

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, FEBRUARY 14, 2011 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA**

Prayer – Mayor Pro Tem Daniel Barry

1. Call to Order
2. Pledge of Allegiance
3. Determination of Quorum/Additions or Deletions to the Agenda
4. Presentation and Consideration of a Proposal from Centralina Council of Governments for a District Voting Plan
5. Public Hearings
 - A. Public Hearing to Consider a Proposed Text Amendment to Minor Subdivisions Definition
 - B. Public Hearing to Review and Consider Proposed Text Amendment to Add “Private Banquet, Reception and Conference Center” Uses as a Permitted Use in the MX Zoning District
6. Public Comment - *Speakers are limited to three (3) minutes or less and Large Groups are Encouraged to Designate a Spokesperson*
7. Approval of Minutes
 - A. December 13, 2010 Regular Town Council Meeting
 - B. January 17, 2011 Special Town Council Meeting
8. Consent Agenda
 - A. Call for a Public Hearing to Consider Proposed Text Amendments Regarding a Weddington Burning Ordinance (Public Hearing to be held March 14, 2011 at 7:00 p.m. at the Weddington Town Hall)
 - B. Consideration of Amendments to the Public Safety Rules of Procedure
 - C. Consideration of Resolution to Open Closed Session Minutes or Portions Thereof
 - D. Consideration of Amendments to the Appointment Policy
 - E. Consideration of Resolution to Add Beulah Oaks Way in the Beulah Oaks Subdivision to the State Maintained Secondary Road System
 - F. Consideration of Proclamation Proclaiming April 2 – 9, 2011 as Classics Week
 - G. Call for a Public Hearing to Consider Rezoning of All B-1 and B-2 Parcels to B-1 (Conditional District) and B-2 (Conditional District) – Public Hearing to be Held March 14, 2011 at 7:00 p.m. at the Weddington Town Hall
 - H. Consideration of Renewal of the Bromley Sales Office Trailer
 - I. Consideration of Authorization to Advertise Unpaid 2010 Taxes that are Liens on Real Property
9. Consideration of Public Hearings
 - A. Consideration of Ordinance Adopting Text Amendments to the Minor Subdivision Definition

- B. Consideration of Ordinance Adopting Text Amendments to Add “Private Banquet, Reception and Conference Center” Uses as a Permitted Use in the MX Zoning District
- 10. Old Business
 - A. Update and Discussion on 2011 Town Council Retreat – March 18 and 19, 2011
- 11. New Business
 - A. Consideration of Resolution Regarding Countywide Property Revaluation
 - B. Consideration of Budget Amendment for Fiscal Year 2010-2011
 - C. Report from Councilmember Werner Thomisser - CCOG Board of Delegates 2/9/11 Meeting
- 12. Update from Town Planner
- 13. Update from Town Administrator/Clerk
- 14. Public Safety Report
 - A. Update on Fire Department Issue
- 15. Update from Finance Officer and Tax Collector
- 16. Transportation Report
- 17. Council Comments
- 18. Closed Session
- 19. Adjournment

This agenda is tentative and is subject to change up to and including at the time of the meeting.



STATE BOARD OF ELECTIONS

6400 Mail Service Center • Raleigh, North Carolina 27699-6400

GARY O. BARTLETT
Executive Director

Mailing Address:
P.O. BOX 27255
RALEIGH, NC 27611-7255
(919) 733-7173
FAX (919) 715-0135

January 6, 2011

MEMORANDUM 2011-01

To: County Boards of Elections
From: Gary O. Bartlett, Executive Director *Gary O. Bartlett*
Subject: Local Redistricting

If you have municipalities in your county that elect members of the city council from districts, it would be a good idea for you to contact the managers of those municipalities to make sure they are aware of their redistricting obligations following the 2010 census.

There are two kinds of electoral districts. One is the true electoral district, where the candidate must reside within the district and only residents of that district vote for that seat. The other is the residency district, where the candidate must reside within the district but all the voters of the city vote for all seats at large.

Municipalities with true electoral districts

GS 160A-23.1, set out below, requires that municipalities that use true electoral districts must determine after each federal census whether population changes require redistricting.

After reviewing GS 160A-23.1, it would be appropriate for you to contact the managers of these municipalities to remind them of their obligation to see whether redistricting is necessary and to confirm their knowledge of GS 160A-23.1

Also, municipalities which must redistrict may delay their elections to 2012. You might encourage the managers of affected municipalities to pay early attention to census data they will receive in April in an attempt to gauge whether their redistricting can be completed in time for filing for a regular 2011 election. Keep in mind that redistricting is subject to Section 5 preclearance and that by the nature of redistricting such submissions are larger and take more time for preparation and review by the USDOJ. It is the task of the political jurisdiction to prepare and submit such preclearances, but you should cooperate as needed.

LOCATION: 506 NORTH HARRINGTON STREET • RALEIGH, NORTH CAROLINA 27603

Finally, note that GS 163-294.2 delays for a few weeks candidate filing for municipal offices for municipalities that use districts. That statute is set out below. As a consequence, you will have one filing period (the regular one) for cities that use at-large voting only and a different filing period (the delayed one) for municipalities that use districts.

Municipalities with residency districts

GS 160A-23.1 does not require redistricting in municipalities with residency districts. Because all voting is at-large, it is lawful for those municipalities to continue to use residency districts even after a census reveals population imbalances. However, such municipalities may redraw their lines.

Even if they do not redistrict, they are still subject to the delayed filing period of GS § 163-294.2.

STATUTORY REFERENCES:

PLEASE NOTE the following section of **GS § 163-294.2:**

(c) Candidates seeking municipal office shall file their notices of candidacy with the board of elections no earlier than 12:00 noon on the first Friday in July and no later than 12:00 noon on the third Friday in July preceding the election, except:

- (1) In the year following a federal decennial census, candidates seeking municipal office in any city which elects members of its governing board on a district basis, or requires that candidates reside in a district in order to run, shall file their notices of candidacy with the board of elections no earlier than 12:00 noon on the fourth Monday in July and no later than 12:00 noon on the second Friday in August preceding the election; and
- (2) In the second year following a federal decennial census, if the election is held then under G.S. 160A-23.1, candidates seeking municipal office shall file their notices of candidacy with the board of elections at the same time as notices of candidacy for county officers are required to be filed under G.S. 163-106.

§ 160A-23.1. Special rules for redistricting after a federal decennial census.

(a) As soon as possible after receipt of federal decennial census information, the council of any city which elects the members of its governing board on a district basis, or where candidates for such office must reside in a district in order to run, shall evaluate the existing district boundaries to determine whether it would be lawful to hold the next election without revising districts to correct population imbalances. If such revision is necessary, the council shall consider whether it will be possible to adopt the changes (and obtain approval from the United States Department of Justice, if necessary) before the third day before opening of the filing period for the municipal election. The council shall take into consideration the time that will be required to afford ample opportunities for public input. If the council determines that it most likely will not be possible to adopt the changes (and obtain federal approval, if necessary) before the third business day before opening of the filing period, and determines further that the population imbalances are so significant that it would not be lawful to hold the next election using the current electoral districts, it may adopt a resolution delaying the election so that it will be held on the timetable provided by subsection (d) of this section. Before adopting such a resolution, the council shall

hold a public hearing on it. The notice of public hearing shall summarize the proposed resolution and shall be published at least once in a newspaper of general circulation, not less than seven days before the date fixed for the hearing. Notwithstanding adoption of such a resolution, if the council proceeds to adopt the changes, (and federal approval is obtained, if necessary) by the end of the third business day before the opening of the filing period, the election shall be held on the regular schedule under the revised electoral districts. Any resolution adopted under this subsection, and any changes in electoral district boundaries made under this section shall be submitted to the United States Department of Justice (if the city is covered under Section 5 of the Voting Rights Act of 1965), the State Board of Elections, and to the board conducting the elections for that city.

(b) In adopting any revisal under this section, if the council determines that in order for the plan to conform to the Voting Rights Act of 1965, the number of district seats needs to be increased or decreased, it may do so by following the procedures set forth in Part 4 of Article 5 of Chapter 160A of the General Statutes, except that the ordinance under G.S. 160A-102 may be adopted at the same meeting as the public hearing, and any referendum on the change under G.S. 160A-103 shall not apply to the municipal election in the two years following a federal decennial census.

(c) If the resolution provided for in subsection (a) of this section is not adopted and:

- (1) Proposed changes to the electoral districts are not adopted, or
- (2) Such changes are adopted, but approval under the Voting Rights Act of 1965, as amended, is required, and notice of such approval is not received,

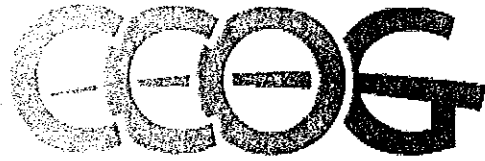
by the end of the third business day before the opening of the filing period, the election shall be held on the regular schedule using the current electoral districts.

(d) If the council adopts the resolution provided for in subsection (a) of this section and does not adopt the changes, or does adopt the changes, but approval under the Voting Rights Act of 1965, as amended, is required, and notice of such approval is not received, by the end of the third day before the opening of the filing period, the municipal election shall be rescheduled as provided in this subsection and current officeholders shall hold over until their successors are elected and qualified. For cities using the:

- (1) Partisan primary and election method under G.S. 163-291, the primary shall be held on the primary election date for county officers in the second year following a federal decennial census, the second primary, if necessary, shall be held on the second primary election date for county officers in that year, and the general election shall be held on the general election date for county officers in that year.
- (2) Nonpartisan primary and election method under G.S. 163-294, the primary shall be held on the primary election date for county officers in the second year following a federal decennial census, and the election shall be held on the date for the second primary for county officers in that year.
- (3) Nonpartisan plurality election method under G.S. 163-292, the election shall be held on the primary election date for county officers in the second year following a federal decennial census.
- (4) Election and runoff method under G.S. 163-293, the election shall be held on the primary election date for county officers in the second year following a federal decennial census, and the runoffs, if necessary, shall be held on the date for the second primary for county officers in that year.

The organizational meeting of the new council may be held at any time after the results of the election have been officially determined and published, but not later than the time and date of the first regular meeting of the council in November of the second year following a federal decennial census, except in the case of partisan municipal elections, when the organizational meeting shall be held not later than the time and date of the first regular meeting of the council in December of the second year following a federal decennial census.

(e) This section does not apply to any municipality that, under its charter, is not scheduled to hold an election in the year following a federal decennial census. (1989 (Reg. Sess., 1990), c. 1012, s. 2; 1999-227, s. 4; 2000-140, s. 34; 2002-159, s. 52; 2009-414, s. 1.)



