

**Town of Marshville  
Town Council Meeting  
Monday, October 6, 2014  
Marshville Town Hall – 201 West Main St.**

**Regular Meeting**

**Present:** Mayor Deese, Mayor Pro-Tem Virginia Morgan, Council Members Margaret Bivens, Norma Carpenter, Gary Huntley and Jim Rowell

**Staff Present:** Town Manager, Fern Shubert; Clerk/Finance Officer, Tonya Johnson; Town Attorney, Bobby Griffin; Director of Public Works, Bivens Steele; Director of Utilities, Alicia Melton; Tax Collector/Asst. Clerk, Debbie Morton; Chief of Police, Matt Tarlton; Community Development Director, Alan Thifault

**Call to Order/Invocation/Pledge of Allegiance**

Mayor Deese called the meeting to order at 7:05 pm and welcomed everyone in attendance. The invocation was given by Council Member Huntley. The Pledge of Allegiance was given by everyone.

**Adoption of Agenda for the Meeting**

A motion to adopt the agenda as received was made by Council Member Rowell, seconded by Council Member Huntley and passed unanimously.

**Public Comment**

Leslie Boyd, of 10011 Chimney Drive, Waxhaw, introduced herself as an at-large candidate running for the Union County Board of Education. Ms. Boyd provided some information regarding her background and education. Ms. Boyd stated expressed her desire to represent all of Union County and to bring a fresh voice to education in Union County.

Mark Traywick, of 8216 Hwy. 74 E., Marshville, announced the Small Town Main Street meeting scheduled for Tuesday, October 7, 2014 at the Marshville Community Center. Mr. Traywick stated that Ms. Sherry Adams will be present and encouraged everyone to attend.

Mary Harrell, of 6109 W. Marshville Blvd., addressed the council on behalf of residents upset about high water bills. Ms. Harrell stated that it is a disgrace to Marshville that people can't even afford to wash their clothes. Ms. Harrell asked what can be done to lower water bills.

Bill Whitley, 7712 Pleasant Hill Church Road, introduced himself as the Director of Union County Parks and Recreation and spoke concerning the Union County Parks & Recreation Comprehensive Master Plan. Mr. Whitley commented that he utilized the Boll Weevil Festival to publicize the Plan. Mr. Whitley stated that he will provide notification of a meeting scheduled in November once the details become available.

**Consent Agenda**

- September 2, 2014 Town Council Minutes - Regular Meeting
- Budget Report – July 2014 & August 2014
- Budget Amendment 2015-02 – Marshville Cemetery
- Proclamation Recognizing October 2014 as Domestic Violence Awareness Month
- Release of Utility Debt

A motion to approve the consent agenda and accept the items thereon was made by Council Member Rowell. The motion was seconded by Council Member Bivens and passed unanimously.

**Public Hearing to Receive Input on request for Voluntary Contiguous Annexation – Hasty Road Property, Union County PIN 021450126**

A motion to open the public hearing was made by Council Member Rowell, seconded by Council Member Bivens and passed unanimously. The Town Manager stated that this public hearing is concerning a petition to annex a parcel on Hasty Road, Union County PIN 021450126, that was presented at a prior meeting and that there are no known issues concerning the property. The Town Manager conveyed that the petitioner has requested that council action be tabled while the petitioner obtains more information. There were no comments or questions. A motion to close the public hearing and to table the matter until a further time that the petitioner can get more information was made by Council Member Rowell, seconded by Mayor Pro-Tem Morgan and passed unanimously.

**Public Hearing to Receive Input regarding revisions to the Town of Marshville Code of Ordinances – Amendment to Title V: Public Works, Chapter 50. Garbage and Refuse Collection, Section 50.09.**

A motion to open the public hearing was made by Council Member Rowell, seconded by Council Member Carpenter and passed unanimously. The Town Manager stated that the proposed amendment to the garbage ordinance has been discussed with Peggy Poston of Waste Connections. The Town Manager explained that the proposed amendment is an effort to simplify an issue for business owners who are also residents and for new businesses coming to Marshville. Mayor Deese asked the manager if she's spoken with anyone from the School of Government. Mayor Deese commented that there were concerns when this issue was looked into previously. Mayor Deese stated that he could not recall the information from before and could not comment on the specific item of concern that was raised. At this time public comments were heard concerning the garbage ordinance.

Robert Morgan, of 2331 Pleasant Grove Church Rd, stated that his parents are required to push a garbage can more than 120 yards to the street. Mr. Morgan stated that garbage was made mandatory and he was told that he must pay whether the service is utilized or not. Mr. Morgan stated that business owners don't mind paying but that being forced and offered no choice leaves a bad taste. Mr. Morgan thanked the council for looking into the issue.

Peggy Poston, of 4086 Charles Williams Lane, Granite Falls, NC, introduced herself as the representative for Waste Connections. Ms. Poston commented that the proposed amendment to the ordinance will not be a burden to Waste Connections and that the company wants to be supportive of whatever the council decides.

Council Member Rowell commented that some business owners that are also residents contract for dumpsters and still have to pay for garbage services. Council Member Rowell stated that the council needs to work out a way to help these business owners. Mayor Deese stated that he can't comment on the issue because he is waiting for information from a representative from the School of Government. Mayor Deese recalled that when this issue came up before concerns arose about certain legalities. The Town Manager commented that the issue may have to do with treating certain classes equally. The Town Manager stated that the proposed amendment only applies to businesses that contract for dumpster service. Town Attorney Griffin stated that it is lawful for a town to require solid waste participation. He also commented that, upon a cursory examination of the law, if a person has contracted otherwise then the town cannot force them to pay town fees. Mayor Deese stated that he just wants to be certain that the town is within its legal rights. The Town Manager suggested that the public hearing be closed and any action tabled until information can be received from personnel at the School of Government concerning the issue.

Carol Moss, of 616 Olive Branch Road, expressed objection to paying \$18.20 per month for garbage service. Ms. Moss stated that her water bill with garbage exceeds her electric bill. Ms. Moss commented that her son-in-law has a dumpster at a business in Monroe and will pick up her trash. Mayor Deese

commented that Ms. Moss's situation does not apply because she is not business owner who is also a resident.

Betty Colston, of 835 Hasty Road, stated that Marshville's utility bills are too high and the fees are ridiculous. Ms. Colston expressed her opinion that the elected officials don't understand because they've got it made.

A motion to close the public hearing was made by Council Member Bivens. The motion was seconded by Council Member Huntley and passed unanimously. Mayor Pro-Tem Morgan requested to recuse herself from voting due to a conflict. Her request was accepted by the council.

