

**Town of Marshville  
Town Council Meeting  
Monday, December 1, 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; 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 7:00 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**

Council Member Rowell made a motion to add to the agenda the discussion of a street light at Sturdivant Street. The motion was seconded by Council Member Bivens and passed unanimously.

Mayor Pro-Tem Morgan made a motion to add a discussion of the Town of Marshville's position concerning vicious dogs. The motion was seconded by Council Member Bivens and passed unanimously.

Council Member Rowell made a motion to combine agenda items #10 and #11. The motion was seconded by Mayor Pro-Tem Morgan and passed unanimously.

A motion to adopt the agenda as amended was made by Council Member Rowell, seconded by Mayor Pro-Tem Morgan and passed unanimously.

**Public Comment**

There were no public comments.

**Consent Agenda**

- November 3, 2014 Town Council Minutes - Regular Meeting
- Budget Report – September 30, 2014
- Budget Report – October 31, 2014
- Budget Amendment 2015-04 Community Development Donations
- Budget Amendment 2015-05 Governing Body Compensation

The Finance Officer provided the council members with a revised/updated Budget Report for 09/30/2014 and 10/31/2014 reflecting revised outstanding payables related to Union Co. Sewer. A motion was made by Council Member Rowell and seconded by Council Member Huntley to accept the consent agenda with the additional Budget Reports and approve the items thereon. The motion carried unanimously.

**Public Hearing to receive input on a petition to allow Solar Energy Facilities in RA-40 zones - CANCELLED**

**\*\*Staff recommends a special meeting be called for Monday, December 8, 2014 at 6:30 pm for the purpose of the Public Hearing\*\***

Council Member Carpenter commented that the Petitioner has been trying to accomplish this proposed text amendment for 13 months. Council Member Carpenter stated that this situation hasn't been handled correctly. Council Member Carpenter commented that the service levels of the contractor providing planning/zoning services should be looked at as budget time approaches. Mayor Deese recommended speaking to a representative from the company if the issue is with a particular employee. Council Member Carpenter made a motion to call for a Special Meeting for Monday, December 8, 2014 at 6:30 pm, as recommended by staff and to direct staff to publish required meeting notices. The motion was seconded by Council Member Bivens and passed unanimously.

**Designation of Voting Delegate and Alternate Voting Delegate for the NCLM Advocacy Goals Conference – Attendees will be Mayor Deese and Town Manager Shubert**

Council Member Carpenter made a motion that Mayor Deese represent the Town of Marshville as voting delegate at the NCLM Advocacy Goals Conference and that Town Manager Shubert serve as alternate. The motion was seconded by Council Member Rowell and passed unanimously.

**Designation of a delegate to represent the Town of Marshville for the CRTPO**

Mayor Deese reported that he could no longer serve as delegate to represent the Town of Marshville for the CRTPO. Council Member Carpenter volunteered to serve. A motion was made by Council Member Rowell to accept Council Member Carpenter to serve as the delegate for the Town of Marshville for the CRTPO. The motion was seconded by Council Member Huntley and passed unanimously.

**Discussion and possible action concerning approval of a Lease Termination Agreement for 107 N. Elm Street – Precision Computer Repair**

The Town Manager provided an agreement to the council members, as requested, stating amounts that Tommy Bivens agreed to pay and setting forth the terms to allow the Town of Marshville to proceed to lease the property. Mayor Deese raised a question about the last paragraph of the agreement and reinstatement of the lease in the event of default. The Town Manager provided an explanation and discussion ensued. Mayor Deese asked the council if they wish to accept the letter of clarification. Council Member Rowell made a motion to accept the letter of clarification dated October 1, 2014 concerning termination of the lease for 107 N. Elm Street, Marshville, NC. The motion was seconded by Council Member Huntley. The motion carried 4 to 1 (Council Member Bivens opposed).

**Discussion and possible action regarding an amendment to the Utilities Service Policies and Procedures Manual**

The Town Manager stated that the revisions as requested at the previous meeting are now better stated in the policy according to the proposed amendment. Mayor Pro-Tem Morgan made a motion to accept the proposed amendment as revised and reworded. The motion was seconded by Council Member Carpenter and passed unanimously.

**Set date for an introductory work session concerning the utility rate study**

Alicia Melton, Utilities Director, provided a memo to the mayor and council members recommending several possibilities for dates for a utility rate study workshop. A motion was made by Council Member Rowell to set the date for a rate study work session to be held Monday, January

26, 2015 at 7:00 pm at the Marshville Community Center, 118 E. Union Street, Marshville, NC. The motion was seconded by Council Member Carpenter and passed unanimously.

**Discussion and possible action 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

**\*\*Staff recommends this discussion and any action be deferred until the utility rate study work session.**

Council Member Rowell made a motion to combine agenda items #10 and #11 prior to adoption of the meeting agenda. The motion was seconded by Mayor Pro-Tem Morgan and passed unanimously. This discussion and any action was deferred until the utility rate study work session.

#### **Discussion of a street light at Sturdivant Street**

Mayor Deese stated that he received a call from a resident concerned about loitering near the mini park. The resident stated that she felt endangered. Mayor Deese referenced email correspondence between Duke Energy and Bivens Steele, Director of Public Works. The light was requested at the end of August and it appears that Duke Energy dropped the ball along the way. According to the correspondence the light is scheduled to be installed between 12/5/2014 and 1/7/2015. Bivens Steele, Director of Public Works, stated that he has followed up with Ms. Redfearn. Council Member Bivens asked if the mini park has a light. Bivens Steele reported that the light that is to be installed by Duke Energy will be a streetlight that will illuminate some light on the mini park. Discussion ensued. Council Member Bivens commented on the need for lights at the mini park. Mayor Deese directed Bivens Steele to bring back estimates for additional street lights as well as a light at the mini park.

