

REGULAR MEETING OF TOWN COUNCIL

AGENDA

September 20, 2012

RULES FOR PERSONS ADDRESSING COUNCIL

1. Each speaker will identify himself or herself by giving his or her name and place of residence.
2. Each speaker will be limited to speaking one time on any topic. When you are finished speaking, please step away from the podium and be seated.
3. Each speaker will be limited to three (3) minutes and each group's representative will be limited to a maximum of ten (10) total minutes. Each group is encouraged to designate a single spokesperson for their group.
4. Each speaker will confine himself or herself to the general question before the Council and avoid irrelevant comments.

WORK SESSION

(6:00 p.m.)

The work session is in order to allow Council members time to ask questions to staff regarding specific agenda items or reports. An effort will be made to address each agenda item in full during the work session, but no official Council votes or decisions will be made during this time.

BUSINESS MEETING

(7:00 p.m.)

1. Invocation
2. Pledge of Allegiance
3. Public Comments
4. Approve Regular Agenda
5. **Consent Agenda** *(All matters listed are considered to be routine and non-controversial by Town Council and will be enacted by one motion. There will be no separate discussion unless a Council member so requests, in which case the item will be removed from the Consent Agenda and will be considered separately.):*
 - 5a. Approve August 16 Regular Meeting Minutes (5a)
 - 5b. Approve August 21 Special Meeting (5b)
 - 5c. Proclamation for *Military Suicide Awareness Month* (5c)
6. Resolution and Presentation of Badge and Sidearm to Bobby Denton (6)
7. Veterans Park Usage Report (7)
8. Personnel Policy Discussion -- Update (8)
9. Consideration of Recycling Container Lease with Town of Tryon (9)
10. 2013 Fabulous 4th Fireworks Display -- Update (10)
11. Reports
 - 11a. Council Reports
 - 11b. Managers Report (11b)
 - 11c. Police, Public works, ABC and Fire Dept. reports (11c)
12. Closed Session --Pending Litigation, NCGS 143-318.11
13. Adjourn

Town of Columbus
Minutes of Columbus Town Council
August 16, 2012

Mayor McIntyre called the meeting to order at 6:00 pm. In attendance were Mayor McIntyre, Councilmen McCallister and Hall, Councilwomen Metcalf and Kan, Town Manager Jonathan Kanipe, Public Works Director Robert Rosseter, Chief of Police Chris Beddingfield and Town Clerk Donna Butler. Attorney Bailey Nager was absent.

Work Session 6:00 p.m.

Council discussed all agenda items with an emphasis on the Solid Waste Management Plan and the Fee Schedule. Discussion ensued about the Solid Waste Management Plan and as a result several corrections and additions were made to the plan. Manager Kanipe explained the changes made to the Fee Schedule. Staff was asked to change the fee schedule to reflect that sanitation fees are only charged once a month.

It was also suggested that the town use inmates to help clean up the streets. Manager Kanipe will look into it and report back at the next meeting.

Manager Kanipe also said staff is developing a pre-disaster debris removal plan.

There was also discussion about parking fees. Ms. Kan suggested raising the fee from \$5.00 to \$10.00. Manager Kanipe said that the police have only had to give out warning tickets, and did not think it necessary at this time. He will also talk to the County Manager about asking county employees to move their vehicles on court days to allow citizens more parking spaces.

Manager Kanipe informed Council that there is enough room on N. Peak Street across the street from Buy-Way to add eleven more parking spaces. He will write a letter to business owners informing them of proposed parking.

Citizen Comments:

David McCullum of Bill Collins Rd, Tryon, said he was very concerned about the erosion problems on Chocolate Drop, and offered his services to restore it. Mayor McIntyre thanked him, and said Council was also concerned, but that Chocolate Drop is in litigation at this time, and right now there probably isn't anything the town can do. Council will discuss with Attorney Nager to see if any action can be taken.

Regular Meeting 7:00 p.m.

Councilman McCallister made a motion to approve the agenda, Councilman Hall seconded, motion carried.

Councilman Kan made a motion to approve the consent agenda, Councilwoman Metcalf seconded, motion carried.

Revised FY 2012-2013 Fee Schedule:

Councilwoman Metcalf made a motion to approve the FY 2012-2013 fee schedule with changes mentioned, Councilman McCallister, seconded, motion carried.

PC Solid Waste Management Plan:

Council had a lengthy discussion about the Solid Waste Management Plan and made several corrections and additions. Councilwoman Metcalf made a motion to approve the PC Solid Waste Management Plan with changes noted, and additional wording added regarding litter and recycling, Councilman Hall seconded, motion carried. Manager Kanipe will report back next month.

Appoint Councilman McCallister to IPDC Policy Board and Appoint Councilwoman Kan to Transportation Advisory Committee:

Councilman Hall made a motion to appoint Councilman McCallister to IPDC Policy Board and Appoint Councilwoman Kan to Transportation Advisory Committee, Councilwoman Metcalf seconded, motion carried.

Fabulous Fourth Festival:

Manager Kanipe presented Council with a detailed financial analysis of the festival. The Town still has \$2,230.75 remaining for next year's festival. This was the last year of the fireworks contract with Zambelli. Manager Kanipe said he will get pricing from Zambelli's along with other fireworks vendors. Manager Kanipe will also look into new sources of funding. Councilman McCallister suggested piggybacking with the Blue Ridge Barbeque Festival. Council thanked Ms. Kan and staff for the great work this year.

Lease for Recycling Containers

The Town of Tryon has expressed an interest in utilizing our unused recycling dumpsters. They would agree to pay the Town \$1,000 per year for three years to use the containers at their facility in Tryon. If council approves, wording will be put in the contract about damages, pick-up and delivery, etc. Council directed Manager Kanipe to contact Tryon town manager to draw up contract. Manager Kanipe will present to Council in September.

Personnel Policy Update:

Manager Kanipe and Attorney Nager have updated the Personnel Policy to eliminate vague and ambiguous language. Manager Kanipe asked the Council to review the updated policy and discuss any changes with him.

