \$500 Bonus for Town Employees. Over the past year, all Town departments have performed very well. Most departments have experienced turnover that has resulted in operating short-handed. Each department has stepped up and filled in the gaps until new employees could be brought on board. These new employees have, for the most part, stepped in and quickly became productive. As we are nearing the end of this fiscal year, the revenue and expenditure numbers are looking good. In recognition of our employees and their dedication to Dallas, I would propose a one-time \$500 bonus for each full-time and permanent part-time employee to be paid on June 21st. The total costs, by fund and including fringes, totaled \$37,246.50. Alderman Withers made a motion for approve with the addition of permanent part-time Fire Department employees, seconded by Alderwoman Thomas.

Manager's Report:

Manager gave updates on Town projects and upcoming events.

Departmental and General Notices:

Alderwoman Thomas made a motion to adjourn, seconded by Alderman Cearley, and carried unanimously. **(6:45)**

Rick Coleman, Mayor

Da'Sha Leach, Town Clerk

**TOWN OF DALLAS
MINUTES FOR BOARD OF ALDERMEN MEETING
SPECIAL MEETING
JUNE 25, 2018
5:00 PM**

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

The following staff members were present: Tom Hunn, Town Attorney; Da'Sha Leach, Town Clerk; Allen Scott, Police Chief; Doug Huffman, Electric Director; Bill Trudnak, Public Works Director; Jonathan Newton, Finance Director; Tiffany Faro, Development Services Director; Steve Lambert, Fire Chief; Barry Webb, Project Coordinator, and Steven Aloisa, Recreation Director. Maria Stroupe, Town Manager was absent.

Mayor Coleman called the meeting to order at 5:00 pm. He opened with the Pledge of Allegiance to the Flag.

Mayor Coleman read a letter he received by email from Mr. Mike Croft to withdraw his offer to purchase 130 W. Trade Street to build a restaurant. (Exhibit A)

Public Hearing:

Item 3A – The Downtown Development Project Agreement public hearing never opened due to the offer being withdrawn by Mr. Mike Croft. (Exhibit B)

Alderwoman Thomas made a motion to adjourn, seconded by Alderman Withers, and carried unanimously. **(5:05)**

Rick Coleman, Mayor

Da'Sha Leach, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Back to School Event

AGENDA ITEM NO. 5A

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

For the past two years, the Police Department has hosted an event for area school children, where the children could pick up a book bag and fill it with school supplies. The event has been very successful and was budgeted for again this year. The requested date is August 17th from 5:00 – 7:00 pm in the Dennis Franklin Gym. Donations will be accepted from businesses and residents, as well as purchased with the budgeted funds from the Town.

MANAGER'S RECOMMENDATION:

Approve the request as presented.

BOARD ACTION TAKEN:



Special Events/ Activities Application

Town of Dallas
 210 North Holland Street
 Dallas, NC 28034-1625
 (704) 922-3176
 Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required. The applicant is responsible for providing complete and accurate information on the application, The applicant is responsible for notifying the Town of Dallas of any changes. **A complete application must be submitted by no later than 5:00 p.m. on the Tuesday preceding the date of the Board meeting at which the event is to be approved, for an event which is to occur no sooner than 14 days following its date of approval.**

APPLICATION INFORMATION

Name of Event:	Tools for School 2018		
Facility Requested:	Dennis Franklin Gym		
Applicant Name:	Sarah Turner		
Organization:	Dallas Police Department		
Mailing Address:	207 W Church St		
City / State / Zip:	Dallas NC 28016		
Daytime Phone:	704-922-3116	Cell:	
		E-Mail:	sturner@dallasnc.net
Description of the Event:	school supply drive and distrubition for the children of Dallas		
Does the event have a Facebook, Twitter, or other social networking page:	No		
If yes, please list URL(s):	N/A		
Date (s) Requested for Event:	August 17th, 2018		
Event Start Time:	5PM	Event End Time:	7PM
Road Closure Time Begins (if applicable):	none	Road Closure Time Ends:	none
Set Up Begins:	Noon	Set Up Ends:	6PM
Preferred Date & Time of Inspection (if required):	none		
Estimated Attendance:	150		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			

Applicant's Signature: Sarah C. Turner Date: June 18, 2018

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendment: Definition of Minor Subdivision

AGENDA ITEM NO. 8A

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

The Planning Board unanimously voted to recommend a text amendment to the definition of minor subdivision outlined in 152.011 at the meeting on June 21, 2018.

The existing definition reads:

Minor Subdivision:

1. No new roads are proposed or right-of-way dedicated;
2. The entire tract to be subdivided is ten acres or less in size;
3. No more than ten lots will result after the subdivision is complete; and
4. **The subdivision will not be served by public or community water or sewer.**

Currently, a subdivision can only be considered minor if it meets all 4 defining criteria above. This classifies almost all subdivisions in town limits as major, as a majority of parcels are connected with Town utilities, regardless of all other site conditions.

The proposed revision is to change #4 to read:

4. **The subdivision will not require public/community water, sewer, or electric infrastructure to be extended.**

If approved, this change will streamline the subdivision process and help differentiate between major and minor subdivisions and their processes.

MANAGER'S RECOMMENDATION:

BOARD ACTION TAKEN:

TOWN OF DALLAS SUBDIVISION REGULATIONS

EXEMPT/MINOR SUBDIVISION REVIEW PROCESS

As outlined in the Town of Dallas Code of Ordinances Chapter 152: Subdivision Regulations

Exempt Subdivisions:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the town
- (2) The division of land into parcels more than 10 acres where no street right-of-way dedication is involved
- (3) The public acquisition by purchase of strips of land for the widening or opening of streets
- (4) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the town as shown in this chapter
- (5) The division of land by any method of transfer solely among members of a linear family, which shall include only direct lineal descendants (children, grandchildren and great grandchildren) and direct lineal ascendants (father, mother, grandfather and grandmother); and brothers, sisters, nieces and nephews.

Minor Subdivision: The division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development where:

1. No new roads are proposed or right-of-way dedicated;
2. The entire tract to be subdivided is ten acres or less in size;
3. No more than ten lots will result after the subdivision is complete; and
4. The subdivision will not be served by public or community water or sewer.

Review Process

1. Applicant completes and submits a Subdivision Permit Application (**along with \$100 application fee**) and of two (2) copies of a sketch plan containing:
 - Sketch vicinity map
 - Boundaries of lot(s) to be subdivided
 - Total acreage to be subdivided
 - Existing and proposed uses of land within the subdivision and existing uses of adjoining land
 - Proposed street layout
 - Name, address, and telephone number of owner(s) of tract
 - Name of proposed subdivision
 - Zoning classification of the property to be subdivided and adjacent property
 - Tax map and parcel numbers of the lot(s) to be subdivided
2. Development Services Director reviews sketch plan for general compliance with the requirements of this chapter and any applicable zoning regulation.
3. Owner/Applicant prepares and submits 5 copies of a final plat, including one digital version, for Town of Dallas review and signature (**along with \$100 submittal fee**).
 - Must be prepared by registered land surveyor
 - Must contain all of the info listed in Chapter 152.058 of the Town of Dallas Code of Ordinances- see Checklist
 - All copies of the final plat must contain the signed certificates found in the Town of Dallas Subdivision Regulations
4. Once the final plat is approved, the Owner/ Applicant has 21 days to have the plat recorded in the Gaston County Register of Deeds office, or the approved final plat will be considered null and void.
5. Owner/ Applicant obtains all Zoning Permits required for construction on subdivided lots.

