



**Town of Marshville
Town Council Meeting
Monday, August 1, 2016, 7:00 PM
Marshville Town Hall**

AGENDA

- 1. Call to Order/Invocation/Pledge of Allegiance**
- 2. Adoption of Agenda for the Meeting**
- 3. Public Comment**
Please sign in at the podium. Before speaking, state your name and address and limit comments to two minutes.
- 4. Consent Agenda**
 - Budget Report as of June 30, 2016
 - Minutes – June 13, 2016 – Special Meeting
 - Minutes – June 17, 2016 Special Meeting
 - Minutes – July 11, 2016 Regular Meeting
 - Union County Tax Collections - Order of Collection Tax Charge for FY2016-2017
 - Union County Tax Collections - Tax Settlement Report for FY2015-2016
- 5. Presentation from Artists Music Guild regarding possible partnership with Marshville – Dr. David L. Cook, Jamie Underwood**
- 6. Discussion and possible action regarding reinstating town council work sessions**
- 7. Information concerning a search for a Town Manager**
- 8. Town Manager's Report**
- 9. Mayor and Town Council Member Comments**
- 10. Closed Session (per NCGS 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.)**
- 11. Adjourn**

Upcoming Meetings & Events:

August 2, 2016 – National Night Out Event – Marshville Park	5:00 – 8:00 pm
August 9, 2016 – Small Town Main Street – Community Center	12:00 pm
August 11, 2016 – Planning Board Meeting	7:00 pm
August 22 – September 2, 2016 – FY2015-16 Audit, J. B. Watson and Co., PLLC	
September 5, 2016 – Labor Day (Town Hall Closed)	
September 12, 2016 - Town Council Meeting	7:00 pm

2015-2016

FUND 10 REVENUES		Budget	YTD as of 06/30/16	Percent
Revenues				
10-3010-0000	Ad Valorem Taxes	670,384.00	754,393.47	113%
10-3010-0100	Motor Vehicles	69,550.00	78,433.33	113%
10-3010-0500	Priority Year Tax Collect	11,000.00	16,717.02	152%
10-3170-0000	Tax Penalties & Interest	4,500.00	5,580.66	124%
10-3250-0000	Privilege Licenses	0.00	140.00	
10-3260-0000	Vehicle Rental Tax	0.00	0.00	
10-3290-0000	Interest on Investments	3,800.00	524.65	14%
10-3317-0000	Controlled Substance Tax	0.00	0.00	
10-3318-0000	Police Grant	13,549.00	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	280.00	93%
10-3319-0100	Police Protection Rev	900.00	972.00	
10-3319-0200	National Night Out Proceeds	0.00	0.00	
10-3350-0000	Miscellaneous	1650.00	2,438.28	148%
10-3350-0100	Sale of Fixed Asset	0.00	0.00	
10-3350-0200	Cash Short	0.00	-23.54	
10-3360-0000	Insurance Proceeds	15614.00	15,614.20	
10-3360-0100	Reimbursement Proceeds	0.00	0.00	
10-3370-0000	Franchise Tax - Utilities	185,000.00	210,147.43	114%
10-3370-0100	Franchise Tax - Cable TV	0.00	0.00	
10-3370-0200	Solid Waste Disposal Tax	1,600.00	1,569.13	98%
10-3430-0000	Powell Bill Allocation	69,500.00	69,660.91	100%
10-3450-0000	Local Option SalesTax	0.00	0.00	
10-3450-0010	Sales Tax Art. 39	80,000.00	80,118.91	100%
10-3450-0020	Sales Tax Art. 40	55,000.00	55,229.32	100%
10-3450-0030	Sales Tax Art. 42	42,000.00	42,558.23	101%
10-3450-0040	Sales Art. 44	0.00	9.25	
10-3450-0050	Sales Tax Hold Harmless	52,000.00	54,850.48	105%
10-3450-0200	Beer & Wine Tax Distr	10,500.00	10,861.04	103%
10-3491-0000	Planning/Zoning Fees	2,000.00	4,612.00	231%
10-3510-0000	Court Cost Fees & Charges	1,100.00	1,893.79	172%
10-3590-0000	Refuse Collection Fees	183,500.00	199,040.76	108%
10-3610-0000	Cemetery - Sale of Lot	3,750.00	6,000.00	160%
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	500.00	733.32	147%
10-3650-0100	Grant for Park	0.00	0.00	
10-3650-0120	Community Development	0.00	250.00	
10-3650-0130	Skatepark Donations	0.00	0.00	
10-3650-0200	Park Concessions	0.00	0.00	
10-3650-0300	Facilities Rental Fee	2,500.00	4,061.65	162%
10-3710-0400	Late Fee	0.00	0.00	
10-3834-0000	Property Leases	65,000.00	73,075.61	112%
10-3984-0000	Transfer From 40 Fund	0.00	113,083.30	
10-3990-0000	Encumbered Fund Balance	292,734.00	0.00	
10-3990-0100	Encumbered Powell Bill	176,400.00	0.00	
10-3990-0200	Encumbered Cont. Substance	0.00	0.00	
10-3990-0300	Encumbered Solid Waste	313.00	0.00	
Total Revenues for Fund 10		2,014,644.00	1,802,825.20	89%