Highway Safety Equipment Resolution:

Chief Beddingfield said the Police Department received a 100% funded grant of \$15,200 to purchase highway safety equipment including a light tower, enclosed trailer, checkpoint signs, cones, vests, and flashlights. A resolution is needed from Council before equipment can be purchased. Councilman McCallister made a motion to approve the Highway Safety Equipment Resolution, Councilman Hall seconded, motion carried.

Purchase of Police Vehicle:

Manager Kanipe informed Council that drug seizure money in the amount \$105,000 has been received. The Police Department would like to purchase a 2012 Dodge Charger RWD for the amount of \$21,930. An extra \$4,000 would be used to equip the vehicle. The Department can use this for a crime scene vehicle and can be used by town staff during bad weather. At the time only two cars are financed.

Chief Beddingfield said the department's second priority is to buy rifles at about \$8,500, and the third priority is training for the officers. He is considering sending Nick Stott and Jason Case to interdiction school.

Councilwoman Metcalf asked if officers should sign a contract to stay with the town for a period of time after they receive expensive training.

Ms. Metcalf thanked the police officers for doing such a fine job in keeping us all safe.

Ms. Metcalf made a motion to approve the purchase of a 2012 Dodge Charger and needed equipment with drug seizure funds, Councilman McCallister seconded, motion carried.

Recognition of Chief Chris Beddingfield:

Mayor McIntyre presented Chief Beddingfield with a plaque awarding him Region C FY2011-2012 Police Executive of the Year.

Council Reports:

Councilman McCallister has heard several good reports about the police department. He also brought up the question of how to light the poles for Christmas decorations since the old electrical wiring was taken down.

Councilwoman Kan said the Appearance Committee is looking for new projects. She said the Polk County Appearance Commission award was given to the town for planting the trees. The July 4th committee had their final meeting on Monday, and Ms. Kan has asked the town to take over the July 4th committee. She would still like to serve on the committee.

Councilwoman Metcalf thanked the Public Works Department for all their hard work.

Managers Report:

Manager Kanipe said the WWTP, Woods Well, and Hydraulic Study Project are on schedule. We should have the equipment in within the next three or four weeks for the Woods Well project.

Work on Walker Street to fix drainage issues will start the end of August.

Mr. Kanipe completed the PELA program, was very happy with the course, and thanked Council for allowing him to attend.

The DOT responded to the Beechwood Drive problem. After doing a study, the DOT is preparing to make shoulder repairs to eliminate any standing water issues.

There is a new sweepstakes gaming location at the Exxon Station.

Manager Kanipe said we have had several requests for the use of Veterans Park. Council directed staff to contact local veterans groups to ask their feedback about guidelines.

Police Report:

Chief Beddingfield said the department hosted two bike safe programs and assisted with six. This means they will get over \$2,000 to use for equipment.

They've written a letter to DOT about removing some of the barricades in turnarounds on the interstate. The District Engineer was very positive and will look into taking some of those down.

This month officers dealt with meth arrests, car break-ins, a mental patient who jumped out of the car in the roundabout, and they arrested a convicted felon who had a stolen bicycle in his trunk. The Credit Union was also burglarized, but no money was stolen.

One of the officers has been patrolling downtown during business hours, and there has only been one instance in the last three months where there was no parking available. The officer met with each business owner and informed them that he was checking for parking violations. The officer only had to issue two warning tickets in a span of two weeks. Most of the parking problems have come from employees parking in front of the businesses all day long.

There have been complaints about parking on Park Street during youth football. This is being addressed with the county.

Stg. Stott has completed the Criminal Investigator Program and has completed Instructor School.

Other Reports:

Public Works, ABC, and Fire Department reports were noted.

Councilman Hall made a motion to enter closed session for pending litigation and closed session minutes, Councilwoman Metcalf seconded, motion carried.

There being no further business, Councilwoman Metcalf made a motion to adjourn, Councilwoman Kan seconded, and the meeting was adjourned at 9:50 p.m.

Attest:

Town Clerk

Mayor

Town of Columbus
Minutes of Special Meeting
August 21, 2012

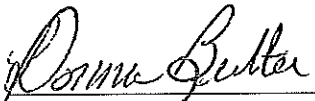
Mayor McIntyre called the meeting to order at 6:00 pm. In attendance were Mayor McIntyre, Councilman McCallister, Councilwoman Kan, and Town Clerk Donna Butler. Councilman Hall was absent.

As required by law, Mayor McIntyre, Councilman McCallister and Councilwoman Kan attended a two-hour Ethics for Elected Officials webinar. At the completion of the course, they were given a Verification of Attendance.

Councilman Hall will complete the Ethics webinar at a later date. Councilwoman Metcalf was exempt from taking the class.

There being no further business, the meeting adjourned at 8:00 p.m.

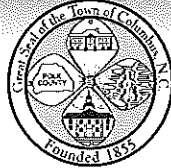
Attest:



Town Clerk

Mayor

TOWN OF COLUMBUS



NORTH CAROLINA

Military Suicide Awareness Month September 2012

PROCLAMATION

WHEREAS, in recent years, military suicides have reached numbers equal to or higher than that of combat deaths; and

WHEREAS, from January 1st through June 3rd, 2012 (155 days), there were 154 active duty suicides. That's 50% more than those killed in action during the same period and an 18% increase from the same period last year.

WHEREAS, the VA estimates that a Veteran commits suicide every eighty minutes. That's 6,500 suicides a year, 20% of all American suicides.

WHEREAS, frequent deployments, stress of combat and prolonged separation from families have increased strain on military personnel and their families; and

WHEREAS, military personnel are reluctant to ask for help when they are depressed; and untreated depression is the number one cause of suicide among military personnel; and

WHEREAS, military personnel are encouraged to seek help to restore balance in their lives, as well as the lives of their families by engaging in stress relief activities, maintaining a buddy system of support so that *no soldier stands alone*, remembering the importance of self-care by engaging in activities that improve state of mind, asking for help from a professional, being aware that help is available through a variety of sources, including the Veterans Administration and Suicide Prevention hotlines; and

WHEREAS, The Town of Columbus joins the North Carolina VFW Post #9116 and Ladies Auxiliary in urging all active and former military personnel and their families to seek help for behavior health issues.