TOWN OF DALLAS SUBDIVISION REGULATIONS

MAJOR SUBDIVISION REVIEW PROCESS (less than 50 lots)

As outlined in the Town of Dallas Code of Ordinances Chapter 152: Subdivision Regulations

Please Note: All proposed subdivisions must comply in all respects with the requirements of the Zoning Ordinance in effect in the area to be subdivided, and any other officially adopted plans.

Major Subdivision: The division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development where:

1. New roads are proposed or rights-of-way are dedicated;
2. The entire tract to be subdivided is greater than ten acres;
3. More than ten lots will result after the subdivision is complete; **and/or**
4. The subdivision will be served by public or community water or sewer.

Review Process

1. Applicant completes and submits a Subdivision Permit Application (**along with non-refundable fee**) and of two (2) copies of a sketch plan containing:
 - Sketch vicinity map
 - Boundaries of lot(s) to be subdivided
 - Total acreage to be subdivided
 - Existing and proposed uses of land within the subdivision and existing uses of adjoining land
 - Proposed street layout
 - Name, address, and telephone number of owner(s) of tract
 - Name of proposed subdivision
 - Zoning classification of the property to be subdivided and adjacent property
 - Tax map and parcel numbers of the lot(s) to be subdivided
2. Development Services Director reviews submitted application with the Town Engineer, and provides feedback within 21 days to the Applicant/Owner for incorporation into a preliminary plat. **The Applicant/ Owner is responsible for all Town Engineer fees.**
3. Applicant submits seven (7) copies of Preliminary Plat for review by Planning Board.
 - Must contain all of the information listed in Chapter 152.058 of the Town of Dallas Code of Ordinances- see attached.
 - Must be submitted to the Development Services Director least 10 days prior to the meeting at which it is to be reviewed
4. The Planning Board meets to discuss the proposed subdivision, and has 45 days from meeting date to make their decision to approve (with or without conditions), or disapprove the preliminary plat.
 - The Planning Board may request a report from any person or agency directly concerned with the proposed development before making a decision.
 - If approved with conditions, Owner/ Applicant must comply with requirements within 12 months unless otherwise noted, or the approval will be considered null and void.
 - If disapproved, Owner/ Applicant has 60 days to resubmit without paying an additional fee. Resubmitted preliminary plats will need to repeat Step 3.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Planning Board Appointments

AGENDA ITEM NO. 9A

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

This item was tabled from the June 11th Board of Aldermen meeting.

Dr. Beth Heywood submitted her resignation from the Planning Board effective May 12, 2018. Her position was filled by the Board at the June 11th meeting, by approving Mr. David Jones (currently serving as an alternate). Mr. Jones position as Alternate now needs to be filled.

Mr. Steven Hood also notified the Town on June 20th that he is no longer a Town resident, and therefore is not able to serve on the Planning Board. Our current alternate, Mr. Reid Simms, would like to remain as an alternate, opening up a member position that also needs to be filled.

Three citizens have filled out applications of interest for consideration of appointment to the Planning Board: Ms. Julie Pettus of 418 E. Trade St.; Mr. Donald Kirksey of 308 N. College St.; and Mr. Gene Brown of 510 E. Church St. These applications are attached.

MANAGER'S RECOMMENDATION:

To appoint a candidate to fill the vacant Alternate position created by Mr. David Jones filling Dr. Heywood's position, and to fill the vacant Member position created by Mr. Steven Hood's relocation.

BOARD ACTION TAKEN:



PLANNING BOARD APPLICATION

CONTACT INFORMATION

Mr. Mrs. Ms. Dr. Other: _____

Name Julie Pettus

Address 418 E. Trade St Dallas NC 28034

Email Address jpettus65@yahoo.com

Work phone # 704-922-1236 home # _____ cell # 980-389-3415

Resident of the city YES/ NO number of years 7 yrs

Business owner in the city YES/ NO number of years _____

QUESTIONS

1. Why are you interested in serving on the Planning Board?

I grew up in Dallas. Went to all the local public schools. moved away, but returned 7 yrs ago. I love Dallas and want to be apart of the community.

2. Do you have special skills, experience or background which would assist you in working on this board? What is your professional and educational background?

I am a retired registered nurse from Gaston Memorial. Currently I am the exec. Director of the Dallas Christian ministry. I am familiar with the population of Dallas.

3. Does your schedule allow for a monthly evening commitment of 1-2 hours on a consistently scheduled date (currently the 3rd Thursday of each month) for a term of 3 years? YES/ NO

4. Are you willing/able to attend a Board Orientation/Training if selected? YES/ NO

Preferred availability:

Weekdays between 8am-5pm Weekday Evenings Saturday

5. How did you hear about this board vacancy? Dallas Sign

Julie Pettus
Signature

10-5-18
Date

Thank you for your interest in the Town of Dallas and in being considered for the Planning Board. You, along with other applicants, will be considered for any current and future vacancies.



PLANNING BOARD APPLICATION

CONTACT INFORMATION

Mr. Mrs. Ms. Dr. Other: _____

Name Gene Burris

Address 510 East Church St Dallas Tx

Email Address whitneythree28@gmail.com

Work phone # _____ home # _____ cell # 704-9065009

Resident of the city YES / NO number of years 44

Business owner in the city YES / NO number of years _____

QUESTIONS

1. Why are you interested in serving on the Planning Board?

I love my hometown of Dallas and look forward to the opportunity for making it cleaner & more inviting to businesses & other citizens.

2. Do you have special skills, experience or background which would assist you in working on this board? What is your professional and educational background?

I have been in the landscaping profession (as a second source) of income for the past 20 years which has given me extensive knowledge & experience in the beautification of yards both personal & businesses.

3. Does your schedule allow for a monthly evening commitment of 1-2 hours on a consistently scheduled date (currently the 3rd Thursday of each month) for a term of 3 years? YES / NO

4. Are you willing/able to attend a Board Orientation/Training if selected? YES / NO

Preferred availability:

Weekdays between 8am-5pm Weekday Evenings Saturday

5. How did you hear about this board vacancy? Stacy Malher - Thomas

Walter Gene Burris

Signature

6-10-2018

Date

Thank you for your interest in the Town of Dallas and in being considered for the Planning Board. You, along with other applicants, will be considered for any current and future vacancies.



PLANNING BOARD APPLICATION

CONTACT INFORMATION

Mr. Mrs. Ms. Dr. Other: _____

Name Donald Reid Kirksey Sr.

Address 308 North College Street

Email Address donaldkirksey50@yahoo.com

Work phone # Discontinued home # (304) 977-7076 cell # (204) 854-0631

Resident of the city YES NO number of years 57

Business owner in the city YES NO number of years _____

QUESTIONS

1. Why are you interested in serving on the Planning Board?

Want to get involved and be of service to my community

2. Do you have special skills, experience or background which would assist you in working on this board? What is your professional and educational background?