2014-2015

		Budget	YTD as of 06/30/15	Percent
		727,000.00	768,229.14	106%
		58,200.00	78,176.98	134%
		11,000.00	14,529.24	132%
		4,500.00	5,671.25	126%
		2,500.00	2,607.00	104%
		0.00	24.76	
		7,000.00	4,870.97	70%
		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	
		0.00	0.00	
		3,429.00	3,700.94	108%
		0.00	4455.00	
		0.00	-208.24	
		2,300.00	2,299.80	
		0.00	14.32	
		170,000.00	208,100.21	122%
		1,600.00	0.00	%
		1,500.00	1,591.90	106%
		69,000.00	70,095.76	102%
		0.00	0.00	
		61,000.00	80,589.13	132%
		47,000.00	56,934.27	121%
		30,000.00	42,912.15	143%
		0.00	9.70	
		48,000.00	56,786.63	118%
		10,000.00	11,786.04	118%
		1,000.00	4,275.00	428%
		1,200.00	1,247.06	104%
		196,500.00	204,417.00	104%
		3,750.00	3,750.00	100%
		5940.00	6140.00	
		0.00	0.00	
		300.00	942.75	314%
		0.00	0.00	
		200.00	250.00	
		0.00	0.00	
		0.00	0.00	
		2,200.00	3,744.17	170%
		0.00	0.00	
		63,100.00	65,493.92	104%
		0.00	0.00	
		20,950.00	0.00	
		57,150.00	0.00	
		0.00	0.00	
		9922.00	0.00	
		1,616,541.00	1,705,113.60	105%

2014-2015

	Budget	YTD		Percent
		as of 06/30/15		
	73,990.00	62,806.65		85%
	255,200.00	233,407.22		91%
	136,505.00	131,559.58		96%
	37,400.00	31,780.44		85%
	606,053.00	566,069.82		93%
	149,940.00	133,054.58		89%
	57,150.00	56,391.67		99%
	218,485.00	214,908.54		98%
	71,817.00	53,368.44		74%
	10,000.00	0.00		
	0.00	0.00		
	0.00	154,725.30		
	1,616,540.00	1,638,072.24		101%

2015-2016

	Budget	YTD		Percent
		as of 06/30/16		
	73,100.00	67,276.01		92%
	258,500.00	226,424.84		88%
	211,725.00	152,790.95		72%
	24,150.00	13,142.47		54%
	710,189.00	664,592.24		94%
	127,350.00	110,226.30		87%
	176,400.00	113,895.65		65%
	246,180.00	230,391.21		94%
	177,050.00	152,822.83		86%
	10,000.00	0.00		
	0.00	0.00		
	0.00	0.00		
	2,014,644.00	1,731,562.50		86%

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

2015-2016

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
30-3750-0000	Bad Debts
30-3750-0100	Capacity Fees - Water
30-3750-0200	Capacity Fees - Sewer
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 as of 06/30/16	Percent
0.00	0.00	
0.00	0.00	
1,500.00	509.95	34%
0.00	353.00	
0.00	0.00	
0.00	0.00	
0.00	0.00	
0.00	4,021.45	
0.00	0.00	
656,400.00	656,105.71	100%
759,000.00	783,926.39	103%
18,000.00	19,600.00	109%
25,000.00	33,410.00	134%
0.00	650.00	
3,500.00	4,250.00	121%
0.00	0.00	
0.00	200.00	
0.00	557.00	
10,800.00	6,000.00	
31,500.00	17,500.00	
0.00	0.00	
12,900.00	7,205.00	
29,600.00	16,485.00	
0.00	0.00	
0.00	0.00	
0.00	0.00	
1,547,200.00	1,550,773.50	100%

