

Town of Marshville
Town Council Meeting
Monday, July 13, 2015, 7:00 pm
Marshville Town Hall – 201 West Main St.

Regular Meeting

Present: Mayor Deese, Mayor Pro-Tem Morgan, Council Member Rowell, Carpenter, Bivens and Huntley, Town Attorney Griffin.

Staff Present: Town Manager Shubert, Assistant Town Clerk Morton, Sergeant Carrier, Public Works Director Bivens Steele, Utilities Director Alicia Melton

Call to Order/Invocation/Pledge of Allegiance

The meeting was called to order at 7:00 pm by Mayor Deese. The invocation was offered by Council Member Bivens. The Pledge of Allegiance was given by everyone in attendance.

Adoption of Agenda for the Meeting

Mayor Deese requested to add to the agenda Mr. Richard Matens, Executive Director of Union County Human Services to speak to the council about the CDBG grant if and when he makes it to this meeting.

A motion to approve the agenda was made by Council Member Rowell, seconded by Council Member Carpenter and passed unanimously.

Public Comment

Camelia Eason of 1029 Green Acres Road, Marshville, addressed the council regarding the "Color Purple" events being held this week in Anson and Union counties. An insert showing the scheduled events was provided to all council members. The Thursday lunch at Kate Clyde's Catering has already sold out. She thanked the town for all their hard work.

Consent Agenda

Attorney Griffin stated the deed for 511 E. Main St. has been completed. He then passed the signed/registered deed to Town Manager Shubert.

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

Approve Resolution and advertisement authorizing the sale of surplus property by Electronic Public Auction – *staff recommends that the exercise equipment be re-advertised and priced to sell as individual items. Staff recommends that bidding open beginning at 8:00 am on July 27, 2015 through 7:00 pm on August 7, 2015.*

After a brief discussion, Council Member Rowell made a motion to sell equipment as suggested by staff. The motion was seconded by Council Member Carpenter and passed unanimously.

Discussion and possible action regarding street closure request for the annual Boll Weevil Jamboree, September 18 – 19, 2015

Council Member Rowell stated that the streets would need to be closed at 6:00 pm on Friday night until Saturday at 11:00 pm, as the Jamboree hours have been extended this year.

Council Member Rowell made a motion to close the streets on September 18 and 19 for the Jamboree. The motion was seconded by Council Member Bivens and passed unanimously.

Discussion and possible action regarding approval of a Whistleblower Policy

Manager Shubert stated that this policy was needed to apply for a police department grant and she was open to suggested improvements.

A motion was made by Council Member Morgan to give Council Members time to review this policy and requested it be brought back before the Board at the August meeting. The motion was seconded by Council Member Bivens and passed unanimously.

Approve Resolution 15/16-01 for continued participation in the NC Small Town Main Street Program for FY2015-16

Council Member Rowell made a motion to continue participation in the NC Small Town Main Street Program. The motion was seconded by Council Member Bivens and passed unanimously.

Discussion and possible action concerning service agreement with N-Focus Planning & Design for FY2015-16

Manager Shubert told the Council that the annual contract was for the same amount of money, but we would be paying them more the 1st part of the contract and less the 2nd part, due to them being required to do more work the 1st part.

Council Member Rowell stated the statutes have changed and he would like for Richard (N-Focus) to get the land ordinance and 2035 Plan to the council to review and put on the August Council Meeting agenda.

Manager Shubert doesn't want the council to rush into it. Richard will be at the August and September meetings to explain the land ordinance and 2035 plan, for possible adoption at the October meeting.

No action was taken.

Discussion and possible action regarding an amendment to the Utility Services Policies and Procedures manual

Town Manager Shubert stated that some customers are being unduly burdened due to water line breaks or toilet problems. This policy is fairer. Mayor Deese stated that this policy is more customer friendly. Council Member Rowell made a motion to accept the amended policy. The motion was seconded by Council Member Carpenter and passed unanimously.

Discussion and possible action authorizing staff to draft and send out Requests for Proposals for banking services

Manager Shubert told the Council that we wanted to request proposals to see where the best banking services are in the Marshville area. Council Member Morgan suggested that we also request proposals for cell phone service.

Council Member Bivens made a motion to get proposals for banking and cell phone service. The motion was seconded by Council Member Morgan and passed unanimously.

Town Manager's Report

Music on Main allowed us to purchase the new P.A. system at cost. She called attention to the report that Community Development Director Thifault had given to each Council Member.