11 yrs. on fire dept. High school and some past college courses

3. Does your schedule allow for a monthly evening commitment of 1-2 hours on a consistently scheduled date (currently the 3rd Thursday of each month) for a term of 3 years? YES NO

4. Are you willing/able to attend a Board Orientation/Training if selected? YES NO

Preferred availability:

Weekdays between 8am-5pm Weekday Evenings Saturday

5. How did you hear about this board vacancy? Sign on Court House square

Donald R Kirksey
Signature

6-5-2018
Date

Thank you for your interest in the Town of Dallas and in being considered for the Planning Board. You, along with other applicants, will be considered for any current and future vacancies.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Volunteer Screening Policy

AGENDA ITEM NO. 9B

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

Steve Aloisa, Parks and Recreation Director, has developed a proposed policy outlining a screening policy for volunteers that work with children in the Town's Recreation Programs. This policy specifically outlines reasons a person would be disqualified as a volunteer based on information received from a background check. The Town Attorney assisted the Director with this proposal.

Currently, background checks are performed on volunteers, but there are no standardized guidelines to determine disqualification.

The proposed policy is attached.

MANAGER'S RECOMMENDATION:

BOARD ACTION TAKEN:



Town of Dallas, NC

Volunteer Screening Policy

Description

In order to preserve the safety and wellbeing of participants in its youth Recreation and programs, activities and events as well as other youth programs offered by the Town of Dallas ("Town"), the Town will conduct background checks on all individuals applying to volunteer in all such programs. Background checks will also be performed on all individuals applying to work as sports officials, scorekeepers, and program supervisors.

Volunteers will be required to sign an authorization form which will provide date of birth, Social Security Number, and current address, authorizing the Town to order an individual criminal background check. All authorization forms and results of screening must be received prior to the start of volunteer duties.

This policy will include all volunteers and paid individuals who, in the course of their service, have the opportunity to be alone with children during activities scheduled for Town sponsored youth programs.

Others with incidental contact with children will not be subject to provisions of this policy at this time, although the Town reserves the right to conduct random checks of all volunteers working programs/events involving children. To the extent provided by Chapter 132 of the North Carolina General Statutes, all information received as a result of the screening will be kept confidential and not disclosed to anyone outside the Town. All authorization forms, records or reports shall be maintained in a confidential manner, and kept for a fixed period of time as set by the Town's record retention policy.

If any disqualifying information is found that prevents an applicant from being accepted, the Town will be responsible for notifying applicant of disqualification in a confidential manner. In the event the applicant feels a mistake has been reported in their criminal background check, it is the applicant's responsibility to contact the Town and resolve any issues. The Town and its employees are not responsible for errors or omissions that may be reported on background checks.

Frequency of Background Investigations

Only one background check is necessary per year regardless of the number of different sensitive positions a volunteer may fill during any year. The initial authorization release signed by the volunteer applicant specifically states that the release shall remain in effect until revoked in writing.

Criteria for Exclusion

Disqualifying Factors

A person will be disqualified and prohibited from serving as a volunteer if the person has been found guilty of any of the following crimes or has pending charges as identified below:

(Guilty means that a person was found guilty following a trial, entered a guilty plea or entered a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This recommendation does not apply if criminal charges resulted in acquittal or dismissal.)

DISQUALIFICATION BASED ON OFFENSE:

FELONIES

ALL FELONY OFFENSES – Regardless of the amount of time since offense.

MISDEMEANORS

CLASS A1 – Or any other state equivalent

PENDING CASES

Any applicant who has been charged with any of the disqualifying offenses will not be allowed to volunteer until disposition of the charge. A serving volunteer who has been charged with any of the disqualifying offenses will have their service suspended until disposition of the charge.

A volunteer must immediately inform the Town of any charge(s) that has been filed against the volunteer and which, if convicted, would cause them to be disqualified as a volunteer as stated in this policy. Failure to do so may result in further penalties including permanent disqualification.

The Background Check Process is an ongoing process and is subject to review and changes as determined necessary by the Town in administering its Volunteer Program

Town of Dallas Parks and Recreation
Volunteer Coach Application Form



1. Full Name: _____

2. Sport you would like to coach: _____ Age Group _____

3. Address: _____

4. Telephone (Cell): _____ (Home): _____

5. Email: _____

6. What is your Occupation? _____

7. Are you at least 18 years of age? YES ___ NO ___ (If not see authorization below.)

8. Please list your coaching experience:

	Sport	Age	Level	Years Coaching
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____

9. Have you ever been convicted of a criminal offense? ___ YES ___ NO

10. If yes, please explain and indicate year of conviction: _____

Date _____ Authorized Signature _____

AUTHORIZATION FOR MINORS (Must be signed if applicant is under age 18) The Undersigned certifies that he/she is the custodial parent or guardian of the above named applicant. By my signature I give permission for the applicant to participate in this program and to have his/her background checked.

Parent or Guardian _____ Date _____

APPENDIX A: OFFENSE CLASS TABLE FOR FELONIES

Class A

First-Degree Murder (G.S. 14-17)

Class B1

First-Degree Forcible Rape (G.S. 14-27.21)	New for offenses on/after 12/1/2015
First-Degree Forcible Sexual Offense (G.S. 14-27.26)	New for offenses on/after 12/1/2015
First-Degree Rape (G.S. 14-27.2)	Recodified for offenses on/after 12/1/2015
First-Degree Sexual Offense (G.S. 14-27.4)	Recodified for offenses on/after 12/1/2015
First-Degree Statutory Rape (G.S. 14-27.24)	New for offenses on/after 12/1/2015
First-Degree Statutory Sexual Offense (G.S. 14-27.29)	New for offenses on/after 12/1/2015
Rape of a Child/Adult Offender (G.S. 14-27.2A)	Recodified for offenses on/after 12/1/2015
Second-Degree Murder (G.S. 14-17)	Class B2 as provided in G.S. 14-17(b) and for offenses before 12/1/2012
Sexual Offense with a Child/Adult Offender (G.S. 14-27.4A)	Recodified for offenses on/after 12/1/2015
*Statutory Rape of a Child by an Adult (G.S. 14-27.23)	New for offenses on/after 12/1/2015
Statutory Rape of Person ≤ 15/Defendant 6+ Years Older (G.S. 14-27.25(a))	New for offenses on/after 12/1/2015
Statutory Rape or Sexual Offense of 13/14/15 Year Old/Defendant 6+ Years Older (G.S. 14-27.7A(a))	Recodified for offenses on/after 12/1/2015
*Statutory Sexual Offense with a Child by an Adult (G.S. 14-27.28)	New for offenses on/after 12/1/2015
Statutory Sexual Offense with Person ≤ 15/Defendant 6+ Years Older (G.S. 14-27.30(a))	New for offenses on/after 12/1/2015

Class B2

Child Abuse, Serious Bodily Injury (G.S. 14-318.4(a3)) Class C for offenses before 12/1/2013