#### **Discussion of the Town of Marshville's position concerning vicious dogs**

Mayor Deese recalled previous discussions concerning vicious dogs and that the Town of Marshville operates under the Union County Ordinance. Chief Tarlton commented that charges can be pressed against the owner of the dog but a certain process has to be followed. Chief Tarlton stated that the town can contract with Union County for a flat fee per month. Attorney Griffin interjected that he does not believe the Town of Marshville has a vicious dog policy. Mayor Deese asked Chief Tarlton to bring back to the council the Town of Marshville's policy and Union County's policy for discussion and possible action.

#### **Town Manager's Report**

The Town Manager reported it has been a busy month. The Veteran's Day event was a great event and the annual parade went well. The Manager reported she is seeing positive activity in town. The Manager informed the council that the Christmas Tree Lighting will be December 5, 2014 and that Christmas lights have been going up all around town. The Manager stated that she received a complimentary letter from an individual who is impressed with the work of David Flowe. The Manager reported the resignation of Mandi Maske from the Planning Board and added that board replacements will need to be made in January.

#### **Mayor and Town Council Member Comments**

- Council Member Carpenter reported her recent attendance at a Union County Board of Adjustment meeting and expressed pride in the Town of Marshville's Planning Board and Board of Adjustment. Council Member Carpenter wished everyone a Merry Christmas.
- Council Member Huntley expressed appreciation for the Veteran's Day event and wished everyone a Merry Christmas.

- Council Member Bivens thanked the Public Works Director, Bivens Steele and his department.
- Mayor Pro-Tem Morgan provided the council with a monthly report from Centralina Council of Government. Mayor Pro-Tem Morgan thanked staff and the Woodmen of the World members for a successful Veteran's Day event. Mayor Pro-Tem Morgan wished everyone a happy holiday season.
- Council Member Rowell reminded everyone of the Christmas Tree Lighting on December 5, 2014 at 6:30 pm at the Community Center. Also, on December 4, 2014 the Marshville Chamber of Commerce will host a Christmas luncheon from 11:30 to 1:00 pm. Council Member Rowell commented that Small Business Saturday was well advertised and he had a 40% increase in business as compared to the same Saturday the previous year.
- Mayor Deese informed council members of the Dr. Martin Luther King Committee, Inc. annual Prayer Breakfast scheduled for Monday, January 19, 2015 and 6:00 am. Mayor Deese commented that there hasn't been a Christmas Party in several years. He stated that although a prior board may have elected not to have a Christmas party this board may do whatever it chooses. Mayor Deese wished everyone a very Merry Christmas.

### Adjourn

There being no further comments a motion to adjourn was made by Council Member Rowell and seconded by Council Member Bivens. The motion carried unanimously. The meeting adjourned at 7:50 pm.

These minutes approved this 5th day of January, 2015.

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

Frank Deese, Mayor

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

Tonya D. Johnson, Town Clerk



## 2013-2014

Revenues	Budget	YTD		Percent
		as of 09/30/13		
10-3010-0000 Ad Valorem Taxes	722,100.00	53,236.48		7%
10-3030-0100 Motor Vehicles	57,500.00	13,728.95		24%
10-3040-0500 Prior Year Tax Collect	10,200.00	4,969.60		49%
10-3170-0000 Tax Penalties & Interest	3,700.00	1,598.32		43%
10-3250-0000 Privilege Licenses	1,500.00	2,655.50		177%
10-3260-0000 Vehicle Rental Tax	0.00	0.00		
10-3290-0000 Interest on Investments	8,500.00	86.38		1%
10-3317-0000 Controlled Substance Tax	0.00	0.00		
10-3318-0000 Police Grant	8,812.30	0.00		
10-3318-0050 Pedestrian Planning Gr	0.00	0.00		
10-3318-0200 CMAQ Revenue	0.00	0.00		
10-3319-0000 Police Calendar Sales	300.00	0.00		
10-3319-0100 Police Protection Rev	0.00	0.00		
10-3350-0000 Miscellaneous	4,450.00	144.74		3%
10-3350-0100 Sale of Fixed Asset	9,911.00	0.00		
10-3350-0200 Cash Short	0.00	- 3.00		
10-3360-0000 Insurance Proceeds	41154.37	6,337.67		15%
10-3360-0100 Reimbursement Proceeds	4096.92	22.40		1%
10-3370-0000 Franchise Tax - Utilities	170,000.00	42,841.37		25%
10-3370-0100 Franchise Tax - Cable TV	2,800.00	849.00		30%
10-3370-0200 Solid Waste Disposal Tax	1,500.00	220.62		15%
10-3430-0000 Powell Bill Allocation	67,000.00	0.00		
10-3450-0000 Local Option Sales Tax	0.00	0.00		
10-3450-0010 Sales Tax Art. 39	52,000.00	16,144.65		31%
10-3450-0020 Sales Tax Art. 40	41,100.00	11,718.33		29%
10-3450-0030 Sales Tax Art. 42	28,900.00	8,593.63		30%
10-3450-0040 Sales Tax Art. 44	0.00	( 5.74)		
10-3450-0050 Sales Tax Hold Harmless	40,000.00	14,080.68		35%
10-3450-0200 Beer & Wine Tax Distr	10,000.00	0.00		
10-3491-0000 Planning/Zoning Fees	1,000.00	315.00		32%
10-3510-0000 Court Cost Fees & Charges	1,500.00	342.78		23%
10-3590-0000 Refuse Collection Fees	193,000.00	51,689.85		27%
10-3610-0000 Cemetery - Sale of Lot	5,000.00	0.00		
10-3610-0100 Cemetery - Donations	0.00	0.00		
10-3610-0200 Cemetery - Grave Opening	0.00	0.00		
10-3650-0000 Recreation Activity Fees	2,200.00	0.00		
10-3650-0100 Grant for Park	0.00	0.00		
10-3650-0120 Community Development	0.00	0.00		
10-3650-0130 Skatepark Donations	0.00	0.00		
10-3650-0200 Park Concessions	0.00	0.00		
10-3650-0300 Facilities Rental Fee	0.00	0.00		
10-3710-0400 Late Fee	2,500.00	1,391.67		56%
10-3834-0000 Property Leases	0.00	0.00		
10-3984-0000 Transfer From 40 Fund	49,200.00	12,292.47		25%
10-3990-0000 Encumbered Fund Balance	0.00	0.00		
10-3990-0100 Encumbered Powell Bill	109,147.31	0.00		
10-3990-0200 Encumbered Cont. Substance	72,320.00	0.00		
10-3990-0300 Encumbered Solid Waste	0.00	0.00		
Total Revenues for Fund 10	1,721,391.90	243,262.83		14%