Mayor and Town Council Member Comments

Council Member Bivens stated that there needs to be a policy for certain standards for enforcement of property like the James property on E. Union St. and the Traywick property on Ross St. and the policy needs to be enforced.

Council Member Morgan provided all Council Members with information on a workshop that Centralina Council of Governments is co-hosting with USDA-Rural Development to help inform local government staff and elected officials of available funding programs and options. It will be held on August 12, 2015 (2:00 – 4:00 for local government staff and 4:30 – 5:30 for elected officials) at the Gastonia Conference Center.

Council Member Huntley had no comment.

Council Member Rowell thanked the staff and Town Manager Shubert for the budget work and for assisting with the Color Purple event.

Council Member Carpenter stated that she didn't live in Marshville from 1978 – 1987. She missed the filming of the movie "The Color Purple" and that she would be attending the events this week.

Mayor Deese stated that it would be a Council Member decision as to whether or not we apply for the CDBG grant funding.

At 7:52 pm a motion to go into closed session per NCGS 143-318.11 (a) (6), was made by Council Member Rowell. The motion was seconded by Council Member Morgan and

passed unanimously. The Town Manager and Town Attorney was invited to remain for the closed session portion of the meeting.

Closed Session

Open Session (8:16 pm)

Action taken from Closed Session

There was no action resulting from the Closed Session.

At this time, Mr. Richard Matens, Executive Director of Union County Human Services had arrived to present information to the council on the CDBG community grant.

He stated there were 230,000 residents in Union County. There would be \$1.12m per year available for 3 years. Waxhaw, Stallings and Weddington have requested to be included. The deadline for applying is July 21. The approval process would take 7-8 months. This is 100% federally funded dollars with no match. If Marshville should decide to opt out, there would be a 3 year waiting period before we could re-apply for these funds. There are strict guidelines as to where the funds could be spent. It would be for refurbishment only, no new construction. Richard stated that the requests are supported by collected data, which he would provide at the first meeting. Administrative duties are done by Richard Matens, not the town. If town council approves to be included at the July 16 meeting, Richard will furnish a contract at that point in time.

At 8:35 pm a motion to go into closed session per NCGS 143-318.11 (a) (6), was made by Council Member Rowell. The motion was seconded by Council Member Huntley and passed unanimously. The Town Manager was excused from the meeting.

Closed Session

At 8:45 pm the Town Manger was asked to return to the closed session.

Open Session (8:53 pm)

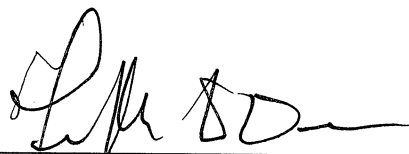
Action taken from Closed Session

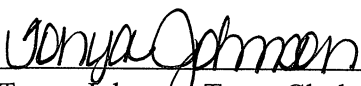
There was no action resulting from the closed session.

Council Member _____ made a motion to recess the meeting to Thursday, July 16 at 7:00 pm at Town Hall. The motion was seconded by Council Member _____ and passed unanimously.

There being no further comments the meeting recessed at 8:55 pm.

These minutes approved this 3rd day of August, 2015.

By: 
Frank Deese, Mayor

ATTEST: 
Tonya Johnson, Town Clerk

Marshville Town Council Meeting
Public Comments
July 13, 2015

NAME

ADDRESS

Camelia Eason 1029 Green Acres Rd, Marshville

Town of Marshville

AMENDMENT

#2016 - 01

2015 - 2016 Budget Ordinance

BE IT ORDAINED by the Marshville Town Council that the 2015 - 2016 Budget Ordinance be amended as follows:

Section 1. General Fund

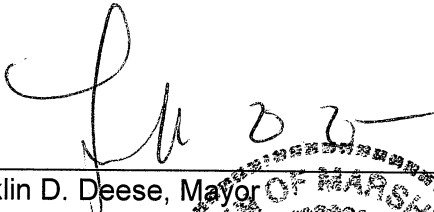
Increase	10-5800	Encumbered Fund Balance	\$53,000.00
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Total Increase			<u>\$53,000.00</u>
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Increase	10-5800	Sanitation	\$53,000.00
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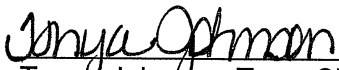
Total Increase			<u>\$53,000.00</u>
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Adopted this 13th day of July, 2015.