Centralina Council of Governments

February 1, 2011

Amy S. McCollum, Town Administrator/Clerk
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Dear Amy:

Centralina Council of Governments is pleased to submit this proposal for preparation of a District Voting Plan for the Town of Weddington. I will be acting as project manager, working with Blair Israel and Nadine Bennett. The following information is included:

- Scope of Service
- Service Agreement Memorandum
- G.S. 160A-23.1

The estimated cost for our services to complete the project as described in the attached Scope of Services is \$6,902 plus the use of 30 of the 45 remaining member hours from the Town's FY 10-11 allocation.

Please review the Scope and let me know if you have any questions. If this proposal and Scope are acceptable, please sign and return the attached Service Agreement Memorandum at your earliest convenience.

Please be advised that, while our proposed schedule indicates work beginning in February 2011 with a project completion date no later than five (5) months thereafter (in time for the July election filing date), Union County is subject to Section 5 of the Voting Rights Act, which requires that any change to the Town's voting district boundaries be pre-cleared by the United States Department of Justice (DOJ) prior to implementation. As the DOJ may take up to sixty (60) days to review and approve the new boundaries, this may occur AFTER the beginning of the filing date for the upcoming election. According to the Union County Board of Elections, the filing period is between July 25 and August 12, 2011. **To avoid delaying elections and taking into account the 60 day pre-clearance period by the DOJ, the Town will need to approve its redistricting plan and make a submittal to the DOJ no later than May 20, 2011.** NCGS 160A-23.1, a copy of which is attached, explains submittal deadlines and what options the Town has for delaying elections, should that become necessary.

Ms. Amy McCollum
February 1, 2011
Page 2

Thank you for considering Centralina for this project. Feel free to contact me at (704) 372-2416 or bduston@centralina.org if you would like to discuss any matter further. Thank you.

Sincerely,



Bill Duston
Planning Director

Attachments

cc: Jim Prosser, Executive Director
Tonya Frye, Finance Director
Blair Israel, Regional Planner
Nadine Bennett, Planner

SCOPE OF SERVICES

2011 WEDDINGTON REDISTRICTING PROPOSAL

STEP 1

The Town will appoint one or more staff persons to meet with Centralina staff and/or otherwise provide guidance to Centralina on this project. Centralina staff will meet with Weddington staff to gain a current understanding of the Town, and its geography relative to the Town's current voting district boundaries.

STEP 2

Centralina will acquire the population estimates of the Town in digital format from the 2010 U.S. Census, identifying populations by race (in both number and percent forms) for each of the Town's current voting districts. Centralina will share this information with the Town for their review and comment. The Town will forward any comments to Centralina in digital format, or meet with Centralina staff to provide further insight on potential changes that may be needed to the Town's current voting district boundaries.

STEP 3

Assuming that changes to the Town's voting district boundaries are needed, Centralina will generate up to three (3) different geography scenarios, based on the guidelines identified by the Town in Step 1. Unless otherwise directed by the Town, each of these geographies will be based on the current voting set-up in place in the Town (i.e., each of the four Councilpersons nominated by district but voted for by the entire electorate.) Each scenario drawn by Centralina will observe the mandated "one person - one vote" ruling established by the United States Supreme Court, with allowed population deviations taken into account. These scenarios will be electronically transferred to Weddington. Accompanying population and demographic data for each scenario will also be provided to the Town.

STEP 4

Weddington will review the scenarios generated by COG and provide feedback to COG on what changes, if any, should be made. Minor changes (to be in keeping with the "one person-one vote" principle) may be offered by the Town; Centralina will endeavor to incorporate those changes into the maps. A meeting will be held in Weddington with Centralina to review the voting district maps. These maps, along with their associated population counts, will be forwarded to the Town.

STEP 5

Centralina will present the information developed for this Study to the Weddington Town Council. This information will include (1) population and racial make-ups of the current voting

district geographies using the 2010 Census; and, (2) population and racial make-ups of the scenarios developed under Step 3 above. It will be the Town's responsibility to formally adopt any changes to the voting district boundaries and submit those changes to all required parties (i.e., Union County Board of Elections, North Carolina Secretary of State, United States Department of Justice, etc.) Given that Union County is subject to Section 5 of the Voting Rights Act, any change to the Town's voting district boundaries shall be subject to preclearance by the United States Department of Justice (DOJ). As the DOJ may take up to sixty (60) days to review and approve the new boundaries, this may occur AFTER the beginning of the filing date for the upcoming election. According to the Union County Board of Elections, the filing period is between July 25 and August 12, 2011. **To avoid delaying elections and taking into account the 60 day pre-clearance period by the DOJ, the Town will need to approve its redistricting plan and make a submittal to the DOJ no later than May 20, 2011.** NCGS 160A-23.1, a copy of which is attached, explains submittal deadlines and what options the Town has for delaying elections, should that become necessary.

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SERVICE AGREEMENT MEMORANDUM

Upon the request of the undersigned local government [Town of Weddington], the Centralina Council of Governments (Centralina) agrees to perform the services described in the attached "Scope of Service." The estimated cost of these services to be paid by the local government is \$6,902 plus 30 member hours from FY 10-11 allocation for the project: Voting District assistance.

It is agreed that notwithstanding any estimates given, the local government will be expected to pay the actual costs incurred by Centralina in providing the services. As required by Centralina's Charter, the local government will be billed approximately bi-weekly for actual costs during the preceding work period. If, during the course of this work, it appears that the services needed to complete this project are likely to exceed the estimated costs, Centralina will notify the local government's project manager prior to performing services in excess of the budgeted amount. The local government may then choose to approve the additional cost or reduce the scope of work.

If the actual costs are less than those estimated, Centralina will bill the local government only for actual costs incurred. Actual costs of the project shall be determined using: (a) the hourly rates for the employees working on the project, (b) Centralina's standard indirect cost rate, and (c) any specialized project costs required and previously agreed upon by Centralina and the local government.

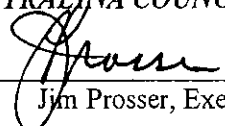
It is estimated that from the notification to proceed, it will take 5 month(s) to perform these services. Services will be completed by June 2011.

This proposal to perform the "Scope of Services" is valid for a period of sixty (60) days from this 1st day of February, 2011.

If you wish Centralina to proceed with this work, please have an authorized official acknowledge acceptance of this proposal and forward the same to us. Upon receipt by Centralina of this Agreement properly executed, it shall become the contract between the parties and the "Notice to Proceed" with the work.

CENTRALINA COUNCIL OF GOVERNMENTS:

Proposal # TPM1102P

By: 
Jim Prosser, Executive Director

PROPOSAL PREPARED BY: Blair Israel (Centralina Staff)

Accepted, this _____ day of _____ 20 ____.

LOCAL GOVERNMENTAL UNIT: Town of Weddington

By: _____
Signature of Authorized Official of Local Government



TOWN OF WEDDINGTON MEMORANDUM

DATE: 2/14/2011
TO: NANCY ANDERSON, MAYOR
TOWN COUNCIL
CC: AMY MCCOLLUM, TOWN CLERK
FROM: JORDAN COOK, ZONING ADMINISTRATOR/PLANNER
RE: MINOR SUBDIVISION TEXT AMENDMENT

- At the October 25th Planning Board meeting a resident applied for a minor subdivision to subdivide a one acre tract from their existing ten acre parcel. The ten acre parcel was vacant and the owners home was on a three acre parcel directly adjacent to it.
- The way the ordinance is written did not allow this property owner to subdivide the one acre tract because they owned a parcel adjacent to it. The ordinance states that if the subdivider owns any land adjacent to the land being subdivided, it would be considered a major subdivision. Therefore, the owner had to recombine all parcels and start from scratch by subdividing out the one acre parcel.
- The Planning Board realized that an owner of a large tract could subdivide into three lots but the applicant applying for the minor subdivision could not do the exact same thing because they owned adjacent property.
- The newly proposed language will allow that property owner to subdivide as long as the subdivision results in three or fewer parcels and does not change the minor or major subdivision processes.
- A copy of the original plat is on the back of this memo. Tract 1 and Tract 2 existed prior to the subdivision.

Sec. 46-9. Definitions.

Subdivision, minor, means a subdivision where:

- (1) No public or private streets are proposed;
- (2) No rights-of-way are dedicated and no easements dedicated, except as provided in section 46-76; and
- (3) Three or fewer parcels result after the subdivision is completed, including any the subdivider owns, leases or holds any legal or equitable interest in and is adjacent to the property to be subdivided. For purposes of this section, property is deemed to be adjacent even if the property is separated by a street, easement or right-of-way.

Notwithstanding this provision, any subdivision that is classified as a conservation subdivision shall be considered a major subdivision and exempt from this provision. Additionally, the Procedure for Review of Minor Subdivisions may be used only once within any three year period on any property less than 1,500 feet from the original property boundaries. The Procedure for Review of Minor Subdivisions may be used by anyone who owned, had an option on, or any legal or beneficial interest in the original subdivision at the time the original subdivision received preliminary or final plat approval.



TOWN OF WEDDINGTON MEMORANDUM

DATE: 2/14/2011
TO: NANCY ANDERSON, MAYOR
TOWN COUNCIL
CC: AMY MCCOLLUM, TOWN CLERK
FROM: JORDAN COOK, ZONING ADMINISTRATOR/PLANNER
RE: TEXT AMENDMENT TO ADD "PRIVATE BANQUET, RECEPTION AND CONFERENCE CENTER" USES AS A PERMITTED USE IN THE MX ZONING DISTRICT

- A citizen proposed text amendment was reviewed and discussed at the October 25th Planning Board meeting.
- The Planning Board gave the text amendment an unfavorable recommendation as proposed because they didn't feel that the use should be allowed in all residential zoning districts.

However, the Planning Board did agree with the concept and the use as a whole. The Planning Board recommended that the use ("Private Banquet, Reception and Conference Center") be added as a permitted use in the MX (Mixed Use) zoning district. Therefore any applicant requesting that use would be required to go through the Conditional Zoning process.

- At the November 8th Town Council meeting the Town Council agreed with the Planning Boards recommendation and asked that the proposed uses be placed in the MX zoning district.
- At the December 20th Planning Board meeting the Planning Board revised the language per Anthony's comments.

Sec. 58-4. Definitions.

Banquet and Reception Centers are uses and structures that are designed for groups of people to gather for social functions or events, including, but not limited to weddings and wedding receptions and other gatherings. This definition does not apply to churches.

Conference Centers are facilities designed to accommodate corporate meetings, training, retreats, exhibition space, and other uses of a similar nature.

Sec. 58-60. MX mixed-use conditional district.

(1) *Permitted uses.*

- o. Banquet and Reception Centers, and Conference Centers provided the lot is at least 5 acres. However, nothing shall prohibit one or more of these uses from being combined on a single 5 acre lot. These uses shall not produce levels of noise or electronically amplified sound that is audible at levels greater than 60 DB beyond the boundary of the property on which the facility is located. Further, no noise or electronically amplified sound shall be audible beyond the property boundary between the hours of 10 p.m. and 9 a.m.

Sec. 58-152. Signs permitted in all R residential districts.