## 2014-2015

Revenues	Budget	YTD		Percent
		as of 09/30/14		
10-3010-0000 Ad Valorem Taxes	727,000.00	44,002.01		6%
10-3030-0100 Motor Vehicles	58,200.00	17,100.66		29%
10-3040-0500 Prior Year Tax Collect	11,000.00	1,096.09		10%
10-3170-0000 Tax Penalties & Interest	4,500.00	1,465.65		33%
10-3250-0000 Privilege Licenses	2,500.00	2,101.50		84%
10-3260-0000 Vehicle Rental Tax	0.00	0.00		
10-3290-0000 Interest on Investments	7,000.00	77.96		1%
10-3317-0000 Controlled Substance Tax	0.00	0.00		
10-3318-0000 Police Grant	0.00	0.00		
10-3318-0050 Pedestrian Planning Gr	0.00	0.00		
10-3318-0200 CMAQ Revenue	0.00	0.00		
10-3319-0000 Police Calendar Sales	300.00	0.00		
10-3319-0100 Police Protection Rev	0.00	0.00		
10-3350-0000 Miscellaneous	1800.00	819.36		46%
10-3350-0100 Sale of Fixed Asset	0.00	4,455.00		
10-3350-0200 Cash Short	0.00	-18.99		
10-3360-0000 Insurance Proceeds	0.00	0.00		
10-3360-0100 Reimbursement Proceeds	0.00	14.32		
10-3370-0000 Franchise Tax - Utilities	170,000.00	44,421.22		26%
10-3370-0100 Franchise Tax - Cable TV	1,600.00	0.00		
10-3370-0200 Solid Waste Disposal Tax	1,500.00	335.80		22%
10-3430-0000 Powell Bill Allocation	69,000.00	35,047.89		51%
10-3450-0000 Local Option Sales Tax	0.00	0.00		
10-3450-0010 Sales Tax Art. 39	61,000.00	19,663.47		32%
10-3450-0020 Sales Tax Art. 40	47,000.00	13,743.53		29%
10-3450-0030 Sales Tax Art. 42	30,000.00	10,439.52		35%
10-3450-0040 Sales Tax Art. 44	0.00	10.92		
10-3450-0050 Sales Tax Hold Harmless	48,000.00	13,701.51		29%
10-3450-0200 Beer & Wine Tax Distr	10,000.00	0.00		%
10-3491-0000 Planning/Zoning Fees	1,000.00	1,065.00		107%
10-3510-0000 Court Cost Fees & Charges	1,200.00	276.81		23%
10-3590-0000 Refuse Collection Fees	196,500.00	51,677.61		26%
10-3610-0000 Cemetery - Sale of Lot	3,750.00	3,750.00		100%
10-3610-0100 Cemetery - Donations	0.00	5940.00		
10-3610-0200 Cemetery - Grave Opening	0.00	0.00		
10-3650-0000 Recreation Activity Fees	300.00	180.00		60%
10-3650-0100 Grant for Park	0.00	0.00		
10-3650-0120 Community Development	0.00	0.00		
10-3650-0130 Skatepark Donations	0.00	0.00		
10-3650-0200 Park Concessions	0.00	0.00		
10-3650-0300 Facilities Rental Fee	2,200.00	981.67		45%
10-3710-0400 Late Fee	0.00	0.00		
10-3834-0000 Property Leases	63,100.00	16,878.56		27%
10-3984-0000 Transfer From 40 Fund	0.00	0.00		
10-3990-0000 Encumbered Fund Balance	0.00	0.00		
10-3990-0100 Encumbered Powell Bill	56,000.00	0.00		
10-3990-0200 Encumbered Cont. Substance	0.00	0.00		
10-3990-0300 Encumbered Solid Waste	9,922.00	0.00		
Total Revenues for Fund 10	1,584,372.00	289,227.07		18%