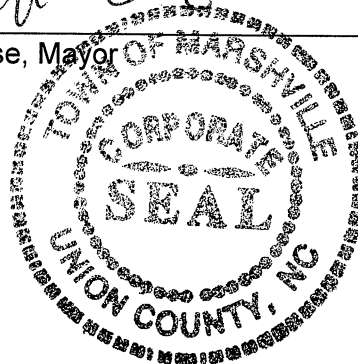


Franklin D. Deese, Mayor

ATTEST:



Tonya Johnson, Town Clerk



This Budget Amendment provides for: Acquisition of the property located at 511 E. Main Street, Marshville for the purpose of a future recycle center

2014-2015

FUND 10 REVENUES

Revenues

10-3010-0000	Ad Valorem Taxes
10-3010-0100	Motor Vehicles
10-3010-0500	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
10-3319-0200	National Night Out Proceeds
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 SalesTax
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 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	

Budget	YTD	Percent
as of 05/31/15		
727,000.00	761,194.37	105%
58,200.00	68,627.03	118%
11,000.00	13,707.38	125%
4,500.00	4,974.83	111%
2,500.00	2,564.50	103%
0.00	0.07	
7,000.00	343.76	5%
0.00	188.75	
0.00	0.00	
0.00	0.00	
0.00	0.00	
300.00	330.00	110%
0.00	968.00	
0.00	210.00	
3429.00	3,602.11	105%
0.00	4,455.00	
0.00	-208.24	
2299.00	2299.80	100%
0.00	14.32	
170,000.00	148,458.90	87%
1,600.00	0.00	
1,500.00	1,562.39	104%
69,000.00	70,095.76	102%
0.00	0.00	
61,000.00	73,711.58	121%
47,000.00	51,575.82	110%
30,000.00	39,218.15	131%
0.00	10.97	
48,000.00	51,250.81	107%
10,000.00	11,766.04	118%
1,000.00	4,010.00	401%
1,200.00	1,130.02	94%
196,500.00	186,944.88	95%
3,750.00	3,750.00	100%
5940.00	6140.00	103%
0.00	0.00	
300.00	892.75	298%
0.00	0.00	
200.00	250.00	
0.00	0.00	
0.00	0.00	
2,200.00	3,369.17	153%
0.00	0.00	
63,100.00	57,260.16	91%
0.00	0.00	
20,950.00	0.00	
56,000.00	0.00	
0.00	0.00	
9,922.00	0.00	
1,615,390.00	1,574,669.08	97%

2013-2014

Budget	YTD	Percent
as of 05/31/14		
722,100.00	756,860.60	105%
57,500.00	76,462.70	133%
10,200.00	11,758.22	115%
3,700.00	5,235.86	142%
1,500.00	3,217.75	215%
0.00	0.00	
8,500.00	334.84	4%
0.00	0.00	
8,812.30	8,812.30	100%
0.00	0.00	
0.00	0.00	
300.00	340.00	113%
0.00	0.00	
0.00	0.00	
1,450.00	7,182.89	495%
3,000.00	0.00	%
0.00	5.13	
38,667.45	41,504.59	107%
0.00	39.28	
170,000.00	128,604.22	76%
2,800.00	1,247.00	45%
1,500.00	1,347.58	90%
67,000.00	68,638.65	102%
0.00	0.00	
52,000.00	58,780.73	113%
41,100.00	41,427.02	101%
28,900.00	31,334.54	108%
0.00	17.84	
40,000.00	43,317.80	108%
10,000.00	10,443.24	104%
1,000.00	2,460.00	246%
1,500.00	1,079.74	72%
193,000.00	178,809.51	93%
5,000.00	3,000.00	60%
0.00	0.00	
0.00	0.00	
2,200.00	664.00	30%
0.00	0.00	
0.00	0.00	
0.00	0.00	
0.00	0.00	
2,500.00	2,796.67	112%
0.00	50.00	
49,200.00	45,531.96	93%
0.00	0.00	
109,147.31	0.00	
0.00	0.00	
0.00	0.00	
0	0.00	
1,632,577.06	1,531,324.66	94%

2014-2015

Budget	YTD	Percent
	as of 05/31/15	
73,990.00	58,892.58	80%
255,200.00	206,591.93	81%
136,505.00	119,611.56	88%
37,400.00	33,776.12	90%
606,053.00	523,406.20	86%
149,940.00	116,173.61	77%
56,000.00	34,237.20	61%
218,485.00	185,686.54	85%
71,817.00	49,319.95	69%
10,000.00	0.00	%
0.00	0.00	
0.00	154,725.30	
1,615,390.00	1,482,420.99	92%