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 as of 06/30/16	Percent
0.00	0.00	
5,000.00	0.00	
0.00	0.00	
700,600.00	513,589.30	73%
841,600.00	693,280.51	82%
1,547,200.00	1,206,869.81	78%

2014-2015

Budget	YTD as of 06/30/15	Percent
0.00	-2382.74	
0.00	0.00	
9,000.00	2,978.54	33%
0.00	0.00	
0.00	12.80	
0.00	0.00	
0.00	0.00	
0.00	0.00	
0.00	0.00	
0.00	41.79	
571,600.00	652,031.33	114%
759,170.00	770,253.95	101%
18,000.00	20,650.00	115%
25,000.00	29,021.12	116%
0.00	900.00	
3,500.00	4,600.00	131%
0.00	0.00	
0.00	320.00	
0.00	1,182.00	
4,800.00	0.00	
14,000.00	0.00	
0.00	-3,400.00	
0.00	0.00	
0.00	0.00	
0.00	14,577.75	
0.00	0.00	
0.00	0.00	
1,405,070.00	1,490,786.54	106%

Budget	YTD as of 06/30/15	Percent
0.00	0.00	
5,000.00	0.00	
0.00	0.00	
640,900.00	502,295.78	78%
759,170.00	751,230.10	99%
1,405,070.00	1,253,525.88	89%

Union Co. Sewer expense as of 6/30/16 = \$238,000.81 (Included in YTD Expense line even though payment to Union Co. has been withheld)

Union Co. Sewer as of 6/30/15 = \$208,356.64 (Included in YTD Expense line even though payment to Union Co. has been withheld)



**Town of Marshville
Town Council Meeting
Monday, June 13, 2016, 6:30 PM
Marshville Town Hall**

Special Meeting Minutes

Council Members Present: Mayor Deese; Mayor Pro-Tem Morgan; Council Members Margaret Bivens, Norma Carpenter, Ernestine Staton and Jim Rowell

Staff Present: Town Manager, Fern Shubert; Clerk/Finance Officer, Tonya Johnson; Police Chief, Matt Tarlton

Call to Order/Invocation/Pledge of Allegiance

The meeting was called to order at 6:30 pm by Mayor Frank Deese. Council Member Margaret Bivens gave the invocation. The Pledge of Allegiance was given by everyone.

Adoption of Agenda for the Meeting

A motion to adopt the agenda was made by Council Member Carpenter. The motion was seconded by Council Member Staton and passed by unanimous vote.

Public Hearing regarding the proposed FY2016-17 Annual Budget, Fee Schedule and Meeting Calendar

A motion to open the public hearing was made by Council Member Staton. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote. Town Manager Shubert reported that she has no new information to present regarding the proposed FY2016-17 annual budget. There were no public comments. Council Member Rowell asked if the council has plans to adopt what has been presented here tonight. Mayor Deese stated that he has no intention of any council action this evening. He recommended that another special meeting be called for finalizing the budget.

Council Member Rowell made a motion to call for a special meeting on Friday, June 17, 2016 at 5:00 pm at the Marshville Town Hall for discussion and possible action on the proposed FY2016-17 Annual Budget, Fee Schedule, Meeting Calendar and any other items related to the budget, and for any current year budget amendments. The motion was seconded by Council Member Staton and passed unanimously.

Adjourn

A motion to adjourn was made by Council Member Rowell. The motion was seconded by Council Member Bivens. There being no further comments the meeting adjourned at 6:55 pm.

These minutes approved this 1st day of August, 2016.

By: _____

Franklin D. Deese, Mayor

ATTEST:

Tonya D. Johnson, Town Clerk



Town of Marshville Town Council Meeting

Friday, June 17, 2016 5:00 PM
Marshville Town Hall

Special Meeting Minutes

Council Members Present: Mayor Deese; Council Members Margaret Bivens, Norma Carpenter, Ernestine Staton and Jim Rowell. Mayor Pro-Tem Morgan arrived at 5:20 pm.

Staff Present: Town Manager, Fern Shubert; Clerk/Finance Officer, Tonya Johnson; Police Chief, Matt Tarlton

Call to Order/Invocation/Pledge of Allegiance

The meeting was called to order at 5:06 pm by Mayor Frank Deese. Council Member Carpenter gave the invocation. The Pledge of Allegiance was given by everyone.

Public Comment

Toni Austin, of 907 Hasty Road, Marshville, addressed the council regarding talk of the proposed sewer increase. She expressed that each household should pay based upon consumption, rather than each household paying a fixed amount.