(d) Signs on-premises of banquet, reception, and conference centers are regulated as follows:

(1)	Types of signs permitted:	Identification.
(2)	Permitted number of signs:	One per street front.
(3)	Maximum area of signs:	20 square feet.
(4)	Permitted location:	Behind required setback.

Items (d) and (e) become (e) and (f).

Sec. 58-175. Off-street parking.

Banquet, Reception, and Conference Center	1 per employee during the shift of greatest employment plus 1 space for every 2 guests based on the maximum number of guests the facility can accommodate. At a minimum, each use shall have parking to accommodate at least 30 vehicles.
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**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, DECEMBER 13, 2010 - 7:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on December 13, 2010, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser and Jerry McKee, Town Attorney Anthony Fox, Town Planner Jordan Cook, Finance Officer Leslie Gaylord and Town Administrator/Clerk Amy S. McCollum

Absent: Councilmember Robert Gilmartin

Visitors: Walter Staton, Bill Price, Brett Paxton, Chris Owens, Walker Davidson, Kent Hayes, Stephanie Belcher, Richard Natale, Marvin Scruggs, Beth Masurat, Dick Douthwaite, Jane Douthwaite, Jennifer Heath, Judy Jones, Jane F., Jeanine Greene, Rick Helms, Jan Ratterree, Renee Litton and Virginia Franco

Mayor Nancy D. Anderson led the Council in prayer prior to the opening of the meeting.

Item No. 1. Call to Order. Mayor Anderson called the December 13, 2010 Regular Town Council Meeting to order at 7:06 p.m.

Item No. 2. Pledge of Allegiance. Mayor Anderson led in the Pledge of Allegiance.

Item No. 3. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum.

Mayor Pro Tem Daniel Barry moved to approve the agenda with the following amendments:

- Removal of Item 9.D from the agenda
- Removal of Item 4 from the agenda

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee, Mayor Pro Tem Barry
and Mayor Anderson
NAYS: None

Item No. 4. Review and Consideration of Contracts Relative to Downtown Streetscape Plan – Downtown Chairman Scott Buzzard and Mr. Buzz Bizzell. This item was removed from the agenda.

Item No. 5. Discussion by Parks and Recreation Advisory Board Vice-Chairman Stephanie Belcher regarding the PARTF Application FY 2010-11. Parks and Recreation Advisory Board’s Vice-Chairman Stephanie Belcher reviewed the following information with the Town Council:

Review of Requirements for PARTF Application

The North Carolina Parks and Recreation Trust Fund program provides dollar-for-dollar grants to local governments. Recipients use the grant to acquire land and/or to develop parks and recreational projects that serve the general public. North Carolina counties and incorporated municipalities are eligible for

PARTF grants. The following are the critical components of a PARTF application and the key decisions that are required by the Town of Weddington's Council to proceed with the PARTF grant application.

Current Need

The Town of Weddington does not have any public access green space within its borders.

Current Land Status

The property that the Town of Weddington owns and has immediate access to is the area behind the Town Hall. This property has been discussed as a site for a potential public use/green space on several occasions. With the new road from the Weddington Corners shopping center to Weddington Matthews Road completed, the space can now be considered for development. The area behind the Town Hall is now approximately 54,000 square feet or roughly 1.2 acres.

Grant Application Requirements

- Applicants can buy land to use as a public park.
- Applicants can also request money to build or renovate recreational and support facilities.
- A project must be located on a single site.
- Applicants can request a maximum of \$500,000 with each application. PARTF grant recipients with an active project may not request additional funds to complete the project.
- A site plan and budget must be submitted.
- Proof of ownership or 25 year lease provided, unless the grant is for a land purchase.
- Statements on long range park space planning from council in the form of minutes/discussions.
- Survey demonstrating the population's interest in green space/parks.
- ADA accessibility.
- Green Development.

How to qualify for a grant

A scoring system is used to rank all requests, emphasis on the following:

- Completeness of all requirements of the application.
- First- time park.
- Long range parks planning.
- Public involvement.
- How the park area is used.

Resource Requirements to Complete Application by January 31, 2011 deadline

- Council commitment to the critical requirements for a PARTF grant application including:
 - A maximum dollar amount it is willing to spend on the development of the property.
 - Holding the land in trust for recreational space for 25 years.
 - Agreement to submit the application.
- Resources to complete the application including:
 - Town Clerk
 - Town Planner
 - Town Attorney for attestations/certifications
 - Parks and Recreation Advisory Board members.
- Collection of 2-3 high level proposals, with cost estimates for the development of the property including:

- Renovation/repurposing of garage and storage room
 - Restroom facilities
 - ADA access and access from the Weddington Corners Shopping Center.
 - Pavilion
 - Seating
 - Landscaping/grading/irrigation
 - Retaining walls
 - Utilities
- *Council commitment to make swift decisions on any proposals in order to submit the grant application by the deadline.*

Reasons for application of PARTF Grant

- The Town will need to take some land development action on the back property of Town Hall now that road construction is completed.
- Reduce the direct cost to the Town of developing a public use green space at the back of Town Hall.
- Test- run the application process on a smaller development project.
- Take advantage of state funds in the upcoming 2011 fiscal year. PARTF funding is not guaranteed in future years.

PARTF Grant Requirements/Commitments needed from Town of Weddington

- Dollar for dollar commitment from the submitting organization - A value must be set that the Town is willing to commit to spend, such as 100K.
- Commitment to hold the area in trust for 25 or more years as a public recreational space – the Town must commit to holding the land in the use planned for 25 years, this will be a part of the grant contract between the Town and the PARTF if the grant is awarded.
- Application submitted by January 31, 2011.

Ms. Belcher advised that the development of the property behind Town Hall as a green space and picnic area would be a benefit to the community for individuals to use. She stated, “We need the following from the Town Council: commitment to support the project, matching funds up to a certain dollar amount, willingness to come to consensus quickly on the plan that is developed to be submitted by January 31, 2011 and accept that property has to be used as a park for 25 years.”

By consensus, the Town Council deferred consideration on this matter until after the Closed Session later in the meeting.

Item No. 6. Public Hearing.

A. Public Hearing to Review and Consider a Proposed Text Amendment regarding Miniature Horses and Yard Requirements for Miniature Horses. Mayor Anderson opened the public hearing to consider a proposed text amendment regarding miniature horses and yard requirements for miniature horses:

Town Planner Jordan Cook - The Town of Weddington received a formal complaint in July 2010. This complaint was in regard to four horses on roughly 2.5 acres. The current code allows up to 2 horses on 2.5 acres. It was discovered after several conversations and a site visit to the property that three of those four horses on the site were miniature horses weighing less than 350 pounds. A letter was sent to that homeowner in August giving the homeowner the following options: remove two of the horses to come

into compliance with the code, propose a text amendment, or appeal the Zoning Administrator's decision. Later the homeowner submitted a text amendment application. The proposed text amendment would define miniature horses and establish yard regulations for those miniature horses. The Planning Board discussed these text amendments at their September 27 and October 25 Meetings. The text amendment is four parts.

Town Planner Cook reviewed the following text amendments:

Section 58-4 Definitions

Agricultural uses means the production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including, but not limited to, forages and sod crops, dairy animals and dairy products, poultry and poultry products, livestock, including beef cattle, sheep, swine, horses, **miniature horses**, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals, bees and apiary products, fur animals, trees and forest products, fruits of all kinds, including grapes, nuts and berries, vegetables, nursery, floral and ornamental products, or lands devoted to a soil conservation or forestry management program. The term "agricultural use" does not include a horse farm or academy, as herein defined, or the keeping of any nondomesticated animals. As used herein, the term "nondomesticated animals" shall mean any animal not generally associated with the practice of animal husbandry and which are a threat to humans or are commonly perceived to be a threat to humans. Examples of such animals include great cats, wolves and bears.

Horse farm or academy means a site **of five or more acres** where three or more horses are housed, bred, boarded, trained, or sold.

Miniature Horse means a small horse not to exceed 38 inches in height and a weight of 350 pounds as an adult. For purposes of this section, two miniature horses shall be deemed equal to one horse.

Section 58-52, 53, 54 and 58 (R-80, R-60, R-40 and RCD)

(3) *Yard regulations.*

a. *Minimum lot area.*

1. Single-family dwellings: 80,000 square feet, except five acres on an easement lot not located within a conservation easement, provided; however, that an easement lot may be a minimum of 80,000 square feet when created within a conservation easement of at least 25 acres that is dedicated to a conservation organization.
2. Cemeteries and essential services, class III: Five acres.
3. Churches: Three acres.
4. Public and private schools: Ten acres.
5. Horse farm or academy: Five acres.

6. Agricultural uses: A minimum of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40) square feet, provided; however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater (**this provision shall not apply to miniature horses**). Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse **or one or two miniature horses** shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses, **three or four miniature horses, or one horse and up to two miniature horses** shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses. **A maximum of two horses, four miniature horses, or one horse and two miniature horses may be kept on less than five acres. Any lot containing more than this number must be a minimum of five acres and shall be considered a Horse Farm or Academy.**
-

Mayor Pro Tem Barry – Where did the decision come from that two miniature horses equals one full size horse?

Town Planner Cook – We came up with that based on weight. That was the recommendation of the Planning Board. There is an actual error on the fourth part of the text amendment. If you look down at #6, the first underlined area that you see that is in parenthesis that reads: (this provision shall not apply to miniature horses) is in there by mistake. It was in there last time when you called for the public hearing so it needed to stay in there. This part was not a recommendation by the Planning Board nor one of my recommendations. It is important tonight to consider the text amendment that is in front of us as opposed to the formal complaint.

Mayor Pro Tem Barry questioned where the text came from regarding the actual weight and height of a miniature horse.

Chairman Dorine Sharp – I looked up the Miniature Horse Association and that is actually their definition. There are two miniature horse associations. There are two classifications for miniature horses. One group does 200 pounds and the other group does 350 pounds. We covered all miniature horses based on the two associations that existed.

Councilmember Jerry McKee – Where do ponies fit in?

Town Planner Cook – Ponies would fit under agricultural use. They really are no different than a regular horse, mule or goat.

Mayor Anderson – Were any other miniature breeds besides horses discussed such as miniature cows, donkeys or was it simply miniature horses?

Town Planner Cook – That was not discussed. The citizen requested text change was just for miniature horses so that is all we really looked at.

Mayor Pro Tem Barry – I am trying to get in my head the scope of miniature horses and people sometimes compare them to large dogs.

Town Planner Cook – A Great Dane would be taller but skinnier.

Chairman Sharp – A full grown Saint Bernard weighs about 250 pounds.

Mayor Anderson – As the owner of a Percheron, Saddlebred and miniature horses all in the same barn, I have been stepped on by each of them and the hoof and weight is way different. I am not sure that I would consider two minis equal to one saddlebred.