2013-2014

Budget	YTD	Percent
	as of 05/31/14	
87,675.00	63,550.63	72%
356,815.31	306,595.93	86%
98,800.00	65,597.91	66%
19,920.00	3,437.85	17%
570,316.75	512,708.97	90%
211,510.00	138,411.21	65%
0.00	41.72	
184,780.00	136,085.17	74%
92,760.00	76,389.21	82%
10,000.00	0.00	
0.00	0.00	
0.00	0.00	
1,632,577.06	1,302,818.60	80%

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
10-9800 Transfer to Enterprise Fund
10-9840 Transfer to 40 Fund
Total Expenses for Fund 10

2014-2015

FUND 30 REVENUES	
Revenues	
30-1350-0000 Utility Refunds	
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 05/31/15		
0.00	-2,382.74	
0.00	0.00	
9,000.00	842.11	9%
0.00	0.00	
0.00	12.80	
0.00	0.00	
0.00	0.00	
0.00	0.00	
0.00	41.79	
571,600.00	592,238.53	104%
759,170.00	700,555.08	92%
18,000.00	19,450.00	108%
25,000.00	26,421.12	106%
0.00	850.00	
3,500.00	4,225.00	121%
0.00	0.00	
0.00	320.00	
0.00	934.00	
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	1,343,507.69	96%

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	

Budget	*YTD	Percent
as of 05/31/15		
0.00	0.00	
5,000.00	0.00	
0.00	0.00	
640,900.00	432,653.79	68%
759,170.00	563,383.49	74%
1,405,070.00	996,037.28	71%

2013-2014

Budget	YTD	Percent
as of 05/31/14		
0.00	-5128.93	
0.00	0.00	
7,500.00	134.33	2%
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	510,888.84	101%
564,283.00	521,537.74	92%
10,800.00	23,750.00	220%
30,000.00	23,226.15	77%
0.00	809.29	
3,250.00	4,275.00	132%
0.00	0.00	
0.00	525.00	
0.00	550.00	
10,500.00	0.00	
7,000.00	0.00	
0.00	0.00	
0.00	0.00	
0.00	0.00	
131,042.00	0.00	
1,267,714.00	1,080,702.27	85%

Budget	YTD	Percent
as of 05/31/14		
0.00	0.00	
5,000.00	0.00	
0.00	0.00	
586,029.00	460,581.87	79%
676,685.00	505,100.84	75%
1,267,714.00	965,682.71	76%

*Reflects Current Year Outstanding Payables to Union Co. - Sewer of \$197,786.66

**Total Outstanding Payables to Union Co. - Sewer = \$231,439.37

Revenue over (under) expenses \$ 347,470.41

**RESOLUTION
AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY BY
ELECTRONIC PUBLIC AUCTION**

WHEREAS, G.S. 160A-270 allows the Marshville Town Council to sell personal property at public auction upon adoption of a resolution authorizing the approval officer to dispose of property at public auction;

WHEREAS, the following property listed below is no longer needed for any governmental use by the Town of Marshville and that the Town Manager recommends that the property listed be sold at electronic auction as surplus property;

- 1) Leg Extension/Leg Curl Machine
- 2) Shoulder Press/Lateral Pull Machine
- 3) Chest/Back Pectoral Machine
- 4) Squat/Leg Press Machine
- 5) Glut Press Machine
- 6) Precor Stepper Model C762
- 7) Weslo Cadence Treadmill Model ex16
- 8) PowerTec Home Gym System (includes 250 lbs. free weights & weight rack)
- 9) (6) Recovery Boards

WHEREAS, it is the intent of the Town to sell the items listed above by electronic public auction at www.govdeals.com beginning 8:00 a.m., July 27, 2015 and ending at staggered times beginning at 7:00 pm, August 7, 2015;

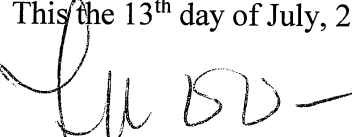
WHEREAS, it is understood that the Town authorizes GovDeals to collect all auction proceeds due the Town from the winning bidder and remit the auction proceeds to the Town less the 5% Buyers Premium;