Council Member Rowell made a motion to adopt the proposed ordinance revision based upon the cursory explanation from the town attorney. The Town Manager explained the proposed change to the garbage ordinance at the request of Council Member Bivens. Mayor Deese asked if he, as a business owner and a resident, contracts for a dumpster can he allow other residents to use his dumpster and opt out of garbage service. The Manager stated that he can share the cost of the dumpster with others upon written authorization on file. Mayor Deese reiterated that he could allow residents to use his dumpster and, in turn, the residents could opt out of garbage service. The Manager stated that is her understanding. Council Member Rowell withdrew the motion to adopt the proposed ordinance revision and made a motion to table the issue until a later date. The motion was seconded by Council Member Carpenter and passed unanimously. (Mayor Pro-Tem Morgan recused herself from voting due to a conflict).

#### **Designation of Authorized Voting Delegate and Alternate Voting Delegate for the NCLM Annual Business Meeting, Monday, October 13, 1:30 pm**

Mayor Deese stated that the council needs to appoint delegates for the NCLM Annual Business Meeting in order to vote at Tuesday's meeting. Mayor Pro-Tem Morgan was selected as the voting delegate and Council Member Carpenter was selected as the alternate voting delegate.

#### **Tentative Award of the Hwy. 74 Sidewalk Contract upon approval from NC DOT**

The Town Manager reported that bids for the sidewalk project were received and the low bid came in at \$148,580. The engineer's recommendation is to go with the low bid received from Armen Construction. The Town Manager stated that, according to the engineer, the contractor is competent. Council Member Rowell inquired about a time line for completion of the project. Public Works Director Bivens Steele commented that the projected time frame for completion of the project is ninety days. Council Member Rowell made a motion to tentatively award the bid for the Hwy. 74 Sidewalk Contract to Armen Construction for the low bid of \$148,850, pending NC DOT approval. The motion was seconded by Mayor Pro-Tem Morgan. Prior to the vote a member of the public, Fred Burton of 708 E. Union Street, Marshville, a retired NC Dot Civil Engineer, inquired about the parameters concerning the construction. The Town Manager stated that the engineer is not present and informed Mr. Burton that his inquiry will be passed on to the engineer. The motion carried with a unanimous vote.

#### **Discussion and possible action concerning early termination of the Lease Agreement for 107 N. Elm Street**

The Town Manager reported that the tenant leasing the property at 107 N. Elm Street originally requested to extend the lease for another year but due to a financial hardship he has now requested early termination of the lease agreement. The Manager stated that she has talked with the tenant and he agrees to pay the amount currently owed by the end of the year. Council Member Rowell asked that once the lease is terminated can another tenant lease the building. The Manager replied that the building could be advertised for lease. Mayor Deese questioned whether there should be a formal agreement terminating the lease. The Manager stated that there is a signed letter in the agenda packet from the tenant requesting to terminate the lease. Council Member Rowell made a motion that staff draft a document expressing the terms for early termination of the lease agreement including the date, amounts and terms of repayment of

any amounts currently owed to the town. The motion was seconded by Council Member Carpenter and passed unanimously.

**Discussion and possible action concerning authorization to formally request that natural gas be extended to Marshville customers on the same basis it is extended to Monroe customers**

The Town Manager referenced a brochure included in the agenda packet from the City of Monroe regarding Natural Gas. The brochure states that a typical residential customer could save \$1,000 each year. The Manager recommended that the council continue to pursue the City of Monroe and/or Piedmont Natural Gas to get natural gas to Marshville to help lower the heating costs for the residents of Marshville. Council Member Rowell commented on several meetings he has attended with engineers from the Natural Gas division of the City of Monroe and with Chris Plate who works with the economic development group. Council Member Rowell reported that there is a natural gas line at East Union Middle School. Council Member Rowell stated that the City of Monroe has a policy on how to get natural gas that includes certain requirements. Incentives are also offered to encourage homeowners to make the switch to natural gas. Council Member Rowell commented that a formal request puts the City of Monroe in the mode to come out and resurvey, research locations for a line and determine the costs involved. Council Member Rowell commented that Piedmont Natural Gas also has a line in the vicinity. Council Member Rowell added that the town has some good allies including the Superintendent of Union County Schools and some members of the Board of Education. Council Member Rowell reported that he's been given some preliminary figures from the Superintendent that would result in a savings of an estimated \$100,000 per year in energy costs for Marshville Elementary School. Natural gas can benefit the Town of Marshville by aiding in the recruitment of new businesses. Mayor Deese clarified that the manager is requesting authorization to prepare a formal request to be signed by the mayor requesting that the Town of Marshville be added to the City of Monroe's Natural Gas and further, to authorize the manager to have discussions with the utilities commission. A motion was made by Mayor Pro-Tem Morgan to authorize the mayor and the manager to sign letters to submit to Piedmont Natural Gas and to the City of Monroe to explore what can be done to get natural gas to Marshville. The motion was seconded by Council Member Carpenter and passed unanimously.

**Discussion and Possible Action concerning adding Randy Travis's name to the "Welcome to Marshville" Signs**

Council Member Bivens stated that she had issue with the signs being changed without the approval of the council. Council Member Bivens expressed the possibility of Randy Travis' name on another sign in town since he did contribute to the Town of Marshville. Council Member Carpenter stated that the signs should be left as they are. Council Member Rowell commented that this issue has been misconstrued and that the new manager made a decision to replace damaged signs. Council Member Rowell stated that there is discussion about placing a Randy Travis sign at the Marshville Museum. Council Member Rowell stated he has nothing against Randy Travis but he doesn't think Randy Travis' name should be on the welcome sign. Council Member Huntley stated that he has nothing against Randy Travis but he doesn't feel taxpayer money should be spent in that manner and that the council should be careful about putting any person's name on a welcome sign. Mayor Pro-Tem Morgan agreed with Council Member Rowell and Huntley. The Town Manager commented that this issue has been a learning experience and that she meant no disrespect to the council. The Manager stated that she did not think this was of any significance and merely asked staff to replace the damaged sign. Mayor Deese commented on the manager's remark that the other sign didn't look good, stating that is a matter of opinion. The Town Manager clarified that her comment was directed toward the damaged condition of the sign. Mayor Deese stated that he has no problem with Randy Travis' name being on the welcome sign and that the town could have capitalized on Randy Travis' name if Marshville had things to draw people to town. Mayor Deese added that Randy Travis is the most famous person from Marshville.