Class C

Assault with Deadly Weapon with Intent to Kill Inflicting Serious Injury (G.S. 14-32(a))	
Embezzlement, \$100,000 or more (G.S. 14-90)	
First-Degree Kidnapping (G.S. 14-39)	
First-Degree Sexual Exploitation of a Minor (G.S. 14-190.16)	Class D for offenses before 12/1/2008
Larceny by Employee, \$100,000 or More (G.S. 14-74)	
Manufacture of Methamphetamine (G.S. 90-95(b)(1a))	
Second-Degree Forcible Rape (G.S. 14-27.22)	New for offenses on/after 12/1/2015
Second-Degree Forcible Sexual Offense (G.S. 14-27.27)	New for offenses on/after 12/1/2015
Second-Degree Rape (G.S. 14-27.3)	Recodified for offenses on/after 12/1/2015
Second-Degree Sexual Offense (G.S. 14-27.5)	Recodified for offenses on/after 12/1/2015
Statutory Rape of Person ≤ 15/Defendant > 4, < 6 Years Older (G.S. 14-27.25(b))	New for offenses on/after 12/1/2015
Statutory Rape or Sexual Offense of 13/14/15 Year Old/Defendant > 4, < 6 Years Older (G.S. 14-27.7A(b))	Recodified for offenses on/after 12/1/2015
Statutory Sexual Offense with Person ≤ 15/Defendant > 4, < 6 Years Older (G.S. 14-27.30(b))	New for offenses on/after 12/1/2015

Class D

*Aggravated Felony Death by Vehicle (G.S. 20-141.5(a5))	
Armed Robbery (G.S. 14-87)	
Child Abuse, Serious Physical Injury or Sexual Act (G.S. 14-318.4(a) or (a2))	Class E for offenses before 12/1/2013
*Death by Vehicle (G.S. 20-141.4(a1))	Class G for offenses before 12/1/2006; Class E for offenses before 12/1/2012
Discharge Firearm into Occupied Dwelling or Vehicle in Operation (G.S. 14-34.1)	
First-Degree Arson (G.S. 14-58)	
First-Degree Burglary (G.S. 14-51)	
Voluntary Manslaughter (G.S. 14-18)	Class E for offenses before 12/1/1997

Class E

Assault with Deadly Weapon Inflicting Serious Injury (G.S. 14-32(b))	
Assault with Deadly Weapon with Intent to Kill (G.S. 14-32(c))	
Assault with Firearm on a Law Enforcement Officer (G.S. 14-34.5)	
Discharging Weapon into Occupied Property (G.S. 14-34.1(a))	
Intercourse/Sexual Offenses with Certain Victims (G.S. 14-27.7)	Recodified for offenses on/after 12/1/2015
Second-Degree Kidnapping (G.S. 14-39)	
Second-Degree Sexual Exploitation of a Minor (G.S. 14-190.17)	Class F for offenses before 12/1/2008
Sell/Deliver Controlled Substance within 1,000 Feet of a School (G.S. 90-95(e)(8))	
Sexual Activity by a Substitute Parent or Custodian (G.S. 14-27.31)	New for offenses on/after 12/1/2015

Class F

Abduction of Children (G.S. 14-41)	
Assault Inflicting Serious Bodily Injury (G.S. 14-32.4)	
Assault Inflicting Serious Injury on a Law Enforcement Officer (G.S. 14-34.7)	
Assault with Deadly Weapon on Governmental Officer/Employee (G.S. 14-34.2)	
Burning of Certain Other Buildings (G.S. 14-62)	

*Special Sentencing rules apply. See **APPENDIX H**, Special Sentencing Rules.

Class F, cont'd

- Failure to Register as a Sex Offender (G.S. 14-208.11)
- Felonious Restraint (G.S. 14-43.3)
- *Habitual Impaired Driving (G.S. 20-138.5)
- Hit and Run Resulting in Serious Bodily Injury or Death (G.S. 20-166(a))
- Indecent Liberties with Children (G.S. 14-202.1)
- Involuntary Manslaughter (G.S. 14-18)
- Malicious Conduct by Prisoner (G.S. 14-258.4)
- Possess Weapon of Mass Destruction (G.S. 14-288.8)
- Serious Injury by Vehicle (G.S. 20-141.4(a3))
- Stalking, Second/Subsequent Offense (G.S. 14-277.3A)

Class G

- Child Abuse, Serious Physical Injury/Reckless Disregard for Human Life (G.S. 14-318.4(a5)) Class H for offenses before 12/1/2013
- Common Law Robbery (G.S. 14-87.1)
- Forgery/Counterfeiting, Five or More Instruments (G.S. 14-119)
- Identity Theft (G.S. 14-113.20)
- Intimidating a Witness (G.S. 14-226) Class H for offenses before 12/1/2011
- Possession of Firearm by Felon (G.S. 14-415.1)
- Sale of a Schedule I or II Controlled Substance (G.S. 90-95(b)(1))
- Second-Degree Arson (G.S. 14-58)
- Second-Degree Burglary (G.S. 14-51)
- Sexual Activity with a Student by Teacher, etc. (G.S. 14-27.32(a)) New for offenses on/after 12/1/2015

Class H

- Assault by Strangulation (G.S. 14-32.4(b))
- Breaking or Entering Buildings (G.S. 14-54)
- Carrying Concealed Weapon, Second/Subsequent Offense (G.S. 14-269) Class I for offenses before 12/1/2014
- Cruelty to Animals—Torture, Mutilate, Kill (G.S. 14-360) Class I for offenses before 12/1/2010
- Disclosure of Private Images, Defendant 18 or Older (G.S. 14-490.5A) New for offenses on/after 12/1/2015
- Embezzlement, < \$100,000 (G.S. 14-90)
- Felony Larceny (G.S. 14-72)
- Giving/Selling Cell Phone to an Inmate (G.S. 14-258.1) Class 1 misdemeanor for offenses before 12/1/2014
- Habitual Misdemeanor Assault (G.S. 14-33.2)
- Hit and Run Resulting in Injury (G.S. 20-166(a1))
- Indecent Exposure (G.S. 14-190.9(a1))
- Larceny by Employee (G.S. 14-74)
- Manufacture, Deliver, or Possess with Intent to Manufacture, Sell, or Deliver Schedule I or II Controlled Substance (G.S. 90-95(b)(1))
- Obtaining Property by False Pretenses, < \$100,000 (G.S. 14-100)
- Possessing Stolen Goods (G.S. 14-71.1)
- Possession of Controlled Substance in Prison/Jail (G.S. 90-95(e)(9))
- Sale of a Schedule III, IV, V, or VI Controlled Substance (G.S. 90-95(b)(2))
- Secretly Peeping, Disseminating Images (G.S. 14-202(h))
- Sex Offender Unlawfully on Premises (G.S. 14-208.18)
- Solicitation of Child by Computer (G.S. 14-202.3)
- Third-Degree Sexual Exploitation of a Minor (G.S. 14-190.17A) Class I for offenses before 12/1/2008