Mayor Deese clarified that the proposed fee increase is strictly sewer. Council Member Staton questioned that if the county doesn't provide accurate numbers, then how is the amount to charge each customer determined.

Town Manager Shubert discussed the sewer issue with Union County and reviewed the rate study that was completed based upon the impact of the Union County sewer increase. NC Rural Water performed the rate study and based it upon a fixed amount per household.

Mayor Deese stated that council has before them three versions of the FY2016-17 Budget and Fee Schedule. One version proposes an \$18.60 sewer rate increase, another version proposes a \$9.30 sewer rate increase and the final version proposes no rate increase. The mayor stated that there are too many variables to calculate an accurate per gallon increase. He stated that the town cannot give refunds. However, rates can be lowered in an effort to give back to customers. Mayor Deese commented that even without the Union County sewer issue the town may have still had to propose a rate increase due to several capital improvement projects to improve the town's infrastructure. The manager reported that a rate study has already been planned for next year.

Town Manager Shubert referenced the fee schedule and suggested that the code enforcement fees be amended to reflect that code enforcement related items will be billed at cost. She suggested that the entire section of the proposed FY2016-17 Fee Schedule for code enforcement be deleted. The charges for code enforcement will be billed based upon the cost incurred to provide the service. Mayor Deese clarified that the town will pay and then proceed to place a lien on the property. Discussion ensued. Council Member Rowell made a motion to remove code enforcement fees from the FY2016-17 Fee Schedule and fee schedules going forward and further moved that code enforcement fees will be billed at cost and a lien placed upon the property. The motion was seconded by Council Member Staton and passed by unanimous vote.

Council Member Rowell favored the proposed budget with no increase. He stated that each month's bills from the county should be deducted from the budgeted amount until a budget amendment is required, or until such time that the budget and fee schedule must be amended. He asked members of the council not to consider a rate increase at this time. Council Member Rowell pointed out that the budget is a projection and it can be amended throughout the year. Council Member Staton expressed that this needs to be discussed further. The town has loans to repay.

Council Member Rowell made a motion to adopt the FY2016-17 annual budget and fee schedule that proposes no rate increase. The motion was seconded by Mayor Pro-Tem Morgan. Discussion ensued. Mayor Deese commented that the attorneys have stated that the town should come up with an amount to pay Union County. Town Manager Shubert stated that she is hopeful that Union County will pay the town. Mayor Deese pointed out that this council did not impose a rate increase in FY2015-16 to cover the increase incurred from Union County. He agrees that \$18.60 per month is too much. However, he feels the town must do something. Mayor Deese agreed that budgets are projections. He pointed out that this council has a fiscal responsibility to produce a budget that is as accurate as possible.

Council Member Rowell stated that the fee schedule affects the budget. He doesn't feel the town should charge the customers at this time since the town is not paying anything. Mayor Deese stated that he agrees with that to a certain extent. However, the town may lose the lawsuit. He asked, "What then?" Mayor Deese stated that this council should adopt a budget in anticipation of the worst case scenario. Town Manager Shubert stated that she hates to charge the customers. However, what the town has already been charged in FY2015-16 has come from the town's reserve funds.

Council Member Rowell contended that we not put the burden on the customers until we have to. He stated that if this council feels good about the outcome of the lawsuit, then show the customers by not increasing rates at this time. Council Member Staton questioned what happens if we don't win the lawsuit. If this council doesn't do something the town may come up short. Discussion ensued. Council Member Rowell reiterated that the town doesn't need to charge the customers until the town has to pay!

Mayor Deese reminded the council that a motion and a second are on the floor to adopt the version of the FY2016-17 budget and fee schedule that proposes no sewer rate increase. Mayor Deese asked for council action regarding the motion. The motion failed with a 2 to 3 vote (Mayor Pro-Tem Morgan and Council Member Rowell for and Council Members Staton, Carpenter and Bivens opposed).

Discussion ensued regarding the meeting calendar and how to schedule meetings that fall right after a holiday. Mayor Deese asked the council if it wants to take action to change the meeting date after a holiday until the next following Monday, instead of the next following business day (Tuesday). A motion was made by Council Member Bivens to amend the meeting calendar now and going forward so that anytime a monthly meeting falls on a holiday the meeting automatically moves to the next following Monday. The motion was seconded by Council Member Staton and passed by unanimous vote.

