

**Lewisville Town Council**  
**Regular Meeting Agenda**  
**October 13, 2022 – 7:00 PM**  
**Lewisville Town Hall 1<sup>st</sup> Floor Council Chambers**  
**6510 Shallowford Road**

- 1. Call to Order:**
  - A. Roll Call
  - B. Invocation – Attorney Bo Houff
  - C. Pledge of Allegiance – Council Member Fred Franklin
  - D. Adoption of Agenda
  
- 2. Consent Agenda**
  - A. Resolution 2022-058 – Financial statements for the two month ended August 31, 2022 – [\(Attachment #1\)](#)
  - B. Approval of Agenda Briefing Minutes – September 1, 2022 [\(Attachment #2\)](#)
  - C. Approval of Called Meeting Minutes – September 7, 2022 [\(Attachment #3\)](#)
  - D. Approval of Closed Session Minutes – September 7, 2022
  - E. Approval of Regular Meeting Minutes – September 8, 2022 [\(Attachment #4\)](#)
  - F. Approval of Closed Session Minutes – September 9, 2022
  - G. Approval of Called Meeting Minutes – September 14, 2022 [\(Attachment #5\)](#)
  - H. Approval of Closed Session Minutes – September 14, 2022
  - I. Approval of Called Meeting Minutes – September 20, 2022 [\(Attachment #6\)](#)
  - J. Approval of Closed Session Minutes – September 20, 2022
  - K. Approval of Called Meeting Minutes – September 28, 2022 [\(Attachment #7\)](#)
  - L. Approval of Closed Session Minutes – September 28, 2022
  - M. Resolution 2022-059 – Accepting resignation of Dale Harriman – Public Safety Advisory Committee [\(Attachment #8\)](#)
  
- 3. Introductions, Recognitions, Presentations and/or Proclamations**
  - A. Presentations
    - i. Sheriff’s Office
  - B. Introductions
    - i. Planner I – Adam Barr
    - ii. Town Manager – James Ayers
  
- 4. Public Forum**
  - A. Citizens should register with the Town Clerk and limit their comments to three (3) minutes.
  - B. Written comments are also available.
  
- 5. Appointment(s)**
  - A. Parks & Recreation Board (2 vacancies)
    - i. Stuart Chamberlin
  
- 6. Public Hearing(s) – None**
  
- 7. Technical Review(s) – None**
  
- 8. Preliminary Site Plan Approval(s) – None**
  
- 9. Evidentiary Hearing(s) – None**

**10. Annexation Request(s) – None**

**11. Old Business – None**

**12. New Business**

- A. Ordinance 2022-050 – Budget amendment to cover increased garbage and recycling fuel surcharge - \$27,000 ([Attachment #9](#))
- B. Ordinance 2022-051 – Budget amendment to purchase two (2) Level 2 electric vehicle charging stations - \$48,305 ([Attachment #10](#))
- C. Resolution 2022-057 – Contract with Colite for two (2) Level 2 EV charging stations - \$48,305 ([Attachment #11](#))
- D. Resolution 2022-061– Interlocal agreement with Winston-Salem/Forsyth County Utilities for relocation of Lewisville lift station ([Attachment #12](#))
- E. Ordinance 2022-053 – Budget amendment to purchase solar panels for MAWCC - \$121,824 ([Attachment #13](#))
- F. Resolution 2022-062 – Awarding MAWCC solar panel contract ([Attachment #14](#))
- G. Ordinance 2022-054 – Budget amendment for tree replacements - \$3,680 ([Attachment #15](#))

**13. Administrative Reports**

- A. Upcoming events at Shallowford Square and Town holidays ([Attachment #16](#))
- B. Manager’s Report
  - i. Council chambers audio/visual
- C. Planning Report – None
- D. Attorney’s Report – None
- E. Clerk’s Report – None
- F. Community Center Facilities & Programming Manager Report – None
- G. Approvals at Special Called Meeting on September 28, 2022
  - i. Resolution 2022-056 – EV charging rebate agreement
- H. Approvals at the Briefing and Action Meeting on October 6, 2022
  - i. Ordinance 2022-052– Budget amendment for street sweeping - \$4,650
  - ii. Resolution 2022-060 – Additional street sweeping due to Hurricane Ian - \$4,650
  - iii. Approval of Town Manager employment contract
  - iv. Boards and committees plans of work

**14. For the Good of the Order**

- A. Public Comments
  - i. Citizens should limit their comments to three (3) minutes.
  - ii. Written comment forms are also available.
- B. Council Comments

**15. Adjournment**



**RESOLUTION 2022-058 OF THE LEWISVILLE TOWN COUNCIL  
ACCEPTANCE AND APPROVAL OF MONTHLY DISBURSEMENTS**

**WHEREAS**, the Finance Officer has presented the Town Council with the Revenue Statement Summary and the Encumbrances and Expenditure State Summary of figures for the two months ended August 31, 2022; and

**WHEREAS**, the Finance Officer did not report any unusual expenditures.

**NOW, THEREFORE BE IT RESOLVED THAT** the Lewisville Town Council accepts the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary for the two months ended August 31, 2022 and incorporated herein.

Adopted this the 13<sup>th</sup> day of October 2022 by the Lewisville Town Council.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk

**Town of Lewisville  
Financial Budget to Actual Report - General Fund  
Two Months Ended August 31, 2022**

**General Fund**

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Property Tax Collections	\$ 2,883,926.00	\$ 5,137.37	\$ 2,878,788.63	0.18%
Sales Tax Revenue	1,057,280.00	-	1,057,280.00	0.00%
Other Revenues	1,399,596.00	41,129.96	1,358,466.04	2.94%
Transfer from ARPA Special Revenue Fund	-	-	-	0.00%
Total	5,340,802.00	\$ 46,267.33	\$ 5,294,534.67	0.87%
Appropriation from Fund Balance	1,240,284.20			
	<u>\$ 6,581,086.20</u>			

Departments	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Governing Body	\$ 311,623.00	\$ 41,687.91	\$ 75,774.50	\$ 194,160.59	37.69%
Administration	909,741.20	143,163.14	53,439.65	713,138.41	21.61%
Finance	266,245.00	55,556.56	4,437.00	206,251.44	22.53%
Debt Service	232,400.00	232,400.00	-	-	100.00%
Planning & Zoning	465,975.00	32,183.21	14,146.29	419,645.50	9.94%
Beautification	108,162.00	12,967.84	77,059.20	18,134.96	83.23%
Community Policing	783,330.00	4,800.00	-	778,530.00	0.61%
Public Safety	16,450.00	280.00	-	16,170.00	1.70%
Public Works	447,395.00	75,550.22	49,960.70	321,884.08	28.05%
Streets	250,585.00	1,634.31	-	248,950.69	0.65%
Powell Bill	385,357.00	4,942.60	-	380,414.40	1.28%
Storm Water	178,526.00	14,071.00	102,927.25	61,527.75	65.54%
Solid Waste	890,000.00	74,421.48	-	815,578.52	8.36%
Recycling	7,595.00	145.00	-	7,450.00	1.91%
Parks and Recreation	407,702.00	51,878.96	105,002.44	250,820.60	38.48%
Transfers to Capital Reserves	920,000.00	920,000.00	-	-	100.00%
Total	<u>\$ 6,581,086.20</u>	<u>\$ 1,665,682.23</u>	<u>\$ 482,747.03</u>	<u>\$ 4,432,656.94</u>	<u>32.65%</u>

General Fund Balance 7/1/2021	\$ 6,167,863.15
Increase (Decrease) FY 2021-2022 (Preliminary & Unaudited)	\$ 1,775,269.90
Year-to-Date Increase (Decrease) FY 6/30/2023	\$ (1,619,414.90)
General Fund Balance 8/31/2022	<u>\$ 6,323,718.15</u>



**Town of Lewisville  
Financial Budget to Actual Report - Willow Run Municipal Service District  
Two Months Ended August 31, 2022**

***Willow Run Municipal Service District***

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Revenues	\$ 36,610.00	\$ 498.56	\$ 36,111.44	1.36%
Total	<u>\$ 36,610.00</u>	<u>\$ 498.56</u>	<u>\$ 36,111.44</u>	1.36%
Appropriation from Fund Balance	\$ -			
	<u>\$ 36,610.00</u>			

	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Expenditures	\$ 36,610.00	\$ -	\$ -	\$ 36,610.00	0.00%
Total	<u>\$ 36,610.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 36,610.00</u>	0.00%

MSD Fund Balance 7/1/2021	\$ 193,840.25
Increase (Decrease) FY 2021-2022 (Preliminary & Unaudited)	\$ (1,394.91)
Year-to-Date Increase (Decrease) FY 6/30/2023	498.56
MSD Fund Balance 8/31/2022	<u>\$ 192,943.90</u>