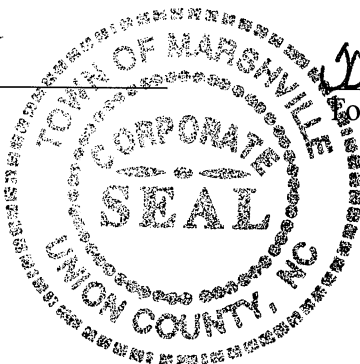
WHEREAS, be it resolved, by the Marshville Town Council that the Town Manager or her designee is authorized to sell by electronic auction at www.govdeals.com beginning at 8:00 a.m., July 27, 2015 and ending at staggered times beginning at 7:00 pm, August 7, 2015;

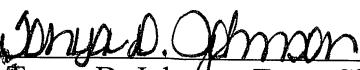
WHEREAS, items to be sold are as is, where is, without warranty, and all sales are final;

NOW, THEREFORE BE IT RESOLVED, that the Marshville Town Council hereby declares said property as surplus and authorizes the Town Manager to sell said property at electronic public auction to the highest bidder.

This the 13th day of July, 2015.


Franklin D. Deese, Mayor




Tonya D. Johnson, Town Clerk

-PUBLIC NOTICE-

In accordance with G.S. 160A-270 and pursuant to Resolution #1516-02 of July 13, 2015, the Town of Marshville proposes to sell by electronic public auction at www.govdeals.com, beginning at 8:00 am, July 27, 2015 and ending at staggered times beginning at 7:00 pm, August 7, 2015, the following personal property:

- 1) Leg Extension/Leg Curl Machine
- 2) Shoulder Press/Lateral Pull Machine
- 3) Chest/Back Pectoral Machine
- 4) Squat/Leg Press Machine
- 5) Glut Press Machine
- 6) Precor Stepper Model C762
- 7) Weslo Cadence Treadmill Model ex16
- 8) PowerTec Home Gym System (includes 250 lbs. free weights & weight rack)
- 9) (6) Recovery Boards

Terms are Cash at Time of Sale. The highest bid, if it complies with the terms of the sale, will be accepted and the sale consummated. Items to be sold are as is, where is, without warranty and all sales are final.

Inquiries may be directed to Marshville Town Hall at 704-624-2515.

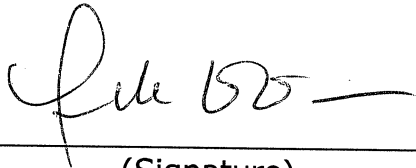
Tonya Johnson, Town Clerk

TOWN OF MARSHVILLE

est. 1877

To Whom It May Concern,

I, Franklin D. Deese, Mayor of the Town of Marshville, have been notified regarding the street closure(s) request for September 18 & 19, 2015 for the annual Boll Weevil Jamboree. I, on behalf of the Marshville Town Council, approve the requested street closure(s) for the set up and duration of the Boll Weevil Jamboree for the dates requested.



(Signature)

7/13/15

(Date)

North Carolina Department of Transportation
Special Event Request Form
Division 10

This request form is required for all special events being held within the right-of-way of State Highway System roads. Special events include one-time, annual, or periodic bicycle races, marathons or other foot races, festivals, charity walks, parades or other events outside of the normal usage of the State Highway System. **This request must be submitted to the appropriate Division Traffic Engineer(s) where the event will be held at least sixty (60) days prior to the scheduled beginning of the event.** See a listing of the Highway Divisions and their contact information at the following URL:

<https://apps.dot.state.nc.us/dot/directory/authenticated/UnitPage.aspx?id=630>

Section A: Event Information

Name of Event Boll Weevil Jamboree
Type of Event Festival
County/Countries Union
City/Cities Marshallville
Event Date(s) September 18-19 2015
Event Time(s) Begin 6 PM 9/18/15 End 11 PM 9/19/15
Primary Sponsoring Organization Marshallville Chamber of Commerce
Anticipated number of participants (estimate) 3,000
Approximate distance in miles .2
Requested Action(s) ☒ Temporary Road Closure ☐ Temporary Interference with Traffic
(Check all that apply) ☐ Temporary Lane Closure ☐ Participants Share the Road with Traffic

Section B: Contact Information

Director/Organizer Name Randi Finnegan Email randi.finnegan@gmail.com
Mailing Address 801 Allen Dr.
Marshallville NC 28103
Telephone 1 704-221-3173 Telephone 2 _____ Fax _____
Responsible Local Government Town of Marshallville
Local Government Contact Fern Schubert Telephone 704-624-2575
Responsible Law Enforcement Agency Marshallville Police Dept.
Law Enforcement Contact Matt Tarkenton Telephone 704-624-6767

Section C: Support Material

The following support documentation must be attached to this request before it will be considered.