Ms. Jennifer Heath – I live in Charlotte. I am an attorney by trade and I was in private practice when Ms. Jones first came to see me but I have now gone back in house and I work for a corporation. I want to thank the Zoning Commission for their very thoughtful consideration. They really gave this a lot of thought and we appreciate that very much. We want to talk about how miniatures are different from ponies. We would like Weddington to address the differences as we have found that Lancaster, South Carolina and other municipalities throughout the country have actually addressed miniatures in general. We would like to support the text amendment that has been proposed with the exception of how many minis equals one horse. We decided a good compromise, not necessarily four to one as Lancaster, SC has said, but perhaps we could go with 3 to 1. The Zoning Commission specifically stated that the criteria for the lower ratio were based on their concern with not noise, not space, but on erosion. We focused on two factors - hoof size and weight. I own a Percheron. I decided to trace his hoof. I asked Ms. Jones to trace hers. (Ms. Heath presented a diagram showing the hoof of a Percheron and the hoofs of the miniatures.) My horse weighs a little under 2,500 pounds. A Clydesdale would range a minimum of 2,500 pounds up to 3,000 pounds. We wanted to point out the differences when you talk about the size and the difference that makes with erosion. One of the minis is really small and they all weigh under 350 pounds. Based on the hoof size and the weight we hope that you will find it acceptable to increase the ratio not only in the definition of miniature horses but also to change in Sections 58-52, 58-53, and 58-54 to increase from two (2) miniatures to three (3). That would be a good compromise. That would greatly benefit Ms. Jones. If you do not find it acceptable to increase the ratio, I wonder if the Town Council could allow her to keep the third mini. They were adopted from abusive and neglectful homes. They cannot be bred. She does not make money off of them. She moved to this property 34 years ago. She did so because she was a horse owner. She has owned these minis for five years. She is attached to these as her pets. The age of these three orphan minis is unknown. If an exception is not granted, Ms. Jones is left with several undesirable choices which we can all imagine.

Ms. Heath also shared the following information:

Average size horse = 1,100 lbs.

3 miniatures @ 350 lbs. = 1050 lbs.

2 Clydesdales @ 2500 lbs. each = 5,000 lbs.

2 average horses @ 1,100 lbs. = 2200 lbs.

1 average horse + 1 Clydesdale = 3,600 lbs.

2 Clydesdales = 5,000 lbs. or 2 miniatures + average size horse = 1800 lbs.

4 miniatures = 1400 lbs.

Councilmember McKee – Where did you come up with the number three? Is it because your client owns three?

Ms. Heath – The Planning Board was concerned with erosion. We respectfully listened to what they said and we wanted to do our own research. I have seen three on the property and I think that the property sustains three miniatures. The minis do not wear shoes and that causes less erosion.

Mayor Anderson – The only concern that the Planning Board had was erosion and runoff?

Chairman Sharp – That was one of the factors that we talked about. We talked about the manure issue as one of our factors and then again we did talk about the compacting of the dirt creating erosion.

Councilmember Thomisser – How much waste do three miniatures produce and how do you get rid of it?

Ms. Judy Jones – No more than a large dog. It compacts down to great soil. I have people waiting in line to take it for their gardens. I have no problem with manure.

Jane F. – I have lived there 30+ years. I have not noticed erosion. I did not realize that was a problem.

Chairman Sharp – Rob Dow is on our Planning Board and he also deals with horses. Basically what he was talking about that normally when it rains the rain can soak into the dirt. If the dirt gets compacted a certain amount then it cannot seep in then it runs off the side. When we address a text amendment such as this, whatever we do has to apply evenly throughout the whole town and we cannot look at just one property.

Ms. Jeanine Greene – I am a neighbor and friend of Judy Jones. I am in favor of Judy keeping her miniatures as well as her one large horse. In my opinion they do not detract from the ambience of our neighborhood and they add to the concept of retaining the character of our community because that is one of the reasons that we purchased in that area because the minimum acreage is 2 acres. I own 7.5 acres. It certainly was an area when it was first introduced for development as conducive to horses. I also feel that the community and the Town are noted for its horse farms. There is no evidence of any sort of nuisance, of emitting odors or disturbing the peace, creating eyesores or erosion. I really find these charges absurd. I have been in and around her property and with her animals enough times to know the difference. The miniatures and the horse are Judy's pets and they are the only constant in her life for all these years. They are her life and her family. The animals are very close to each other. They care very much for her and they get the best care, attention and love. To ask to remove any one of them is cold.

Mayor Anderson – I want to again remind everyone that we are talking about an ordinance that would be applied Town-wide. We are not talking about a complaint.

Ms. Jan Ratterree – My husband and I are the ones that sent the Council a packet of information over the weekend with different information and pictures showing the conditions on the ground at 109 Oxford Drive. I would like to begin first of all with two statements of people who also live in our neighborhood who were unable to be present tonight but wanted their opinions to be heard. The first is from Larry and Karen Crump who live at 208 Wellington Drive regarding the horses at 109 Oxford Terrace. They stated, *“We can sometimes smell the horses from the street in front of our home at 208 Wellington Drive. Our children regularly complain about the smell while waiting for the school bus at the corner at Wellington Drive and Oxford Terrace when they are walking to and from the school bus stop.”* From this letter you can see that this is a problem that not only affects this property but it is also smelled on the road. People who walk regularly in our neighborhood are very aware of this. The other letter comes from Thomas Elkins who also lives in the neighborhood and he lives across the street from us down a house. *“This is regarding the number of horses allowed in a given space. I have been a part of the neighborhood for 25 years and it pains me to write this message. Although my home is not directly adjacent to the lot or house that is in question, I have experienced the smells and have seen the condition of the lot that is in question. Every homeowner that first purchased a lot and built a home in this neighborhood did so for many different reasons - some for privacy, some for the wooded lots and some for other reasons. I cannot imagine not being able to sit on my porch or my deck and enjoy the evening due to the smell and stench that reeks the air. The smell also permeates through the house of our air handler. This is not acceptable. It appears that the condition of the barn and lot have deteriorated over the last several years and has*

caused great discord within the neighborhood. This has proven not to be a healthy situation. It has caused some people a large sum of money to try to keep some sense of sanctuary. I personally grew up with horses and have a fondness for them; however, I do not want to smell them 24/7. Hopefully some kind of unity can be reached where all parties and not just one can move forward without further pain.”

We actually entered this complaint in June and we asked that the Town of Weddington help us to protect us from the effects of too many horses on this lot next to us. You have to realize that there is one large horse on this lot and also three miniature horses. I have not been given any evidence as to the height or weight of these horses. The horses in my opinion, two especially, are about the size of a small shetland pony which it seems a little ridiculous for us to distinguish between the miniature and a pony which the Town itself has already addressed. We have an adjacent property owner that has also complained to the Town concerning the facts regarding these horses. First of all, there are too many, entirely too much manure on the property and there is certainly dust and dirt. There is runoff during a heavy rain and plenty of odors that we all smell. Regarding dirt on the property, a high powered leaf blower is used to clean the property. The dirt has landed on my property, in my backyard, on my grass, on my back deck and on my windows. This has happened three times and Mr. Douthwaite came over and can attest to that fact. The horse owner in question has not approached us at any time and asked us to explain why we issued our complaint and her behavior is affecting us and others. The President of our HOA, which we have asked on two occasions, has refused to listen to our request and he has made no effort or attempt to mediate this problem. Had he done this, we would not be here tonight. Our District Council Representative has not met with us at our home. He has not contacted us in any way to try to understand the magnitude and seriousness of this problem to us which we find rather concerning. Instead we understand that he has gathered information from someone else. It is not appropriate for you to ignore our problem and worse to change the law in a way that makes the problem more serious and more widespread in the Town of Weddington. For many years Towns have done well by limiting the number of equines, ponies, horses or so forth and they have taken care to define an equine as an equine regardless of the size. The Weddington law as written has a long history and it is consistent with the intent of the restrictive covenants of most of the developments that are in Weddington. It is consistent with the neighboring towns such as Stallings and Wesley Chapel. In fact, those neighboring towns have more strict specifications than what you are asking for tonight. Please protect us and other citizens of Weddington by maintaining standards that have worked well in this community and have proven over a long period of time. The photos of our adjoining property mailed to each of you last week clearly do not meet the high standards of Weddington's image. It would be a shame to tarnish this image that we have all worked for for so long. Please take action to regulate the odors, the dirt, the runoff, the contamination of groundwater and streams and the degrading sites of manure dumps in a residential yard such as this.

Mayor Anderson – Even though we have districts in Weddington, each person here answers to all citizens of Weddington. You voted for all or none of us. Even though you are in a specific district, you have access to each one of us.

Ms. Ratterree – I felt like at least the representative that came from this district would be interested enough to contact and probably ask to see the property. I can show you pictures of the property from Saturday. There are three piles of manure at the present time. A tractor is actually used on this property to move this manure and on Saturday it took approximately 3 hours for a tractor to move this manure. Ms. Jones does have one mature horse on her property that weighs over 1,000 pounds. One study says that a horse over 1,000 pounds has daily amounts of 31 pounds of feces, 2.5 gallons of urine and 8 to 15 pounds of bedding straw. This does not consider the three miniature horses. We are talking about a complete yard practically full of manure. This is not leaving the property as you have been told. It has left the property in small amounts on only several occasions. It is not covered or stored in bins. It is in full view.

Mayor Anderson – Does your Homeowners Association covenants discuss livestock?

Ms. Ratterree – I do not have our Deed of Covenants with me. They state one horse or one pony to one acre of land. When Ms. Jones brought these horses onto the property, she stated to our adjacent neighbor that she knew she was over the limit. These horses came in increments. At that time we were told that she would probably not keep those horses permanently especially the larger horse and our understanding when the miniatures came in was they would be there just until they could regain their health. We were not under any impression that this would be a permanent situation. The other thing that is false is that these horses have not been on this property for five years. They have been there less than 2 years. According to our Deed of Covenants she would be able to have 2 equines on this property. We have lived on this property for over 30 years. We have been neighbors. We have not had any problems. When we moved there Ms. Jones did not have any horses. She had a horse that she owned but the horse was boarded. When she built the horse farm that she now has, that was built for only one horse. We have 2.5 acres. Most of the lots are 2 to 2.5 acres. The horses are housed to the side of her property which meets the back of our back yard. We are 2 feet 3 inches from where her fenced area is located and this is where the horses stay.

Mayor Pro Tem Barry – My name is Daniel Barry and I represent the district that you called on. Are you aware that Bonnie and Tom Wojcik asked me to walk their fence line with them and look at the property?

Ms. Ratterree – I was aware that you had been on the property but for another reason.

Mayor Pro Tem Barry – Were you aware that came up while I was there?

Ms. Ratterree – No, sir.

Mayor Pro Tem Barry – We spent a fair amount of time discussing the issue.