**Town of Lewisville  
Other Funds  
August 31, 2022**

**Capital Reserves Funds**

GWR ROW/Construction Capital Reserve	\$ 1,054,347.04
Sidewalks, Bike Paths, and Greenways Capital Reserve	157,751.73
Municipal Buildings/Land Capital Reserve	130,774.61
Public Works Facility Capital Reserve	827,555.46
Parks & Recreation Capital Reserve	401,078.59
<b>Total Capital Reserve Fund Balances</b>	<u><u>\$ 2,571,507.43</u></u>

**Capital Projects Funds**

GWR ROW/Construction Capital Project	\$ 738,253.03
JWP Maintenance Facility/Playground Expansion Capital Project	20,725.45
Gateway Project Capital Project	191,835.39
Community Center Capital Project	275,170.18
Roundabout at Lewisville-Vienna Road and Robinhood Road Capital Project	217,866.92
<b>Total Capital Projects Fund Balances</b>	<u><u>\$ 1,443,850.97</u></u>

**American Rescue Plan Act Special Revenue Fund**

American Rescue Plan Act funding received	\$ 4,024,471.50
Transferred to General Fund to reimburse for general government services - revenue replacement - Fiscal Year 2021-2022	(1,208,168.14)
Investment earnings	<u>8,083.73</u>
<b>American Rescue Plan Act Special Revenue Fund</b>	<u><u>\$ 2,824,387.09</u></u>

**Lewisville Town Council**  
**Briefing and Action Meeting Minutes**  
**September 1, 2022 – 6:30 PM**  
**Lewisville Town Hall 2<sup>nd</sup> Floor Conference Room**  
**6510 Shallowford Road**

1. **Call to Order:**
  - A. Mayor Horn opened the meeting at 6:30 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Melissa Hunt, Ken Sadler, and Jane Welch. Also attending were Interim Town Manager & Planner Stacy Tolbert, Finance Director Pam Orrell, Public Works Director Ryan Moser, Town Clerk Dora Moore and Attorney Bo Houff. Council Members Fred Franklin and David Smitherman were absent.
  - B. Adoption of Agenda – Council Member Welch moved to approve the agenda as presented. The motion was seconded by Council Member Hunt and approved unanimously.
2. **Introductions, Recognitions and Presentations for September 1, 2022** – None
3. **Items Requiring Council Direction** – None
4. **Items Requiring Action at Briefing**
  - A. Ordinance 2022-046 – Budget amendment to trim Crepe Myrtles at Jack Warren Park - \$5,500 – Mr. Moser reported Duke Energy has flagged forty-two Crepe Myrtles planted under the Duke Energy power lines at Jack Warren Park. It was noted that these trees were planted by the Town with permission from Duke Energy with understanding that Town would maintain. Being in the right-of-way, the trees cannot be taller than 15 feet. Mr. Moser noted that once the trees are trimmed, maintenance will be more frequent, possibly bi-annually. Council Member Sadler moved to approve Ordinance 2022-046 as presented. The motion was seconded by Council Member Hunt. Mayor Horn, Mayor Pro Tem Foster, and Council Members Hunt and Sadler voted aye. Council Member Welch voted nay. Motion passed 4-1. (*Ordinance 2022-046 is herein incorporated by reference into the minutes.*)
5. **Unfinished Business** – None
6. **Administrative Reports**
  - A. Manager
    - i. Gateway project update – Mrs. Tolbert reported three bids were received; however, they were much higher than budgeted. Ms. Orrell shared the cost difference and potential funding option. The budget shortfall is \$2,208,737.03. Ms. Tolbert has spoken with the local Metropolitan Planning Organization (MPO) and they have approximately \$1.6 million in reserves, which the Town can request to offset the shortfall. The Town would have to make up the additional \$521,274.03. These funds would need to be requested in September with vote by the Transportation Advisory Committee (TAC) in November. Council Member Hunt inquired if the project had to be done. Ms. Tolbert is awaiting a response from the MPO on what would happen should the Town not move forward with the project. Ms. Tolbert was requested to do a presentation on the project at the Council's meeting next week. Council Member Sadler moved to send a letter to the MPO requesting the reserve funding. The motion was seconded by Council Member Hunt and motion passed unanimously. (*Ms. Orrell's report and letter to MPO are included as part of the minutes.*)
    - ii. PARTF grant – Ms. Tolbert thanked Mayor Horn and Council Member Sadler for attending the recent PARTF meeting whereby it was announced the Town received PARTF funding for the Jack Warren Park improvements. Completion of the project must be done within three years.

The Town is committed to the improvements in the plan that includes walking trail and sidewalk connectors, a nature trail, an 18-hole disc golf, and a small outdoor amphitheater. Council consensus was to move forward with the park design.

iii. Events update

1. British Invaders concert – August 6
2. Bon Jovi Tribute Band concert – August 27 – Other than July 4<sup>th</sup> and the street party, this was the best attended concert with the best feedback.

B. Attorney – None

C. Public Works

- i. Council chambers audio/visual – Mr. Moser reported the new audio/visual for the Council chambers will be installed the week of September 12.

D. Planning – None

E. Finance – None

F. Clerk

- i. Ethics Training – On-demand ethics training must be completed by October 31, 2022.
- ii. Summer Student Leadership – The one-day Summer Student Leadership session was held August 16 with 21 middle and high school students participating. Overall, the session was extremely successful with favorable feedback from the students.
- iii. Council and staff Christmas lunch – A Christmas lunch will be held December 7 at 12 PM at MAWCC for Council and staff.

G. Community Center Facilities & Programming Manager

- i. Ms. Tolbert reported that Mr. Moore has been working to get word out regarding MAWCC programs by updating the Town's website to simplify access, developing an email distribution list, and advertising via flyers and social media. Attorney Houff has reviewed documents pertaining to potential art displays at MAWCC. Ms. Tolbert noted a staff member is required for large events or when alcohol is served; however, there is not sufficient staffing for all events. After lengthy discussion about volunteers being present during smaller rentals, Council Members Hunt and Sadler will study if a volunteer program is viable and how to implement such.

**7. Agenda Items for Regular Meeting on September 8, 2022**

A. Tentative Agenda

i. Consent Agenda

1. Resolution 2022-053 – Financial statements for the one month ended July 31, 2022
2. Approval of Agenda Briefing Minutes – August 4, 2022
3. Approval of Closed Session Minutes – August 4, 2022
4. Approval of Regular Meeting Minutes – August 11, 2022
5. Approval of Closed Session Minutes – August 11, 2022
6. Approval of Called Meeting Minutes – August 17, 2022
7. Approval of Closed Session Minutes – August 17, 2022
8. Approval of Called Meeting Minutes – August 22, 2022
9. Approval of Closed Session Minutes – August 22, 2022
10. Approval of Called Meeting Minutes – August 25, 2022
11. Approval of Closed Session Minutes – August 25, 2022
12. Resolution 2022-054 – Accepting resignation of Susan Frey from Parks and Recreation Advisory Board

- ii. Introductions, Recognitions, Presentations and/or Proclamations
  - 1. Presentations
    - a. Sheriff's office
  - 2. Proclamation
    - a. Proclamation 2022-005 – Constitution Week – September 17-23
- iii. Appointment(s)
  - 1. Appointment Order 2022-008 – Jennifer W. Haydon – Beautification Committee
  - 2. Appointment Order 2022-009 – Jennifer W. Haydon – Environmental, Conservation and Sustainability Committee
- iv. Public Hearings
  - 1. UDO L-167 Lewisville Rural Overlay
    - a. Ordinance 2022-029 – UDO L-167 Lewisville Rural Overlay (LRO)
      - i. Mrs. Tolbert will request next week that the public hearing be delayed until November so the Planning Board can continue their research to ensure they have done their due diligence.
- v. Technical Review(s)
- vi. Preliminary Site Plan Approvals
- vii. Evidentiary Hearings
- viii. Old Business
  - 1. BAC status update
    - a. Plan of works – Mrs. Moore shared that plan of works from boards and committees are due to staff by September 30 and will be shared with Council on October 6.
    - b. Orientation video – Mrs. Moore and Mrs. Tolbert will attend board and committee meetings in September and October to show the orientation video and answer questions.
    - c. Exit survey – An electronic exit survey is being developed. Members who resign or do not seek reappointment will be requested to complete.
- ix. New Business
  - 1. Ordinance 2022-047 – Budget amendment to purchase radar for Sergeant Stringer's new patrol car - \$2,165
  - 2. Ordinance 2022-048 – Budget amendment to purchase four (4) mobile LED tower lights - \$13,196
    - a. Mr. Moser and Sgt. Stringer recommended the Town purchase four mobile LED tower lights to be used for events at Shallowford Square. Although six deputies work events, the deputies are unable to man every crossing area after events. Many people park at Town Hall, the Galloway building, and the shopping center across from Town Hall. This area of Shallowford Road is extremely dark and there is fear of someone being hit. The lights can also be used for other situations including emergency night work, etc.
  - 3. Ordinance 2022-049 – Budget amendment to retrofit post lights and reinstall and retrofit post light at Jack Warren Park - \$3,090
    - a. Mr. Moser reported eight lights need to be retrofitted and one post light reinstalled and retrofitted at Jack Warren Park. The light to be reinstalled was moved during the Mary Alice Warren Community Center construction.
  - 4. Replacement and relocation of Jack Warren Park gate
    - a. Mr. Moser reported the gate at Jack Warren Park does not work and there has been difficulty in obtaining parts. Mr. Moser hopes to have a quote next week to repair

the gate and relocate it so the parking lot at Jack Warren Park can be used for overflow parking for the Mary Alice Warren Community Center.