NOW, THEREFORE, I, Eric McIntyre, Mayor of the Town of Columbus do hereby declare September 2012 as "MILITARY SUICIDE AWARENESS MONTH", and commend its observance to all citizens.

Eric McIntyre, Mayor

ATTEST:


Donna Butler, Town Clerk

P.O. Box 146 Columbus, North Carolina 28722 828.894.8236 Fax 828.894.2797

www.columbusnc.com

TOWN OF COLUMBUS

Resolution Awarding Badge and Service Sidearm to Retiring Lieutenant Robert B. (Bobby) Denton

WHEREAS NC GS 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and

WHEREAS, NC GS 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service sidearm of such retiring members; and

WHEREAS, Robert B. Denton has served the Columbus Police Department since 2007 and has worked in various capacities as a law officer in the surrounding communities for the past thirty years and will retire at the rank of Lieutenant;

NOW, THEREFORE BE IT RESOLVED, by the Columbus Town Council of the Town of Columbus, North Carolina as follows:

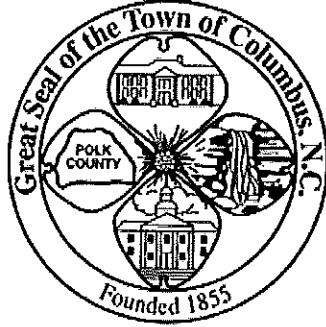
The Town Manager or his designee is hereby authorized, in accordance with provisions of NC GS 20-187.2 to transfer to Lieutenant Robert B. Denton the badge worn by him during his service with the Town of Columbus Police Department and his service sidearm, a Glock Model 32 pistol, caliber .357 SIG, Serial #NZD563.

Approved this 20th day of September, 2012

Eric McIntyre, Mayor

ATTEST:

Donna Butler, Town Clerk



MEMORANDUM FOR TOWN COUNCIL MEETING
SEPTEMBER 20, 2012

To: Mayor & Town Council
From: Donna Butler, Town Clerk
Re: Veterans Park Discussion
Date: September 20, 2012

Background

Recently, there have been several requests for use of the Veterans Park from Churches, Civic groups and others. At last month's meeting, Council directed staff to contact local veterans groups to ask their feedback about guidelines. We received the attached letter with their suggestions and recommendations.

Also attached is an example of a form which could be used. We are asking that all trash be removed and the park be left as clean as it was found. We've also added a clause protecting the town from liability in case of injury or accident. It was suggested a usage fee be required. We are asking Council for guidance as to these fees.



Polk County Memorial Post #250, Inc.

September 10, 2012

Town of Columbus
P.O. Box 146
Columbus, NC 28722

Dear Mayor and Council,

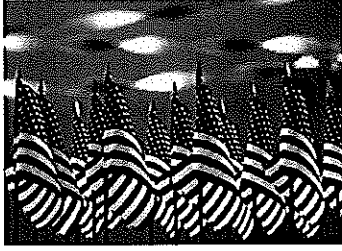
At our meeting on September 4, 2012, the members of the Polk County Memorial Post #250, Inc. discussed how the Veterans Park in Columbus, North Carolina is to be utilized in the future.

We feel that the Town should preserve the quiet dignity of the Veterans Park. In order to accomplish this, use should be limited to activities and/or groups that would observe the intended reverence of the grounds and respect the historical significance of the park. We agree that the Facility Request Form should be used by the Town to screen groups and ensure that their activities would not diminish the spirit of the park. The Form should include our (Town and Veterans) expectations for conduct of participants along with any other guidelines. Changes may be required in the future if the Town and/or veteran organizations feel the park is being misused.

We do, however, feel strongly that Veterans should have priority when a scheduling conflict occurs.

We also believe that a usage fee should be required. The fees collected could be used for maintenance and restoration of the park. Each group should be required to leave the grounds as clean and beautiful as when they arrived. A deposit may be required to cover disposal of trash.

D. Michael Collins
Commander
Polk County Memorial Post #250, Inc.
43 Depot Street
Tryon, NC 28782



Facility Request Form
for the Use of Veterans Park

Applicant Information

Event Applicant Name: _____

Representing (Self) (Organization) Name: _____

Address: _____

Phone Number: _____ Alternate Phone Number: _____

E-Mail Address: _____

Event Information

Type of Event or Event Title _____

Date(s) of the Event: _____
(Cannot reserve more than 12 months in advance)

Vendors on site: Yes (fee may be applied) No

Details if applicable: _____

Access to Power Requested: Yes No (fee may be applied if yes)

Will there be amplified sound: Yes No

Is road closure from Gibson to Peak Street requested? Yes No (fee may be applied if yes)

Start Time Requested _____ (**Allow time for set-up of event**)

End Time Requested _____ (**Allow time for clean-up of event**)

ALL MILITARY AFFILIATED GROUPS WILL BE GIVEN FIRST PRIORITY!!

I/we hereby assume all risks and hazards incidental to such participation in and transportation to and from the activities at the Veterans Park. I release, above, and indemnify the Town of Columbus, employees of the Town, volunteers, contractors and/or sponsors from all risk and hazards associated with the activities and in the event of injury, do expressly waive all claims against them. I/we certify that we have read and agree to the terms stated above and that the information is correct to the best of my/our knowledge.

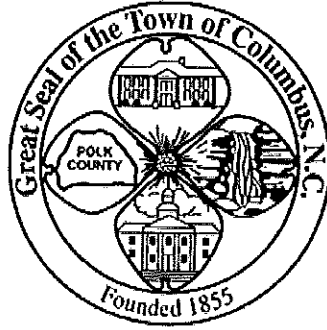
Signature of Applicant/Renter

Date: ____/____/20____

Approving Official

Date: ____/____/20____

NOTE: The Town of Columbus will provide trash receptacles for your event. All trash must be removed from the receptacles prior to leaving the property. A clean-up fee may be assessed if the premises are not left in the same condition as before the event.