Ms. Renee Litton – I am a neighbor. I feel exactly as Jeanine does. I live right across the street from Judy Jones. I live down wind and we have no issues with odor. I have opened a bag of fertilizer and it has been so bad it almost knocked me out and I have gotten her fertilizer and used it in my front yard and there is not an issue with odor as it relates to my property. The horses are an asset to our community. We have people that ride by to see the horses. There are two sides to a story.

With there being no further comments or questions, Mayor Anderson closed the public hearing.

Item No. 7. Public Comment.

Mr. Walker Davidson – Did I hear you say that you were going to consider the PARTF application tonight?

Mayor Anderson – We are going into Closed Session and then we may make a decision.

Mr. Davidson – I would ask the Town Council to not consider that tonight. It does not look like you have enough information and it looks like the decision is being asked to make the application within a short period of time. To allocate \$200,000 of taxpayer money, unbudgeted, not in a CIP, on a short notice, I would recommend a special meeting, a joint meeting with the Parks and Recreation Advisory Board for consideration of that item.

Kent Hayes - I live at 4309 Horseshoe Bend here in Weddington. I own land here in Town, am an experienced hunter and private property rights advocate. Happy Holidays! I want to thank you for the time, effort and careful thought you employ in governing our Town. I am here tonight to express my objection to any further restrictions on the use of firearms in Weddington. The Firearms Ordinance adequately meets the Town's need to balance urban and rural lifestyles. In fact, it is a common opinion the

ordinance should be expanded to include modern and primitive black powder firearms. Our hunting community, along with local law enforcement, just reviewed, last month, the Firearms Ordinance while approving the UAS. Hunters, as a group, are ethical, safety minded, trained, experienced and licensed by the state of NC. Few others go through this kind of training and scrutiny to pursue a sport. It appears this "Firearms Ordinance Review" is more of an attack on hunters and hunting on private property than a public safety issue. As stated at the last Council meeting, there has never been a firearm or archery related hunting accident recorded in Weddington. There seems to be little cause to open a Firearms Ordinance debate. But if warranted, let's make sure the debate includes the science and facts about the use of firearms in Weddington and is not just someone's irrational, emotional or imaginary rant. There are just a few other points I would like to make. Under the regulations as established by the NC Wildlife Resources Commission, the harvesting and control of wildlife on private property is a private property right. Secondly, persons crossing onto private property uninvited could be considered as trespassers which could be a criminal violation. And finally, a very important NC law: It is unlawful to harass persons taking wildlife resources. In North Carolina, it is unlawful for a person to interfere intentionally with the lawful taking of wildlife resources or to drive, harass, or intentionally disturb any wildlife resources for the purpose of disrupting the lawful taking of wildlife resources on public or private property. Violation of this subsection is a misdemeanor punishable for a first conviction by a fine not to exceed \$1,000, by imprisonment not to exceed 30 days, or by both and punishable for a second or subsequent conviction by a fine left to the discretion of the court (N.C. General Statute §113-295).

Mr. Bill Price – I am against this ordinance regarding miniature horses and all the other nuisance ordinances. I would venture to say that the ones complaining live in a development that has Homeowner Associations' rules and regulations. Let them make a decision and do not burden the rest of the Town. I have heard numerous people get up here before Council and say the reason that they moved here was for the country atmosphere. This is not Charlotte, Atlanta, New York or San Francisco. If they are so dissatisfied with the living conditions here, maybe they should consider moving to where they came from. If you pursue this avenue of regulating, maybe you should consider the number of children per household as this affects the schools, the number of cars per house as this affects congestion and air pollution. The possibilities for these types of regulations are endless. People used to use common sense and respect for others. This seems to be lacking today.

Mr. Chris Owens – I wanted to address the potential wording changes that are being considered regarding the Firearms Ordinance. I do not have a clear understanding of the rationale of the parties that are objecting to the current ordinance and why they need it to be changed. If it is a safety concern, if you look at the statistics from websites, statistically speaking it is one of the safest activities that we have in our community. If you want to look at infringement on personal property rights, that is going to be a big issue. If you want to open the discussion about changing the Firearms Ordinance, statistically speaking the expansion of that ordinance to include other types of weapons would be more justifiable than further restrictions. It is tough for people to enforce the ordinance that we have currently so making it more restrictive is going to be even more unenforceable. The hunters we have here in Weddington are following the rules. The people that are not following the rules we are trying to clamp down on. We are a police force ourselves. Frankly it reflects very poorly on us that hunt ethically here in Weddington.

Ms. Jane F. - I want to talk about the burning ban. We have never had a problem in Weddington. What would we have done during Hurricane Hugo if we had a burning ban then?

Ms. Dorine Sharp – The Planning Board also serves as the Board of Adjustment - five members are regular members and two members are alternates. We generally have two to three hearings per year. It takes several Board of Adjustment hearings as an alternate sitting in to begin to understand the process not to mention all the work that we do on the Planning Board and Historic Preservation Commission. If you are going to put in some term limits, I would really hope that there are some exceptions that would be allowed.

We need this continuity. We need the people that have the background not only with the Planning Board but with the Board of Adjustment as well.

Mr. Walter Staton showed a sign that stated, "Merry Christmas – Hunting and Houses Don't Mix". I live at 221 Weddington Road. This sign was made for some people in Walden at Providence next to Longview Country Club. Someone was hunting back there and a bullet got away from them and went through a house. My wife painted this picture for them. I think you have a letter from the President of the Highgate Homeowners Association. They are really concerned about the discharge of firearms in and around Weddington. People that live there have seen people walk around with rifles in their hands and they hear shooting. About 40 years ago, I purchased 22 acres of land on which I built my house, our private park and recreation area and our trails. I had to purchase an orange hat for safety reasons to be able to walk around on my property. I for one have called 911 five times concerning the discharge of firearms within 48 yards of my house in October and November. I have in my hand a letter from a Weddington staff here that said that no written reports for the months of October and November were called in for 221 Weddington Road. When a deputy calls me and says, "Heads up, they will be discharging a firearm next to you up to 8:30 a.m. and after 4 p.m. in the afternoon." It is legal. Why? Walter Staton wants to know. My family should be able to walk in safety without worrying about being hit by a flying projectile any day or night. All people in Weddington deserve that. We have 73 subdivisions and more coming and the Firearms Ordinance is not working for the growing Town. It is very important that you understand that this is a safety issue. You cannot discharge a firearm in the Town of Marshville and the Town of Wingate. All people have the right under our constitution to bear arms. I have a gun. One of the Councilmembers can be a Weddington leader tonight. Please make a motion to vote for a safe Firearms Ordinance that says it shall be unlawful for any person to discharge any firearm of any type within the corporate Weddington limits except when used to defend off a person or for use by a law enforcement officer. You can do nothing and be a loser on the public safety here in Weddington.

Rick Helms – I am opposed to any change to the Firearms Ordinance. I am a decent size landowner here in Weddington. My family has been in Weddington for 100 years. I was raised here in Weddington and was taught the values of hunting and how to be safe with a firearm. I do not think it is fair for the Town to tell me that we cannot do this anymore. We are a rural community. Tonight when you drive home be careful, for that deer that you did not let me shoot could land in your front seat.

Item No. 8. Approval of Minutes.

A. October 11, 2010 Regular Town Council Meeting Minutes. Mayor Pro Tem Barry moved to approve the October 11, 2010 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

B. November 16, 2010 Special Town Council Meeting Minutes. Mayor Pro Tem Barry moved to approve the November 16, 2010 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 9. Consent Agenda.

A. Consideration of 2011 Meeting Schedule. Mayor Pro Tem Barry moved to approve the 2011 Meeting Schedule.

DATE	TIME	LOCATION
January 10, 2011	7:00 p.m.	Town Hall Council Chambers
February 14, 2011	7:00 p.m.	Town Hall Council Chambers
March 14, 2011	7:00 p.m.	Town Hall Council Chambers
April 11, 2011	7:00 p.m.	Town Hall Council Chambers
May 9, 2011	7:00 p.m.	Town Hall Council Chambers
June 13, 2011	7:00 p.m.	Town Hall Council Chambers
July 11, 2011	7:00 p.m.	Town Hall Council Chambers
August 8, 2011	7:00 p.m.	Town Hall Council Chambers
September 12, 2011	7:00 p.m.	Town Hall Council Chambers
October 10, 2011	7:00 p.m.	Town Hall Council Chambers
November 14, 2011	7:00 p.m.	Town Hall Council Chambers
December 12, 2011	7:00 p.m.	Town Hall Council Chambers

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
 NAYS: None

B. Consideration of 2011 Holiday Schedule. Mayor Pro Tem Barry moved to approve the 2011 Holiday Schedule.

New Year's Day	Friday, December 31, 2010
Martin Luther King, Jr. Day	Monday, January 17
Good Friday	Friday, April 22
Memorial Day	Monday, May 30
Independence Day	Monday, July 4
Labor Day	Monday, September 5
Thanksgiving	Thursday, November 24 and Friday, November 25
Christmas	Friday, December 23 and Monday, December 26

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
 NAYS: None

C. Consideration of Release of the Water and Sewer Bond for Church of Jesus Christ of Latter Day Saints. The Town Council received the following memo from Town Administrator/Clerk Amy S. McCollum:

The Town is currently holding a bond in the amount of \$25,393.15 which was requested by Union County Public Works to cover the cost of the water infrastructure for the Church of Jesus Christ of Latter Day Saints. Please see letter dated November 18, 2010 from Mike Garbark with Union County Public Works advising that the water and sewer distribution system has been installed and the project is in substantial compliance of the approved plans and specifications and recommends releasing the letter of credit.

The Town Council received a copy of a letter dated November 18, 2010 from Mike Garbark, P.E., Assistant Director from Union County Public Works:

Union County Public Works Department has inspected the materials and workmanship of the water and sewer distribution systems which has been installed in the above mentioned subdivision. We find this project to be in substantial compliance and intent of the approved plans and specifications and hereby recommend releasing the current letter of credit (\$25,393.15) for this project.

Mayor Pro Tem Barry moved to release the water and sewer bond for the Church of Jesus Christ of Latter Day Saints. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

D. Consideration to Call for a Public Hearing to Consider a Proposed Text Amendment to Minor Subdivisions Definition (Public Hearing to be held January 10, 2011 at 7:00 p.m. at the Weddington Town Hall). This item was removed from the agenda.

E. Consideration of a Resolution Requesting that Sherringham Way in The Gardens on Providence Subdivision be Recommended for Addition to the NC State Maintained Road System. Mayor Pro Tem Barry moved to approve Resolution R-2010-19:

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2010-19**

**North Carolina
County of Union**

Road Description: Sherringham Way in The Gardens on Providence Subdivision in the Town of Weddington, North Carolina

WHEREAS, the attached petition has been filed with the Town Council of the Town of Weddington, Union County, requesting that the above described roads, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and,

WHEREAS, the Town of Weddington is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Town of Weddington of the County of Union that the Division of Highways is hereby requested to review the above-described roads, and to take over the roads for maintenance if it meets established standards and criteria.

Adopted this 13th day of December, 2010.