- x. Closed Session – NCGS 143-318.11(a)(6)
- B. Approval of Tentative Agenda for regular meeting on September 8, 2022
  - i. Mayor Pro Tem Foster moved to approve the tentative agenda for September 8, 2022. The motion was seconded by Council Member Welch and approved unanimously.
- 8. **For the Good of the Order**
  - A. Staff was requested to obtain quotes for upgrading security cameras at the Town parks.
  - B. The new post office hopes to be open in October 2022.
- 9. **Closed Session - NCGS 143-318.11(a)(3)** – Closed session was not needed.

Council took a break at 8:11 PM and resumed the meeting at 8:18 PM.

10. **Council retreat prioritizations**

- A. Look at current facility uses, potential reuse of current facilities, and future facility needs
  - i. Mr. Moser shared pictures of the Galloway building and Town Hall Annex. After much discussion on current and potential use of both buildings, Council consensus was to make the Town Hall Annex a priority and obtain an opinion from a general assessment from a general contractor for contractor assessing the structural integrity and general estimates for renovation costs to the Town Hall Annex. *(Mr. Moser's outline is included as part of the minutes.)*

- 11. **Adjournment** – Mayor Pro Tem Foster moved to adjourn the meeting at 8:58 PM. The motion was seconded by Council Member Sadler and approved unanimously.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk

**Lewisville Town Council  
Special Meeting Minutes  
September 7, 2022 – 3:30 PM  
Mary Alice Warren Community Center**

Mayor Horn opened the special called meeting at 3:30 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman, and Jane Welch. Also attending were Matt Reece with Piedmont Triad Regional Council (PTRC) and Town Attorney Bowen Houff.

Council Member Smitherman moved to enter into closed session related to the manager search pursuant to NCGS 143-318.11(a)(6) at 3:30 PM. The motion was seconded by Council Member Hunt and approved unanimously.

Council returned to open session at 8:37 PM.

Having no further business to discuss, Mayor Pro Tem Foster made a motion to adjourn at 8:38 PM. The motion was seconded by Council Member Hunt and approved unanimously.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk

*Note: Minutes were typed from Attorney Houff's notes.*



**Lewisville Town Council**  
**Regular Meeting Minutes**  
**September 8, 2022 – 7:00 PM**  
**Lewisville Town Hall Council Chambers**  
**6510 Shallowford Road**

**1. Call to Order:**

- A. Mayor Horn opened the meeting at 7:00 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman, and Jane Welch. Also attending were Interim Town Manager & Planner Stacy Tolbert, Finance Director Pam Orrell, Town Clerk Dora Moore and Town Attorney Bowen Houff.
- B. Invocation – Attorney Bo Houff
- C. Pledge of Allegiance – Mayor Pro Tem Jeanne Marie Foster
- D. Adoption of Agenda – Council Member Welch moved to approve the agenda as presented. The motion was seconded by Council Member Smitherman and approved unanimously.

**2. Consent Agenda**

- A. Consent agenda items
  - A. Resolution 2022-053 – Financial statements for the one month ended July 31, 2022
  - B. Approval of Agenda Briefing Minutes – August 4, 2022
  - C. Approval of Closed Session Minutes – August 4, 2022
  - D. Approval of Regular Meeting Minutes – August 11, 2022
  - E. Approval of Closed Session Minutes – August 11, 2022
  - F. Approval of Called Meeting Minutes – August 17, 2022
  - G. Approval of Closed Session Minutes – August 17, 2022
  - H. Approval of Called Meeting Minutes – August 22, 2022
  - I. Approval of Closed Session Minutes – August 22, 2022
  - J. Approval of Called Meeting Minutes – August 25, 2022
  - K. Approval of Closed Session Minutes – August 25, 2022
  - L. Resolution 2022-054 – Accepting resignation of Susan Frey from Parks and Recreation Advisory Board
    - a. Mrs. Frey was thanked for her years of service.
- B. Council Member Hunt moved to approve the consent agenda. The motion was seconded by Council Member Sadler and approved unanimously.  
*(Resolutions 2022-053 and 2022-054 are herein incorporated by reference into the minutes.)*

**3. Presentations, Introductions and/or Proclamations**

- A. Forsyth County Sheriff's Office – Sergeant Stringer shared current call statistics and seat belt law. Sergeant Stringer also thanked Council for the additional officer noting the new scheduling works well. Mayor Horn extended thanks for the Public Safety Day held last Saturday by the Public Safety Advisory Committee.
- B. Proclamation 2022-005 – Constitution Week – September 17-23 – Council Member Hunt moved to approve Proclamation 2022-005. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Proclamation 2022-005 is herein incorporated by reference into the minutes.)*
- C. Recognition of Summer Student Leadership participants – Mrs. Moore recognized two students in the audience who participated in the Summer Student Leadership on August 16. Twenty-one middle and high school students participated in the one-day session that included sessions on local government, planning, finance, stormwater, fire, and community policing. The day ended with a mock Council meeting. Students, and parents, were appreciative of the session and great feedback was received.

4. **Public Forum** – None
5. **Appointment(s)**
  - A. Appointment Order 2022-008 – Jennifer W. Haydon – Beautification Committee – Council Member Franklin moved to approve Appointment Order 2022-008. The motion was seconded by Council Member Welch and approved unanimously. *(Appointment Order 2022-008 is herein incorporated by reference into the minutes.)*
  - B. Appointment Order 2022-009 – Jennifer W. Haydon – Environmental, Conservation and Sustainability Committee – Mayor Pro Tem Foster moved to approve Appointment Order 2022-009. The motion was seconded by Council Member Hunt and approved unanimously. *(Appointment Order 2022-009 is herein incorporated by reference into the minutes.)*
6. **Public Hearing(s)**
  - A. UDO L-167 Lewisville Rural Overlay
    - i. Ordinance 2022-029 – UDO L-167 Lewisville Rural Overlay
      - a. Mrs. Tolbert requested the public hearing be continued 60 days until November 10, 2022.
      - b. Council Member Hunt moved to continue the public hearing 60 days until November 10, 2022. The motion was seconded by Council Member Welch and approved unanimously.
7. **Technical Review(s) for Compliance** – None
8. **Preliminary Site Plan Approval(s)** – None
9. **Evidentiary Hearing(s)** – None
10. **Annexation Request(s)** – None
11. **Old Business**
  - A. BAC status update
    - i. Plan of works – Plan of works from boards and committees are due September 30 and will be shared with Council on October 6.
    - ii. Orientation video – Mrs. Moore and Mrs. Tolbert will share the orientation video at the September and October board and committee meetings and be available to answer questions from the members.
    - iii. Exit survey – An electronic exit survey is being developed. Board and committee members not seeking reappointment or who resign will be requested to complete the survey.
12. **New Business**
  - A. Ordinance 2022-047 – Budget amendment to purchase radar for Sergeant Stringer’s new patrol car - \$2,165 – Council Member Smitherman moved to approve Ordinance 2022-047. The motion was seconded by Council Member Franklin and approved unanimously. *(Ordinance 2022-047 is herein incorporated by reference into the minutes.)*
  - B. Ordinance 2022-048 – Budget amendment to purchase four (4) mobile LED tower lights - \$13,196 – Council Member Hunt moved to approve Ordinance 2022-048. The motion was seconded by Council Member Sadler and approved unanimously. *(Ordinance 2022-048 is herein incorporated by reference into the minutes.)*