Class I

- Assault on a Firefighter or EMS Technician (G.S. 14-34.6(a)) Class A1 misdemeanor for offenses before 12/1/2011
- Breaking into Coin-Operated Machine, Second/Subsequent Offense (G.S. 14-56.1)
- Breaking or Entering Motor Vehicles (G.S. 14-56)
- Counterfeit Controlled Substance; Create, Sell, Deliver, or Possess with Intent to Sell or Deliver (G.S. 90-95(c))
- Crime against Nature (G.S. 14-177)
- Financial Transaction Card Theft (G.S. 14-113.9)
- Forgery of Notes, Checks, Securities (G.S. 14-119(a))
- Indecent Liberties with Student (G.S. 14-202.4) Class A1 misdemeanor for G.S. 14-202.4(b) for offenses before 12/1/2015
- Maintain Dwelling/Motor Vehicle for Controlled Substance, Intentional (G.S. 90-108(a)(7), (b))
- Manufacture, Deliver, or Possess with Intent to Manufacture, Sell, or Deliver Schedule III–VI Controlled Substance (G.S. 90-95(b)(2))
- Obtain a Controlled Substance by Fraud, Intentional (G.S. 90-108(a)(10), (b))
- Possession of Schedule I Controlled Substance (G.S. 90-95(d)(1))
- Preparation to Commit Burglary/Possession of Burglary Tools (G.S. 14-55)
- Safecracking (G.S. 14-89.1)
- *Secretly Peeping, Photographic Images/Devices (G.S. 14-202)
- Sexual Activity with a Student by Non-Teacher, etc. (G.S. 14-27.32(b)) New for offenses on/after 12/1/2015; Class A1 misdemeanor for offenses before 12/1/2015 under former G.S. 14-27.7(b)
- Uttering Forged Paper or Instrument (G.S. 14-120)
- Worthless Check, > \$2,000 (G.S. 14-107)

Note: Offense classifications are subject to change, and different classifications may apply to older offenses.

*Special Sentencing rules apply. See **APPENDIX H**, Special Sentencing Rules.

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APPENDIX B: OFFENSE CLASS TABLE FOR MISDEMEANORS

APPENDIX B: OFFENSE CLASS TABLE FOR MISDEMEANORS

Class A1 *Or other state equiv.*

- Assault by Pointing a Gun (G.S. 14-34)
- *Assault in Presence of Minor (G.S. 14-33(d))
- Assault Inflicting Serious Injury (G.S. 14-33(c)(1))
- Assault on Child under 12 Years of Age (G.S. 14-33(c)(3))
- Assault on Female (G.S. 14-33(c)(2))
- Assault on Government Officer or Employee (G.S. 14-33(c)(4))
- Assault on Handicapped Person (G.S. 14-32.1)
- Assault on School Employee or Volunteer (G.S. 14-33(c)(6))
- Assault with Deadly Weapon (G.S. 14-33(c)(1))
- Child Abuse (G.S. 14-318.2)
- First-Degree Trespass, Utility Premises or Agricultural Center (G.S. 14-159.12)
- Food Stamp Fraud, \$100-\$500 (G.S. 108A-53.1)
- Interfering with Emergency Communication (G.S. 14-286.2)
- Misdemeanor Death by Vehicle (G.S. 20-141.1)
- Secretly Peeping, Second Offense or with Photo Device (G.S. 14-202)
- Sexual Battery (G.S. 14-27.33)
- *Stalking, First Offense (G.S. 14-277.3A)
- Violation of a Valid Protective Order (G.S. 50B-4.1(a))

Class 1 for offenses before 12/1/2009

Codified as G.S. 14-27.5A for offenses before 12/1/2015

Class 1

- Aggressive Driving (G.S. 20-141.6)
- Breaking into Coin-Operated Machine, First Offense (G.S. 14-56.1)
- Breaking or Entering Buildings (G.S. 14-54(b))
- Communicating Threats (G.S. 14-277.1)
- Contributing to the Delinquency of a Juvenile (G.S. 14-316.1)
- Cruelty to Animals (G.S. 14-360)
- Cyber-Bullying, Defendant 18 or Older (G.S. 14-458.1)
- Disclosure of Private Images, Defendant under 18, First Offense (G.S. 14-190.5A)
- Domestic Criminal Trespass (G.S. 14-134.3)
- Driving While License Revoked (DWI Revocation) (G.S. 20-28(a1))
- Escape from Local Confinement Facility (G.S. 14-256)
- Escape from Prison, by Misdemeanant (G.S. 148-45)
- Failure to Stop for School Bus (G.S. 20-217)
- Failure to Yield to Emergency Vehicle, Damage or Injury (G.S. 20-157(h))
- False Imprisonment (Common Law)
- Forgery (Common Law)
- Going Armed to the Terror of the People (Common Law)
- Hit-and-Run Property Damage (G.S. 20-166)
- Injury to Personal Property, > \$200 (G.S. 14-160(b))
- Injury to Real Property (G.S. 14-127)
- Larceny of Property, Worth \$1,000 or Less (G.S. 14-72)
- Misrepresentation to Obtain Employment Security Benefits (G.S. 96-18(a))
- Misuse of 911 System (G.S. 14-111.4)
- Obstruction of Justice (Common Law)
- Possession of Certain Schedule II-IV Controlled Substances (G.S. 90-95(d)(2))
- Possession of Non-Marijuana Drug Paraphernalia (G.S. 90-113.22)
- Possession of Handgun by Minor (G.S. 14-269.7(a))
- Possession of over One-Half Ounce of Marijuana (G.S. 90-95(d)(4))
- Possession of Stolen Goods (G.S. 14-72)
- Possession/Manufacture of Fraudulent ID (G.S. 14-100.1)
- Purchase/Possess/Consume Alcohol by Person under 19 (G.S. 18B-302)
- Secretly Peeping (G.S. 14-202)
- Shoplifting/Concealment of Merchandise, Third Offense in 5 Years (G.S. 14-72.1)
- Solicitation of Prostitution, First Offense (G.S. 14-205.1)
- Speeding to Elude (G.S. 20-141.5)
- Tax Return Violations (G.S. 105-236)
- Unauthorized Use of a Motor Vehicle (G.S. 14-72.2)
- Use of Red or Blue Light (G.S. 20-130.1)
- Weapon (Non-Firearm or Explosive) on School Property (G.S. 14-269.2)
- Worthless Check, Closed Account (G.S. 14-107(d)(4))
- *Worthless Check, Fourth Conviction (G.S. 14-107(d)(1))

New for offenses on/after 12/1/2015

Class 3 for offenses before 12/1/2013

Class 2 for offenses before 12/1/2011

G.S. 14-204 for offenses before 10/1/2013

*Special Sentencing rules apply. See **APPENDIX H**, Special Sentencing Rules.