## FUND 10 REVENUES

Revenues
10-3010-0000 Ad Valorem Taxes
10-3030-0100 Motor Vehicles
10-3040-0500 Prior Year Tax Collect
10-3170-0000 Tax Penalties & Interest
10-3250-0000 Privilege Licenses
10-3260-0000 Vehicle Rental Tax
10-3290-0000 Interest on Investments
10-3317-0000 Controlled Substance Tax
10-3318-0000 Police Grant
10-3318-0050 Pedestrian Planning Gr
10-3318-0200 CMAQ Revenue
10-3319-0000 Police Calendar Sales
10-3319-0100 Police Protection Rev
10-3350-0000 Miscellaneous
10-3350-0100 Sale of Fixed Asset
10-3350-0200 Cash Short
10-3360-0000 Insurance Proceeds
10-3360-0100 Reimbursement Proceeds
10-3370-0000 Franchise Tax - Utilities
10-3370-0100 Franchise Tax - Cable TV
10-3370-0200 Solid Waste Disposal Tax
10-3430-0000 Powell Bill Allocation
10-3450-0000 Local Option Sales Tax
10-3450-0010 Sales Tax Art. 39
10-3450-0020 Sales Tax Art. 40
10-3450-0030 Sales Tax Art. 42
10-3450-0040 Sales Tax Art. 44
10-3450-0050 Sales Tax Hold Harmless
10-3450-0200 Beer & Wine Tax Distr
10-3491-0000 Planning/Zoning Fees
10-3510-0000 Court Cost Fees & Charges
10-3590-0000 Refuse Collection Fees
10-3610-0000 Cemetery - Sale of Lot
10-3610-0100 Cemetery - Donations
10-3610-0200 Cemetery - Grave Opening
10-3650-0000 Recreation Activity Fees
10-3650-0100 Grant for Park
10-3650-0120 Community Development
10-3650-0130 Skatepark Donations
10-3650-0200 Park Concessions
10-3650-0300 Facilities Rental Fee
10-3710-0400 Late Fee
10-3834-0000 Property Leases
10-3984-0000 Transfer From 40 Fund
10-3990-0000 Encumbered Fund Balance
10-3990-0100 Encumbered Powell Bill
10-3990-0200 Encumbered Cont. Substance
10-3990-0300 Encumbered Solid Waste
Total Revenues for Fund 10

## 2013-2014

Budget	YTD	Percent
	as of 09/30/13	
87,675.00	21,277.66	24%
356,815.31	57,156.95	16%
98,800.00	18,192.28	18%
19,920.00	1,405.67	7%
574,413.67	148,179.38	26%
211,510.00	36376.70	17%
72,320.00	0.00	
184780.00	28235.41	15%
105,157.92	18,940.91	18%
10000.00	0.00	
1,721,391.90	329,764.96	19%

## 2014-2015

Budget	YTD	Percent
	as of 09/30/14	
69,040.00	22,425.65	32%
255,200.00	53,464.28	21%
129,865.00	25,598.24	20%
37,400.00	21,043.62	56%
586,625.00	141,030.90	24%
149,940.00	26,531.86	18%
56,000.00	8,311.37	15%
218,485.00	36,311.90	17%
71,817.00	14,856.53	21%
10,000.00	0.00	
1,584,372.00	349,574.35	22%

FUND 10 EXPENDITURES	10
Expenses	
10-4100 Governing Body	
10-4200 General Government	
10-4500 Community Development	
10-5000 Public Buildings	
10-5100 Police	
10-5600 Streets & Highways	
10-5700 Powell	
10-5800 Sanitation	
10-6200 Parks & Recreation	
10-6600 Contingency	
Total Expenses for Fund	10



## 2013-2014

Revenues	Budget	YTD		Percent
		as of 10/31/13		
10-3010-0000 Ad Valorem Taxes	722,100.00	119,491.66		17%
10-3010-0100 Motor Vehicles	57,500.00	18,793.58		33%
10-3010-0500 Prior Year Tax Collect	10,200.00	6,295.74		62%
10-3170-0000 Tax Penalties & Interest	3,700.00	2,089.61		56%
10-3250-0000 Privilege Licenses	1,500.00	2,780.50		185%
10-3260-0000 Vehicle Rental Tax	0.00	0.00		
10-3290-0000 Interest on Investments	8,500.00	117.72		1%
10-3317-0000 Controlled Substance Tax	0.00	0.00		
10-3318-0000 Police Grant	8,812.30	0.00		
10-3318-0050 Pedestrian Planning Gr	0.00	0.00		
10-3318-0200 CMAQ Revenue	0.00	0.00		
10-3319-0000 Police Calendar Sales	300.00	340.00		
10-3319-0100 Police Protection Rev	0.00	0.00		
10-3350-0000 Miscellaneous	4,450.00	1,646.52		37%
10-3350-0100 Sale of Fixed Asset	9,911.00	0.00		
10-3350-0200 Cash Short	0.00	- 3.00		
10-3360-0000 Insurance Proceeds	41,154.37	6,337.67		15%
10-3360-0100 Reimbursement Proceeds	4096.92	22.40		1%
10-3370-0000 Franchise Tax - Utilities	170,000.00	42,841.37		25%
10-3370-0100 Franchise Tax - Cable TV	2,800.00	849.00		30%
10-3370-0200 Solid Waste Disposal Tax	1,500.00	220.62		15%
10-3430-0000 Powell Bill Allocation	67,000.00	34,319.33		
10-3450-0000 Local Option Sales Tax	0.00	0.00		
10-3450-0010 Sales Tax Art. 39	52,000.00	21,451.66		41%
10-3450-0020 Sales Tax Art. 40	41,100.00	15,577.89		38%
10-3450-0030 Sales Tax Art. 42	28,900.00	11,419.45		40%
10-3450-0040 Sales Tax Art. 44	0.00	( 5.50)		
10-3450-0050 Sales Tax Hold Harmless	40,000.00	17,977.08		45%
10-3450-0200 Beer & Wine Tax Distr	10,000.00	0.00		
10-3491-0000 Planning/Zoning Fees	1,000.00	465.00		47%
10-3510-0000 Court Cost Fees & Charges	1,500.00	478.63		32%
10-3590-0000 Refuse Collection Fees	193,000.00	59,583.55		31%
10-3610-0000 Cemetery - Sale of Lot	5,000.00	0.00		
10-3610-0100 Cemetery - Donations	0.00	0.00		
10-3610-0200 Cemetery - Grave Opening	0.00	0.00		
10-3650-0000 Recreation Activity Fees	2,200.00	0.00		
10-3650-0100 Grant for Park	0.00	0.00		
10-3650-0120 Community Development	0.00	0.00		
10-3650-0130 Skatepark Donations	0.00	0.00		
10-3650-0200 Park Concessions	0.00	0.00		
10-3650-0300 Facilities Rental Fee	0.00	0.00		
10-3710-0400 Late Fee	2,500.00	1,441.67		58%
10-3834-0000 Property Leases	0.00	50.00		
10-3984-0000 Transfer From 40 Fund	49,200.00	16,424.35		33%
10-3990-0000 Encumbered Fund Balance	0.00	0.00		
10-3990-0100 Encumbered Powell Bill	109,147.31	0.00		
10-3990-0200 Encumbered Solid Substance	72,320.00	0.00		
10-3990-0300 Encumbered Solid Waste	0.00	0.00		
Total Revenues for Fund 10	1,721,391.90	381,017.50		22%