- C. Ordinance 2022-049 – Budget amendment to retrofit post lights and reinstall and retrofit post light at Jack Warren Park - \$3,090 – Council Member Welch moved to approve Ordinance 2022-049. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. (*Ordinance 2022-049 is herein incorporated by reference into the minutes.*)
- D. Solar panel project – Mayor Horn shared information with Council about installing solar panels on the Mary Alice Warren Community Center (MAWCC). It was noted the Town could potentially obtain a Duke Energy grant and federal funding to possibly offset up to half the costs/cost of installation. Council Member Sadler moved to begin discussions related to installing solar panels at MAWCC not to exceed \$40,000, including warranties cited in bid sheet. The motion was seconded by Council Member Smitherman and approved unanimously. (*Bid sheet is herein incorporated into the minutes.*)
- E. Resolution 2022-055 – Amending Remote Meeting Participation Policy (Resolution 2020028) – Mrs. Moore presented possible revisions to the Town’s Remote Meeting Participation Policy that would permit remote participation in closed sessions. The Town’s current policy does not permit such. Attorney Houff cautioned Council to not allow remote participation qualify quorum, even though the policy permits such. He noted there are no court cases on remote participation and he feels Council should err on the side of caution. If close votes are taken with remote participation, Council will be asked to ratify the votes at the next in-person meeting. Mayor Pro Tem Foster moved to approve Resolution 2022-055. The motion was seconded by Council Member Smitherman and approved unanimously. (*Resolution 2022-055 is herein incorporated by reference into the minutes.*)

### 13. Administrative Reports

- A. Upcoming Town events and holidays – Mrs. Tolbert shared the following upcoming events at Shallowford Square: September 9 – Clifford movie; September 17 – The Megan Doss Band; October 1 – Eyes of Silver – Doobie Brothers Tribute Band; and, October 8 – Lonesome River – bluegrass concert.
- B. Manager’s Report
  - i. Gateway project overview presentation – Mrs. Tolbert shared Gateway project diagrams and encouraged Council and residents to stop by Town Hall to view them. It was noted the project came in \$2,208,737.03 over budget. The Metropolitan Planning Organization (MPO) has approximately \$1.6 million in reserves and the Town has requested the full amount. The next reserve fund will not be available until 2023-2024 and it is anticipated competition will be greater. If the Town chooses to pause the project, they will not lose funding. If the pause is longer than 60 days, the project will have to be rebid and it is anticipated the cost will be greater. If project is stopped completely, the project will not be eligible for future funding and the Town will have to repay \$400,000 of STP-DA, which have already been spent. Mrs. Tolbert shared the low bidder is willing to hold the bid until the Town learns if they will receive the additional MPO funding and Mrs. Tolbert has requested that in writing. Council consensus was to move forward as long as additional funding is received.
  - ii. PARTF grant – The Town received the PARTF grant for improvements at Jack Warren Park to include a nature trail, an 18-hole disc golf, an outdoor event space, connector paths, and sidewalk connectivity. This is a grant match of at least fifty percent. The Town is required to match the grant for this project. Staff is awaiting official notification to proceed. Council thanked staff for their endeavors.
- C. Planner’s Report
- D. Attorney’s Report
- E. Clerk’s Report

- i. Ethics training – Council must complete the 2-hour required ethics training by October 31, 2022.
- F. Community Center Facilities & Programming Manager’s Report
- G. Approvals at the Briefing and Action Meeting on September 1, 2022
  - i. Ordinance 2022-046 – Budget amendment to trim Crepe Myrtles at Jack Warren Park - \$5,500

**14. For the Good of the Order**

- A. Public comments
  - i. Stephanie Holcomb, 2169 Benwicke Drive, Pfafftown – Ms. Holcomb inquired about dogs at Jack Warren Park, brush and limb service, and a dog park.
  - ii. Susan Frey, 165 Will Austin Court – Mrs. Frey congratulated staff and former Manager Perkins on attaining the PARTF grant but wanted to recognize the Parks and Recreation Board members who participated in the process as well.
- B. Council comments
  - i. Council Member Welch expressed concern over the lack of artwork at MAWCC. Staff will develop guidelines and an application to be brought back to Council for their consideration in October.
  - ii. Council Members Hunt and Sadler will attend Monday’s Parks and Recreation Board meeting to discuss volunteerism at MAWCC.

**15. Closed Session pursuant to NCGS 143-318.11(a)(6)** – Mayor Pro Tem Foster moved to enter into closed session related to the manager search at 8:34 PM. The motion was seconded by Council Member Welch and approved unanimously.

Council returned to open session at 9:50 PM.

**16. Adjournment** – Council Member Smitherman moved to adjourn the meeting at 9:51 PM. The motion was seconded by Council Member Welch and approved unanimously.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk

**Lewisville Town Council  
Special Meeting Minutes  
September 14, 2022 – 6:30 PM  
Mary Alice Warren Community Center**

Mayor Horn opened the special called meeting at 6:32 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt (remote), Ken Sadler (remote), David Smitherman, and Jane Welch. Also in attendance were Town Clerk Dora Moore and Town Attorney Bowen Houff.

Mayor Horn moved to enter into closed session related to attorney-client privilege pursuant to NCGS 143-318.11(a)(3) at 6:33 PM. The motion was seconded by Council Member Smitherman and approved unanimously.

Council Member Smitherman left the meeting at 7:50 PM.

Council returned to open session at 8:22 PM.

Mrs. Moore left the meeting at 8:22 PM.

Mayor Horn moved to enter into closed session related to the manager search pursuant to NCGS 143-318.11(a)(6) at 8:27 PM. The motion was seconded by Council Member Franklin and approved unanimously.

Council Member Sadler left at 8:54 PM.

Council returned to open session at 9:05 PM.

Having no further business to discuss, Council Member Hunt made a motion to adjourn at 9:06 PM. The motion was seconded by Mayor Pro Tem Foster and approved unanimously.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk

**Lewisville Town Council**  
**Special Meeting Minutes**  
**September 20, 2022 – 6:30 PM**  
**Lewisville Town Hall 1<sup>st</sup> Floor Conference Room - 6510 Shallowford Road**

Mayor Horn opened the special called meeting at 6:30 PM. In attendance were Mayor Mike Horn and Council Members Melissa Hunt, Ken Sadler, and Jane Welch.

Council Member Welch moved to recess the meeting to the Nissen House and enter into closed session related to the manager search pursuant to NCGS 143-318.11(a)(6) at 6:31 PM. The motion was seconded by Council Member Hunt and approved unanimously.

Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin and David Smitherman joined the Council at the Nissen House. Also attending was Matt Reece with Piedmont Triad Regional Council (PTRC).

Council returned to open session at 8:26 PM.

Having no further business to discuss, Council Member Welch made a motion to adjourn at 8:27 PM. The motion was seconded by Council Member Smitherman and approved unanimously.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk

*Note: Minutes were typed from Mayor Horn's notes.*

**Lewisville Town Council**  
**Special Meeting Minutes**  
**September 28, 2022 – 6:30 PM**  
**Lewisville Town Hall Council Chambers - 6510 Shallowford Road**

**1. Call to Order:**

- A. Mayor Horn opened the special called meeting at 6:30 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt, Ken Sadler (remote), and Jane Welch. Also attending were Interim Town Manager & Planner Stacy Tolbert, Finance Director Pam Orrell, Town Clerk Dora Moore and Town Attorney Bowen Houff. Council Member David Smitherman was absent.
- B. Adoption of Agenda – The closed session for attorney-client privilege was removed from the agenda. Mayor Pro Tem Foster moved to approve the agenda as amended. The motion was seconded by Council Member Hunt and approved unanimously.

**2. Items of Discussion**

- A. Electric vehicle (EV) charging stations
  - i. Consideration of Resolution 2022-056 – EV charging rebate agreement – Mrs. Tolbert announced the Town has received a rebate offer from the State of North Carolina for two (2) Level 2 electric vehicle (EV) charging stations to be placed on David McKee Street. Each station has two ports. The rebate is \$5,000/port with a total of \$20,000. The rebate agreement must be signed within 15 days of notification or the Town forfeits the rebate. After some discussion, Mayor Pro Tem Foster moved to approve Resolution 2022-056. The motion was seconded by Council Member Franklin and approved unanimously. Council requested input from the Environmental, Conservation and Sustainability Committee prior to moving forward with the purchase of EV stations. *(Resolution 2022-056 is herein incorporated by reference into the minutes.)*
  - ii. Consideration of Ordinance 2022-051 – Amending Budget Ordinance 2022001 - \$48,305 – *This item was not discussed.*
  - iii. Consideration of Resolution 2022-057 – Contract with Colite for EV charging stations - \$48,305 – *This item was not discussed.*
- B. Closed session – manager search pursuant to NCGS 143-318.11(a)(6)
  - i. Council Member Hunt moved to enter into closed session related to the manager search at 7:04 PM. The motion was seconded by Mayor Pro Tem Foster and approved unanimously.
  - ii. Council returned to open session at 7:38 PM.