**Set date for the Annual Christmas Tree Lighting – *staff recommends Friday, December 5, 2014***

A motion was made by Council Member Rowell to set Friday, December 5, 2014 at 6:30 pm as the date for the Annual Christmas Tree Lighting. The motion was seconded by Council Member Carpenter and passed unanimously.

**Discussion regarding the annual Veterans' Day event – *November 11, 2014***

Council Member Rowell commented on the recently discovered WWII monument at the Marshville Cemetery. Council Member Rowell reported that donations received from an Eagle Scout project are being used to put up a flag and some lights at the monument. Council Member Rowell informed council of plans for a Veteran's Day service at the cemetery, followed by a short memorial service at the Veteran's Memorial uptown and then a reception at the Marshville Museum. The Town Manager stated that Ms. Ruby Stegall and Mr. Toby Kiker have been working at the Marshville Cemetery and donations have contributed to the installation of a new fence. The Manager encouraged council members to go visit the cemetery. Council Member Rowell commented that workdays at the cemetery are scheduled for Saturday, October 11 and October 18, 2014.

**Town Manager's Report**

- October is Domestic Violence Awareness month.
- Crown Castle, a company that manages cell tower leases has expressed interest in managing the leasing of the Town of Marshville's water tower lease sites.
- Surplus auction of the old Fire Truck brought \$2,025.00 after commission.
- The Community Development Director assisted in organizing a blood donor event held at the Community Center
- Rate Study/Capacity Fees - The Manager reminded the council of discussions at a prior meeting to contract with LKC Engineering to perform a rate and capacity fee study. NC Rural Water will perform a rate study at no charge. The Manager stated that we don't want to run people out of Marshville with high rates and that staff is engaging with Union County in an attempt to work on the sewer rates. The Manager stated that the town is applying for a grant for system improvements.
- Fire Hydrant is being repaired/replaced on East Union Street

**Mayor and Town Council Member Comments**

Mayor Pro-Tem Morgan requested that the town look into online bill pay and professional services for a good web page for the town.

Council Member Huntley commented that October is breast cancer month. He thanked members of the public for their presence. Council Member Huntley thanked staff.

Council Member Rowell commented that the Boll Weevil event was good. He reminded everyone of the Veteran's Day event scheduled for November 11, 2014 at 11:00 am. Council Member Rowell commented on plans for Halloween Night in Downtown with trunk or treating, a hayride and a hotdog supper.

Council Member Carpenter provided an update on the Marshville Museum happenings and stated that volunteers are needed. Council Member Carpenter commended staff for their hard work.

**Adjourn**

A motion to adjourn was made by Council Member Huntley, seconded by Council Member Rowell and passed unanimously. There being no further comments the meeting adjourned at 8:40 pm.

These minutes approved this 3<sup>rd</sup> day of November, 2014.

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

Frank Deese, Mayor

ATTEST: \_\_\_\_\_

Tonya D. Johnson, Town Clerk

### 10: General Fund Revenues as of July 31, 2014

Revenues Sources	FY 2014-2015 Budget	YTD	Variance	Percent Collected
10-3010-0000 Ad Valorem Taxes	727,000.00	1,128.16	-725,871.84	0%
10-3010-0100 Motor Vehicles	58,200.00	4,864.77	-53,335.23	8%
10-3010-0500 Prior Year Tax Collect	11,000.00	0.00	-11,000.00	0%
10-3170-0000 Tax Penalties & Interest	4,500.00	1,184.44	- 3,315.56	26%
10-3250-0000 Privilege Licenses	2,500.00	1,804.00	- 696.00	72%
10-3290-0000 Interest On Investment	7,000.00	28.23	(6,971.77)	0%
10-3317-0000 Controlled Sub Tax	0.00	0.00	0.00	
10-3318-0000 Police Grant	0.00	0.00	0.00	
10-3319-0000 Police Calendar Sales	300.00	0.00	- 300.00	0%
10-3319-0100 Police Protection Revenue	0.00	0.00	0.00	
10-3350-0000 Miscellaneous	1,800.00	315.36	- 1,484.64	18%
10-3350-0100 Sale Of Fixed Assets	0.00	2430.00	2,430.00	
10-3350-0200 Cash Short	0.00	-10.00	(10.00)	
10-3360-0000 Insurance Proceeds	-	0.00	0.00	
10-3360-0100 Reimbursement Proceeds	-	1.29	1.29	
10-3370-0000 Franchise Tax - Utilities	170,000.00	0.00	(170,000.00)	0%
10-3370-0100 Franchise Tax - Cable TV	1,600.00	0.00	(1,600.00)	0%
10-3370-0200 Solid Waste Disposal Tax	1,500.00	0.00	(1,500.00)	0%
10-3430-0000 Powell Bill Allocation	69,000.00	0.00	(69,000.00)	0%
10-3450-0000 Local Option Sales Tax	0.00	0.00	0.00	
10-3450-0010 Sales Tax Art. 39	61,000.00	5,705.14	(55,294.86)	9%
10-3450-0020 Sales Tax Art. 40	47,000.00	3,678.98	(43,321.02)	8%
10-3450-0030 Sales Tax Art. 42	30,000.00	3,025.92	(26,974.08)	10%
10-3450-0040 Sales Tax Art. 44	0.00	2.38	2.38	
10-3450-0050 Sales Tax Hold Harmless	48,000.00	3,517.98	(44,482.02)	7%
10-3450-0200 Beer & Wine Tax Distribution	10,000.00	0.00	(10,000.00)	0%
10-3491-0000 Planning/Zoning Fees	1,000.00	165.00	(835.00)	17%
10-3510-0000 Court Costs Fees & Charges	1,200.00	111.34	(1,088.66)	9%
10-3590-0000 Refuse Collection Fees	196,500.00	17,384.11	(179,115.89)	9%
10-3610-0000 Cemetery - Sale of Lot	3,750.00	0.00	(3,750.00)	0%
10-3610-0100 Cemetery - Donations	0.00	0.00	0.00	
10-3610-0200 Cemetery - Grave Opening	0.00	0.00	0.00	
10-3650-0000 Recreation Activity Fee	300.00	70.00	(230.00)	23%
10-3650-0100 Grant For Park	0.00	0.00	0.00	
10-3650-0120 Park Donation	0.00	0.00	0.00	
10-3650-0130 Skate Park Donations	0.00	0.00	0.00	
10-3650-0200 Park Concessions	0.00	0.00	0.00	
10-3650-0300 Facilities Rental Fee	2,200.00	140.00	(2,060.00)	6%
10-3710-0400 Late Fee	0.00	0.00	0.00	
10-3834-0000 Property Leases	63,100.00	6,780.76	(56,319.24)	11%
10-3984-0000 Transfer From 40 Fund	0.00	0.00	0.00	
10-3990-0000 Encumbered Fund Balance	0.00	0.00	0.00	
10-3990-0100 Encumbered Powell Bill	56,000.00	0.00	(56,000.00)	
10-3990-0200 Encumbered Cont. Substance	0.00	0.00	0.00	
10-3990-0300 Encumbered Solid Waste	9,922.00	0.00	(9,922.00)	
<b>Total Revenues 10</b>	<b>1,584,372.00</b>	<b>52,327.86</b>	<b>(1,532,044.14)</b>	<b>3%</b>