The Town Council received a copy of the letter from Calvin Treadaway, Transportation Technician II with NCDOT, requesting an SR-2 Resolution for Sherringham Way in the Gardens on Providence Subdivision in the Town of Weddington, Union County and a copy of the NCDOT Petition for Road Addition.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry

NAYS: None

Item No. 10. Consideration of Public Hearing.

A. Consideration of Approval of Ordinance Adopting Proposed Text Amendment Regarding Miniature Horses and Yard Requirements for Miniature Horses. Mayor Pro Tem Barry moved to approve the text amendment with the following change which was read by Town Attorney Fox:

However, this provision above shall not apply to miniature horses regardless of square footage, acreages, or livestock count where the Zoning Administrator determines in writing that the topography conditions on the property and improvements existing on the property adequately protect the public health, safety and welfare.

Councilmember Thomisser – Councilmember Barry, can you explain the intent?

Mayor Pro Tem Barry – I felt that we were making a very broad ordinance change to meet a specific issue and rather than to inhibit the Town and the Zoning Administrator, I wanted to liberalize it by putting the decision back on the Zoning Administrator. Why can't we establish an ordinance that says as long as the property is certified by someone in authority that it is being contained, the animals are in good health, it is quasi-sanitary, the by-products are being taken care of appropriately, then let's protect the interest of the landowner? In a meeting earlier today, I asked our attorney about it and I said that I was thinking something like this as an amendment. The requirement to meet those needs falls on the property owner, the expense to take care of that falls on the property owner, the adjudication/examination falls on the Town and if the property owner fails to meet that then they have to meet the balance of the ordinance as it is written. Leave the ordinance as it is written but if you are asking for an exception to the standard, you have to certify through our zoning office that the property is being maintained based on the language that our attorney drafted.

Councilmember McKee - This is such a broad change from what we had in our books. I believe we should delay this to allow Councilmembers to study this proposal. As it stands right now, I do not understand it without getting more detail about it and I will not press forward under present conditions. I have a problem with changing the ordinance for one person. We are supposed to look out for the whole Town and not one individual. I would like to table this until I am more educated on what this proposal is. If we would have had this amendment before hand to study, I could probably make a better decision.

Councilmember Thomisser – We have had conflicting information presented tonight.

Mayor Anderson – It is all subjective and what is acceptable to me may be totally offensive to others.

Councilmember Thomisser – I am uncomfortable in changing the ordinance for one situation.

Mayor Anderson – It seemed to me that several things were brought up and one was the odor and the soil compaction which was producing runoff and it seemed like the odor kept being a recurrent thing that they could not enjoy their property because they were offended by the odor.

Mayor Pro Tem Barry – I have been physically in the gardens adjacent to the property and I have been across the street and I have not smelled a thing and I was standing on the fence line.

Mayor Anderson – What I heard was the disposal of the waste and not necessarily that the animals were on the property. All of those horses in New York City and Central Park are confined to a very small space.

Mayor Pro Tem Barry – We are watching the erosion of property owners being overrun by the authority of the State and I understand that there is an interaction between the community and the property owners and we have to maintain a balance but I am not sure I know where that balance is right now and we are treading down a slippery slope. My solution to that is to try to come up with a solution that maybe it is a fact and circumstances because Dan Barry’s piece of property because of its topography and the grade is not going to be able to have three miniature horses and a full size horse even though he has two acres. Hers is flat and maybe it does. Let’s allow the opportunity for property owners to be able to use their property the best that they can and have some third party to vet and to examine and make that determination.

Councilmember McKee made a substitute motion to delay consideration until the January 10 Town Council Meeting in order for Council to review Councilmember Barry’s motion. He stated, “I need more time to study the proposal.”

Mayor Anderson – It is also about all miniature breeds such as cows and donkeys. In our ordinance we talk about 40,000 square feet of contiguous fenced land. I would like to drop that word contiguous. Under the new guidelines for sustainable agricultural and pasture management they encourage you to do pasture rotation.

The vote on Councilmember McKee’s substitute motion is as follows:

AYES: Councilmember McKee
NAYS: Councilmember Thomisser and Mayor Pro Tem Barry

Councilmember Thomisser – We had a public hearing tonight and I think we should make a decision on it tonight.

Attorney Fox - The equation of miniature horses to one horse would apply but this gives your Zoning Administrator the discretion to broaden that application where he has made a determination that it does not affect public health, safety and welfare. What he will say to you is what limit should he put on the exercise of that discretion? That may be something to think about. Something like in no circumstance shall he vary the provision of this ordinance by increasing the number of horses greater than 3 to 1 or whatever the ratio.

Mayor Anderson – Jordan, do you feel qualified and who will you go to as a consultant to assist you and whose costs would that be?

Town Planner Cook – It is tough for me to answer right now. My concern is the maximum number of miniature horses. There is a lot of discretion. Am I the one that goes to someone’s four acre parcel and says that 20 miniature horses are okay? I am not sure that is my area of expertise on whether a miniature horse looks like it is being taken care of well without some type of maximum attached to it.

Councilmember Thomisser – We are asking a lot from our Town Planner to make a major decision considering this issue.

Mayor Anderson – Dorine, do you think we are making matters worse with the new language that is proposed? Is it too ambiguous?

Chairman Sharp – If you want to add something like this, it needs to be worked out in more detail on how it would be done. I think you could come up with something like that with some type of qualified consultant. Does a person have to break the ordinance? Someone wants to have more than the allowed

limit of animals so they actually have to break the ordinance first and then come to Jordan and say, “I am taking care of my animals and they are healthy and I should be allowed to keep them,” or are you going to say, “someone has 2 miniature horses and they want to get a third one so he goes and the two are taken care of so we are going to let them have an extra one but you do not know what will happen when they get a third one.”

Mayor Pro Tem Barry – The greatest challenge that we have sitting around this table is protecting the interests of individual property owners to where they intersect with someone else’s right. Where does Mr. Staton’s right to control his property start and end as it abuts his adjoining property? Where does Dan Barry’s right to have six dogs infringe on the right of my next door neighbor who hates dogs? There is no perfect ordinance. Do I think this current ordinance as it was currently written prior to the public hearing was appropriate? No. There were gaps in the ordinance and that is why we tried to address it. Facts and circumstances ultimately dictate what is going to happen.

Mayor Anderson – We already have an ordinance. The sole question that we have here is what is the ratio? Every single ordinance in our book has to do with every time you do something for the community you do infringe on the personal liberties of the citizenry. Every time we establish a speed limit we are taking away personal liberty. I do not think we need to dig that deeply. I think it deals with what is the appropriate ratio.

Mayor Pro Tem Barry – But if you are passionate about the use then it is that fundamental.

Mayor Anderson – If we do or do not change our regulations, the petitioner is still in violation of her HOA covenants. Whatever we decide here is not about Ms. Jones, it is about the Town. If you wanted to set a ratio on it, 3 to 1 would be a better ratio than two to one.

Councilmember Thomisser made a substitute motion to not approve the proposed text amendments and to leave the language as currently written. He stated, “I keep thinking about the TV show Mr. Ed and it started off by saying, “A horse is a horse is a horse.”

AYES: Councilmembers Thomisser and McKee
NAYS: Mayor Pro Tem Barry

Item No. 11. Old Business.

A. Consideration of Appointment Policy. The Town Council received a copy of the following proposed Appointment Policy and Town Administrator/Clerk McCollum reviewed with the Town Council.

Mayor Pro Tem Barry moved to approve the Appointment Policy with the underlined changes recommended by the Town Council. The effective date of the policy is January 1, 2011. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

**TOWN OF WEDDINGTON
APPOINTMENT POLICY**

PURPOSE

The council or the mayor, as appropriate, may establish and appoint members for such temporary and standing committees and boards as are needed to help carry on the work of town government. Any specific provisions of law relating to particular committees and boards shall be followed. The purpose of

this policy statement is to develop a preferred process for the Town Council to follow for the board/committee appointments to ensure that all Councilmembers operate under the same process. This written process will clearly outline and show citizens the process the Town Council uses for board appointments. The Town Council may, by majority vote, decide to waive, vary, or otherwise modify the process outlined in this policy.

The requirements of the open meetings law shall apply to all committees and boards that either (a) are established by the council, or (b) are comprised of council members.

The Council may consider and make appointments to other bodies, including its own committees, if any, only in open session. The Council may not consider or fill a vacancy among its own membership except in open session.

APPOINTMENT TERMS

Appointments to Boards and Committees shall not exceed a four-(4) year term. A person shall serve no more than two (2) consecutive full terms on the same board. After serving two (2) consecutive full terms, a committee member must sit out one (1) year before applying to serve again on same ~~any~~ committee.

Terms on all boards shall be staggered and insofar as is possible, there shall always be one or more members with experience on each board.

The term of office of the chair of each board shall be one (1) year.

The Town Council shall generally avoid appointment of any one person to more than two bodies unless that person is serving in their role as Town Councilmember or Planning Board Member.

RECOMMENDED PROCESS

Application. In order to be eligible for appointment to a board and continue to serve, a person must be an adult (21 years or older) permanently residing inside the town limits and file an application on a form provided by the Town Clerk. Non-residents could be appointed as ex-officio members but will not be granted voting privileges. All applications will be kept on file for a period of two (2) years from the date of submission. The Council will only consider citizens for which there is a current application on file. The Town Clerk may be instructed to investigate and verify all statements contained in the application.

Publication-posting. The Town Clerk shall advertise vacancies in the Town newsletter, website, and using Constant Contact to solicit written applications from interested individuals.

Distribution of applications. The Town Clerk will provide a list of the applicants along with the applications to the Nominating Committee for their consideration.

Unexpired terms. The Town Council intends to make appointments to fill unexpired portions of terms created by vacancies as expeditiously as needed.

Removal. All members of all boards shall, unless in conflict with State Statute, serve at the pleasure of the Town Council, regardless of the terms for which appointed. The Town Council may in its discretion at any time remove any members of any board when it is determined to be in the best interest of the Town.

Resignations. If a member concludes that he or she will have difficulty fulfilling their volunteer commitment, the member may in his or her discretion voluntarily resign from the board. Notice should be communicated in writing by letter or e-mail to the Town Clerk.

SELECTION AND APPOINTMENTS

The Town Council ~~may will~~ form a standing “Nominating Committee” to review applications. The committee will be comprised of one (1) Councilmember, **the Chairman, Vice-Chairman or designee of the Committee that has the vacancy.** The Town Clerk **or designee** will serve as staff representative to the Nominating Committee. The Nominating Committee will review applications to ensure that the applicants are eligible to serve on each board or committee for which the applicant has expressed interest. The Nominating Committee will forward a recommended list of appointments along with comments to the Town Council for their review prior to placement on agenda for consideration.

The Town Council may vote on the list of appointments as submitted by the Nominating Committee, but upon request of any board member, may nominate additional applicants.