MEMORANDUM FOR TOWN COUNCIL MEETING
SEPTEMBER 20, 2012

To: Mayor & Town Council
From: Jonathan Kanipe, Town Manager
Re: Personnel Policy Update -- Discussion
Date: September 11, 2012

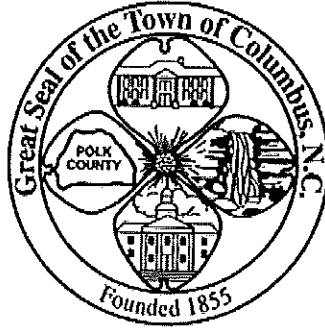
Background

Staff briefly presented revisions to the Town's Personnel Policy at our last meeting. Councilwoman Kan provided some suggestions about changing portions of the policy related to the "pattern of absenteeism" from Article VI, Section 6(c). Other clarifications were made related to Ms. Kan's review, but substantively, the policy remains as was distributed last month.

Action Requested

While there is no rush to institute the revised policy, it would be ideal to have a final version of this ready for approval at the regular October meeting. Please review your copy prior to this month's meeting and we can discuss any other additions or modifications to the policy that Council would like prior to consideration in October.

If you need another copy of the revised policy, please let staff know and we will ensure one is available for you either electronically or as a hard copy.



MEMORANDUM FOR TOWN COUNCIL MEETING
SEPTEMBER 20, 2012

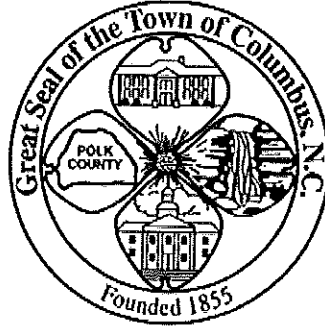
To: Mayor & Town Council
From: Jonathan Kanipe, Town Manager
Re: Recycling Container Lease to Town of Tryon
Date: September 11, 2012

Background

During our last meeting, Council gave the go ahead for the Town Attorney to develop a lease agreement between the Towns of Columbus and Tryon for the three (3) recycling containers owned by the Town of Columbus. Council's request was to structure the agreement so that Columbus would receive \$1,000.00 per year for three years and retain ownership to the containers. Council also requested that photos be taken prior to handing the containers over to Tryon to ensure that both parties knew what damages already existed prior to the lease agreement.

Action Requested

The Town Attorney has drafted a lease agreement between the two Towns for review and consideration. The Town of Tryon has placed this on their agenda for their regular meeting on September 18th, and staff will update Council on the status of that agenda item at our regular meeting. This option presents the Town a good opportunity to utilize these bins for recycling within Polk County and still retain ownership in the recycling containers.



MEMORANDUM FOR TOWN COUNCIL MEETING
SEPTEMBER 20, 2012

To: Mayor & Town Council
From: Jonathan Kanipe, Town Manager
Re: Fabulous 4th Fireworks Display
Date: September 11, 2012

Background

Council requested that staff request a new quote from our fireworks vendor, Zambelli Fireworks, and determine the cost for fireworks for next year's event. The account representative from Zambelli, Bob Turco, quickly provided me with a quote for the 2013 festival, as well as a quote for three years beginning in 2013 and ending in 2015. Those quotes and associated information are attached to this packet.

Mr. Turco indicated that the cost for 2013 would be \$10,000.00 regardless whether the Town entered into a three year deal. The savings are achieved for the future two years by locking in the price at today's rate. The cost of the fireworks for the previous three years was \$9,350.00.

ZAMBELLI FIREWORKS MANUFACTURING CO.

THIS CONTRACT AND AGREEMENT for the sale of Fireworks made and concluded this 17th day of August 17 A.D., 2012, by and between *Zambelli Fireworks Manufacturing Co.*, of New Castle, Pennsylvania, (hereinafter referred to as "Zambelli"),

-AND-

Town of Columbus -- Columbus, North Carolina (hereinafter referred to as "Client")

WITNESSETH: For and in consideration of the sum of One Dollar, each to the other in hand paid, receipt of which is hereby acknowledged, and of the terms and conditions hereinafter mentioned, Zambelli and Client do mutually and severally agree to perform their several and respective covenants and to comply with all terms, conditions, and payments of this contract:

ZAMBELLI agrees:

- 1. To sell, furnish and deliver to Client, Fireworks to be exhibited on the following dates set forth and agreed upon at the time of signing this contract and Client agrees to pay Zambelli for the Fireworks as follows:

Display Date: July _____, 2013 (Postponement Date: _____)

Contract Amount: \$10,000.00 (see paragraph 15); 50% due upon signing the Contract and balance due at Noon three days prior to the scheduled display date; all payments shall be made by Draft, Certified Check or Wire Transfer. Checks shall be made payable to Zambelli Fireworks Manufacturing Co., unless otherwise authorized in writing; NO CASH shall be paid to any agent or employee of Zambelli without written authority.

- 2. ZAMBELLI further agrees to furnish, sufficient trained personnel to present a display; insurance coverage for the display.

CLIENT further agrees:

- 3. To procure and furnish a suitable and accessible place to conduct the display that adheres to the NFPA standard except the display area will have a required fallout area equal to 100 foot per inch of the largest diameter pyrotechnic from the firing site in all directions to any parking area, spectators, inhabited buildings, public road or active railroad; Zambelli is not responsible and will not pay for any damages or personal injuries that occur from non-compliance of this standard;
- 4. To furnish the necessary police and fire protection as per the requirements of authority having jurisdiction; to secure all, Police, Local, and State Permits, and to arrange for any security bonds or insurance as required by law in their community when necessary; to furnish such lumber, sand, steel drums, site and vehicle security and other supplies as may be necessary for the conduct of the display;
- 5. Prior to, during, and immediately following the display, Client shall be solely responsible to keep all persons & vehicles (except Zambelli employees & vehicles) out of the designated fallout areas and behind safety zone lines and limits;
- 6. Following the display Client shall be solely responsible for ALL cleanup and policing of the display area, however, Zambelli will remove of all unexploded fireworks, frames, sets and lumber.