## FY 2014 - 2015 Budget Expenditure Summary

### 10 - General Fund Expenditures as of July 31, 2014

	Department	FY 2014-2015 Budget	YTD	Variance	Percent Spent
4100	Governing Body	\$69,040.00	\$3,164.72	65,875.28	5%
4200	General Government	\$255,200.00	\$19,800.88	235,399.12	8%
4500	Community Development	\$129,865.00	\$3,839.45	126,025.55	3%
5000	Public Buildings	\$37,400.00	\$727.90	36,672.10	2%
5100	Police	\$586,625.00	\$57,249.44	529,375.56	10%
5600	Streets	\$149,940.00	\$10,705.82	139,234.18	7%
5700	Powell Bill	\$56,000.00	\$4,405.26	51,594.74	8%
5800	Sanitation	\$218,485.00	\$6,474.32	212,010.68	3%
6200	Parks & Recreation	\$71,817.00	\$6,903.23	64,913.77	10%
6600	Non Departmental	\$10,000.00	\$0.00	10,000.00	0%
	<b>Totals</b>	<b>\$1,584,372.00</b>	<b>\$113,271.02</b>	<b>1,471,100.98</b>	<b>7%</b>



### 30: Enterprise Fund Revenues as of July 31, 2014

Revenues Sources		FY 2014-2015 Budget	YTD	Variance	Percent Collected
30-2290-0100	Contrib Spec Rev Fund	0.00	0.00	0.00	
30-3290-0000	Interest On Investment	9,000.00	14.47	(8,985.53)	0%
30-3350-0000	Miscellaneous Income	0.00	0.00	0.00	
30-3350-0100	Sale Of Fixed Assets	0.00	0.00	0.00	
30-3350-0300	Donated Assets	0.00	0.00	0.00	
30-3350-0400	Grant Proceeds	0.00	0.00	0.00	
30-3360-0000	Insurance Proceeds	0.00	0.00	0.00	
30-3710-0000	Charges Utilities Water	571,600.00	57,556.88	(514,043.12)	10%
30-3710-0100	Charges Utilities Sewer	759,170.00	61,163.04	(698,006.96)	8%
30-3710-0300	Delinquent Fees	18,000.00	1,750.00	(16,250.00)	10%
30-3710-0400	Late Fee	25,000.00	2,810.00	(22,190.00)	11%
30-3710-0500	Returned Check Fee	0.00	50.00	50.00	
30-3710-0600	Service Initiation Fee	3,500.00	425.00	(3,075.00)	12%
30-3710-0700	Service Call Fee	0.00	0.00	0.00	
30-3710-0800	After Hours Reconnect	0.00	40.00	40.00	
30-3710-0900	Tampering Fee	0.00	150.00	150.00	
30-3730-0000	Tap Fees - Water	4,800.00	0.00	(4,800.00)	0%
30-3730-0100	Tap Fees - Sewer	14,000.00	0.00	(14,000.00)	0%
30-3740-0000	Bad Debts	0.00	0.00	0.00	
30-3800-0000	Capital Contributions	0.00	0.00	0.00	
30-3940-0000	Transfer From Gen Fund	0.00	0.00	0.00	
30-3990-0000	Encumbered Fund Balance	0.00	0.00	0.00	
<b>Total Revenues for 30 Fund</b>		<b>1,405,070.00</b>	<b>123,959.39</b>	<b>(1,281,110.61)</b>	<b>9%</b>

## FY 2014 - 2015 Budget Expenditure Summary

### 30 - Enterprise Fund Expenditures as of July 31, 2014

Department		FY 2013 -2014 Budget	YTD	Variance	Percent Spent
8280	Water Operations	640,900.00	32,424.20	608,475.80	5%
8290	Sewer Operations	759,170.00	21,289.85	737,880.15	3%
6601	Non Departmental	5,000.00	0.00	5,000.00	0%
<b>Totals</b>		<b>1,405,070.00</b>	<b>53,714.05</b>	1,351,355.95	4%