Council Member Carpenter made a motion to adopt the version of the FY2016-17 budget and fee schedule with the proposed \$9.30 increase in sewer and to adopt the meeting calendar as just amended and approved in the prior motion. The motion was seconded by Council Member Bivens. Council Member Rowell stated that the public should be made aware that they may have a rate increase of \$18.60 at some point. The manager stated that a rate study has already been scheduled for next year. The vote passed 4 to 1 (Council Member Rowell opposed). Mayor Deese asked the media to report that a new fee study has been ordered.

A motion to approve Budget Amendment #2016-15, to correct a budget appropriation incorrectly entered into the wrong line item, was made by Council Member Rowell. The motion was seconded by Mayor Pro-Tem Morgan. The finance officer explained the reason for the budget amendment. The motion passed by unanimous vote.

Adjourn

A motion to adjourn was made by Council Member Rowell. The motion was seconded by Council Member Bivens. There being no further comments the meeting adjourned at 6:20 pm.

These minutes approved this 1st day of August, 2016.

By: _____

Franklin D. Deese, Mayor

ATTEST:

Tonya D. Johnson, Town Clerk

draft

Town of Marshville

Town Council Meeting

Monday, July 11, 2016, 6:30 PM

Marshville Town Hall

Regular Meeting Minutes

Council Members (CM) Present: Mayor Deese; Mayor Pro-Tem Morgan; Council Members Margaret Bivens, Ernestine Staton, and Jim Rowell. A quorum was present. Council Member Norma Carpenter (arrived at 6:40 pm)

Staff Present: Town Manager, Fern Shubert; Tax Collector/Asst. Clerk, Debbie Morton; Police Chief, Matt Tarlton; Town Attorney, Bobby Griffin(arrived at 6:54 pm); Parks and Recreation Director Eddie Mitchell(arrived at 7:50 pm)

Call to Order/Invocation/Pledge of Allegiance

The meeting was called to order at 6:30 pm by Mayor Frank Deese. Mayor Deese gave the invocation. The Pledge of Allegiance was given by everyone.

Adoption of Agenda for the Meeting

CM Bivens made a motion to add the discussion of yard sales within the city limits. The motion was seconded by CM Staton. The motion carried by unanimous vote. This was added as agenda item #8 with the remaining items moved down.

A motion to adopt the agenda with the items added was made by CM Staton and seconded by CM Rowell. The motion carried by unanimous vote.

Public Comment

Ms. Pam DeMaria, 1108 Hunters Trail Drive, Indian Trail, NC addressed the council regarding her candidacy for Board of Union County Commissioners. She stated that she would be a voice for Union County Education as her first job was a teacher. Public Safety is a big concern of hers. Ms. DeMaria is concerned about jobs in North Carolina moving to South Carolina and desires to find solutions for the community. She has visited and interviewed some of the Marshville businesses (Old Thyme Market and the museum) and has made a short video of the area. Ms. DeMaria expressed that she has fallen in love with this town. Her website is pamdemia.com.

Consent Agenda

A motion to accept the consent agenda and approve the items thereon was made by CM Bivens. The motion was seconded by CM Staton and passed by unanimous vote.

Public Hearing to amend Article 8 related to removing telecommunications towers from the Main Street (MS) District

CM Rowell made a motion to open the public hearing. The motion was seconded by CM Staton and passed by unanimous vote.

Robyn Stuber, the town's Assistant Planning Administrator stated the change will not affect any existing towers but would prevent the installation of new pole towers in the downtown area. Planning Board (PB) Chairperson, Susan Drake added that huge towers aren't needed and should be located outside the downtown area.

There were no public comments.

There being no further comments, CM Bivens made a motion to close the public hearing. The motion was seconded by CM Morgan and passed unanimously.

A motion to approve amendment of Article 8 related to removing telecommunications towers from the Main Street (MS) District and to adopt an ordinance to amend the above was made by CM Rowell. The motion was seconded by CM Morgan and passed unanimously.

Public Hearing regarding a zoning map amendment requested by ESA Renewables, Union County Parcel ID #02-142-019 and 02-314-014-90, to change the zoning from Single Family Residential (SFR-1) to Industrial (IND)

CM Station made a motion to open the public hearing. The motion was seconded by CM Bivens and passed by unanimous vote.

Planning Board Chairperson Drake described the solar farm as visually benign, but stated that if the IND zoning is allowed and then the HIO (Heavy Industrial Overlay) zoning granted, the property could be used for chemicals, asbestos, radio-active material, hazardous waste, and/or heavy metal production. HIO would not be compatible with the current neighborhood, should the solar farm decide to withdraw. Chairperson Drake urged the council to take into account the community as a whole. The Planning Board and Town Council must walk a fine line when considering rezoning matters. Chairperson Drake stated that you want the property owner to exercise the best use for their property. You want to encourage new business and you want to exercise protectionism for the people who are already here. Mayor Deese questioned why we would group solar farms in the same category as hazardous operations. A solar farm is a benign open-air operation.