## 2014-2015

Revenues	Budget	YTD		Percent
		as of 10/31/14		
10-3010-0000 Ad Valorem Taxes	727,000.00	203,246.77		28%
10-3010-0100 Motor Vehicles	58,200.00	25,722.13		44%
10-3010-0500 Prior Year Tax Collect	11,000.00	1,973.64		18%
10-3170-0000 Tax Penalties & Interest	4,500.00	1,566.28		35%
10-3250-0000 Privilege Licenses	2,500.00	2,260.50		90%
10-3260-0000 Vehicle Rental Tax	0.00	0.00		
10-3290-0000 Interest on Investments	7,000.00	103.25		1%
10-3317-0000 Controlled Substance Tax	0.00	0.00		
10-3318-0000 Police Grant	0.00	0.00		
10-3318-0050 Pedestrian Planning Gr	0.00	0.00		
10-3318-0200 CMAQ Revenue	0.00	0.00		
10-3319-0000 Police Calendar Sales	300.00	0.00		
10-3319-0100 Police Protection Rev	0.00	948.00		
10-3350-0000 Miscellaneous	1800.00	2,377.40		132%
10-3350-0100 Sale of Fixed Asset	0.00	4,455.00		
10-3350-0200 Cash Short	0.00	1.52		
10-3360-0000 Insurance Proceeds	0.00	0.00		
10-3360-0100 Reimbursement Proceeds	0.00	14.32		
10-3370-0000 Franchise Tax - Utilities	170,000.00	44,421.22		26%
10-3370-0100 Franchise Tax - Cable TV	1,600.00	0.00		
10-3370-0200 Solid Waste Disposal Tax	1,500.00	335.80		22%
10-3430-0000 Powell Bill Allocation	69,000.00	35,047.89		51%
10-3450-0000 Local Option Sales Tax	0.00	0.00		
10-3450-0010 Sales Tax Art. 39	61,000.00	26,217.23		43%
10-3450-0020 Sales Tax Art. 40	47,000.00	18,457.68		39%
10-3450-0030 Sales Tax Art. 42	30,000.00	13,918.20		46%
10-3450-0040 Sales Tax Art. 44	0.00	12.33		
10-3450-0050 Sales Tax Hold Harmless	48,000.00	18,473.56		38%
10-3450-0200 Beer & Wine Tax Distr	10,000.00	0.00		%
10-3491-0000 Planning/Zoning Fees	1,000.00	2,365.00		237%
10-3510-0000 Court Cost Fees & Charges	1,200.00	423.84		35%
10-3590-0000 Refuse Collection Fees	196,500.00	65,826.49		33%
10-3610-0000 Cemetery - Sale of Lot	3,750.00	3,750.00		100%
10-3610-0100 Cemetery - Donations	0.00	5940.00		
10-3610-0200 Cemetery - Grave Opening	0.00	0.00		
10-3650-0000 Recreation Activity Fees	300.00	210.00		70%
10-3650-0100 Grant for Park	0.00	0.00		
10-3650-0120 Community Development	0.00	100.00		
10-3650-0130 Skatepark Donations	0.00	0.00		
10-3650-0200 Park Concessions	0.00	0.00		
10-3650-0300 Facilities Rental Fee	0.00	0.00		
10-3710-0400 Late Fee	2,200.00	1,219.17		55%
10-3834-0000 Property Leases	0.00	0.00		
10-3984-0000 Transfer From 40 Fund	63,100.00	21,745.52		34%
10-3990-0000 Encumbered Fund Balance	0.00	0.00		
10-3990-0100 Encumbered Powell Bill	56,000.00	0.00		
10-3990-0200 Encumbered Solid Substance	0.00	0.00		
10-3990-0300 Encumbered Solid Waste	9,922.00	0.00		
Total Revenues for Fund 10	1,584,372.00	501,132.74		32%

## FUND 10 REVENUES

## 2013-2014

Budget	YTD	Percent
	as of 10/31/13	
87,675.00	24,236.06	28%
356,815.31	82,417.15	23%
98,800.00	24,744.91	25%
19,920.00	1,698.77	9%
574,413.67	201,653.17	35%
211,510.00	42,493.36	20%
72,320.00	0.00	
184,780.00	42,185.31	23%
105,157.92	27,486.00	26%
10,000.00	0.00	
1,721,391.90	446,914.73	26%