Having no further business to discuss, Council Member Welch made a motion to adjourn at 7:38 PM. The motion was seconded by Council Member Sadler and approved unanimously.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk



*Note: Minutes were typed from Mayor Horn's notes.*



**RESOLUTION 2022-059 OF THE LEWISVILLE TOWN COUNCIL  
ACCEPTING RESIGNATION OF DALE HARRIMAN  
FROM THE PUBLIC SAFETY ADVISORY COMMITTEE**

**WHEREAS**, the Town of Lewisville has received notification from Dale Harriman via email of her resignation from the Public Safety Advisory Committee; and,

**WHEREAS**, the Public Safety Advisory Committee appreciates the dedicated work of committee member Dale Harriman.

**NOW, THEREFORE BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL** accepts the resignation of Dale Harriman from the Public Safety Advisory Committee.

Resolved and effective upon adoption this the 13th day of October 2022 by the Lewisville Town Council.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk



TOWN OF LEWISVILLE  
 Budget Amendment Ordinance 2022-050  
 Amending Budget Ordinance 2022001

FINANCE DEPARTMENT USE ONLY
Budget Amendment # 10
Pam Orrell, Finance Officer

CODE	ACCOUNT DESCRIPTION	AMOUNT	CODE	ACCOUNT DESCRIPTION	AMOUNT
10-00-5800-6000	Solid Waste - Contracted Services	\$ 27,000.00	10-00-3990-9000	General Fund - Fund Balance Appropriated	\$ 27,000.00
		\$ 27,000.00			\$ 27,000.00

EXPLANATION: To increase the budget for Waste Management garbage and recycling collection to cover the fuel surcharge added to the Town's monthly bills due to the rising price of diesel.

RECOMMENDED BY: Pam Orrell, Town Finance Officer

Approved and effective upon adoption this the 13th day of October 2022 by the Lewisville Town Council.

ATTEST:

\_\_\_\_\_  
 Mike Horn, Mayor

\_\_\_\_\_  
 Dora K. Moore, Town Clerk



TOWN OF LEWISVILLE
Budget Amendment Ordinance 2022-051
Amending Budget Ordinance 2022001

FINANCE DEPARTMENT USE ONLY
Budget Amendment # 11
Pam Orrell, Finance Officer

Table with 6 columns: CODE, ACCOUNT DESCRIPTION, AMOUNT, CODE, ACCOUNT DESCRIPTION, AMOUNT. It shows a budget amendment for Public Works - Capital Outlay of \$48,305.00, funded by General Fund - Fund Balance Appropriated.

EXPLANATION: To install 4 electric vehicle charging ports along Shallowford Square.

RECOMMENDED BY: Pam Orrell, Town Finance Officer

Approved and effective upon adoption this the 28th day of September 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk



**RESOLUTION 2022-057 OF THE LEWISVILLE TOWN COUNCIL  
AUTHORIZING ELECTRIC VEHICLE CHARGING STATIONS CONTRACT**

**WHEREAS**, the Town adopted Resolution 2021051 committing to a goal of 50% clean and renewable energy by 2030 and 100% clean and renewable energy by 2050; and

**WHEREAS**, the placement of electric vehicle (EV) charging stations works towards these goals; and

**WHEREAS**, the Town received a rebate award in the amount of \$20,000 (\$5,000 per station) from North Carolina Department of Environmental Quality to purchase four (4) EV charging stations; and

**WHEREAS**, the Town has received a contract from Colite for the purchase and installation of the EV charging stations in the amount of \$48,305.

**BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL** that the Town of Lewisville enter into a contract with Colite and the interim Town Manager is authorized to sign said contract with Colite not to exceed \$48,305.

Adopted this the 28<sup>th</sup> day of September 2022 by the Lewisville Town Council.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk



5 Technology Circle  
 Columbia, SC 29203  
 Phone: (803) 926-7926  
 Fax : (803) 926-8412

# Quote

Quote Number: 78900

Print Date: 9/22/2022

Project #: TOLV-NC001

PM: Adam Plyler

Page: 1 of 5

**Site:**  
 Town of Lewisville  
 6510 Shallowford Rd  
 Lewisville NC 27023  
 United States of America

**Site Contact:** Stacy Tolbert  
**Site Email:** planner@lewisvillenc.net

**Customer:**  
 Town of Lewisville  
 6510 Shallowford Rd  
 Lewisville NC 27023  
 United States of America

**Customer Contact:** Stacy Tolbert  
**Customer Email:** planner@lewisvillenc.net

**Terms:** 50% Dep, Balance Prior to Ship  
**Date Quoted:** 9/22/2022  
**Date Expires:** 10/24/2022

**Salesperson:** Adam Plyler  
**Email:** aplyler@colite.com  
**PO Number:**

Line	Part	Description	Quantity	Unit Price	Net Price
1	CT4021-GW1	ChargePoint Dual Output, Gateway, Bollard Unit - 208/240V @30A with Cord Management	2.00EA	9,190.00	\$18,380.00
2	CT4001-CCM	Bollard Concrete Mounting Kit.	2.00EA	175.00	\$350.00
3	CPCLD-COMMERCIAL-5	5yr Prepaid Commercial Cloud Plan	4.00EA	1,750.00	\$7,000.00
<p>Prepaid Commercial Cloud Plan subscription with station management features such as: Custom Video uploads and Automatic Software Updates, driver and fleet management features including: Access Control and Pricing &amp; Automatic Payment Collection, as well as energy and power management features which include Power Sharing. Real-time dashboards and reports provided for applicable features. Station Activation purchase required</p>					
4	CT4000-ASSURE5	5yr Prepaid Assure Plan	2.00EA	2,925.00	\$5,850.00
<p>5 prepaid years of ChargePoint Assure for CT4000 stations. Includes Parts and Labor Warranty, Remote Technical Support, On-Site Repairs when needed, Unlimited Configuration Changes, and Reporting</p>					
5	CPSUPPORT-ACTIVE	Initial Station Activation & Configuration Service	2.00EA	425.00	\$850.00
6	CPSUPPORT-SITEVALID	On-site validation for a customer not using an O&M Partner or self-validating Channel Partner to perform the construction and station installation.	2.00EA	0.00	\$0.00
<p>Site Validation and Activation are free if purchasing CT4000-ASSURE5</p>					
7	DELIVERY	Delivery	1.00EA	800.00	\$800.00

8	INSTALL	Installation	1.00EA	14,625.00	\$14,625.00
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Installation includes upgrading the existing service to 400-amps, construction of larger pedestal for new 400-amp Meterbase and existing panel, installation of underground PVC raceway to new 200-amp Main Breaker Panel with Surge Protection, 2nd grounding system, two separate raceways for two CT4000 Commercial Charging Stations, and installation of customer-provided charging stations.

9	PERMIT	Permit Budget	1.00EA	450.00	\$450.00
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Budget - Actual Cost will be applied to Final invoice.

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**Total:** USD \$48,305.00

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**COLITE TERMS**

**THIS PRICE DOES NOT INCLUDE ELECTRICAL HOOKUP, PERMITS, ENGINEERING OR TAX UNLESS SPECIFICALLY STATED.**

If work is performed by Colite in the following countries, you will be charged that country's VAT rate on your final invoice: Canada (5%), France (20%), Germany (19%), Ireland (23%), Italy (22%), Netherlands (21%) and the United Kingdom (20%).

All signage is designed for 115 MPH wind speed zones. If the engineering analysis requires a change due to site conditions or a higher wind speed zone, additional charges may apply.

NOTE: THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 90 DAYS. WORK WILL NOT BEGIN UNTIL DOWN PAYMENT AND WRITTEN ACCEPTANCE IS RECEIVED.

**TERMS AND CONDITIONS**

**CHANGES IN SCOPE:**

Should modifications be necessary to the scope of work due to permitting authorities, engineering changes, code changes, or additional information, Colite reserves the right to modify the scope of work, and related pricing, accordingly via addendum to this contract. Additional survey costs may apply if necessary.

**PERMITS:**

Colite acquires necessary permits and licenses as a convenience for our clients. The costs for permits, variance approvals, staff time, and any necessary local engineering fees required to obtain permits are not included in the price of signs or installation. Any such costs incurred will be itemized on the final invoice in addition to quoted pricing. If permits are denied after reasonable efforts to secure them, both parties shall be released from this contract. Buyer will be required to pay Colite for any costs incurred to date in performance of the contract.

**PERFORMANCE & DELIVERY:**

Colite requires a purchase order (or equivalent) from Buyer to begin work, and permit approval, as well as landlord approval, to begin production. Typical delivery time is four to six weeks following permit approval. Colite is not responsible for delays caused by permitting authorities, acts of God, war, fire, or other conditions beyond its control. Failure of Buyer to pay any amounts due prior to manufacture or delivery will delay performance accordingly.