Class 2

Carrying Concealed Weapons, First Offense (G.S. 14-269(a), (a1))
 Cyber-Bullying, Defendant under 18 (G.S. 14-458.1)
 Cyberstalking (G.S. 14-196.3)
 Defrauding Innkeeper (G.S. 14-110)
 Disorderly Conduct (G.S. 14-288.4)
 Driving after Consuming (G.S. 20-138.3)
 Failure to Appear on a Misdemeanor (G.S. 15A-543)
 Failure to Report Accident (G.S. 20-166.1)
 Failure to Work after Being Paid (G.S. 14-104)
 Failure to Yield to Emergency Vehicle (G.S. 20-157)
 False Report to Police (G.S. 14-225)
 Financial Card Fraud (G.S. 14-113.13)
 First-Degree Trespass (G.S. 14-159.12)
 Furnishing False Information to Officer (G.S. 20-29)
 Gambling (G.S. 14-292)
 Harassing Phone Calls (G.S. 14-196)
 Indecent Exposure (G.S. 14-190.9)
 Injury to Personal Property, \$200 or Less (G.S. 14-160(a))
 Marine/Wildlife Violations, Second/Subsequent Offense (G.S. 113-135)
 Possession of Schedule V Controlled Substance (G.S. 90-95(d)(3))
 Racing/Speed Competition (G.S. 20-141.3)
 Reckless Driving to Endanger (G.S. 20-140)
 Resisting Officers (G.S. 14-223)
 Shoplifting/Concealment of Merchandise, Second Offense in 3 Years (G.S. 14-72.1)
 Simple Assault/Assault and Battery/Affray (G.S. 14-33(a))
 Standing/Sitting/Lying on Highway (G.S. 20-174.1)

Class 3

Allowing Unlicensed Person to Drive (G.S. 20-34) Class 2 for offenses before 12/1/2013
 Conversion by Bailee, Lessee, etc. (\$400 or less) (G.S. 14-168.1) Class 1 for offenses before 12/1/2013
 Driving a Commercial Vehicle after Consuming Alcohol (G.S. 20-138.2A)
 Driving While License Revoked (Non-DWI Revocation) (G.S. 20-28(a)) Class 1 for offenses before 12/1/2013
 Expired, Altered, or Revoked Registration/Tag (G.S. 20-111(2)) Class 2 for offenses before 12/1/2013
 Failure to Comply with License Restrictions (G.S. 20-7(e)) Class 2 for offenses before 12/1/2013
 Failure to Return Hired Property (G.S. 14-167) Class 2 for offenses before 12/1/2013
 Failure to Return Rented Property (G.S. 14-168.4) Class 2 for offenses before 12/1/2013
 Fictitious/Altered Title/Registration (G.S. 20-111(2)) Class 2 for offenses before 12/1/2013
 Intoxicated and Disruptive in Public (G.S. 14-444) Class 2 for offenses before 12/1/2013
 *Littering, 15 Pounds or Less, Non-Commercial (G.S. 14-399(c))
 Local Ordinance Violation (G.S. 14-4)
 Marine/Wildlife Violations, First Offense (G.S. 113-135)
 No Operator's License (G.S. 20-7(a)) Class 2 for offenses before 12/1/2013
 Obtaining Property for Worthless Check (G.S. 14-106) Class 2 for offenses before 12/1/2013
 Open Container, First Offense (G.S. 20-138.7)
 Operating Unregistered Vehicle or Not Displaying Plate (G.S. 20-111(1)) Class 2 for offenses before 12/1/2013
 Operating Vehicle without Insurance (G.S. 20-313(a)) Class 1 for offenses before 12/1/2013
 *Possession of Marijuana (One-Half Ounce or Less) (G.S. 90-95(a)(3))
 Possession of Marijuana Drug Paraphernalia (G.S. 90-113.22A) New for offenses on/after 12/1/2014
 Purchase/Possess/Consume Alcohol by 19 or 20 Year Old (G.S. 18B-302(f))
 Second-Degree Trespass (G.S. 14-159.13)
 *Shoplifting/Concealment of Merchandise, First Offense (G.S. 14-72.1)
 Speeding, More Than 15 m.p.h. over Limit or over 80 m.p.h. (G.S. 20-141(j1)) Class 2 for offenses before 12/1/2013
 Unsealed Wine/Liquor in Passenger Area (G.S. 18B-401)
 Window Tinting Violation (G.S. 20-127) Class 2 for offenses before 12/1/2013
 *Worthless Check (Simple, \$2,000 or Less) (G.S. 14-107(d)(1)) Class 2 for offenses before 12/1/2013

Selected Infractions

Failure to Carry/Sign Registration Card (G.S. 20-57(c)) Class 2 for offenses before 12/1/2013
 Failure to Carry License (G.S. 20-7(a)) Class 2 for offenses before 12/1/2013
 Failure to Notify DMV of Address Change for License (G.S. 20-7.1) or Registration (G.S. 20-67) Class 2 for offenses before 12/1/2013
 Fishing without a License (G.S. 113-174.1(a) and -270.1B(a)) Class 3 for offenses before 12/1/2013
 Operating a Motor Vehicle with Expired License (G.S. 20-7(f)) Class 2 for offenses before 12/1/2013
 Ramp Meter Violation (G.S. 20-158(c)(6)) New for offenses on/after 12/1/2014
 Violations of Boating and Water Safety Provisions of Art. 1, G.S. Ch. 75A, Except as Otherwise Provided Class 3 for offenses before 12/1/2013

Note: Offense classifications are subject to change, and different classifications may apply to older offenses.

*Special Sentencing rules apply. See **APPENDIX H**, Special Sentencing Rules.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Certificate of Sufficiency for 1111 Lower Dallas Hwy

AGENDA ITEM NO. 9C

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

At the May 14th Board Meeting, the Town was directed to investigate the sufficiency of the voluntary petition for satellite annexation of 1111 Lower Dallas Highway (parcel ID# 172356), and if sufficient, to contact neighboring property owners within the ETJ to determine their interest in joining the petition for annexation.

The current petition for satellite annexation of 1111 Lower Dallas Highway is deemed sufficient pending further investigation of the feasibility* to provide the same services within the proposed satellite corporate limits that the Town provides within its primary corporate limits.

*Water and Electric service is currently available. Public Works estimates that extending sewer service to this location would be approximately \$198,240 (2,478 LF x \$80/ FT). Property is currently served by a rural fire dept.- assumption of debt per 160A-58.2a also to be considered.

MANAGER'S RECOMMENDATION:

Proceed with scheduling a public hearing regarding the annexation per 160A-58.2.

BOARD ACTION TAKEN:

CERTIFICATE OF SUFFICIENCY

for satellite annexation, 1111 Lower Dallas Highway, Dallas, NC

Pursuant to the motion passed by the Board of Aldermen on May 14, 2018, and GS 160A-58.2, I have investigated the petition for noncontiguous ("satellite") annexation submitted by Daniel Lee Brown, and updated by current owners Stacey Walker Thomas and Daniel James Thomas,

I have determined that the petition is sufficient and technically meets the requirements of GS 160A-58.1 pending further investigation on the feasibility to provide the same services within the proposed satellite corporate limits that the Town provides within its primary corporate limits.

In accordance GS160A-58.2, upon my certification, the Board of Aldermen shall fix a date for public on the question of the requested annexation.



Da'Sha Leach, Town Clerk

7/6/2018

Date

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: PA2018-01 Contiguous Non-Contiguous

DATE: 4/17/18 FEE: \$100.00 *

* Petitioner understands there will be additional costs associated with this petition such as advertising, postage, etc. and agrees to pay these fees upon receipt of invoice(s).

Current Property Use: Residential Planned Property Use: Residential

Requested Zoning: Residential Non Conceiving

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as 1111 Old Dallas Highway, DALLAS, NC 28034, further identified as parcel ID # 172356, be annexed to the Town of Dallas.