Public Comments

Crysta Allen, 105 Braswell St., Marshville, spoke to the council regarding her concerns about the current and the proposed solar farms. She stated that she received notification of the public hearing as a property owner and is in disagreement. Ms. Allen admitted that she doesn't know the danger of it, but would want to know about it before a larger farm locates right next to her property.

Lindsay Herord, 4155 St. Johns Parkway, Ste. 1100, Sanford, FL is with ESA Renewables. She stated that notices were sent to residents within 500 feet of the above property. Ms. Herord stated that she was surprised by the Planning Board's denial to rezone the property from SFR-1 to IND. She stated that she is present to answer any questions.

Colin Tarrant, 101 N. 3rd Street, Wilmington, NC is the attorney for ESA Renewables and pointed out that the requested change is consistent with the town's land use plan. There is a railroad track nearby and the land use plan shows this would be a perfect spot of future industry. Mr. Tarrant told the council that they were only requesting the zoning be changed from SFR-1 to IND, as the request for HIO would have to be made at a later date. In order to get to the next step, we must request rezoning for 650 W. Union Street. He will support the Board's decision to table the vote if more information is needed.

Mayor Deese strongly suggested that the council table the matter until further research could be done.

There being no further comments, CM Rowell made a motion to close the public hearing. The motion was seconded by CM Station and passed unanimously.

CM Bivens made a motion to table the zoning map amendment requested by ESA Renewables, Union County Parcel ID #02-142-019 and 02-314-014-90, to change the zoning from Single Family Residential (SFR-1) to Industrial (IND). The motion was seconded by CM Staton. The motion passed by a vote of 4-1, with CM Rowell opposing.

Discussion and possible action concerning sewer litigation

Town Manager Shubert told members of the council that its attorneys are talking to Union County and to the courts. Marshville is willing to pay its share. Town Manager Shubert explained that whatever amount that is paid in the interim will be adjusted from the total, once we get the information that has been requested. Mayor Deese stated that the attorneys have determined that the Town of Marshville needs to pay something. This board needs to authorize the attorneys to negotiate a payment plan pursuant to the approval of this council before payments are made. Mayor Pro-Tem Morgan made a motion to authorize the attorneys to negotiate a payment plan and present it for council approval. The motion was seconded by CM Bivens and passed unanimously.

CM Rowell stated that Union County filed a new response and he wants a copy. He told Town Manager Shubert that council needs copies. Mayor Deese told the manager to make sure every council member receives copies of all correspondence. The manager stated that she would follow through with this request.

Discussion on yard sales within the city limits

CM Bivens stated that a Marshville resident, Nancy Gillespie, was asked to move her yard sale from the old Radio Shack parking lot. Mayor Deese said you must have permission from the owner. Assistant Planning Administrator, Robyn Stuber, stated that yard sales are limited to 3 times annually from noon on Friday to noon on Monday. No permit is required, but yard sales are only allowed in AG, SFR, R/MST, and MSP districts.

Discussion and possible action regarding a job description and salary range for a Public Works Director

Town Manager Shubert referenced the proposed job description in everyone's agenda packet. The Public Works Director must have two certifications: at least a B Distribution and Cross-Connection certification from the NC Operator Certification Program and a Grade 2 NC Water Pollution Control System Operator Certification. We currently have a part time person, Tommy Kost, who possesses those certifications. We need to hire someone as soon as possible. Mayor Pro-Tem Morgan commented that the manager needs to clarify the job description. Mayor Pro-Tem Morgan gave suggested clarifications to the manager. CM Rowell feels that this is the manager's job. The manager stated that the starting salary needs to be \$45K-\$60K per year. The town needs somebody that knows public works, not just book knowledge, but someone that will look at the old lines, meter readings and water loss.

The motion was made by CM Rowell to accept the job description with minor changes at an annual pay rate of \$45K-\$60K. The motion was seconded by Mayor Pro-Tem Morgan and passed unanimously.

Discussion and possible action concerning beginning a search for a Town Manager

Mayor Deese reported that he has contacted seven headhunters in North Carolina, but has yet to receive a response. He has requested proposals from each and will give each council member copies when acquired.

Town Manager's Report

No comments.