The PARTIES mutually agree:

- 7. It is agreed and understood by the parties hereto that in the event Fireworks have been taken out and set up before inclement weather and with adequate weather prevailing, such exhibition of fireworks will be carried out in the best possible manner without any deductions from the before named compensations. Should inclement weather prevent firing of said display on the aforementioned Display Date, then it will be understood that program is postponed and will be fired on the aforementioned Postponement Date, and there will be a charge to cover the cost of Postponement of 15% plus all permit fees (if any) paid for by Zambelli. If there is no alternate date and the program is not fired on the aforementioned Display Date, then it will be understood the program is cancelled and there will be a charge to cover the costs of cancellation of 50% plus all permit fees (if any) paid for by Zambelli.
- 8. Zambelli reserves the exclusive right to make modifications and substitutions provided that such changes are reasonable and necessary and do not materially adversely affect price, time of delivery, functional character or display performance.
- 9. If the location of the firing site, spectator's location, parking areas or structures is deemed unsuitable or unsafe, in the discretion of Zambelli or its agents or personnel, Zambelli may refuse to fire the display until conditions are corrected. If such conditions are not corrected, Zambelli may cancel the display without further liability to Zambelli for such cancellation.
- 10. This contract shall be deemed made in the Commonwealth of Pennsylvania and shall be constructed in accordance with the laws of Pennsylvania. The parties agree and consent to the jurisdiction of Pennsylvania to determine conflicts regarding the language and payments to be made under this Contract.
- 11. If client becomes bankrupt or insolvent, or if a petition in bankruptcy is filed by or against the Client or if a receiver is appointed for the Client, Zambelli may refuse to make further delivery and may terminate this contract without prejudice to the rights of Zambelli. If the Client's financial conditions become unsatisfactory to Zambelli, Zambelli, may require the balance of the purchase price to be deposited in escrow or the Client to provide sufficient proof of its ability to pay the balance of the contract price. Client is not entitled to recover incidental or consequential damages in connection with any breach of this Contract.
- 12. If Client fails to pay the monies due under this contract, Zambelli is entitled to recover the balance due plus interest at 1 1/2 % per month on amounts past due 60 days or more. Further, on balance outstanding of 120 days or more, Zambelli is entitled to recover the balance due, plus accrued interest, plus attorney's fees and court costs.
- 13. This contract shall not be constructed to create a partnership between the parties or persons mentioned herein.
- 14. In the event of fire, accident, strikes, delay, flood, act of God or other causes beyond the control of Zambelli, which prevent delivery of said materials, the parties hereto release each other from any and all performance of the covenants herein contained and from damages resulting from the breach thereof.
- 15. Any changes, modifications, addendums, etc... will be noted here and attached: Multi-year Contract: July 4, 2013 - \$10,000.00
July , 2014 - \$10,000.00
July , 2015 - \$10,000.00

IN WITNESS WHEREOF, we set our hands and seals to the agreement in duplicate the day and years first above written.

FOR CLIENT:

FOR ZAMBELLI FIREWORKS MANUFACTURING CO.

BY _____ date

BY _____ date

Please sign contract where indicated for Client and return all copies for final acceptance to:
Zambelli Fireworks Manufacturing Co.

PO Box 1463
New Castle, PA 16103

724-658-6611 800-245-0397 FAX 724-658-8318

ZAMBELLI

FIREWORKS
Manufacturing Company
www.zambellifireworks.com

US Corporate Headquarters
PO Box 1463
New Castle, PA 16103
724.658.6611 or 800.245.0397
724.658.8318 (Fax)

| | |
|------------------|-----------------|
| Invoice Date: | August 17, 2012 |
| Invoice Number: | |
| Customer Number: | # 111257 |

INVOICE

SOLD TO: **TOWN OF COLUMBUS**
COLUMBUS, NORTH CAROLINA

| SHOW DATE | DESCRIPTION | TOTAL PRICE |
|-----------|-------------|-------------|
|-----------|-------------|-------------|

| | | |
|--------------|--------------------------|-------------|
| July 4, 2013 | One Display of Fireworks | \$10,000.00 |
|--------------|--------------------------|-------------|

50% Deposit Payment Due by March 1st of each contract year

***** PLEASE RETURN INVOICE WITH PAYMENT *****

ZAMBELLI

F I R E W O R K S

Manufacturing Company

www.zambellifireworks.com

COMMUNICATION SHEET

Communication Sheet must be completed in its entirety and returned.
DO NOT complete items with "Same as Last Year" or "Already on File":
A Zambelli representative will contact one of the following
for further instructions.

ZAMBELLI FIREWORKS MANUFACTURING COMPANY
PO Box 1463
New Castle, PA 16103
724.658.6611 or 800.245.0397
724.658.8318 (Fax)

| Customer Information | Show Information |
|---|---|
| Customer Name: _____ Address: _____ City: _____ State: _____ Zip: _____ | Show Date: _____ Rain Date: _____ Time of Show: _____ Duration of Show: _____ |
| Firing Site Location | Storage Site Location |
| Description _____ Site Contact Name _____ Phone Number _____ Address _____ City _____ State _____ Zip _____ | Description _____ Site Contact Name _____ Phone Number _____ Address _____ City _____ State _____ Zip _____ |
| Contact Person | Alternate Contact #1 |
| Name _____ Address _____ City _____ State _____ Zip _____ Home Number _____ Fax Number _____ Office Number _____ Cell Number _____ E-mail _____ | Name _____ Address _____ City _____ State _____ Zip _____ Home Number _____ Fax Number _____ Office Number _____ Cell Number _____ E-mail _____ |
| Alternate Contact #2 | Alternate Contact #3 |
| Name _____ Address _____ City _____ State _____ Zip _____ Home Number _____ Fax Number _____ Office Number _____ Cell Number _____ E-mail _____ | Name _____ Address _____ City _____ State _____ Zip _____ Home Number _____ Fax Number _____ Office Number _____ Cell Number _____ E-mail _____ |

Suggested Routing from New Castle::

ZAMBELLI

F I R E W O R K S

Manufacturing Company

www.zambellifireworks.com

INSURANCE REQUISITION FORM

CUSTOMERNAME: _____

ADDRESS: _____

DISPLAY DATE: _____ TIME: _____

DISPLAY LOCATION: _____

NAMES OF ADDITIONAL INSURED: (Please include all sponsors): _____

NAME OF PROPERTY OWNER OR DISPLAY SITE: _____

CERTIFICATE TO BE ISSUED TO: _____

TITLE: _____ PHONE: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

THIS FORM MUST BE RETURNED WITH YOUR SIGNED CONTRACT IN ORDER FOR THE INSURANCE CERTIFICATE TO BE PROCESSED. OUR INSURANCE COMPANY REQUIRES THAT WE HAVE THIS FORM IN ADDITION TO THE SIGNED CONTRACT PRIOR TO THE CERTIFICATE BEING ISSUED.