**DELAYS:**

Colite will begin production immediately following permit approval, and if installation is included in the contract, installation is expected to occur immediately following product completion unless otherwise specified. If, by no fault of Colite, production is delayed more than 90 days after acceptance of this contract, or delivery (installation if included) does not occur within six months of the date of acceptance of this contract, Colite reserves the right to adjust the product, delivery, and installation pricing based on applicable cost increases or currency fluctuation, if applicable, for the same time period. Colite will submit all



price adjustments to Buyer in writing. Buyer agrees to pay any detention charges incurred from freight carriers due to Buyer's delay in accepting delivery of goods, and to notify Colite immediately of such occurrence.

**CANCELLATION:**

In the event that the buyer chooses to cancel an order after executing a signed proposal and paying a required deposit, the buyer will be billed for work performed up to and including the cancellation date. The rate is \$150 per hour, and a minimum of \$1,500.00 will be billed. The cost is to cover such things as, but not limited to, payment processing time, permit research and application, project hand-off and project management time, and lost manufacturing time. If signage is in production at the time cancellation, the buyer is responsible to pay Colite the full price of said signage.

**INSTALLATION:**

Colite's installation price for free-standing signs is based upon standard conditions of undisturbed soil, free from underground obstructions, with a subterranean water table of no higher than the bottom of the foundation. Buyer shall be responsible for any additional costs and extra charges which result from unusual installation conditions, including but not limited to poor soil conditions, rock, landfill, special footing requirements, or excavation through an asphalt or concrete surface for free-standing signs. Colite is not responsible for any landscape restoration unless specifically stated in this contract. If new signs are installed upon existing supports, poles, or foundations at Buyer's request, Colite assumes no responsibility for the structural integrity of the existing structure(s), and Buyer agrees to hold Colite harmless from any damages arising from the full or partial failure of such support structures, including but not limited to bodily injury and damages to the installed sign or other property. Installation price of wall-mounted signs is based on standard wall conditions and working hours unless specifically stated otherwise. It is the buyer's responsibility to ensure the installation site is accessible and fully prepared for installation by the agreed installation date. Any non-standard conditions such as obstacles behind the wall, after hours work, road blockage, or site inaccessibility may lead to additional installation costs.

**REPAIRS:**

Wall repairs are not included unless specifically stated in quote. Repairs typically include holes left by removal of existing signage, to be filled with clear or matching silicone and touched-up with matching paint. Any more extensive work, such as repainting an entire wall, is not standard, and appropriate charges will apply.

**REMOVALS:**

Removal of any existing signage is not included in quoted pricing unless expressly stated.

**SECURITY INTEREST:**

Title and ownership of all property contained in this contract shall remain with Colite International Ltd until all amounts due under the contract have been paid in full. It is expressly understood that all property will remain tangible personal property, and in no way be construed as real property, whether installed on real property or not, until the contract is paid in full. All risk of loss transfers to the buyer upon installation (or delivery if installation is not included in the contract.)

**PAYMENT TERMS:**

Please refer to the payment terms in the quote header. Payment terms are subject to vary in accordance with a standard review of Buyer's Dunn & Bradstreet report, or prior payment experience with Colite. Payment is to be in the currency specified in this proposal. Buyer agrees to reimburse Colite for any losses incurred on currency exchange due to late payments. Colite accepts credit card payments with the following convenience fees: VISA and MASTERCARD will incur a 2% fee, and AMERICAN EXPRESS will incur a 3% fee. All deposits are due upon receipt (DUR).

**TAXES AND DUTIES:**

Customs charges and import duties ARE included in quoted pricing unless specifically stated otherwise. Sales/use taxes and certain foreign taxes are NOT included unless specifically stated. For sites within the United States, appropriate sales tax will be added to all invoices unless an exemption certificate is presented to Colite for each corresponding tax jurisdiction. For shipments to, or installations in Canada, appropriate GST/PST/HST will be added to all invoices. For shipments to, or installations in the United Kingdom or Germany, appropriate VAT will be added to all invoices. Buyer agrees to remit to Colite any amounts that are withheld at source so that the full balance due is received by Colite.

**INTERNATIONAL:**





5 Technology Circle  
 Columbia, SC 29203  
 Phone: (803) 926-7926  
 Fax : (803) 926-8412

# Quote

Quote Number: 78900

Print Date: 9/22/2022

Project #: TOLV-NC001

PM: Adam Plyler

Page: 4 of 5

It is Buyer's responsibility to ensure transaction is in compliance with all local regulations that may prevent full and proper payment according to contract terms. Buyer accepts that Colite may, at its discretion, contract with local companies to manufacture signage, and Buyer agrees to pay Colite for such signage in accordance with quoted pricing. Colite will not accept purchase orders from countries under trade sanctions by the United States government.

**DEFAULT:**

Buyer is considered to be in default if it fails to fulfill any of its obligations under this contract, if any liens are placed against the property contained in this contract prior to full payment, or if bankruptcy or insolvency proceedings are begun prior to full payment. Upon default, all balances owed become immediately due and payable. Colite or its agent(s) may, at its discretion, enter Buyer's property and take possession of unpaid signage or render it unusable until default is resolved. Buyer shall pay any costs incurred by Colite in enforcing its rights upon Buyer's default, including attorney's fees, collection agency fees, and any costs associated with taking possession of signs.

**WARRANTY:**

All signs provided by Colite under this agreement are covered by a 1 year warranty against defect. Buyer must notify Colite immediately of any such claim against the warranty. Colite's warranty does not cover, and is voided by work done by others who were not contracted by Colite to perform services. Manufacturer warranties for all component parts transfer to Buyer upon installation (delivery if installation is not included). While Colite offers repair services, including manufacturer warranty replacements, as a convenience to our clients, charges for such services will apply after 1 year past installation (or delivery if installation is not included).

**BUYER RESPONSIBILITY:**

1. **WALLS:** It is Buyer's responsibility to ensure that the wall(s) onto which any required wall-mounted building signs are attached be waterproof, have in place adequate vertical and/or horizontal bracing to support the signs and provide blocking behind the wall for attachment, and be ready for installation as scheduled. Wall construction is assumed to be brick, concrete, metal, or similar type construction, and have suitable access behind the wall for installation purposes (i.e. drywall removed as instructed, etc.).
2. **ELECTRICAL:** Colite is not responsible for providing a primary power source to letters and/or signs, or for final electric hook-up to the primary power source, unless stated otherwise. Buyer is responsible for ensuring necessary electrical work is done prior to installation, and for all associated costs. Electrical access must be within 10' of sign area for wall mounted signs, and 5' for free-standing signs.
3. **ARTWORK:** Buyer is to provide Colite with all digital artwork required. Other arrangements may be made on a case by case basis and specifically stated in the quote, or by addendum to these terms.
4. **SURVEY:** A survey is performed to verify placement, scale and wall condition. A survey may also be required to verify measurements or for permitting purposes. Colite is not responsible for ensuring a wall or building is built to architectural specifications provided by the client. If Colite needs to make changes to an approved survey, there will be a processing fee, plus express mail charges. **Colite reserves the right to bill for any survey and or photo imaging completed for projects we are not awarded.**
5. **PERMIT:** Buyer will provide to Colite any documents required for permitting purposes, including but not limited to: Site Plan, Building Elevations, Letter of Authorization, Notice of Commencement, Legal Property Description, and Certificate of Occupancy.

THE ABOVE PRICES, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

SALESPERSON: \_\_\_\_\_  
 ACCEPTED BY: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 DATE: \_\_\_\_\_



5 Technology Circle  
Columbia, SC 29203  
Phone: (803) 926-7926  
Fax : (803) 926-8412

## Quote

**Quote Number: 78900**

Print Date: 9/22/2022

Project #: TOLV-NC001

PM: Adam Plyler

Page: 5 of 5

DRAFT



**RESOLUTION 2022-061 OF THE LEWISVILLE TOWN COUNCIL  
AUTHORIZING LEWISVILLE LIFT STATION RELOCATION AGREEMENT**

**WHEREAS**, the Town, together with North Carolina Department of Transportation, will construct the Great Wagon Road; and

**WHEREAS**, construction of the Great Wagon Road necessitates relocation of a lift station belonging to the Winston-Salem/Forsyth County Utility Commission and serving Lewisville; and,

**BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL** that the Town of Lewisville enter into an agreement with and the interim Town Manager is authorized to sign said agreement with Winston-Salem/Forsyth County Utilities for the design, permitting and reconstruction of the lift station in a new location; construction of new gravity sewer and force mains; and, acquisition of real property for the lift station reconstruction.

Adopted this the 6<sup>th</sup> day of October 2022 by the Lewisville Town Council.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk

NORTH CAROLINA  
FORSYTH COUNTY

LEWISVILLE LIFT STATION  
RELOCATION AGREEMENT

THIS MUTUAL AGREEMENT (*hereinafter, the "Agreement"*), made and entered into this, the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the Winston-Salem/Forsyth County Utility Commission (*hereinafter, the "Commission"*) and the Town of Lewisville (*hereinafter, the "Town"*) (*the Commission and the Town, hereinafter, each, individually, a "Party", and, collectively, the "Parties"*).