# 10: General Fund Revenues as of August 31, 2014

Revenues Sources		FY 2014-2015 Budget	YTD	Variance	Percent Collected
10-3010-0000	Ad Valorem Taxes	727,000.00	4,204.73	-722,795.27	1%
10-3010-0100	Motor Vehicles	58,200.00	11,619.61	-46,580.39	20%
10-3010-0500	Prior Year Tax Collect	11,000.00	0.00	-11,000.00	0%
10-3170-0000	Tax Penalties & Interest	4,500.00	1,308.58	- 3,191.42	29%
10-3250-0000	Privilege Licenses	2,500.00	2,036.50	- 463.50	81%
10-3290-0000	Interest On Investment	7,000.00	54.65	(6,945.35)	1%
10-3317-0000	Controlled Sub Tax	0.00	0.00	0.00	
10-3318-0000	Police Grant	0.00	0.00	0.00	
10-3319-0000	Police Calendar Sales	300.00	0.00	- 300.00	0%
10-3319-0100	Police Protection Revenue	0.00	0.00	0.00	
10-3350-0000	Miscellaneous	1,800.00	819.36	- 980.64	46%
10-3350-0100	Sale Of Fixed Assets	0.00	2430.00	2,430.00	
10-3350-0200	Cash Short	0.00	-24.99	(24.99)	
10-3360-0000	Insurance Proceeds	-	0.00	0.00	
10-3360-0100	Reimbursement Proceeds	-	1.29	1.29	
10-3370-0000	Franchise Tax - Utilities	170,000.00	0.00	(170,000.00)	0%
10-3370-0100	Franchise Tax - Cable TV	1,600.00	0.00	(1,600.00)	0%
10-3370-0200	Solid Waste Disposal Tax	1,500.00	335.80	(1,164.20)	22%
10-3430-0000	Powell Bill Allocation	69,000.00	0.00	(69,000.00)	0%
10-3450-0000	Local Option Sales Tax	0.00	0.00	0.00	
10-3450-0010	Sales Tax Art. 39	61,000.00	12,359.57	(48,640.43)	20%
10-3450-0020	Sales Tax Art. 40	47,000.00	8,464.26	(38,535.74)	18%
10-3450-0030	Sales Tax Art. 42	30,000.00	6,562.52	(23,437.48)	22%
10-3450-0040	Sales Tax Art. 44	0.00	2.25	2.25	
10-3450-0050	Sales Tax Hold Harmless	48,000.00	8,338.13	(39,661.87)	17%
10-3450-0200	Beer & Wine Tax Distribution	10,000.00	0.00	(10,000.00)	0%
10-3491-0000	Planning/Zoning Fees	1,000.00	265.00	(735.00)	27%
10-3510-0000	Court Costs Fees & Charges	1,200.00	176.39	(1,023.61)	15%
10-3590-0000	Refuse Collection Fees	196,500.00	34,740.48	(161,759.52)	18%
10-3610-0000	Cemetery - Sale of Lot	3,750.00	0.00	(3,750.00)	0%
10-3610-0100	Cemetery - Donations	0.00	0.00	0.00	
10-3610-0200	Cemetery - Grave Opening	0.00	0.00	0.00	
10-3650-0000	Recreation Activity Fee	300.00	100.00	(200.00)	33%
10-3650-0100	Grant For Park	0.00	0.00	0.00	
10-3650-0120	Park Donation	0.00	0.00	0.00	
10-3650-0130	Skate Park Donations	0.00	0.00	0.00	
10-3650-0200	Park Concessions	0.00	0.00	0.00	
10-3650-0300	Facilities Rental Fee	2,200.00	390.00	(1,810.00)	18%
10-3710-0400	Late Fee	0.00	0.00	0.00	
10-3834-0000	Property Leases	63,100.00	12,042.16	(51,057.84)	19%
10-3984-0000	Transfer From 40 Fund	0.00	0.00	0.00	
10-3990-0000	Encumbered Fund Balance	0.00	0.00	0.00	
10-3990-0100	Encumbered Powell Bill	56,000.00	0.00	(56,000.00)	
10-3990-0200	Encumbered Cont. Substance	0.00	0.00	0.00	
10-3990-0300	Encumbered Solid Waste	9,922.00	0.00	(9,922.00)	
<b>Total Revenues 10</b>		<b>1,584,372.00</b>	<b>106,226.29</b>	<b>(1,478,145.71)</b>	<b>7%</b>

## FY 2014 - 2015 Budget Expenditure Summary

### 10 - General Fund Expenditures as of August 31, 2014

	Department	FY 2014-2015 Budget	YTD	Variance	Percent Spent
4100	Governing Body	\$69,040.00	\$12,158.35	56,881.65	18%
4200	General Government	\$255,200.00	\$39,186.06	216,013.94	15%
4500	Community Development	\$129,865.00	\$19,064.23	110,800.77	15%
5000	Public Buildings	\$37,400.00	\$821.12	36,578.88	2%
5100	Police	\$586,625.00	\$101,232.37	485,392.63	17%
5600	Streets	\$149,940.00	\$16,780.00	133,160.00	11%
5700	Powell Bill	\$56,000.00	\$6,863.90	49,136.10	12%
5800	Sanitation	\$218,485.00	\$21,650.21	196,834.79	10%
6200	Parks & Recreation	\$71,817.00	\$12,052.86	59,764.14	17%
6600	Non Departmental	\$10,000.00	\$0.00	10,000.00	0%
	<b>Totals</b>	<b>\$1,584,372.00</b>	<b>\$229,809.10</b>	1,354,562.90	15%

### 30: Enterprise Fund Revenues as of August 31, 2014

Revenues Sources		FY 2014-2015 Budget	YTD	Variance	Percent Collected
30-2290-0100	Contrib Spec Rev Fund	0.00	0.00	0.00	
30-3290-0000	Interest On Investment	9,000.00	27.42	(8,972.58)	0%
30-3350-0000	Miscellaneous Income	0.00	0.00	0.00	
30-3350-0100	Sale Of Fixed Assets	0.00	0.00	0.00	
30-3350-0300	Donated Assets	0.00	0.00	0.00	
30-3350-0400	Grant Proceeds	0.00	0.00	0.00	
30-3360-0000	Insurance Proceeds	0.00	0.00	0.00	
30-3710-0000	Charges Utilities Water	571,600.00	117,293.61	(454,306.39)	21%
30-3710-0100	Charges Utilities Sewer	759,170.00	124,893.97	(634,276.03)	16%
30-3710-0300	Delinquent Fees	18,000.00	3,700.00	(14,300.00)	21%
30-3710-0400	Late Fee	25,000.00	5,030.00	(19,970.00)	20%
30-3710-0500	Returned Check Fee	0.00	150.00	150.00	
30-3710-0600	Service Initiation Fee	3,500.00	975.00	(2,525.00)	28%
30-3710-0700	Service Call Fee	0.00		0.00	
30-3710-0800	After Hours Reconnect	0.00	40.00	40.00	
30-3710-0900	Tampering Fee	0.00	934.00	934.00	
30-3730-0000	Tap Fees - Water	4,800.00	0.00	(4,800.00)	0%
30-3730-0100	Tap Fees - Sewer	14,000.00	0.00	(14,000.00)	0%
30-3740-0000	Bad Debts	0.00	0.00	0.00	
30-3800-0000	Capital Contributions	0.00	0.00	0.00	
30-3940-0000	Transfer From Gen Fund	0.00	0.00	0.00	
30-3990-0000	Encumbered Fund Balance	0.00	0.00	0.00	
<b>Total Revenues for 30 Fund</b>		<b>1,405,070.00</b>	<b>253,044.00</b>	<b>(1,152,026.00)</b>	<b>18%</b>

## FY 2014 - 2015 Budget Expenditure Summary

### 30 - Enterprise Fund Expenditures as of August 31, 2014

	<b>Department</b>	<b>FY 2013 -2014 Budget</b>	<b>YTD</b>	<b>Variance</b>	<b>Percent Spent</b>
8280	Water Operations	640,900.00	75,707.06	565,192.94	12%
8290	Sewer Operations	759,170.00	59,339.39	699,830.61	8%
6601	Non Departmental	5,000.00	0.00	5,000.00	0%
<b>Totals</b>		<b>1,405,070.00</b>	<b>135,046.45</b>	1,270,023.55	10%