1. Detailed location(s) of event including maps indicating route(s) used by the event.
2. Detailed description of the event and how it will affect the route(s) used by the event.
3. Written support for the event from all local governments whose jurisdiction the event is being held in.
4. Written acknowledgement and approval by local law enforcement and/or the State Highway Patrol.
5. Type, description, and location of any proposed temporary lane closures/interference, road closures/interference, traffic control and signing with appropriate maps, sketches, detour routes, and written acknowledgement from the agency providing the temporary closures/interference, traffic control, and/or signing accepting responsibility for such.
6. Description of notification to residents along the route as a safety and informational service.

Section D: Terms and Conditions

The following applies to all approved events.

1. Requestor shall be responsible to properly close the lanes/roads according to the Manual on Uniform Traffic Control Devices (MUTCD).
2. Requestor shall be responsible to provide all necessary traffic control using the appropriate law enforcement agency/agencies or individuals trained in traffic control as set forth in General Statute §20-114.1.
3. Requestor shall be responsible to notify all emergency services and other responders of any impending closures and/or interference.
4. Event shall be supported by, or endorsed by, the local government body/bodies.
5. If a bicycle race, requestor shall be responsible to follow rules and statutes specific to bicycle racing as provided for in General Statute §20-171.2.

Section E: Signatures

Requestor Signature



Date

6/29/15

Approval Signature

Date

Division Traffic Engineer

cc: Division Engineers
District Engineers
Resident Engineers
Bridge Maintenance Engineers
Roadside Environmental Engineers
Bituminous Supervisors
State Highway Patrol

Statement of Liability Waiver for Special Events

This statement of liability waiver is made for the named event listed in Section A of the "Special Events Request Form", hereinafter "the Special Event," by the Special Event organizer listed under Section B of the "Special Events Request Form", hereinafter "the Organizer", to the Department of Transportation, an agency of the State of North Carolina, hereinafter "the Department".

Whereas, the Organizer is organizing a Special Event using roads of the State Highway System and accepts responsibility as the person in charge of the Special Event;

Whereas, the Organizer shall identify in writing the name, if any, of the organizations or groups sponsoring the Special Event;

Whereas, the Organizer shall identify in writing and on a map the roads of the State Highway System to be used for the Special Event prior to the start of the Special Event;

Whereas, the Organizer shall address all safety and mobility issues;

Whereas, the Organizer accepts all risks and liabilities and shall release, waive, discharge and covenant not to use the Department for any and all liability from any and all claims arising from the Special Event and shall provide a copy of this statement of liability waiver to all participants of the Special Event and obtain their written agreement of said waiver prior to their participation in, and the commencement of, the Special Event;

Whereas, the Organizer and all participants understand and agree that this statement of liability waiver shall be binding upon executors, administrators, personal representatives, collectors, heirs, successors, and assigns, and shall inure to the benefit of the Department and all of its past, present, and future officers, directors, employees, agents representatives, insurers, predecessors, and successors;

Whereas, the Organizer agrees to make restitution for any and all claims for personal injury or property damage which may be asserted against the Department by reason of any individual's participation in the Special Event and agrees to make restitution for any costs, expenses, and damages (including, without limitation, attorney's fees and costs) which may be asserted against the Department as a result of the Special Event;

Therefore, the Organizer does hereby fully and unconditionally release and discharge the Department and all past or present agents and employees of the Department, in their official and individual capacities, from any and all claims and losses, liabilities, demands, actions, or causes of action of any kind or character (including without limitation, for attorney's fees, costs, and expenses), whether known or unknown, with the knowledge that such may come to exist, whether at law or at equity on account of, connected with, or growing out of the Special Event.

The Organizer hereby certifies that he/she shall obtain signed Release and Waiver of Liability forms for every participant in the event and shall provide the Department a copy of the signed forms upon request at any time within four (4) years of the date of the event. The undersigned hereby acknowledge that they have read this statement, and fully understand its contents.