**WITNESSETH:**

THAT, WHEREAS, the Town, together with the North Carolina Department of Transportation, will construct the Town's major thoroughfare, the Great Wagon Road; and

WHEREAS, the said construction necessitates the relocation of a lift station which belongs to the Commission and which serves the Town (*hereinafter, the "Lift Station"*); and

WHEREAS, the Lift Station will be reconstructed in a new location and the size and capacity increased to accommodate/serve new development generated by the construction of the Great Wagon Road; and

WHEREAS, the relocation of the Lift Station will require the construction of new gravity sewer and force mains; and

WHEREAS, the Parties would, therefore, like to provide for the design, permitting, and reconstruction of the Lift Station in a new location, and the construction of new gravity sewer and force mains (*all of which, hereinafter, will, collectively, be referred to as the "Project"*), and

WHEREAS, the Parties would like to provide for the acquisition of real property for the Project, and would like to apportion the costs of the Project and of the acquisition of real property therefor;

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions contained herein, accruing to the benefit of each of the respective Parties hereto, the Parties do, hereby, agree as follows:

1. Reconstruction of Lift Station; Construction of New Gravity Sewer and Force Mains;. Provided that the Town fulfills all of its obligations under this Agreement, the Commission will reconstruct the Lift Station, , construct a new eight-inch (8") gravity sewer main, and construct a new force main (the size of which will be determined by the design engineer),

all as shown, and in the approximate locations indicated, in Exhibit A, attached hereto and made a part hereof (*hereinafter, the "Infrastructure"*).

2. The Commission will extend the new force main through the new Great Wagon Road. The Town will, therefore, use its best efforts to permit, and to intercede with the North Carolina Department of Transportation in order that they, too, will permit, the Commission to complete the Project in conjunction with the construction of the Great Wagon Road.
3. Design, Permitting, Real Property Acquisition, Construction, and Construction Administration. The Commission will contract for the design and construction of the Infrastructure, and the construction administration of the Project, in accordance with applicable laws, statutes, ordinances, rules, and regulations. The Commission will secure appropriate permits and the requisite real property interests, also in accordance with applicable laws, statutes, ordinances, rules, and regulations.

The Parties agree that the Commission and the City Attorney's Office of the City of Winston-Salem (*hereinafter, the "City Attorney's Office"*) will have complete control over the process of acquiring any easement or other real property interest the Commission deems necessary or desirable for the Project, and any consequent mediation and litigation. The Commission will, in its sole discretion, decide what property to acquire and the fair market value thereof, and the City Attorney's Office will decide, in its sole discretion, what strategy to take, what witnesses to call, what pre-litigation and litigation expenses to incur, and (together with the Commission, in the City Attorney's Office's and Commission's sole discretion) what settlement offers to make, decline, or recommend. It is understood that if a tentative settlement is reached, which sum exceeds the City of Winston-Salem City Manager's settlement authority, such settlement will be subject to the Commission's approval.

The Town, hereby, releases and forever discharges the Commission, the City of Winston-Salem, and their respective officials, officers, employees, agents, servants, independent contractors, and assigns (*hereinafter, the "Releasees"*) from any and all claims, demands, sums of money, actions, rights, causes of action, obligations, costs, expenses, damages, losses, and liabilities, of any kind or nature, whatsoever, directly or indirectly connected with, or related to, the design, permitting, construction, reconstruction, or construction administration of the Infrastructure or Project, or the acquisition of any easement or other real property interest, whether by gift, purchase, or condemnation, necessary or desirable in connection with the Project. The Town agrees not to file any action with respect to a claim or right released, hereby, and that, in the event that the Town does, that this release may be pleaded as a defense and/or a cross-complaint, counterclaim, cross-claim, or third-

party complaint. The release stated herein will survive the expiration or earlier termination of this Agreement.

4. **Ownership.** The Infrastructure will be and remain the Commission's property, and the Commission will have the sole right to operate, inspect, maintain, repair, rehabilitate, replace, reconstruct, relocate, and expand the same. The real property interests the Commission acquires under this Agreement will be deeded to, and held by, the City of Winston-Salem.

The Town will not have any claim to, or ownership of, the Infrastructure or real property interests acquired, and will have no right to charge others for connecting to the Infrastructure.

5. **Connections.** The Commission will not, under any circumstances, and, at no point in time, be obligated to pay for or provide connections to the Infrastructure, except as provided by applicable laws, statutes, and/or the Commission's Sewerage System Policy Resolution. Any connection to, addition to, or extension of, the Infrastructure will be made only upon the Commission's written consent. Any connection to the Infrastructure that the Commission approves will be made and paid for by the Town or subsequent users of the Infrastructure.
6. **Apportionment of Costs.** The Parties agree to share the design, permitting, real property acquisition, construction/reconstruction, and construction administration costs of the Project (*hereinafter, each, individually, a "Cost", and, collectively, the "Costs"*) in the following manner:
  - a. **Design, Bidding, and Construction Administration Cost.** The Cost of design, bidding, and construction administration services is currently estimated at Five Hundred Twenty-Nine Thousand, Forty-five Dollars (\$529,045). It is understood by both Parties, however, that Five Hundred Twenty-Nine Thousand, Forty-five Dollars (\$529,045) is an estimated cost, and subject to change. The Commission will determine the actual Cost of design, bidding, and construction administration services at the conclusion thereof.
  - b. **Apportionment of Design, Bidding, and Construction Administration Cost.** The Commission will pay ten percent (10%) and the Town will pay ninety percent (90%) of the Cost of design, bidding, and construction administration. For emphasis, the Commission will determine the actual Cost of design, bidding, and construction administration services, and the Town's share thereof, at the conclusion of the of design, bidding, and construction administration services.



- c. **Construction Cost.** The Cost of construction is currently estimated at Two Million Seven Hundred Seventy-Five Thousand Dollars (\$2,775,000). It is understood by both Parties, however, that Two Million Seven Hundred Seventy-Five Thousand Dollars (\$2,775,000) is an estimated cost, and subject to change. The Commission will determine the actual Cost of construction at the conclusion thereof.
  - d. **Apportionment of Construction Cost.** The Commission will pay Two Hundred Fifty Thousand Dollars (\$250,000) of the Cost of construction, which sum is roughly equivalent to the sum it would have cost to rehabilitate the existing lift station, in place, and to increase capacity therein to serve the new development generated by the construction of the Great Wagon Road. The Town will pay all Costs of construction which exceed Two Hundred Fifty Thousand Dollars (\$250,000). For emphasis, the Commission will determine the actual Cost of construction, and the Town's share thereof, at the conclusion of construction.
  - e. **Apportionment of Real Property Acquisition Cost.** The Commission will acquire, and the Town will pay, all the Commission's Costs to acquire the real property interests necessary to construct the Infrastructure and Project. The Commission will determine the actual Cost of real property acquisition at the conclusion thereof.
  - f. **Payment of the Town's Share of Costs from the Town's Reserve Account.** The Town may elect to have the Commission withhold the Town's share of the Costs from the Reserve Account that the Commission maintains on behalf of the Town. If the Town pays the Town's share of the Costs from any other funding source, the Town will comply with all federal, state, and local laws, rules, regulations, ordinances, standards, guidelines, and policies applicable thereto, and will indemnify and defend the Commission if the Town fails to do so.
7. **Payment.** The Commission will invoice the Town for its preliminary share of the overall Costs (including design, bidding, construction/reconstruction, construction administration services, and real property acquisition Costs), under subsection 6, above, once the Commission executes the construction contract. The Commission will invoice the Town its final share of the overall Costs once the Project and all real property acquisitions are complete.

If the Town does not elect to have the Commission retain the Town's share of the Costs from the Town's Reserve Account, the Town will pay its share of the Costs within thirty (30) calendar days of the date of invoice. Billing to the Town will be based upon actual costs.

If the Town does not pay its share of the Costs within thirty (30) calendar days of the date of invoice, the Commission will charge the Town interest on the unpaid balance at the maximum legal rate of interest permitted by law, currently eight percent (8%) per annum, per N.C.G.S. § 24-1.

If an invoice remains unpaid sixty (60) days from the date of invoice, the Commission may, upon ten (10) calendar days' written notice to the Town, elect a) to retain/withdraw from the Town's Reserve Account the sum necessary to reimburse the Commission for the Town's share of the Costs, as shown on the invoice, together with interest on the unpaid balance and b) to terminate this Agreement, without any liability or obligation to the Town therefor, without any further liability or obligation under this Agreement, without any obligation to complete the Infrastructure or Project, and without any obligation to reimburse the Town any sums in connection therewith.