# Town of Marshville

## AMENDMENT

#2015 - 02

2014 - 2015 Budget Ordinance

**BE IT ORDAINED** by the Marshville Town Council that the 2014 - 2015 Budget Ordinance be amended as follows:

### Section 1. General Fund

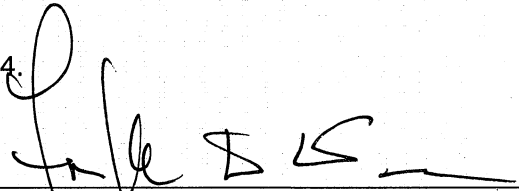
Increase	10-3610-0100	Cemetery Donations	\$5,940.00
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<b>Total Increase</b>			<b><u>\$5,940.00</u></b>
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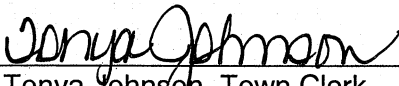
Increase	10-4500	Community Development	\$5,940.00
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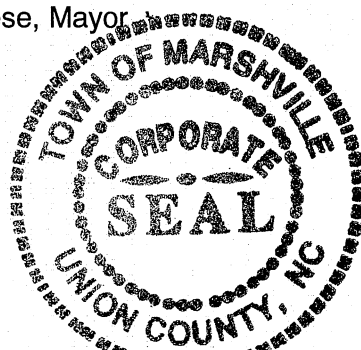
<b>Total Increase</b>			<b><u>\$5,940.00</u></b>
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Adopted this 6th day of October, 2014.

  
 Franklin D. Deese, Mayor

ATTEST:

  
 Tonya Johnson, Town Clerk



This Budget Amendment provides for: Cemetery donations received and the installation of 360' of 4' high fencing at the Marshville Cemetery (G/L Acct. 10-4500-7350 Capital Outlay-Cemetery).





**TOWN OF MARSHVILLE PROCLAMATION  
RECOGNIZING OCTOBER 2014 AS  
DOMESTIC VIOLENCE AWARENESS MONTH**

**WHEREAS**, domestic violence affects all Union County residents, and far too many people suffer abuse at the hands of a spouse, partner, parent, child, or sibling; these victims can be of any age, race, religion, or economic status and the resulting damage is inflicted not only on the victims, but their children, families, and communities; and

**WHEREAS**, domestic violence includes not only physical but also mental abuse, emotional abuse, financial abuse, sexual abuse, and isolation; and

**WHEREAS**, domestic violence is widespread, including one in three Americans who have witnessed an incident of domestic violence with an annual cost to US companies of \$3.5 billion in lost work time, increased health care costs, higher turnover, and lower productivity; and

**WHEREAS**, according to the North Carolina Coalition Against Domestic Violence, there have been 819 women, men, and children murdered as a result of domestic violence since January 1, 2002 in North Carolina; and

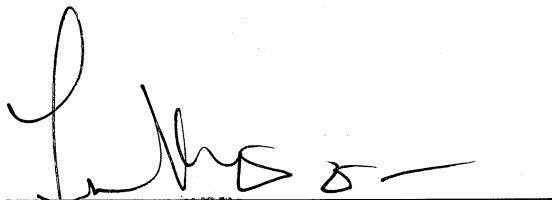
**WHEREAS**, according to the North Carolina Council for Women, domestic violence programs across the state responded to over 114,034 crisis calls and provided services to over 57,000 victims last year; and

**WHEREAS**, the key to prevention is education, community awareness, having zero tolerance for domestic violence, and requiring accountability by the abuser; and

**WHEREAS**, the Town of Marshville recognizes the importance of having collaborations by multiple partners to promote special norms, policies and laws that support gender equity and foster intimate partnerships based on mutual respect, equality, and trust; and

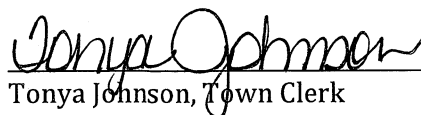
**NOW, THEREFORE**, be it resolved that I, Franklin D. Deese, Mayor of the Town of Marshville, do hereby proclaim October 2014 as Domestic Violence Awareness Month and urge all citizens to support this observance. I further urge our citizens to increase their awareness and education of this destructive force which deeply affects a large number of families in our State each year and to become part of the efforts to stop violence in families.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the Town of Marshville to be affixed this the 6<sup>th</sup> Day of October, 2014.

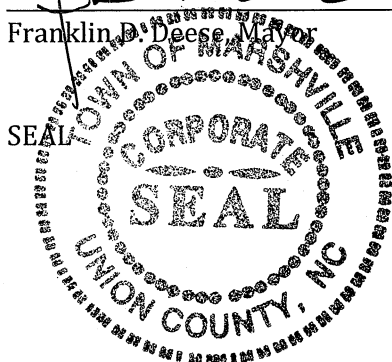


Franklin D. Deese, Mayor

Attest:



Tonya Johnson, Town Clerk





TOWN OF MARSHVILLE  
RELEASE OF UTILITY DEBT

In accordance with G.S. 25-2-725(1) which states "An action for breach of any contract for sale must be commenced within four years after the cause of action has accrued...", it is requested that the following utility debt be released by the Marshville Town Council due to the inability to enforce collections by any remedy. The amount of uncollectible debt carried by the Town of Marshville for FY 2013-2014 has been reduced by this amount and will not show as a receivable on the 2013-2014 Financial Statements.

Total utility debt including water, sewer garbage, and penalties greater than four (4) years delinquent to be considered released as of October 6, 2014 is **\$9,237.97** as of August 31, 2014.

DEBT SUMMARY

Water	\$ 750.03
Sewer	3,617.02
Garbage	3,317.04
Penalties	<u>1,553.88</u>
	<u>\$ 9,237.97</u>

Respectfully submitted by:

Alicia D. Melton  
Director of Utilities  
Town of Marshville



**LKC**Engineering  
Landscape Architecture  
Planning

September 29, 2014

Ms. Fern Shubert  
201 West Main Street  
Marshville, North Carolina 28103

Re: Highway 74 Sidewalk Improvements  
Town of Marshville, North Carolina  
LKC No. Marsh-14.02

Dear Fern:

Bids for the Highway 74 Sidewalk Improvements were received on September 10, 2014. The bids on the project ranged from a low bid of \$148,580.00 to a high bid of \$220,350.00. The low bid was submitted by Armen Construction of Charlotte, NC. We have discussed the project with the low bidder and they have confirmed their bid to be adequate to complete the work. We have also concurred with NCDOT and will submit your tentative award to them for final approval.