THE INSURANCE COMPANY ALSO REQUIRES THAT A DIAGRAM OF THE DISPLAY SITE AND A DESCRIPTION OF THE SURROUNDING PROPERTIES BE SUBMITTED BEFORE THE SHOW. PLEASE ATTACH THE DIAGRAM TO THIS FORM. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE INSURANCE AND LOSS PREVENTION DEPARTMENT AT 1-800-245-0397.

ZAMBELLI

F I R E W O R K S

Manufacturing Company
www.zambellifireworks.com

REQUIRED DIAGRAM AND FIRING SITE INFORMATION

Dear Customer:

Our goal is to provide you with the **BEST** possible display for your event dollar under the safest conditions. **IT IS OF THE UTMOST IMPORTANCE THAT YOU SUPPLY US WITH A DIAGRAM OR MAP OF THE DISPLAY AREA.** The map/diagram should show distances from the firing site to spectators, parking areas, buildings etc.

Please use the following checklist to assist you in submitting your map/diagram. If an item is not applicable to your situation, please insert N/A.

The **BEST** results can only be achieved with preparation and planning, therefore it is a prerequisite that we receive this information to plan your show.

Distances (in feet) from the firing site to the following:

- 1) Spectators/Audience/Viewing Area _____ Feet
- 2) Parking Areas _____ Feet
- 3) Occupied Buildings: (Residents) _____ Feet
- 4) Public Buildings: (Schools, Churches, Hospitals
Correctional Facilities, Etc.) _____ Feet
- 5) Fuel Pumps/Storage, Explosive/Toxic Material Storage
(Gasoline Stations, Refineries, Etc.) _____ Feet
- 6) Temporary Event Set-ups: (Tents, Carnival Rides,
Concession Stands, Etc.) _____ Feet
- 7) Highways, Roads, Streets, Etc. _____ Feet
- 8) Overhead Obstructions: (Power Lines, Lighting, Etc.) _____ Feet
- 9) Active Railroads _____ Feet

Customer Name

Title

Date

Signature

SAFE SHOWS ARE A RESULT OF PROPER PLANNING!

ZAMBELLI FIREWORKS MFG. COMPANY

TOWN OF COLUMBUS
COLUMBUS, NORTH CAROLINA

AUGUST 17, 2012

SYNOPSIS

July 4, 2013, 2014 & 2015
\$10,000.00

| SHELL DESCRIPTION | QUANTITY |
|--|-----------------|
| OPENING FINALE: | |
| Three Inch Assorted Shells | 60 |
| Four Inch Assorted Shells | 18 |
| Four Inch Assorted Shells | 5 |
| BODY OF PROGRAM: | |
| Three Inch Assorted Imported & Domestic Shells | 200 |
| Four Inch Assorted Imported & Domestic Shells | 180 |
| Five Inch Assorted Imported & Domestic Shells | 48 |
| GRAND FINALE SHELLS: | |
| Three Inch Assorted Grand Finale Shells | 260 |
| Four Inch Assorted Grand Finale Shells | 54 |
| Five Inch Assorted Grand Finale Shells | 15 |
| ILUMINATION BARRAGES: | |
| 49 Shot Red, White & Blue Peonies | 2 |
| 49 Shot Green & Purple Crossette's | 2 |
| 49 Shot Multi Colored Aerialette's | 2 |

2012 Town Manager's Report
Prepared for Columbus Town Council
Thursday, September 20, 2012

- 1) **Columbus Water/Sewer Projects:** The Columbus WWTP project is still awaiting final approval from the Division in Raleigh. As mentioned last month, the State did not request any significant changes or revisions to the plan, but they are still working to finalize their approval. Mr. Tripp requested an update this week and was told the review hoped to be finished this week. Once this step is complete, and the LGC has reviewed and approved the financing for the project, we will be able to move forward with bidding the project. The timeline for bidding and awarding the project will be (more than likely) two or more months, and then construction can begin.

The Woods Well project is on-going. The tank was delivered within the past month and we are currently awaiting the arrival of the skid system on which the entire feed system will operate. The Town will distribute a press release once construction and implementation begins on this project to ensure that all residents and Columbus water customers are aware of the project and its impact on the system.

The hydraulic study is moving along well and the engineers are currently finalizing the water model and working on the written report. This will include a capital improvement plan (CIP), asset management plan, and water system master plan/preliminary engineering report. Our next progress report is due to the Rural Center in the middle of October, and this will be delivered well before the deadline.

- 2) **Polk County Community Foundation Grant:** The Town will be interviewed Tuesday, October 9th by the Unrestricted Grants Committee of the Community Foundation. If you will recall, this grant is in reference to the Town's possible application to the Handmade in America program, and would fund a significant portion of the upfront costs for the business plan and program. An update on this project and interview will be provided during the October council meeting.
- 3) **Polk County Waterline Interconnection:** The water line will connect Polk County and the Town is nearing completion. This waterline will provide the Town with an emergency backup from the western end of our system in the event a significant leak is found that requires closing that line. This will enable us to continue service for Polk County High School and the Industrial Park during a water line break or repair.
- 4) **North Carolina State Employees' Credit Union Construction:** The construction project located just behind CVS and Wendy's is ongoing. The water and sewer lines to

serve the property are fully installed. Town staff was present for the majority of the process to ensure proper work and to identify where major valves and appurtenances are located on the lines. The backfilling was done to ensure proper compaction for the sewer line, and the road to the property has been completed very nicely and includes curb and guttering which looks terrific. The building construction should begin soon, and we will keep you posted as this project moves forward.