(Name 1 - printed)

(Name 2 - printed)

(Name 3 - printed)

(Name 1 - signature)

(Name 2 - signature)

(Name 3 - signature)

(Name 1 - date)

(Name 2 - date)

(Name 3 - date)

BOLL WEEVIL OFFICER ASSIGNMENTS

Main St. @ Raleigh St.	Tarlton/Steven
Main St. @ Olive Branch Rd.	Maske
S. Elm St. @ Hwy 74	Zack
N. Elm St. @ E. Union St.	McClellan
S. White St. @ Hwy 74	Spurlock/Blakney
E. Union St. @ Cross St.	Carrier

- Security Officers for stage \ rides: 6:00 p.m. -12:00 a.m Steven
- Security Officers for stage \ rides; 12:00 a.m. - 6:00 a.m Steven
- Streets are to be closed at 06:00 a.m. Saturday
- Officers will be provided with map & list of booth \ event positions
- Make sure radios and flashlights are charged
- Chief will be floating during the road closings and set up
- Spurlock will be answering calls
- CSX has been notified

CHIEF Tarlton is the department's **SUPERVISOR**, if any direction or change in the departments personnel assignments comes about, then it is to go through **CHIEF Tarlton**. If the Chief is unavailable then contact me.

Sgt. J.D. Carrier



Marshville Police Department

113 W. Main Street
Marshville, North Carolina, 28103

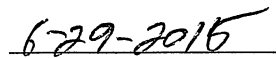


Chief of Police
Matthew Tarlton

The Bollweevil Jamboree is an annual celebration provided by the town of Marshville. On September 18th, Main Street, South Elm Street, South White Street, East Union Street, and Cross Street will be closing at 6pm. At this time, stages and rides will be set up for the celebrations that evening until approximately 10pm. The above listed roads will stay closed overnight and for the remainder of the Jamboree on Septemeber 19th from 6am until approximately 11pm. Due to the stages, booths, and other attractions being set up during the Bollweevil Jamboree, it is important for these roads to be closed and detours set in place.

Chief Matthew Tarlton


(Signature)


(Date)

Emergency: 911

Telephone: 704-624-6767 Fax: 704-624-2045 Email: mtarlton@Marshvillepd.org



Marshville Police Department

113 W. Main Street
Marshville, North Carolina, 28103



Chief of Police
Matthew Tarlton

I Matthew D. Tarlton, Chief of the Marshville Police Department, acknowledge and approve the closing of roads for the Bollweevil Jamboree for the dates of September 18th and 19th. I acknowledge that appropriate signs, detour routes, and traffic control has been planned and will be in effect for the duration of the Bollweevil Jamboree. The Marshville Police Department accepts responsibility for the road closures and has provided a detailed route of the closed roads.


(Signature)

08-29-2015
(Date)

Emergency: 911

Telephone: 704-624-6767 Fax: 704-624-2045 Email: mtarlton@Marshvillepd.org

**RESOLUTION
ADOPTING AN AGREEMENT TO CONTINUE PARTICIPATION IN THE
NORTH CAROLINA SMALL TOWN MAIN STREET PROGRAM
2015-2016**

WHEREAS; the North Carolina Department of Commerce, Office of Urban Development has established a Small Town Main Street Program to provide technical assistance in downtown revitalization, utilizing the "Main Street Four-Point Approach®" of Organization, Design, Promotion and Economic Restructuring to selected small towns in North Carolina; **and**

WHEREAS; towns selected to receive a more detailed level of service incorporating all of the "Main Street Four Points®"; **and**

WHEREAS; the Department of Commerce selected the Town of Marshville to participate in the program and the Town wishes to continue its participation for an additional year; **and**

WHEREAS; both parties agree that a high level of community participation and commitment is required on the part of the Town and community in order to ensure that the program is as successful as possible: **and**

WHEREAS; reimbursement for travel related expenses will be required of the Town when Small Town Main Street staff travels to the Town for regular meetings or as requested by the Town;

THEREFORE, BE IT RESOLVED; that the Town agrees to continue its participation in the Small Town Main Street Program and to abide by the following conditions:

1. The Town will actively participate in the Small Town Main Street Program for an additional period of no less than twelve (12) months beginning July 1, 2015.
2. The Town will designate a contact person in the community for the technical assistance team to coordinate with in order to provide continuity and leadership for the program.
3. The Town will continue to maintain a volunteer committee and working subcommittees that are representative of the entire community, to provide focus for the program.
4. The Town will continue its support for the volunteer committee and will assist the committee and team in conducting community projects and any other necessary activities.
5. The Town will cooperate with the Small Town Main Street technical assistance team and support the community vision and plan of action.
6. The Town will continue to implement the plan of action to the fullest extent possible.
7. The Town will continue to develop and actively participate in local and regional partnerships and networks, and share resources and information gained through the program with other communities in the region.
8. The Town agrees to reimburse the Office of Urban Development for travel related expenses for any travel requested by the Town as submitted.
9. The Town agrees to join the National Main Street Center as an associate member by October 1st, 2014 and remain an associate member so long as the Town participates in the NC Small Town Main Street Program; and pay dues as required to the National Main Street Center, currently established as \$250 per year.
10. The Town agrees to send a representative to in-state training that may be requested by the North Carolina Main Street Center and to the Annual North Carolina Main Street Conference when scheduled.