Therefore, we recommend a tentative award of the contract to Armen Construction for the low bid amount of \$148,580.00. Attached to this letter is the bid summary and tabulation showing the results of each bidder. Upon NCDOT concurrence, we will complete all requirements of the contract documents for the project to proceed.

If you have any questions, please do not hesitate to contact our office.

Sincerely,  
LKC Engineering, PLLC



Bill Lester, Jr., P.E.

**SUMMARY OF BID OPENING**

Bid Opening - September 10, 2014 @ 2:00 p.m.

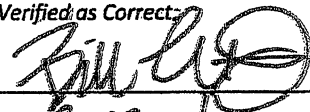
Highway 74 Sidewalk

Town of Marshville, North Carolina

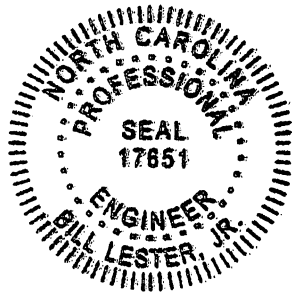
LKC Project No.: Marsh-14.02

CONTRACTOR	ADDRESS	LICENSE NO.	BID BOND	TOTAL BID AMOUNT
Armen Construction	Charlotte, NC	34073	X	\$148,580.00
H.C. Rummage, Inc.	Monroe, NC	10526	X	\$207,181.00
W.M. Warr & Son, Inc.	Indian Trail, NC	69418	X	\$220,350.00

Verified as Correct:

By: 

Date: 9.12.14

**LKC** engineering, pllc



BID DATE: 9/10/2014

PROJECT: US Highway 74 Sidewalk Impr.  
Town of Marshville, NC

TIME: 2:00 PM

LOCATION: Town of  
Marshville

Rec'd By: Bill Lester, Jr., P.E.

Armen						H.C. Rummage, Inc.	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization	1	LS	\$5,000.00	\$5,000.00	\$8,820.00	\$8,820.00
2	Traffic Control	1	LS	\$7,500.00	\$7,500.00	\$9,320.00	\$9,320.00
3	Undercut Excavation	15	CY	\$60.00	\$900.00	\$51.00	\$765.00
4	Comprehensive Grading	1	LS	\$22,000.00	\$22,000.00	\$33,196.00	\$33,196.00
5	Asphalt Concrete Base Course Type B25.0B	18	TN	\$145.00	\$2,610.00	\$377.00	\$6,786.00
6	Asphalt Concrete Intermediate Course, Type I19.0B	8	TN	\$145.00	\$1,160.00	\$320.00	\$2,560.00
7	Asphalt Concrete Surface Course, Type S9.5B	18	TN	\$145.00	\$2,610.00	\$377.00	\$6,786.00
8	Asphalt Binder for Plant Mix	5	TN	\$650.00	\$3,250.00	\$322.00	\$1,610.00
9	Asphalt Plant Mix, Pavement Repair	5	TN	\$340.00	\$1,700.00	\$322.00	\$1,610.00
10	2'-6" Concrete Curb & Gutter	90	LF	\$35.00	\$3,150.00	\$31.00	\$2,790.00
11	4" Concrete Sidewalk	2,200	SY	\$32.00	\$70,400.00	\$44.90	\$98,780.00
12	6" Concrete Driveway (Sidewalk)	20	SY	\$45.00	\$900.00	\$64.40	\$1,288.00
13	Concrete Curb Ramp	17	EA	\$950.00	\$16,150.00	\$1,053.00	\$17,901.00
14	Adjustment of Meter Boxes or Valve Boxes	3	EA	\$250.00	\$750.00	\$75.00	\$225.00
15	Adjust Existing Traffic Junction Box	1	EA	\$350.00	\$350.00	\$175.00	\$175.00
16	Detectable Warning Domes	4	EA	\$300.00	\$1,200.00	\$510.00	\$2,040.00
17	Incidental Stone	10	TN	\$45.00	\$450.00	\$53.00	\$530.00
18	Erosion Control	1	LS	\$2,500.00	\$2,500.00	\$9,759.00	\$9,759.00
19	Seeding and Mulching	0.4	AC	\$15,000.00	\$6,000.00	\$5,600.00	\$2,240.00
TOTAL BID AMOUNT:				\$148,580.00		\$207,181.00	



BID DATE: 9/10/2014

PROJECT: US Highway 74 Sidewalk Impr.  
Town of Marshville, NC

TIME: 2:00 PM

LOCATION: Town of  
Marshville

Rec'd By: Bill Lester, Jr., P.E.

W.M. Warr & Son, Inc.					
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL PRICE
1	Mobilization	1	LS	\$10,400.00	\$10,400.00
2	Traffic Control	1	LS	\$17,500.00	\$17,500.00
3	Undercut Excavation	15	CY	\$200.00	\$3,000.00
4	Comprehensive Grading	1	LS	\$33,000.00	\$33,000.00
5	Asphalt Concrete Base Course Type B25.0B	18	TN	\$250.00	\$4,500.00
6	Asphalt Concrete Intermediate Course, Type I19.0B	8	TN	\$250.00	\$2,000.00
7	Asphalt Concrete Surface Course, Type S9.5B	18	TN	\$250.00	\$4,500.00
8	Asphalt Binder for Plant Mix	5	TN	\$700.00	\$3,500.00
9	Asphalt Plant Mix, Pavement Repair	5	TN	\$500.00	\$2,500.00
10	2'-6" Concrete Curb & Gutter	90	LF	\$35.00	\$3,150.00
11	4" Concrete Sidewalk	2,200	SY	\$38.00	\$83,600.00
12	6" Concrete Driveway (Sidewalk)	20	SY	\$200.00	\$4,000.00
13	Concrete Curb Ramp	17	EA	\$1,500.00	\$25,500.00
14	Adjustment of Meter Boxes or Valve Boxes	3	EA	\$500.00	\$1,500.00
15	Adjust Existing Traffic Junction Box	1	EA	\$500.00	\$500.00
16	Detectable Warning Domes	4	EA	\$400.00	\$1,600.00
17	Incidental Stone	10	TN	\$100.00	\$1,000.00
18	Erosion Control	1	LS	\$15,000.00	\$15,000.00
19	Seeding and Mulching	0.4	AC	\$9,000.00	\$3,600.00
TOTAL BID AMOUNT:				\$220,350.00	





October 1, 2014

Town of Marshville

To Whom It May Concern:

In regards to the lease agreement of the 107 North Main Street building formerly known as Precision Computer Repair.