Columbus Police Department

Monthly Activity Report

August 2012

Calls Answered

| | |
|-------------------------|----|
| Wrecks | 11 |
| Alarm Calls | 8 |
| Talk with an Officer | 32 |
| Domestic | 3 |
| Suspicious Vehicles | 22 |
| Suspicious Person | 13 |
| Assist Fire/EMS | 13 |
| Larceny | 1 |
| Stranded Motorists | 7 |
| Disturbance | 3 |
| Involuntary Commitments | 1 |
| Breaking & Entering | 1 |
| Suicide Threat | 0 |
| Hit and Run | 0 |
| Armed Robbery | 0 |

Total Calls Answered: 394

Premise Checks

| | |
|---------------------|--------------|
| Residence Checks | 291 |
| Business Checks | 3,612 |
| Church Checks | 45 |
| Total Checks | 3,948 |

Charges

| | |
|-------------------------------|------------|
| Speeding Citations | 95 |
| No Operators License | 17 |
| Driving While License Revoked | 3 |
| Drug Charges | 31 |
| Uninsured Motorists | 2 |
| Careless & Reckless Driving | 8 |
| Open Container | 34 |
| Total Citations | 243 |

Arrests

| | |
|----------------------|-----------|
| Felony Arrests | 11 |
| Misdemeanor Arrests | 14 |
| DWI | 13 |
| Fugitives Arrested | 6 |
| Total Arrests | 25 |

Training Topics

Introduction to Traffic Crash Investigation
Traffic Homicide Case File Preparation
Intoxilizer Intox EC/IR II Recertification
Child Safety Seat Technician
Identification of Fraudulent Documents
Bath Salts, K2-Spice & Synthetic Cannabinoids
Asset Forfeiture & Risk Avoidance
Initial Response to the Suicide Bomber
Illegal Diversion of Prescription/Pharmaceutical Drugs

Total Training Hours Received: 220

Requested to Assist Sheriff's Office / City Police Departments

| | |
|-------|----|
| Calls | 13 |
| Hours | 24 |

TOWN OF COLUMBUS

PUBLIC WORKS REPORT

AUGUST 2012

8/1- 8/3

BEGAN 2 INCH WATER LINE LOOP FEED AT SHUFORD DRIVE CONNECTING TO BILO GROCERY. THIS PROJECT WAS STARTED DUE WATER QUALITY COMPLAINTS FROM BONNIE BRAE VETERINARY SERVICES. THIS IS A 300 FOOT LINE WITH TWO, 2 INCH ISOLATION VALVES.

PUBLIC WORKS WAS ONSITE FOR THE TIE-IN TO THE WATER LINE SUPPLYING POLK HIGH SCHOOL. A CUT OFF VALVE WAS INSTALLED TO ISOLATE THE COUNTY SUPPLY AND THE COLUMBUS SUPPLY SIDE.

ANOTHER WATER TIE-IN WAS MADE ON WEAVER ST. (THE ACCESS ROAD NEXT TO CVS LEADING TO THE NEW SECU BANK UNDER CONSTRUCTION) PUBLIC WORKS WAS AGAIN ON HAND. WHEN A VALVE OR TIE-IN IS MADE, IT MUST BE PRESSURE TESTED. THE TEST IS EITHER AIR OR FLUID UNDER PRESSURE FOR A GIVEN TIME AT THE VALVE TIE-IN. THIS TESTS THE QUALITY OF THE MECHANICAL JUNCTION AND VALVE QUALITY AS WELL. PRESSURIZED AIR@150 psi, WAS MAINTAINED FOR 30 MINUTES, GIVING ASSURANCE WATER WILL NOT BE LEAKING WHEN PLACED ON LINE BECAUSE ONCE IT'S UNDER GROUND, ITS TOO LATE.

8/6- 8/10

A CONTRACTOR FOR FOOD LION GROCERY WAS HERE THIS WEEK TO INSTALL NEW LIGHTING IN THEIR PARKING LOT. PUBLIC WORKS LOCATED THE WATER LINES. THE CONTRACTOR WAS USING UNDERGROUND BORING TO RUN THE WIRES. WE HAD TO MAKE SURE WATER LINES WERE NOT HIT. THIS MEANS DIGGING AND EXPOSING THE LINE AT VARIOUS SPOTS, SO THAT THE CONTRACTOR CAN SEE THE DEPTH OF THE WATER LINE. WE ALSO PLAN FOR A BROKEN LINE. WE GATHER EQUIPMENT, REPAIR PARTS, AND LOCATE VALVES. JUST IN CASE. THIS TAKES A LOT OF TIME.

OBSERVED CONTRACTOR ON WEAVER ST. SET FIRE HYDRANT AND VALVES. WE WANT TO MAKE SURE THERE IS AN ISOLATION VALVE FOR THE HYDRANT, AND A SHUT OFF AT THE END OF THIS LINE. THIS IS AN ISSUE IN THE MORGAN CHAPEL DEVELOPMENT. MOST HYDRANTS DO NOT HAVE ISOLATION VALVES MAKING THE CURRENT ISSUE OF LOW PRESSURE MORE COMPLICATED.

RECEIVED PLANS FROM NCDOT FOR PENIEL RD CURB AND GUTTER PROJECT. ISSUES WERE COMMUNICATED TO STEVE CANNON AT NCDOT BECAUSE OF CATCH BOXES AND WATER LINE CONFLICTS. A MEETING HAS BEEN SCHEDULED TO REVIEW PROJECT BEFORE CONSTRUCTION. WE ARE WAITING ON NCDOT TO CONTACT THE TOWN.