Any Councilmember may request that applicants for a body be present at the Council meeting during which the appointment is expected to be made so that the applicant may be questioned by members of the Council as to the applicant’s qualifications. Even if no such request is made, it shall be proper for Council members to directly contact applicants to discuss the applicant’s interest in and qualification for the appointment.

Appointments shall proceed as follows. The mayor shall open the floor to nominations. Any member, including the mayor, may put forward a nominee. Any member, including the mayor, may also move that the Council appoint a nominee to the position. When a motion is made to appoint a nominee, that nominee shall be debated. When the debate ends, the mayor shall call the roll of the members, and each member shall cast an affirmative or negative vote for the nominee. The mayor may vote to break any tie.

If a majority of votes cast are in the affirmative, the nominee shall be appointed. If the majority of votes cast are not in the affirmative, the mayor shall open the floor to further nominations.

If the Council wishes to fill multiple positions, each position shall be considered and voted upon separately.

ATTENDANCE EXPECTATIONS REQUIREMENTS

Regular attendance on any Board or Committee is important. Attendance less than the standards established for any such body is cause for removal except for excused illness, or other extraordinary circumstances. Lacking any written standards for attendance by any Board or Committee, attendance of at least 75% of all meetings during any one calendar year will be expected to maintain a seat on any Board or Committee. The chair of each board shall notify the Town Council of any member whose absences exceed 25% of the regular meetings. Members not meeting this 75% attendance **expectation requirement** may be removed by action of the Town Council and replaced by another interested individual.

B. Consideration of Appointments to Board and Committees Possible Amendments to the Membership of the Downtown Development Committee and Public Safety Advisory Board. The Town Council received a copy of the following memo from Town Administrator/Clerk McCollum:

The following appointments need to be made by the Town Council:

Parks and Recreation Advisory Board – One vacancy exists due to the resignation of Nancy Pulcini.

Downtown Development Committee – Four vacancies exist due to the resignation of Carol Wyant, Dudley Stone, Melissa Emerine and Debra Korb. There has been discussion by the Town Council of reducing the size of the Committee from 11 members to 7.

Planning Board – The terms for Beth Masurat and Rob Dow expire in December. They have both advised that they would like to continue to serve on the Planning Board. If you decide to reappoint them to the Planning Board, they also would serve on the Historic Preservation Commission and Board of Adjustment.

Public Safety Advisory Committee – According to the outcome of the Appointment Policy, the Town Council may need to consider the recent appointment of Lorri Elliott, since the Policy calls for all members to be citizens of the Town of Weddington.

The Town Council selected the following individuals for further consideration for appointments to the above Boards and Committees.

Planning Board	Parks and Recreation	Downtown Committee
Rob Dow	Barbara Harrison	Brian Anson
Beth Masurat	Walker Davidson***	Stephanie Belcher***
Jim Vivian	Larry Evans	Rocco Caponigro
John Giattino*	Steve Godfrey	John Giattino*
Linda Nugent	Sue Fitch**	Barbara Harrison

* John Giattino has not confirmed or called back to say that he would like to serve. His application is from 2008.

** Sue Fitch does not live in Town.

*** Already serves on a Town Committee

Terms were not set when the Town Council appointed individuals to the Parks and Recreation Advisory Board, Downtown Development Committee and Public Safety Advisory Board. Based on the Board or Committee’s Rules of Procedure the following terms have been set out for these boards. All terms will expire in the month of December. Please let me know if you have any questions.

PARKS AND RECREATION ADVISORY BOARD

NAME	TERMS
Scott Buzzard, Chairman	2011
Stephanie Belcher, Vice-Chairman	2013
Mike Lee	2012
Robert Gilmartin	2011
Jeff Perryman	2011
Sharon Sanders	2013
Vacant	2012

DOWNTOWN DEVELOPMENT COMMITTEE

NAME	TERMS
Scott Buzzard, Chairman	2011
LA Smith, Vice-Chairman	2013

Jerry McKee	2011
Jan Taylor	2013
Jack Steele	2012
Carolyn Pace	2013
Werner Thomisser	2013
Vacant	2012
Vacant	2012
Vacant	2012
Vacant	2012

PUBLIC SAFETY COMMITTEE

NAME	TERMS
Walker Davidson, Chairman	2013
Jerry McKee, Vice-Chairman	2011
Lorri L. Elliott	2013
John B. Houston	2014
Michael E. Carver	2014
Mary Ann DeSimone	2014
Werner Thomisser	2013

The Town Council received a copy of the applications being considered for appointments.

Mayor Pro Tem Barry - We have been asked to address the residency requirements.

Mayor Anderson - You can take that into consideration when you make that appointment. You have the discretion to remove someone from a board. They serve at your pleasure.

Councilmember Thomisser – As far as residency requirements are concerned, from time to time there are people that work in the school system, or with the fire department that have a tremendous amount of expertise and they are a real asset to a committee. I understand Councilmember Barry’s concern but can we have these people serve in an ex-officio manner?

If was advised that they could serve in that manner per the new Appointment Policy.

Mayor Pro Tem Barry moved to reappoint Mr. Rob Dow to another term to the Planning Board, Board of Adjustment and Historic Preservation Commission. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Councilmember McKee moved to appoint Mr. Jim Vivian to the Planning Board, Board of Adjustment and Historic Preservation Commission. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Mayor Pro Tem Barry moved that Jim Vivian and Janice Propst would be alternates to the Board of Adjustment and Jeff Perryman would now become a regular member on the Board of Adjustment. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Mayor Pro Tem Barry moved to appoint Ms. Barbara Harrison to the Parks and Recreation Advisory Board. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Councilmember McKee moved to change the membership of the Downtown Development Committee from 11 members to 7. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Mayor Pro Tem Barry – Chairman Walker Davidson asked the Council to address the residency requirement. I agree that the Committee Chair should be able to invite experts to participate but that they cannot vote because they are not taxpayers.

Mr. Davidson – I think in our Rules of Procedure it states citizens. We did our Rules of Procedure after the appointments were made. If you approve our Rules of Procedure, we have somebody that is not a citizen.

Mayor Pro Tem Barry - Does that not take care of it by itself?

Mr. Davidson - That will take of it. I think citizens need to get the opportunity first.

Mayor Anderson - If we allow non-citizens to vote and spend taxpayer money it is conceivable that we could have five people on a committee who do not live here. I am not sure that answers well to the citizens who elected us. When we ask for guidance about our Town, I would think it would be best that the people live in the Town.

Mr. Davidson questioned whether the Council knew that Ms. Elliot was not a resident when they appointed her. Mayor Anderson advised that she did not vote and the rest of the Council advised that they did not know.

Councilmember McKee - We do not have a person applying for the Public Safety Committee.

Mayor Anderson – I know Lorri Elliott and she is a great asset and resource. She has no ties to our community. She used to be on the board of the fire department which is how she became known to Mr. Thomisser who graciously nominated her. She is no longer on that board. I would entertain a motion that Ms. Elliott be withdrawn from the Public Safety Committee.

Attorney Fox - I think what the Chair was saying is if you adopt their Rules of Procedure that they require that members of the committee are to be appointed by Council but that the five members shall be citizens of the Town. It does require residency of the Town.

Mayor Pro Tem Barry - So we will need to file an application for a vacancy.

Item No. 12. New Business.

A. Discussion and Consideration of Direction Regarding the Weddington Town Firearms Ordinance. The Town Council received a copy of the following:

- A map showing eligible properties for hunting which equals 3,165 acres
- Weddington Firearms Ordinance
- Information regarding different types of ammunition
- Newspaper article dated November 22, 2010 regarding 3-year old boy shot to death in Union County
- Firearms/Hunting Regulations in Marshville, Wingate, City of Monroe, Indian Trail, Marvin, Wesley Chapel and Unionville.
- Letter from Michael Simon, President of Highgate Homeowners Association
- Letter from Janet Isenhardt

Councilmember Thomisser – I have received letters from residents and one Homeowners Association President concerning our Firearms Ordinance. The intent of the hunters is training, experience, common sense and respect for other people’s property. However there are individuals out there that are not living by that code. After talking with the Homeowners Association President, a shot was fired and 911 was called. The lady called in because there were people walking behind her back yard with flash lights. I understand that there was a deer shot and they were tracking the deer after dark. We talk about responsible hunters. We had a three year old child shot in Hemby Bridge and that family was avid hunters. During public comments tonight individuals said that 73 subdivisions exist today. We had a lot of farms here 25 to 30 years ago. As far as common sense and respect for other people, State hunting allows you to hunt a half hour before sunrise and a half hour after sunset. Picture yourself on Thanksgiving morning, sunrise was at 7:08 a.m. and it was legal to shoot at 6:40 a.m. and yet a family was awakened at 6:17 a.m. I realize that it is 20 minutes before but if you are going to live by the rules and regulations then live by the rules and regulations. I am sure it was not any hunter in this room that violated that but there are people out there that are doing it. This ordinance was written in 1993 - 17 years ago. Monroe recently reworked their ordinance on September 7, 2010. Wesley Chapel did the same thing on September 16, 2008. Indian Trail rewrote theirs in 1998 and Weddington wrote theirs in 1993. Our ordinance states that it shall be unlawful for any person to discharge a firearm within the municipal limits of the Town. There are exceptions to this rule. My concern is the 150 yards and the type of ammunition used. I took the time one weekend and took our ordinance down to the largest gun shop in Charlotte. I showed the owner of that gun shop our ordinance. He said it looked pretty good to him except he was concerned about there was nothing in our ordinance discussing the use of slugs. (Councilmember Thomisser passed out ammunition for review by the Council.) Each one is a multi shot. The number of “bb’s” in a shotgun shell vary. But the distance that these things go before they start dropping is less than 100 yards. This is a shotgun shell that has a solid piece of metal in there. It is really a bullet. I went to the Remington website. It says this: “Why stake your hunt on inferior shotgun slugs when the buck of a lifetime steps out 150 yards go ahead and squeeze the trigger.” I believe that it is safe to assume that this will go 150 yards and kill a deer. There are different ordinances in your book. I would like to address the one written by the City of Monroe wrote on September 7, 2010. They do allow shotguns, bow and arrows in the corporate limits of the City. You have to go to the Chief of Police to get a permit. They state in the Monroe ordinance that only multi shot load shall be utilized as ammunition. They also go on to say in no event shall a firearm be discharged within 500 feet of any building – 450 feet is 150 yards. Wesley Chapel allows shotguns firing 1,000 feet from the dwelling, 450 feet from a property line. I understand that would be hard to enforce because you would have to have a surveyor or a plat. Unionville has no regulations. Wingate and Marshville, I believe, are the only two municipalities in Union County that do not allow the discharge of firearms within the city limits.

Mayor Anderson - Council, do you feel there is enough concern warranted to ask our Planning Board to review our Firearms Ordinance? Our Councilmember has two concerns – one is distance and the type of ammunition.