## 2014-2015

Budget	YTD	Percent
	as of 10/31/14	
69,040.00	23,479.54	34%
255,200.00	75,972.82	30%
129,865.00	46,273.66	36%
37,400.00	21,675.71	58%
586,625.00	203,121.90	35%
149,940.00	44,511.22	30%
56,000.00	11,230.65	20%
218,485.00	53,367.03	24%
71,817.00	21,195.24	30%
10,000.00	0.00	
1,584,372.00	500,827.77	32%

FUND 10 EXPENDITURES	
Expenses	
10-4100 Governing Body	
10-4200 General Government	
10-4500 Community Development	
10-5000 Public Buildings	
10-5100 Police	
10-5600 Streets & Highways	
10-5700 Powell	
10-5800 Sanitation	
10-6200 Parks & Recreation	
10-6600 Contingency	
Total Expenses for Fund	10



## 2013-2014

Budget	YTD		Percent
	as of 09/30/13		
	0.00	0.00	
7,500.00		33.58	%
0.00		300.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		134.85	
0.00		0.00	
503,339.00		140,124.60	28%
564,283.00		145,352.19	26%
10,800.00		8,000.00	74%
30,000.00		5,750.00	19%
0.00		0.00	
3,250.00		925.00	28%
0.00		0.00	
0.00		225.00	
0.00		400.00	
10,500.00		0.00	
7,000.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
174,541.97		0.00	
1,311,213.97		301,245.22	23%

## 2014-2015

Budget	YTD		Percent
	as of 09/30/14		
0.00		0.00	
9,000.00		39.71	%
0.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		32.54	
571,600.00		176,202.37	31%
759,170.00		193,495.86	25%
18,000.00		5,250.00	29%
25,000.00		7,670.00	31%
0.00		200.00	
3,500.00		1,225.00	35%
0.00		0.00	
0.00		80.00	
0.00		686.00	
4,800.00		0.00	
14,000.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
0.00		0.00	
1,405,070.00		384,881.48	27%

FUND 30 REVENUES	
Revenues	
30-2290-0100 Contrib. - Spec. Rev.	
30-3290-0000 Interest on Investments	
30-3350-0000 Miscellaneous Income	
30-3350-0100 Sales of Fixed Assets	
30-3350-0300 Donated Assets	
30-3350-0400 Grant Proceeds	
30-3360-0000 Insurance Proceeds	
30-3360-0100 Reimbursements Proceeds	
30-3710-0000 Charges Utilities Water	
30-3710-0100 Charges Utilities Sewer	
30-3710-0300 Delinquent Fees	
30-3710-0400 Late Fees	
30-3710-0500 Returned Check Fee	
30-3710-0600 Service Initiation Fee	
30-3710-0700 Service Call Fee	
30-3710-0800 After Hours Reconnect	
30-3710-0900 Tampering Fee	
30-3730-0000 Tap Fees - Water	
30-3730-0100 Tap Fees - Sewer	
30-3740-0000 Bad Debts	
30-3800-0000 Capital Contributions	
30-3940-0000 Transfer From Gen Fund	
30-3990-0000 Encumbered Fund Balance	
Total Revenues for Fund 30	

Budget	YTD		Percent
	as of 09/30/13		
0.00		0.00	
5,000.00		0.00	
0.00		0.00	
586,028.76		87,960.43	15%
720,185.21		129,204.04	18%
1,311,213.97		217,164.47	17%

Budget	YTD		Percent
	as of 09/30/14		
0.00		0.00	
5,000.00		0.00	
0.00		0.00	
640,900.00		91,249.24	14%
759,170.00		89,712.79	12%
1,405,070.00		180,962.03	13%

FUND 30 EXPENDITURES	
Expenses	
30-5310 Safety	
30-6601 Contingency	
30-7000 Transfer	
30-8280 Water Operations	
30-8290 Sewer Operations	
Total Revenues for Fund 30	

## 2014-2015

FUND 30 REVENUES			
Revenues	Budget	YTD as of 10/31/14	Percent
30-2290-0100 Contrib. - Spec. Rev.	0.00	0.00	
30-3290-0000 Interest on Investments	9,000.00	52.44	1%
30-3350-0000 Miscellaneous Income	0.00	0.00	
30-3350-0100 Sales of Fixed Assets	0.00	0.00	
30-3350-0300 Donated Assets	0.00	0.00	
30-3350-0400 Grant Proceeds	0.00	0.00	
30-3360-0000 Insurance Proceeds	0.00	0.00	
30-3360-0100 Reimbursements Proceeds	0.00	41.79	
30-3710-0000 Charges Utilities Water	571,600.00	228,654.50	40%
30-3710-0100 Charges Utilities Sewer	759,170.00	253,733.34	33%
30-3710-0300 Delinquent Fees	18,000.00	6,700.00	37%
30-3710-0400 Late Fees	25,000.00	8,671.12	35%
30-3710-0500 Returned Check Fee	0.00	225.00	
30-3710-0600 Service Initiation Fee	3,500.00	1,650.00	47%
30-3710-0700 Service Call Fee	0.00	0.00	
30-3710-0800 After Hours Reconnect	0.00	120.00	
30-3710-0900 Tampering Fee	0.00	686.00	
30-3730-0000 Tap Fees - Water	4,800.00	0.00	
30-3730-0100 Tap Fees - Sewer	14,000.00	0.00	
30-3740-0000 Bad Debts	0.00	0.00	
30-3800-0000 Capital Contributions	0.00	0.00	
30-3940-0000 Transfer From Gen Fund	0.00	0.00	
30-3990-0000 Encumbered Fund Balance	0.00	0.00	
<b>Total Revenues for Fund 30</b>	<b>1,405,070.00</b>	<b>500,534.19</b>	<b>36%</b>