8/13- 8/17

A SURFACE AERATOR HAD FAILED AT THE WWTP. IT COULD NOT BE REPAIRED (REWOUND). A LARGER SPARE MOTOR WAS USED IN ITS PLACE. BECAUSE *IT IS* LARGER, AN UPGRADE HAD TO BE MADE TO THE MOTOR CONTROL (SIMILAR TO AN ELECTRICAL BREAKER IN A HOUSE). THE MOTOR IS ON LINE AND WORKING WELL. THE PLANT IS STILL DOWN ONE AERATOR. NOTHING IS EASY.

OBSERVED THE INSTALLATION OF THE SEWER LINE AND 3 MANHOLES ON WEAVER ST. SEWER LINES ARE ALSO PRESSURE TESTED FOR LEAKS.

DISCOVERED A WATER LINE TIED INTO THE SUPPLY ABOVE THE METER AT 1685 LYNN RD. THIS LINE IS SERVICING 21 UNITS NEXT TO 1685 LYNN RD. AN ADJUSTMENT WAS MADE TO THE BILLING. SAID ANOTHER WAY, THE TOWN PICKED UP 21 NEW WATER CUSTOMERS.

8/20- 8/24

PUT DOWN RIP RAP ROCK ON WALL ST. TO COVER EXPOSED RESIDENTIAL SEWER LINE AND ASSIST WITH STORMWATER RUN OFF. ALSO ADDED RIP RAP TO OVERLOOK, HAMPTON COURT, AND WALKER ST. TO ASSIST WITH STORMWATER RUN OFF AND EROSION.

FOUND ANOTHER BURIED VALVE IN MORGAN CHAPEL VILLAGE. THE LOW PRESSURE ISSUE IS STILL COMPLICATED BY HAVING NO ISOLATION VALVES AT HYDRANTS.

8/27- 8/29

WATER LEAK AT WWTP. NO MAPS OR PLANS OF THE WATER SYSTEM EXIST SO WE DUG HERE AND THERE TO NO AVAILE. BMP SAYS; WE WILL LIVE WITH IT UNTIL CONSTRUCION BEGINS. .

MET WITH STEVE CANNON, NCDOT, REGARDING THE ENTERANCE TO BEECHWOOD. HIS OBSERVATION WAS THAT THE STREET SHOULD BE STRAIGHTENED AND CONNECT WITH RT 108.

CONNECTED STORM WATER CULVERT PIPE ON NORTH PEAK ST. THIS PIPE IS BURIED AND WILL BE PAVED TO ALLOW FOR MORE PARKING. THE SIDEWALK NEXT TO THIS AREA IS BEING REMOVED AND REPOURED. A NEW CATCH BOX TO COLLECT STORMWATER IS BEING POURED ALSO. A METAL GRATE FOR THE TOP WILL BE MADE BY THE PUBLIC WORKS- 'METAL FABRICATION AND WELDING SHOP'. (BERT)

TOWN OF COLUMBUS

ABC BOARD

Monday August 13, 2012

The ABC Board met at the Columbus Hardware store. Present were Pat Feagan chair, Marshall Watkins board member, Devin Williams secretary and Kim Hall financial advisor, and store manager George Miller.

Chair Pat Feagan called the meeting to order (5:15 pm). Marshall makes a motion to approve minutes, Chair seconds. Chair makes a motion to approve the agenda, Marshall seconds. Secretary Devin Williams reads the Ethics and Conflict of Interest statement.

In accordance with GS 18B-201, it is the duty of every board member to avoid both conflicts of interest and appearances of conflicts. Does any member have any known conflict of interest or appearance of conflict with respect to any matters coming before the board today?

No says all.

OLD BUSINESS

- 1) New Hires are doing well. George hired Rickey McFalls as a part time clerk.
- 2) The State has requested that if we are not able to obtain the police report on time to turn it in blank. George is in compliance with the request of the state on this matter.
- 3) There is no way to fund a donation out of the ABC budget in the memoriam of Howard Sominet, so Marshall motions that the board place a photo of Howard in the store in honor of Howard's more than a decade of service.

NEW BUSINESS

- 1) Chair motions to add CFO Kim Hall to the banks signing card. Marshall seconds.
- 2) Store Manager George Miller will order far less Holiday special liquors this year because of previous sales.
- 3) McNutt service group will be doing the annual service on the stores heat and air unit.
- 4) Board will be drafting a policy to put forth to the Town of Columbus in regards to additional pay in the occurrence that board members are mandated by state to attend classes etc. or in the instance that they work extensive time/ multiple meetings in a month.
- 5) Chair motions to give the Town of Columbus \$500.00. Marshall seconds.

NCAC 02R.1706(b) states "If a local board has a price discrepancy between the price on the shelf or bottle is lower, the local board shall sell the item at the shelf or bottle price and correct the shelf or bottle price to match the Commissions published uniform price."

THIS IS OFFICIAL BOARD POLICY

With no further business Pat motions to adjourn at 6:05 pm, Marshall seconds.

August 2012 Town of Columbus Fire Department Incident Summary Report

| Type of Incident | Number | Firefighter Hours Utilized |
|--|--------|----------------------------|
| Emergency Medical Calls | 60 | 38:49 |
| Vehicle Fire | 2 | 3:15 |
| Smoke Complaint | 2 | 3:36 |
| Structure Fire | 3 | 128:09 |
| Fire Alarm | 7 | 12:39 |
| Public Service | 1 | 1:46 |
| Cover Station | 1 | 2:14 |
| Motor Vehicle Accident | 7 | 30:48 |
| Assist Law Enforcement | 1 | 0:36 |
| Structure Fire "AA" | 1 | 3:22 |
| D&C Fire Alarm "AA" | 7 | 3:07 |
| D&C MVA | 1 | 1:05 |
| Tree Down | 3 | 7:49 |
| Grill Fire | 1 | 0:16 |
| D&C Structure Fire "AA" | 2 | 2:26 |
| No Incident Located | 2 | 3:44 |
| Lock Out | 1 | 0:32 |
| | | |
| Total | 102 | 244:13 |
| Training Hours for August | | 154:30 |
| Total firefighter hours calls and training | | 398:43 |