Mayor and Town Council Member Comments

CM Bivens – No comments.

CM Carpenter – We need to plan town functions better. The Business Insider Launch Party, hosted by Town of Marshville Parks Director, Eddie Mitchell, was scheduled the same time as this council meeting.

CM Rowell – Reminder that National Night Out is August 2 from 5:00 pm – 8:00 pm. We are working with WSOC for school tools boxes. Cindy Lunsford, Pastor at Marshville UMC is participating also. The Marshville Chamber meeting is Thursday at 12 noon at Dave's Pizza.

CM Staton – The town sign needs to reflect the correct time for meetings. She agrees to table the rezoning decision and requests additional council meetings to discuss items on the agenda. CM Carpenter agrees. CM Staton wants to add an agenda item to the August Council Meeting to discuss and vote on reinstating work sessions.

Mayor Pro-Tem Morgan – Urges the police department to be extra safe. There has been another killing in Michigan. The Comprehensive Transportation Meeting will be held on August 3 from 10:00 am to 1:00 pm at the old armory in Monroe.

Mayor Deese – Rural Economic Development inspected Anderson Healthcare. All documents are in order. They're moving forward which is a good thing. The grant should be fulfilled by June 2017. CM Carpenter was unaware of the Anderson tour. CM Staton said the cottages, classrooms and cafeteria were nice. Mayor Deese said they would try to arrange to get council together later for a tour, when they are closer to completion. He will contact them to see when they will start hiring. CM Staton added they will hire locally.

Adjourn

A motion to adjourn was made by Council Member Rowell. The motion was seconded by Council Member Staton. There being no further comments the meeting adjourned at 8:00 pm.

These minutes approved this 1st day of August, 2016.

By: _____
Franklin D. Deese, Mayor

ATTEST:

Tonya D. Johnson, Town Clerk

draft

**ORDER OF COLLECTION
TAX CHARGE FOR FISCAL YEAR 2016 – 2017**

STATE OF NORTH CAROLINA
COUNTY OF UNION

TO: John C. Petoskey, Tax Administrator for the County of Union

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the 2016 tax records as filed in the Office of Tax Administrator, and in the tax receipts delivered to the Tax Administrator's Office in August 2016, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien on all real property of the respective taxpayers in the Town of Marshville. You are further authorized, empowered, and commanded to collect the 2016 taxes charged and assessed as provided for by law for adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law.

This Order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property and attach wages and/or other funds of such taxpayers, for and on account thereof, in accordance with the law.

The Tax Charge will be adjusted monthly according to releases, discoveries, and motor vehicle billings.

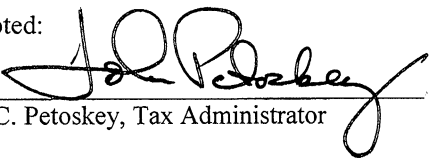
Witness my hand and official seal this 1st day of August 2016.

Mayor

Attest:

Town Clerk

Accepted:



John C. Petoskey, Tax Administrator

2016- 2017 TAX CHARGE

General Taxes	\$732,532.66
Late List Penalties	\$619.87
Total Taxes	\$733,152.53



UNION COUNTY
Office of the Tax Administrator
Revenue Division
500 N. Main Street
P.O. Box 38
Monroe, NC 28111-0038

704-283-3848
704-283-3897 Fax

PRELIMINARY REPORT FOR FISCAL YEAR 2015-2016

TO: Town of Marshville Council Members
The Honorable Franklin D. Deese, Mayor

FROM: John C. Petoskey, Executive Director Tax Administration
Vann Harrell, Division Director, Revenue

RE: Annual Tax Settlement

DATE: July 21, 2016

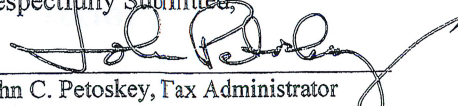
In compliance with N.C.G.S. 105-373(a)(3), attached hereto is a report entitled "Settlement for Current Real Estate and Personal Property Taxes for Fiscal Year 2015-2016" dated July 21, 2016, setting forth my full settlement for all real and personal property taxes in my hands for collection for the fiscal year 2015-2016.

In compliance with N.C.G.S. 105-373(a)(4)(b), attached hereto is a report entitled "Fiscal Year 2015-2016 Settlement for Delinquent Real and Personal Property Taxes for Tax Year 2013 - 2014" dated July 21, 2016, setting forth my full settlement for all delinquent real and personal property taxes collected during the fiscal year 2015-2016.