8. Amendment. This Agreement may not be amended, except by another written instrument, duly executed and approved by both Parties hereto.
9. Termination; Survival. The Commission may terminate this Agreement for breach upon ten (10) calendar days' prior written notice to the Town. In case the Commission terminates this Agreement for breach under section 7, above, or otherwise, the Commission will be entitled to pursue all remedies available to it, at law and in equity, and the Town will remain obligated, following termination of the Agreement, to reimburse the Commission any expenses it has incurred, up until the date of termination, in the pursuit of this Agreement or the Project. Moreover, the Town's payment, release, indemnification, and defense obligations, hereunder, all survive the expiration or earlier termination of the Agreement.
10. Miscellaneous Other Provisions. This Agreement will endure until the earlier of the completion of the Project or the Commission's termination of the Agreement. No joint agency or joint venture is established by virtue of this Agreement. Commission and City of Winston-Salem personnel, and their respective agents and employees, will fulfill the execution of the undertaking hereunder.
11. Iran Divestment Act. The Parties certify that they are not on the North Carolina State Treasurer's list of persons engaging in business activities in Iran, prepared pursuant to

NCGS §147-86.58; nor will the Parties utilize, on this Agreement, any contractor or subcontractor on such list.

12. Divestment From Companies Boycotting Israel. The Parties certify that they are not on the North Carolina State Treasurer's list of companies engaged in a boycott of Israel, in violation of NCGS 147-86.80 et. seq., and that they will not utilize on this Agreement any contractor or subcontractor on said list.
13. E-Verify. Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a subcontractor, the Contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
14. The Commission, hereby, reserves any and all defenses available to it at law or in equity, including, but not limited to, the defenses of governmental immunity, contributory negligence, and employees acting outside the scope of employment.

**[SIGNATURES APPEAR ON THE FOLLOWING PAGE.]**

TOWN OF LEWISVILLE

By: \_\_\_\_\_ (SEAL)

Signature

\_\_\_\_\_  
Print Name

Town Manager

Attested By:

AFFIX SEAL

By: \_\_\_\_\_

Signature

\_\_\_\_\_  
Print Name

Town Clerk/Secretary

This Instrument has been pre-audited in the  
Manner required by the Local Government  
And Fiscal Control Act

Approved as to form and legality:

By: \_\_\_\_\_

Signature

Attorney

\_\_\_\_\_  
Print Name

Chief Finance Officer

By: \_\_\_\_\_

Bowen C. Houff, Town

**[SIGNATURES CONTINUE ON THE FOLLOWING PAGE.]**

WINSTON-SALEM / FORSYTH COUNTY UTILITY COMMISSION

By: \_\_\_\_\_ (SEAL)  
Courtney Driver, Utilities Director

By: \_\_\_\_\_ (SEAL)  
Lee Garrity, City Manager

Attested by:

By: \_\_\_\_\_  
Sandra Keeney, City Clerk

This Instrument has been pre-audited in the  
Manner required by the Local Government  
And Fiscal Control Act

Approved as to form and legality:

By: \_\_\_\_\_  
Kelly Latham, Chief Finance Officer

By: \_\_\_\_\_  
Angela Carmon, City Attorney



TOWN OF LEWISVILLE  
 Budget Amendment Ordinance 2022-053  
 Amending Budget Ordinance 2022001

FINANCE DEPARTMENT USE ONLY
Budget Amendment # 14
Pam Orrell, Finance Officer

CODE	ACCOUNT DESCRIPTION	AMOUNT	CODE	ACCOUNT DESCRIPTION	AMOUNT
10-80-6120-5000	Parks & Recreation - Capital Outlay	\$ 121,824.00	10-00-3990-9000	General Fund - Fund Balance Appropriated	\$ 121,824.00
		\$ 121,824.00			\$ 121,824.00

EXPLANATION: To install solar panels on the Mary Alice Warren Community Center.

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RECOMMENDED BY: Pam Orrell, Town Finance Officer

Approved and effective upon adoption this the 13th day of October 2022 by the Lewisville Town Council.

ATTEST:

\_\_\_\_\_  
 Mike Horn, Mayor

\_\_\_\_\_  
 Dora K. Moore, Town Clerk



**RESOLUTION 2022-062 OF THE LEWISVILLE TOWN COUNCIL  
AUTHORIZING SOLAR PANEL CONTRACT**

**WHEREAS**, the Town adopted Resolution 2021051 committing to a goal of 50% clean and renewable energy by 2030 and 100% clean and renewable energy by 2050; and

**WHEREAS**, the placement of solar panels on the Mary Alice Warren Community Center works towards these goals; and

**WHEREAS**, the Town has received a contract from Renewable Energy Design Group for the purchase and installation of solar panels on the Mary Alice Warren Community Center in the amount of \$121,824.

**BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL** that the Town of Lewisville enter into a contract with Renewable Energy Design Group and the Mayor is authorized to sign said contract with Renewable energy Design Group not to exceed \$121,824.

Adopted this the 13<sup>th</sup> day of October 2022 by the Lewisville Town Council.

ATTEST:

\_\_\_\_\_  
Mike Horn, Mayor

\_\_\_\_\_  
Dora K. Moore, Town Clerk



**TOWN OF LEWISVILLE**  
**Budget Amendment Ordinance 2022-054**  
**Amending Budget Ordinance 2022001**

<b>FINANCE DEPARTMENT USE ONLY</b>
<b>Budget Amendment # 13</b>
<b>Pam Orrell, Finance Officer</b>

<u>CODE</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>	<u>CODE</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>
10-00-4931-6002	Beautification - Contracted Services - Tree Replacement	\$ 3,680.00	10-00-3990-9000	General Fund - Fund Balance Appropriated	\$ 3,680.00
		\$ 3,680.00			\$ 3,680.00

**EXPLANATION:** To plant new trees and replace dead trees in various parts of Town.

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**RECOMMENDED BY:** Pam Orrell, Town Finance Officer

Approved and effective upon adoption this the 13th day of October 2022 by the Lewisville Town Council.

**ATTEST:**

\_\_\_\_\_  
 Mike Horn, Mayor

\_\_\_\_\_  
 Dora K. Moore, Town Clerk





**EcoLogic Environmental Landscapes, LLC**

9186 Reynolda Road  
 Pfafftown, NC 27040  
 Jon@Think-EcoLogic.com  
 336.403.3121

October 3, 2022

Town of Lewisville, Tree Planting and Replacement Proposal, 2022 –

- Shallowford Road at Lewisville UMC – replace ‘SnowCone’ Styrax’ -	\$400
- 6340 Shallowford Rd. – replace Redbud with Chinese Fringetree -	\$400
- 6655 Shallowford Rd. – replace Sweetgum with Lacebark Elm -	\$400
- 6700/6720 Shallowford Rd. – Chinese Fringetree -	\$400
- Annex parking lot where Braford’s were removed – Nuttall Oak -	\$400
- JWP Bathroom – replace dead Sugar Maple with ‘Red Sunset’ Red Maple -	\$400
- MAWCC road buffer – replace dead ‘Forest Pansy’ Redbud -	\$400
- MAWCC – Chestnut Oak – as requested by Mrs. Warren	\$400
- Dryden Park – replace dead Chinese Fringetree -	\$400
- Big traffic circle (Food Lion) – replace white oak – small tree - cost only -	\$80
<hr/>	
Total as proposed -	\$3680

Thank you for the opportunity to provide this proposal. Pricing includes purchase, transport, planting, soil amendments, finished mulch, and a guarantee for one year from planting. All stock will be 15 gallon, 8’-10’ tall unless inventory changes. This work would ideally be done in November/December. We greatly appreciate the continued business and we look forward to more great work in the Town of Lewisville.

Jon Hanna, EcoLogic

10/11/2022

<b>HENRY M (HANK) CHILTON PAVILION AT SHALLOWFORD SQUARE SCHEDULE OF EVENTS</b>
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1

<u>DATE</u>		<u>TIME</u>	<u>FACILITY</u>	<u>ORGANIZATION AND/OR CONTACT NAME AND PHONE NUMBER</u>		
10/14/2022	Friday	1300	4 MOVIE NIGHT - HALLOWEENTOWN	TOWN OF LEWISVILLE		945-5558
10/15/2022	Saturday	0600	4 LCC yard sale at the square	CIVIC CLUB	shumack	945-5558
10/21/2022	Friday	1200	4 MOVIE NIGHT RAIN DATE	TOWN OF LEWISVILLE	HOWARD	945-5558
10/22/2022	Saturday	0800	4 SHALLOWEEN FESTIVAL	TOWN OF LEWISVILLE	HOWARD	945-5558
10/29/2022	Saturday	1900	4 special recycle committee	RECYCLING COMMITTEE	smitherman	945-5558
11/11/2022	Friday		Veteran's Day - Town offices closed			

4 = HENRY M (HANK) CHILTON PAVILION @ SHALLOWFORD SQUARE