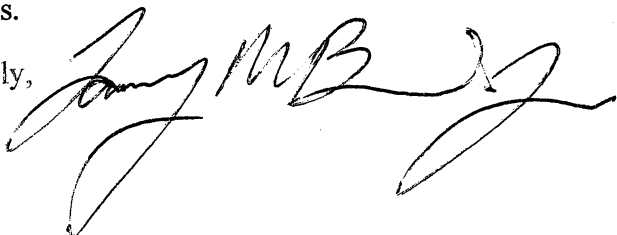
I Tommy Bivens, the owner and operator of Precision Computer Repair write this letter for two reasons:

First, I would like to request immediate termination of the lease agreement that ends on 6/1/2015.

Next, I would like the Town of Marshville to grant me the remainder of 2014 to pay the past due account balance.

Finally, I would like to thank the Town of Marshville for the opportunity to conduct business and provide a service to the people of Marshville. I have enjoyed the experience but can no longer afford to maintain the business.

Sincerely,

A handwritten signature in black ink, appearing to read "Tommy M Bivens Jr.", with a stylized, cursive script.

Tommy M Bivens Jr.  
owner



Randy Travis on town sign

The subject of the new town signs has been manipulated to look like they were done to maliciously eliminate the name of Randy Travis from the Marshville town signs. This is not the case. The signs were broken, vandalized and disintegrating to the point of embarrassment. The new signs are solid, tasteful and hopefully virtually indestructible.

I have had raw sewage running down my street on and off since April. We have a pump station that could fail at any minute, shutting down the town leaving the town and restaurants with no water.

We spent almost 45 minutes at the last meeting discussing this matter coming to no conclusion. More time was spent discussing this than was spent discussing borrowing over 1 million dollars for water improvements, which are sorely needed. This is a matter of priorities. I do not feel we have the right to spend taxpayer money on a sign to advertise a multimillionaire. If so, why don't we put "home of Carroll Edwards", he has put more money into this town than anyone I can think of in recent history. I have been chewed out about this just as much, if not more than the rest of you.

In my opinion, the signs should be left as is. If the Randy Travis fan club or private citizens want to get together and put signs at the end of town, then let them do it. We are here to be good stewards of taxpayers' money. I don't feel that incurring any cost of changing the new Welcome to Marshville signs is doing that.

Norma Carpenter



## Town of Marshville

## Public Comments Sign-Up Sheet

Regular Meeting

Date: 10/06/2014Please **print** your name, topic of discussion, and contact information for the record.

PRINT NAME	ADDRESS	TOPIC OF DISCUSSION	PHONE #	EMAIL ADDRESS
1 Leslie Boyd	10011 Chimney Dr. Durham NC 28173	Board Ed	704-256-4010	boydfboard@gmail.com
2 Mark Traywick	8216 Hwy 74e Marshville	Small Town Meest.	704.624.0579	marktraywick@yahoo.com
3 Nancy Harrell	40109 W 21st Marshville	Water		
4 Bill Whitley	7712 Pleasant Hill Ch. Rd, Marshville	Comp. Master Plan	704-283-3411	BillWhitley@co.union.nc.us
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## Town of Marshville

## Garbage Ordinance

## Public Comments Sign-Up Sheet

Public Hearing

Date: 10/06/2014

Please **print** your name and contact information for the record.

PRINT NAME	MAILING ADDRESS	PHYSICAL ADDRESS (if different)	PHONE #	EMAIL ADDRESS
1 Bob Morgan	PO Box 416 Marshville	2231 Pleasant Co Rd	624 2137	
2 CAROL	PO BOX 473	1010 SUNDY BACH RD		
3 Betty Colston	835 Mastey Rd	Marshville NC		
4				
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**NOTICE OF PUBLIC HEARING ON  
REQUEST FOR ANNEXATION**

The public will take notice that the Town Council of the Town of Marshville has called a public hearing at 7:00 p.m. on the 6<sup>th</sup> day of October, 2014 at the Marshville Town Hall, 201 West Main Street, Marshville, North Carolina, on the question of annexing the following described territory, requested by petition filed by Cindy P. Cornelius said petition filed pursuant to G.S. 160A-31, as amended. All persons interested for or against said annexation request are hereby notified to appear and they will be heard on this request. Please take notice of this date and time, and if you are interested for or against the same, appear and you shall be heard.

Said area is described as follows:

**Parcel ID: 02-145-0126, being all of that parcel of land containing 3.00 acres shown as Tract One on that plat prepared by Ronald F. Hyatt recorded in Plat Cabinet J, File 845, Union County Register of Deeds. Said plat reference is hereby incorporated herein for a more particular metes and bounds description.**

Please send Invoice and Affidavit to:

Town Clerk

Town of Marshville

201 W. Main Street

Marshville, NC 28103

PH: 704/624-2515



TO: Media & Public  
FROM: Tonya Johnson, Town Clerk  
DATE: September 19, 2014

### **PUBLIC HEARING NOTICE**

The Town of Marshville will conduct a public hearing beginning at 7:00 p.m. on Monday, October 6, 2014 at the Marshville Town Hall, located at 201 West Main Street, Marshville, NC 28103, to receive public input regarding a proposed change to the Town of Marshville Code of Ordinances, Title V: Public Works Chapter 50. Garbage and Refuse Collection, Section 50.09 Garbage Collection Rates.

The general public is invited to attend the public hearing and make comment. As a result of testimony received at the public hearing, the Town Council reserves the right to make changes to the proposed request prior to adoption. For more information, contact Tonya Johnson, Town Clerk, at 704-624-2515 during regular business hours.

The Town of Marshville does not discriminate on the basis of disability. If you need an auxiliary aid or service or other accommodations in order to attend or fully participate at this meeting, please contact the Town Clerk at (704) 624-2515 as far in advance of the meeting as possible so that your request can be considered.

<p>PLEASE PLACE THIS AD IN THE LEGAL ADVERTISED SECTION OF THE ENQUIRER JOURNAL <b>SEPTEMBER 25, 2014 AND OCTOBER 2, 2014.</b> SEND INVOICE AND AFFIDAVIT TO THE TOWN CLERK, TOWN OF MARSHVILLE, 201 WEST MAIN STREET, MARSHVILLE, NC 28103.</p>
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