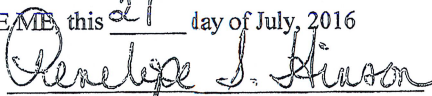
Be advised that all delinquent accounts from current and prior years will remain in the hands of the Collector for further collection activities pursuant to the North Carolina General Statutes.

Further, I hereby certify that I have made diligent efforts on behalf of the Town of Marshville to collect the taxes owed by the delinquent taxpayers in such a manner that is reasonably necessary as prescribed and allowed by law.

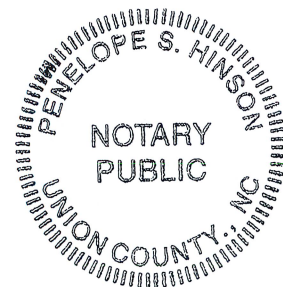
Respectfully Submitted,


John C. Petoskey, Tax Administrator

SWORN TO AND SUBSCRIBED BEFORE ME, this 21 day of July, 2016


Penelope S. Hinson
Notary Public

My Commission expires:
Nov. 4, 2017





UNION COUNTY
Office of the Tax Administrator
Revenue Division
500 N. Main Street
P.O. Box 38
Monroe, NC 28111-0038

704-283-3848
704-283-3897 Fax

**SETTLEMENT FOR CURRENT REAL AND PERSONAL PROPERTY TAXES
FOR FISCAL YEAR 2015-2016**

TO: Town of Marshville Council Members
The Honorable Franklin D. Deese, Mayor

FROM: John C. Petoskey, Executive Director Tax Administration
Vann Harrell, Revenue Division Director

DATE: July 21, 2016

CHARGES TO TAX COLLECTOR

1.	Total amount of all taxes & late list penalties placed in the Tax Collector's hands for collection for the year:	\$	773,458.96
2.	All interest, costs, and fees collected by the Tax Collector	\$	2,075.19
TOTAL:		\$	775,534.15

CREDITS TO TAX COLLECTOR

1.	All sums deposited by the Tax Collector to the credit Of the taxing unit or receipted for by the proper official:	\$	756,873.79
2.	Releases allowed by the governing body:	\$	2,460.05
3.	The principal amount of outstanding real and personal property taxes:	\$	16,200.31
TOTAL:		\$	775,534.15



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FISCAL YEAR 2015 - 2016
SETTLEMENT FOR DELINQUENT REAL AND PERSONAL PROPERTY
TAXES FOR YEARS 2013 - 2014

TO: Town of Marshville Council Members
The Honorable Franklin D. Deese, Mayor

FROM: John C. Petoskey, Executive Director Tax Administration
Vann Harrell, Division Director, Revenue

DATE: July 21, 2016

CHARGES TO TAX COLLECTOR

1.	Total amount of all taxes & late list penalties placed in the Tax Collector's hands for collection for the year:	\$	30,770.03
2.	All interest, costs, and fees collected by the Tax Collector	\$	1,607.09
TOTAL:		\$	32,377.12

CREDITS TO TAX COLLECTOR

1.	All sums deposited by the Tax Collector to the credit Of the taxing unit or received for by the proper official:	\$	16,040.20
2.	Releases allowed by the governing body:	\$	604.56
3.	The principal amount of outstanding real and personal property taxes:	\$	15,732.36
TOTAL:		\$	32,377.12



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**FY 15-16 Breakdown of Settlement for Delinquent Real and Personal Property
 Taxes for Tax Year 2013 - 2014**

Charges to the Collector					
	Beginning Balance	Levy Added	Supplementals	Total Balance	
2014	\$ 19,935.35	\$ -	\$ -	\$	19,935.35
2013	\$ 10,834.68	\$ -	\$ -	\$	10,834.68
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$	-
Totals	\$ 30,770.03	\$ -	\$ -	\$	30,770.03

Credits to the Collector						
	Sums Deposited	Releases	Writeoffs	Balance of credits to Collector	Principal amount outstanding	
2014	\$ 10,711.44	\$ 472.56	\$ -	\$ 11,184.00	\$	8,751.35
2013	\$ 3,721.67	\$ 132.00	\$ -	\$ 3,853.67	\$	6,981.01
	\$ -	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$ -	\$	-
	\$ -	\$ -	\$ -	\$ -	\$	-
Totals	\$ 14,433.11	\$ 604.56	\$ -	\$ 15,037.67	\$	15,732.36

* The dollar amounts shown are not reflective of interest amount shown collected on previous page