## 2013-2014

2013-2014			
	Budget	YTD as of 10/31/13	Percent
	0.00	0.00	
	7,500.00	43.53	1%
	0.00	0.00	
	0.00	0.00	
	0.00	0.00	
	0.00	0.00	
	0.00	134.85	
	0.00	0.00	
	503,339.00	181,062.23	36%
	564,283.00	174,461.38	31%
	10,800.00	9,900.00	92%
	30,000.00	6,866.15	23%
	0.00	184.29	
	3,250.00	1,500.00	46%
	0.00	0.00	
	0.00	285.00	
	0.00	400.00	
	10,500.00	0.00	
	7,000.00	0.00	
	0.00	0.00	
	0.00	0.00	
	0.00	0.00	
	174,541.97	0.00	
	1,311,213.97	374,837.43	29%

FUND 30 EXPENDITURES			
Expenses	Budget	*YTD as of 10/31/14	Percent
30-5310 Safety	0.00	0.00	
30-6601 Contingency	5,000.00	0.00	
30-7000 Transfer	0.00	0.00	
30-8280 Water Operations	640,900.00	163,741.91	26%
30-8290 Sewer Operations	759,170.00	*200,712.08	26%
<b>Total Revenues for Fund 30</b>	<b>1,405,070.00</b>	<b>163,741.91</b>	<b>12%</b>

2013-2014			
	Budget	YTD as of 10/31/13	Percent
	0.00	0.00	
	5,000.00	0.00	
	0.00	0.00	
	586,028.76	127,093.60	22%
	720,185.21	174,880.04	24%
	1,311,213.97	301,973.64	23%

\*Reflects Current Year Outstanding Payables to Union Co. - Sewer of \$568,775.23

\*\*Total Outstanding Payables to Union Co. - Sewer = \$102,427.94



# Town of Marshville

## AMENDMENT

#2015 - 04

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

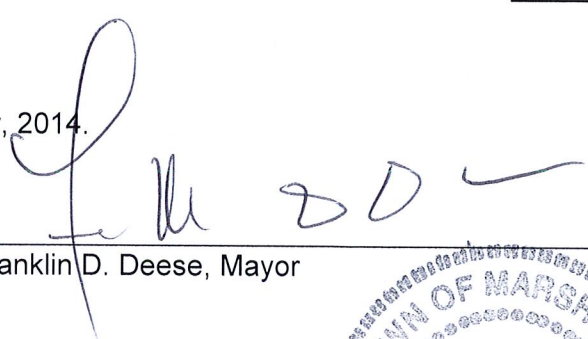
Increase	10-3650-0120	Community Dev. Donation	\$200.00
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<b>Total Increase</b>			<b>\$200.00</b>
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Increase	10-4500-2610	Community Development	\$200.00
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<b>Total Increase</b>			<b>\$200.00</b>
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Adopted this 1st day of December, 2014.

  
\_\_\_\_\_  
Franklin D. Deese, Mayor

ATTEST:

  
\_\_\_\_\_  
Tonya Johnson, Town Clerk



This Budget Amendment provides for: Donations for the 2014 Halloween Festival to cover expenses incurred (Bounce-N-Play Inflatables - \$200)



# Town of Marshville

## AMENDMENT

#2015 - 05

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	10-3990-0000	Encumbered Fund Balance	\$4,950.00
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<b>Total Increase</b>			<b><u>\$4,950.00</u></b>
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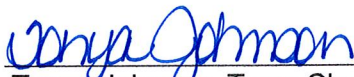
Increase	10-4100	Governing Body	\$4,950.00
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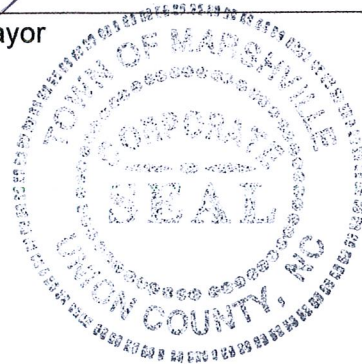
<b>Total Increase</b>			<b><u>\$4,950.00</u></b>
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Adopted this 1st day of December, 2014.

  
Franklin D. Deese, Mayor

ATTEST:

  
Tonya Johnson, Town Clerk



This Budget Amendment provides for: Increasing Elected Officials compensation and associated payroll expenses per NCGS 160A-64.

**Proposed agreement concerning Lease for 107 N Elm Street, Marshville, NC****Clarification of letter dated October 1, 2014**

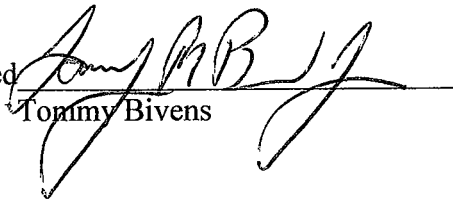
Effective May 20, 2013, we leased 107 N Elm Street, Marshville, NC from the Town of Marshville. All rent due under that lease was paid when we renewed the lease for another year.

In September we asked to be released from the lease renewal effective as of the beginning of October. In return, we agreed we would pay the Town of Marshville the full amount owed as of then with respect to the property by the end of the year (December 31, 2014) and that we would immediately vacate the premises making the space available for sale or lease or Town use as the Town sees fit.