Name of petitioner/property owner: Daniel Lee Brown Jr
Mailing Address of property owner: 1111 Old Dallas Highway Dallas, NC, 28034
Email Address: db82773@gmail.com Phone Number: 978-835-2724

Attachments included with Petition:

- 1. Legal description (as noted in property deed)
- 2. Letter outlining reasons for annexation request
- 3. \$100 Fee

ADDITIONAL SIGNATURES:

Owner(s) Names: Daniel J. Thomas
Owner(s) Signatures: Stacy M. Thomas
Daniel J. Thomas

Mailing Address of Owner: 1111 Old Dallas Hwy Dallas NC *517 S. Spargo St Dallas NC
Email: staceythomas34@gmail.com Phone: (704) 675-3684

Applicant Signature: Daniel Lee Brown Jr Date: 4/17/2018

Received By: [Signature] Date: 4/17/2018

Parcel located in current ETJ

Exhibit A

BEGINNING at a stake on the West side of the Gastonia-Dallas Road, 25 feet from the center of said road and in the ditch on the North side of an intersecting road North of the present filling station (now owned by grantors) and runs with the West side of said Gastonia-Dallas Road and 25 feet from the center thereof, North 9 degrees 30 minutes East 419 1/2 feet to a stake; thence North 81 degrees 30 minutes West 216 feet to a stake; thence South 9 degrees 30 minutes West 358 feet to a stake in the ditch on the North side of a country road; thence with the North side of said road, South 65 degrees 30 minutes East 227 1/2 feet to the beginning corner, containing 1.92 acres, bounded on the East by said Gastonia-Dallas Road; on the North and West by lands of the grantors and on the South by said country road.

BEING the identical property conveyed to Providence Management & Investments, LLC by Deed dated September 28, 2015, and recorded in Book 4808, Page 1714, Gaston County Public Registry.

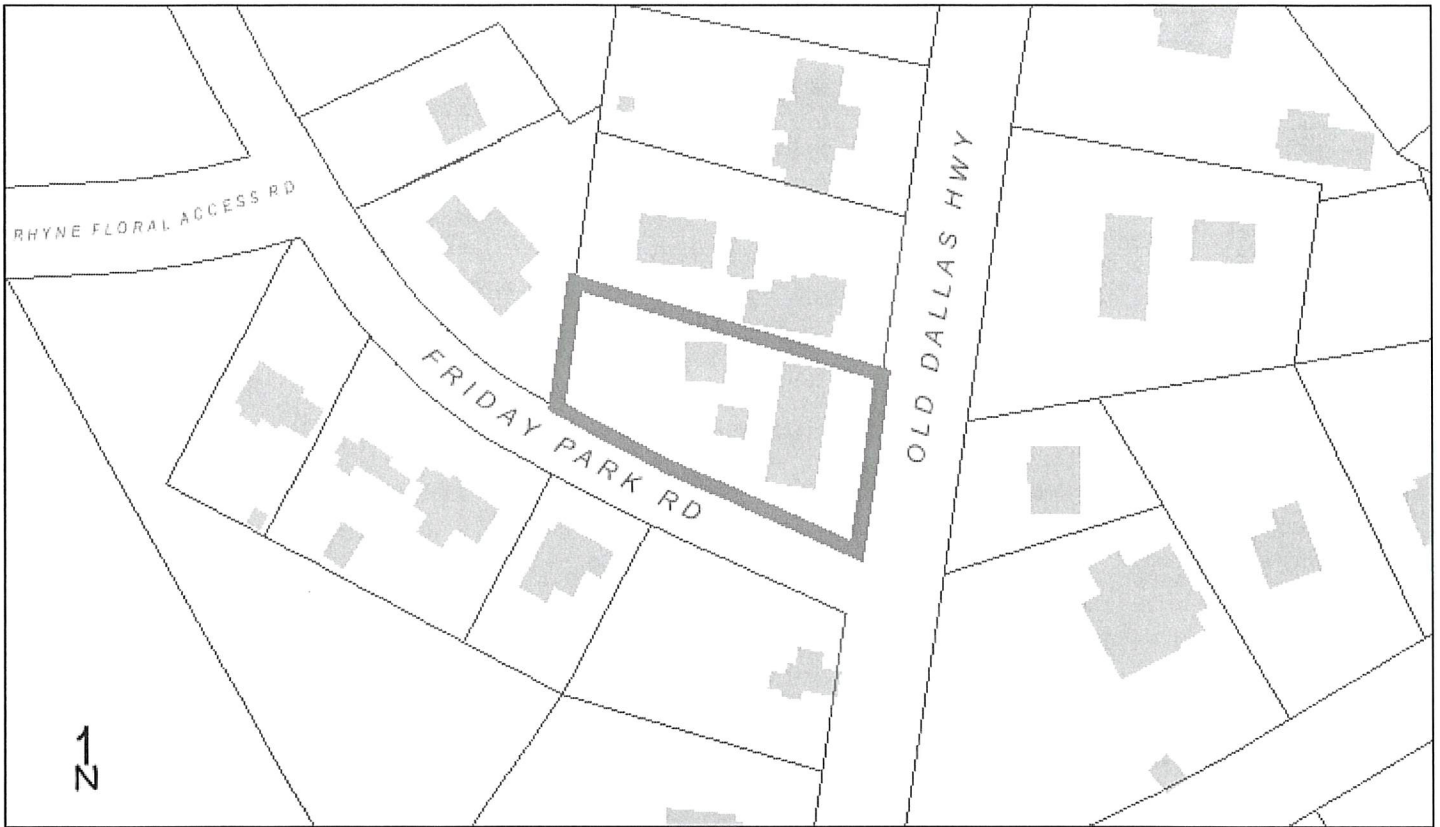
Property Address: 1111 Old Dallas Hwy., Dallas, NC 28034

PID: 172356

46016 - PROVIDENCE

Book: 4840 Page: 1043 Seq: 3

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172356 12/28/2015

Tax Information

LOCATION: 1111 OLD DALLAS HWY
PID #: 172356
PIN #: 3547-91-7907
NBHD #: 2C020
NBHD NAME: CENTRAL DALLAS C
TOWNSHIP : DALLAS TOWNSHIP

OWNER ID : 1691313
CURRENT OWNERS : THOMAS DANIEL
 JAMES THOMAS STACEY MALKER
MAILING ADDRESS : 1111 OLD DALLAS HWY
 , DALLAS , NC 28034-9350
JANUARY 1st OWNERS: BROWN DANIEL
 LEE JR BROWN TARA POARCH

Tax Information

DEED TYPE: WD
DEED BOOK: 4984 / **PAGE:** 0436
DEED RECORDING DATE: 06/21/2018
SALES AMOUNT: \$158,500

PLAT BOOK: / **PAGE:**
LEGAL DESC. 1: .
LEGAL DESC. 2:
STRUCTURE TYPE: RANCH
YEAR BUILT: 1961
SQUARE FOOTAGE: 2016
BASEMENT: NO
BEDROOMS: 3 / **BATHS:** 2
MULTI-STRUCTURES: NO
ACREAGE: 0.49
DISTRICT CODE: 270
TAX DISTRICT: AG. CENTER FD
VOLUNTARY AG DISTRICT: NO
MARKET LAND VALUE: \$12,348
MARKET IMPV. VALUE: \$90,286
MARKET VALUE: \$102,634
FARM DISCOUNT: NO
TAXABLE VALUE: \$102,634