**ADOPTED BY THE TOWN COUNCIL of the TOWN OF MARSHVILLE THIS 13TH DAY
OF JULY, 2015.**


Mayor

(SEAL)


Clerk

TOWN OF MARSHVILLE

est. 1877

TEXT AMENDMENT 2015-01

Town of Marshville Utility Service Policies and Procedures Manual Section 6. Operational Policies Subsection A. Billing Adjustments – *Excessive Use*

Excessive Use: Excessive use is defined as metered water and/or sewer flow equal to or greater than ~~three one and one half~~ (1 ½) times the customer's average monthly consumption amount. Average monthly consumption is based on the six (6) month average prior to the month showing excessive use.

~~Should a residential or commercial water and/or sewer customer being served by a water tap no greater than three fourth inches request an adjustment for excessive use, Town staff shall first verify the meter reading to ensure accuracy of the bill. Upon verification of the meter reading and verification that the consumption amount exceeds three times the customer's average monthly consumption, the adjustment request may be considered.~~

Utility customers (excluding irrigation customers) may apply for an adjustment when excessive use has occurred. An Adjustment Request Form should be completed by the account holder and submitted to the Town for review. The customer must provide information describing the situation or circumstances that resulted in the loss of water. This should include the cause of the water loss if known, when the problem was discovered, and what action was taken to stop the loss of water. Any documentation verifying the cause of the excessive use should be attached to this the form (e.g. plumber's invoice, receipts for purchase of repair equipment). Upon verification of the meter reading and verification that the consumption amount exceeds one and one half (1 ½) times the customer's average monthly consumption, the adjustment request may be considered.

~~If the adjustment request is approved, the customer should be billed at a regular rate for three times the customer's average monthly consumption. Charges for consumption used over the average monthly consumption should calculated at a rate equal to the wholesale rate that the town is billed for water and/or sewer services for the period. The wholesale rate shall include any cost that is the contractual responsibility of the town for purchase of water and/or sewer treatment, as applicable. Charges billed for consumption used over the average monthly consumption should then be compared to charges for consumption calculated at the wholesale rate and an adjustment made accordingly to not bill the consumption for any amount of over the wholesale rate of purchase for consumption used in excess of the average monthly consumption,~~

If excessive use occurs and enters into the sewer system, all metered usage above one and one half (1 ½) times the customer's average monthly consumption shall be adjusted to the wholesale rate. The wholesale rate shall include any cost that is the contractual responsibility of the town for purchase of water and/or sewer treatment, as applicable.

If excessive use occurs, and the customer can provide evidence that the excessive water did not enter the sewer system, then all sewer usage charges above the customer's average monthly consumption shall be adjusted off. Excessive water usage above one and one half (1 ½) times the customer's average monthly consumption shall be adjusted to the wholesale rate. The wholesale rate shall include any cost that is the contractual responsibility of the town for purchase of water and/or sewer treatment, as applicable.

If excessive use occurs within the first billing cycle of a new account, the customer's average monthly consumption shall be calculated based on a daily average usage times 30 days with the daily average being determined after repairs have been made. If excessive use occurs within the first six billing cycles of a new account, the average monthly consumption should be calculated based off of the active number of billing cycles, excluding the first.

~~If a customer approved for an adjustment for excessive use can provide evidence that the excessive water use did not enter the sewer system of the Town then the customer shall not be responsible for sewer charges above the customer's average monthly consumption.~~

~~Requests for adjustment due to excessive use for a residential or commercial water and/or sewer customer being served by a water tap greater than three fourth inches will not be accepted or approved. This billing adjustment shall not be allowed more than one time during any calendar year for no more than two consecutive months of excessive usage. for the same customer, regardless of location.~~

This amendment shall become effective on the 13th day of July, 2015.

Adopted: _____

Franklin D. Deese, Mayor

ATTEST: _____
Tonya Johnson, Town Clerk