That means that on or before December 31, 2014, we will pay the Town \$1400 in unpaid rent and \$76.77 for unpaid utility bills.

We understand that the lease remains in full force and effect unless and until we make the promised payments, but with two exceptions. First, we authorize the Town to immediately enter and take possession of the property to use it as the Town sees fit without regard to our tenancy rights under the lease. Second, no additional rent or late fees or collection costs will accrue provided the Town is paid the \$1476.77 itemized above before the end of this year.

Should we fail to make the required payment by year end, the lease will be reinstated as if this agreement had never been reached except that the Town will have possession of the property without the necessity of further legal action while pursuing collection of all rent, late fees, and other charges as set out in the lease.

Signed   
Tommy Bivens

  
Zina Bivens

October 1, 2014

Town of Marshville

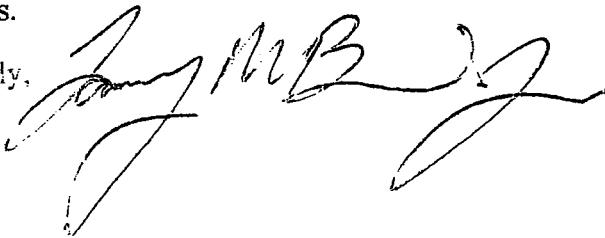
Tommy M Bivens Jr. Concern:

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,



Tommy M Bivens Jr.  
owner



# TOWN OF MARSHVILLE

est. 1877

## TEXT AMENDMENT 2014-02

Town of Marshville Utility Service Policies and Procedures Manual  
Section 3 - Rates, Fees, and Application of Fees, E. Delinquency Fee  
Section 4 - Billing for Service, A. Billing Cycle

### Section 3 - Rates, Fees, and Application of Fees

#### E. Delinquency Fee

A delinquency fee, as set forth in the current fee schedule, may be applied to any utility account whose balance is greater than \$10.00 <sup>1</sup>~~\$19.99~~ on the 10<sup>th</sup> day following the due date. This includes accounts where only a partial payment has been received during the month. This fee may also be applied to any account whose payment arrangement is defaulted. The delinquency fee may be applied to applicable accounts at 5:00 p.m. at the close of business <sup>2</sup>~~no earlier than 10 days following the due date~~ on the 20<sup>th</sup> day of the month. In the instance the 10<sup>th</sup> ~~20<sup>th</sup>~~ day following the due date of the month occurs on a weekend day or holiday, the delinquency fee will be applied after 5:00 p.m. on the following business day. Payments received after this time, whether in person, by mail, or in the drop-box will still be deemed delinquent.

A delinquency fee is in direct relation to scheduled service disconnection due to non-payment. This fee must be paid, along with any balance due, in order to have services re-instated if disconnection for non-payment occurs. Personal checks are not an acceptable form of payment to reestablish service after disconnection occurs for nonpayment.

<sup>1</sup> Changing the maximum account balance to \$19.99 will allow customers to accrue \$9.99 of a current balance and a late penalty without a delinquency penalty being charged or service being disconnected.

<sup>2</sup> Amendments set forth a specific date delinquency fees are to be applied.

### Section 4 - Billing for Service

#### A. Billing Cycle

- Bills are mailed out no later than the 25th day of the month. The first <sup>2</sup>~~and final~~ utility bill for a new customer will be prorated based on the number of days the account is active in the billing cycle and will include charges for all consumption billed at the regular rate.
- A bill is past due if not paid by 5:00 p.m. on the 10th day of the month. If the 10th day of the month falls on a weekend day or holiday, the customer will have the next business day to pay without penalty.
- <sup>3</sup>**A bill is delinquent if not paid by 5:00 p.m. on the 20<sup>th</sup> day of the month. If the 20<sup>th</sup> day of the month falls on a weekend day or holiday, the customer will have the next business day to pay without penalty.**
- <sup>4</sup>**Service for delinquent accounts is scheduled to be disconnected if payment is not received by 5:00 p.m. on the 20th 21<sup>st</sup> day of the month. If the 21<sup>st</sup> day of the month occurs on a Friday, weekend day, or holiday, services will be disconnected the following business day. Provided if the scheduled date of disconnection is directly before or within three days prior to town hall being closed for an extended period (i.e. more than one day), services will be disconnected the following business day in accordance with this policy.** The delinquency fee and account balance must be paid in full before service is reconnected. ~~The delinquency fee may be charged to any customer whose balance is greater than \$10.00 at 5:00 p.m. on the 20th day of the month. The delinquency fee and account balance must be paid in full~~

- ~~before service is reconnected. If the 20th day of the month falls on a Friday, weekend day, or holiday, services will be disconnected the following business day. If the 20th day of the month falls on Thursday, the delinquency fee will be applied at 5:00 p.m. at the close of business; however, services will not be disconnected until the next business day following the weekend.~~
- No second notice will be mailed for disconnection due to nonpayment. The Department may attempt a call using our automated notification system to a phone number provided by the customer alerting the customer as to the planned date of disconnection. It is the responsibility of the account holder to ensure that all information, including telephone numbers, is accurate and current. ~~Disconnections will only be made Monday through Thursday in order to give customers the opportunity to make payment and have service reconnected before a weekend.~~

<sup>2</sup> This clarifies that first and final utility bills for all customers are prorated so that customers pay base charges only for days service is in use.

<sup>3</sup> Defines delinquent account.

<sup>4</sup> Amendments to this item set forth the procedure and dates services are disconnected due to delinquency.

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Recommended Action: To make a motion to approve the proposed amendments to the Utility Service Policy and to amend page numbers altered in the table of contents in relation to the addition of text.