Election Information

PRECINCT NAME: DALLAS I
POLLING PLACE: TOWN OF DALLAS FIRE DEPARTMENT
POLLING ADDRESS: 209 W. MAIN STREET
WARD #:
CONGRESS REPRESENTATIVE: MEMBER PATRICK MCHENRY
CONGRESSIONAL DISTRICT: 10
HOUSE REPRESENTATIVE: REPRESENTATIVE KELLY E. HASTINGS (REP)
HOUSE DISTRICT: 110
SENATOR: SENATOR KATHY HARRINGTON (REP)
SENATE DISTRICT: 43

Parcel Information

POLICE DISTRICT: GASTON COUNTY
FIRE DISTRICT: AG CENTER
EMS RESCUE:
STATION #: GEMS STATION 1
FLOOD:
CENSUS TRACT: 309.01

Disclaimer: The information provided is not to be considered as a legal document or description. The map & parcel data is believed to be accurate, but Gaston County does not guarantee its accuracy. Values shown are as of January 1, 2015. - Document created for printing on 7/6/2018



Gaston County GIS

DISCLAIMER : This is a product of the Gaston County GIS. The data depicted here has been developed with extensive cooperation from other county departments, as well as other federal, state and local governments' agencies. Gaston County expressly disclaims responsibility for damages or liability that may arise from the use of this data.

* QUALIFY CODE: The codes shown are only used for internal Tax Office analysis and for providing information to the NC Dept. of Revenue. Users should use all sources of information, including a review of the deed document to determine the suitability of the information for their specific purpose.

** INDICATED SALES AMOUNT: This is a calculation of the indicated sales consideration as reflected by the excise stamps affixed to the deed document. The excise tax is imposed by State law. Users should review the deed document to determine the sales amount.

[Qualify Code Descriptions \(https://gis.gastongov.com/GastonGIS/DEED_EDIT_SHEET.pdf\)](https://gis.gastongov.com/GastonGIS/DEED_EDIT_SHEET.pdf)

Deed History For Parcel : 172356

Parcel Number	Date Sold	Deed Name	Deed Book	Deed Page	Qualify Code	Instrument Type	Indicated Sales Amount
172356	06/21/2018	THOMAS DANIEL JAMES & SPOUSE THOMAS STACEY MALKER	4984	0436		WD	\$158,500
172356	04/27/2016	BROWN DANIEL LEE JR & WIFE TARA POARCH	4840	1043		WD	\$126,000
172356	10/05/2015	PROVIDENCE MANAGEMENT & INVESTMENTS LLC	4808	1714	8	WD	\$38,000
172356	05/17/1949	CLONINGER LOUISE G	0544	0184	D	WD	\$0
172356	01/01/1899	CLONINGER RALPH JR LOUISE G	0544	0184	C		\$0
172356	12/30/2014	CLONINGER JERRY RALPH	015E	0233	3	WB	\$0

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Discussion of Residency of Alderwoman Thomas

AGENDA ITEM NO. 10.A.

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

Based on concerns voiced by residents of Dallas regarding the current residence of Alderwoman Thomas due to information indicating that she no longer resides within the corporate limits of the Town of Dallas, the Mayor has indicated that a request to have this item appear on the agenda for discussion was made from within the Board of Aldermen to determine her continued eligibility to serve as a member of the Board.

MANAGER'S RECOMMENDATION:

Conduct discussion as requested and determine what, if any, further action is to be taken.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Discussion on Economic Development of 130 W. Trade Street

AGENDA ITEM NO. 10.B.

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

At the special meeting held on June 25, 2018, it was announced that the proposal by Whiskey Mill Bar & Grill to enter into a Downtown Development Project Agreement with the Town of Dallas regarding 130 W. Trade Street has been withdrawn. It is therefore appropriate, at this point, that the Board of Aldermen discuss its interest in the further economic development of this Town-owned property. This discussion should address whether any additional development activity (i.e. development agreement, straight sale of the property, etc.) is to be pursued at this point, the options for how this might be accomplished, and the time frame within which additional action is to be taken.

MANAGER'S RECOMMENDATION:

Conduct discussion as noted above and determine what, if any, further action is to be taken at this time.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Discussion on Allowing Public Works Employees to Wear Shorts

AGENDA ITEM NO. 10C

MEETING DATE: 7/9/2018

BACKGROUND INFORMATION:

A request came in to research if the surrounding Municipalities allowed their employees to wear shorts. Here are the results below:

		<i>Electrical</i>	<i>Water/Sewer</i>	<i>Sanitation/Street</i>
<u>Cherryville</u>		No	No	Yes
<u>Gastonia</u>		No	No	No
<u>Lowell</u>			No	No
<u>Cramerton</u>			Yes	Yes
<u>Ranlo</u>		N/A	No	No
<u>Belmont</u>		N/A	Based on job sensitivity	
<u>Stanley</u>	Town dress policy does allow with befitting the job			
<u>Bessemer City</u>		N/A	No	No

Due to the safety concerns and the OSHA requirements, the Electrical Director, the Public Works Director, and the Human Resources Director would recommend the Board to NOT allow shorts to be worn. The Town Safety Coordinator Debbie Lowery would also advise against wearing shorts due to the same reasons.

STAFF'S RECOMMENDATION:

Not Allow Shorts to be worn due to safety concerns and OSHA requirements

BOARD ACTION TAKEN:

D Leach

From: Debbie Rogers- Lowery
Sent: Wednesday, July 04, 2018 10:49 PM
To: 'D Leach'
Subject: RE: Wearing Shorts

Hi Da'Sha,

At this time of year, many folks are tempted to wear shorts but I would strongly advise against it. There is nothing in the OSHA standards that forbids wearing shorts. The PPE standard (OSHA 1910.132), requires employers to be certain their employees are wearing equipment or clothing that will protect them from the hazards to which they are exposed.

With the kind of work the field personnel perform, there are many hazards they can encounter on a daily basis. Tasks they perform such as cutting grass and weed eating could expose them to flying objects and impalement hazards. Walking through citizen's yards where the grass is tall and thick can expose them to biting insects, ticks, snakes, dog bites, etc. Employees who are exposed to chemicals such as the Water/Sewer Department when cleaning lines or welding, the Water/WWTP plants while doing daily testing and chemical mixing, the Street Department and Electrical Department when spraying weed killer or pesticides would all need to wear long pants and in some cases long sleeves to protect from chemical spills, splashes and/or burns.

In short, long pants should always be worn by field employees. During this time of year, staying hydrated, taking breaks in the shade and conducting more laborious tasks in the early morning hours is about the only way to get through the long hot days.

I hope this information was helpful to you.

Let me know if you need anything else!

Thanks,

Debbie

From: D Leach [mailto:dleach@dallasnc.net]
Sent: Tuesday, July 03, 2018 2:36 PM
To: Debbie Lowery
Subject: Wearing Shorts

Hey Debbie. Per request from a Board Member, we are having the discussion about the Public Works wearing shorts? Since you assist the Town as the Safety Coordinator, I want to get some feedback from you. We value your work with the Town and your input is important to us. Let me know something by Thursday if possible. Have a Happy 4th!

Thanks,

Da'Sha Leach, CMC