Councilmember Thomisser – I move that two Councilmembers work with Jordan over the next month to develop text changes to this and bring it back to the Town Council in January to approve the proposed amendments or send it to the Planning Board for further review.

Mayor Pro Tem Barry - What is the intent of your language going to be?

Councilmember Thomisser – I like what Monroe has in their ordinance. I would like that multi shot load shall be utilized as ammunition and I would like to address the yardage. I think at a minimum we should make it 200 yards based on what Remington’s website said this slug will go.

Mayor Anderson – If you change the ammunition to exclude that then why would you need to change the yardage?

Councilmember Thomisser - You are right. Monroe has 500 feet and multi load shot so I would request both.

Mayor Pro Tem Barry - Earlier tonight I expressed my concern when we were talking about horses and it was a precursor to the discussions regarding firearms. I am not sure you can enforce the text. A 12 gauge shotgun going off with buckshot and one with slug sounds about the same. The yardage is different. I would debate a slug at 200 yards being accurate. I think the accuracy is questionable. I think the other piece is unintended consequences. By putting a prohibition on large property owners with 20 to 30 acres who want to harvest deer or take care of our exploding coyote population - we ought to be able to be figuring out ways to enhance their ability to do that. Deer are an enormous hazard for drivers in this community. You may end up with an unintended consequence of people asking for us to allow center fire cartridges to be allowed to be discharged in the Town on large parcels where we do have rampant deer population or becoming overrun with coyote population. Where do the rights of the property owners come into play? Where does my right intersect the neighboring right and how do we protect both of those? I think the ordinance that we have drafted now meets that need. We are reacting to a couple of specific situations where the code was enforceable at the time. I followed up on our conversation this morning and actually got some more clarification. The Charlotte Rifle and Pistol Club is five minutes from here and on Saturday morning last week if you were out working in your yard you could hear shots from my house. I do not support this. I would support broadening our options as they are today.

Councilmember McKee - I do not own guns or do not hunt. I am all for the right to own and bear arms, etc. The only thing that I would like to do is to turn this over to the Public Safety Committee and have them invite experts. I would like to have an expert on both sides of the conversation. I do not know enough about it. I want to get more educated on it. In order for me to consider anything about changing the current policy I would like this procedure to take place.

Councilmember Thomisser - I would accept a friendly amendment. If you feel you want to refer this to the Public Safety Committee, I will accept that.

Mayor Anderson - One of the letters we received is from Michael Simon who is from the Highgate Community and specifically he notes that some of the neighbors have seen men walking around with rifles and have taken down deer stands assembled on their property facing the creek and that they have heard gunfire. I did question some of our deputies about this and Officer Honeycutt is here. It is my

understanding that these deer stands were on the wrong side of the creek and they were in Mecklenburg County and we have zero jurisdiction with that. I know that they feel that there is automatic gunfire going on but sometimes that is an automatic nail gun that is really going on during construction. I do not see how changing our ordinance will help with someone being awakened at 6:17 instead of 6:40 when the official time would have been. Changing our ordinance would not have affected that situation at all and neither would the tragic accident that happened over in the Hemby Bridge area where that child was fatally killed by his family member. No gun ordinance would have prevented that. That was an accidental shooting. The second letter that was written by Janet Isenhardt she talks about bullets traveling fast. We do not allow bullets in Weddington and one of the statements is that they love deer in their area. I would like to refer to what Kent Hayes said earlier about the right to harvest the natural resources particularly off of your own land. They are a public nuisance and a terrible safety hazard for our vehicles traveling on the roads. I have personal knowledge that some of that information that you get from certain members is not accurate and for people to say that gunfire is happening 48 feet or yards from a bedroom window is not accurate.

Councilmember Thomisser - I was the Neighborhood Watch Chairman before being elected as a Councilmember as far as Highgate was concerned and I can tell you there were deer stands that were on Highgate common property. The hunters did remove them, they put them across Six Mile Creek and then they put them up again behind someone else's house in Mecklenburg County. I do agree with you regarding the incident in Hemby Bridge but there were statements made here tonight that hunters are responsible and well trained and I was merely trying to say that those are avid hunters that had an accident and accidents do happen even with a well trained hunter. We are not talking about the Charlotte Rifle and Pistol Club because that place is constructed in such a way that the bullets will not stray. As far as coyotes are concerned our current ordinance states that persons discharging firearms for the purpose of shooting and killing dangerous animals or reptiles is allowed. I would believe that coyotes would qualify for that. The City Council of Monroe through their wisdom felt that it was necessary to identify the type of shot and distance. My question is do they know something that we do not know?

Mayor Anderson - Officer Honeycutt, has there ever been any incidences where this is a need?

Officer Ron Honeycutt - I have not seen anything that would make me feel at this point in time that there was a safety issue. In talking to the residents that have complained, it has been more of a noise or a privacy issue than a safety issue. People feel that they are not able to enjoy their property the way that they feel that they should. We had a meeting with all of the known hunters in Weddington. I wanted to address with them the issues that I have encountered over the last three years such as gun shots at night, etc. I wanted to bring the hunters in to tell them what is being said to me and give them an opportunity to address it. Councilmember Thomisser was there. My issue was safety for the citizens of Weddington. If there is someone out here not doing it right that is where we wanted to get to. I did not want to continue another year of having calls come in and say that shots are being fired and not knowing who has permission to hunt on the land and also trying to find out if they could be a resource to us to find out who these people are to make it safer. I can tell you that by doing that we were able to prove where the shots were coming from, talk to the gentleman and it has stopped. He was using a 7 mm rifle. He did not even know we had an ordinance.

Councilmember Thomisser - We are not talking about discouraging people from hunting and not harvesting deer.

Officer Honeycutt - I have not identified any calls where a house was struck by a stray bullet or where there was an incident of a firearm by a hunter shooting irresponsibly.

Mayor Pro Tem Barry - This is deer season now. Are we getting any calls other than this one incident that you can substantiate?

Officer Honeycutt - That came from one of the hunters who actually called and said we have someone over here that is not doing it right. The only complaints that I get is noise and privacy issues.

Councilmember Thomisser - We are trying to be proactive. There is a potential of someone being shot by one of these shots that go over 200 yards. We are not taking anyone's privilege away. They can still go hunting.

Officer Honeycutt - For the record, I do not hunt and I do not eat deer. I do not have a vested interest. My only thing is the safety of the citizens. That is for you to decide whether you want to change the ordinance. I have worked closely with everyone that has an interest in hunting in the Town of Weddington. I have tried to be open minded to make sure everyone was given the opportunity for fair play and that the Town gets the full story to make a good honest assessment and make a decision based on the facts and not necessarily heresay. These hunters want to do it right. They do not want hunting to go away. If someone is doing wrong they are going to help us to stop it.

Councilmember Thomisser - There is no doubt that the hunters in this room are abiding by the rules and they are responsible.

Mayor Pro Tem Barry - What I have heard you say is that we do not have a safety problem?

Officer Honeycutt - We have had no incidences that have been reported.

Mayor Pro Tem Barry - We do not have any reported safety problems. The one incident that was self reported by another hunter where they were shooting a high powered rifle has been addressed and resolved. The evidence that I have is that the ordinance we have is accomplishing the objectives to provide a safe environment and to harvest an appropriate number of deer. Is there anything this Council from your perspective should be addressing?

Officer Honeycutt – I have not seen any evidence that would lead me to believe other than a freak accident that we have a safety issue right now with the way that these hunters are doing it. I cannot control if something does happen. I cannot predict the future.

Councilmember McKee - Maybe this matter needs to go to the Planning Board.

Mr. Kent Hayes – I have been hunting all my life. I deer hunt. I am a member of the Charlotte Rifle and Pistol Club. I spend a lot of time trying to understand the trajectory of the bullet and what happens to the buck shot once I fire.

Mr. Hayes discussed reloading of the weapon, the speed at which the ammunition comes out of the weapon, how certain ammunition performs, etc. with the Town Council.

Councilmember Thomisser – Is it possible for someone to sit in a tree stand and have an accidental discharge of their shotgun?

Mr. Hayes - Anything is possible. Today's hunter will strap themselves with a harness. Securing the firearm is also just as important. Usually the firearm is empty when it is on the ground, once the hunter is in the stand set up - that is when they get their gun up there. You have to remember they are doing this right at dark so safety is the ultimate thing with very limited lighting. We have to know our equipment.

We have worked hard to eliminate any possibility of a difficult situation to either the hunter or the public. Once a kid or a dog or a pet or cow comes through my hunting area, the hunt is over. A deer is not going to be there.

Councilmember McKee withdrew his amendments that the issue go to the Planning Board or Public Safety Committee for further review and study.

The vote on Councilmember Thomisser’s motion is as follows:

AYES: Councilmember Thomisser
NAYS: Councilmembers McKee and Mayor Pro Tem Barry

B. Review and Consideration of a Request for Proposal for Development Services to Facilitate the Construction of a Mixed Use Development within the Town of Weddington. Mayor Anderson – This document was drafted by our Attorney and Planner at our request.

Attorney Fox - This is a draft proposal for an RFP. It is intended to invite individuals to present to the Town their proposal for a mixed use development that would include a public facility to house a regional library. The square footage requirements of the library need to be tweaked. The RFP is structured that any individual interested in proposing a plan would attend a pre-proposal conference to talk about the RFP. Once proposals are received, they would be evaluated by either the Council or a Committee appointed by the Council. The proposals could be accepted or dealt with. There is no requirement to accept any proposal once one is presented. There is no requirement to rezone any property to accommodate the mixed use.

Mayor Anderson – What if we go through this process and the County advised that they are not putting a library in Weddington? You are saying this RFP actually requires that the developer work that issue and work through financing.

Attorney Fox - They will coordinate with the County about what it is that they want to see regarding the library. They will need to know that to do the modeling to determine whether or not their approach will work. The burden is on them to figure out what is it that the County desires for a library and what resources the County will have to contribute toward the construction of the library and incorporating those into their proposal. If the County decides not to go forward with a library there would be no requirement with the Town to go forward with the approval of the development. There is also a prohibition in here which places a burden upon the proposers not to contact or lobby any member of Council once the RFP is let. It would subject them to disqualification. If they have a question they can contact the Town Planner. We also anticipate having a pre-proposal conference where proposers that are seeking to bid or present a proposal can come in and talk with Jordan at a date certain where they can come in and ask questions and put forth ideas.

Mayor Pro Tem Barry moved to approve the Request for Proposals with the following changes:

- The Town Council will serve as the governing body to review proposals that are received
- Include language requesting green space be included with the proposal
- Insert 35,000 square feet and 6 acres relative to the library building

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

**THE TOWN OF WEDDINGTON
REQUEST FOR PROPOSALS
FOR DEVELOPMENT SERVICES
TO FACILITATE THE CONSTRUCTION OF A
MIXED USE DEVELOPMENT WITHIN THE TOWN OF WEDDINGTON**

NOVEMBER __, 2010

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**TOWN OF WEDDINGTON
REQUEST FOR PROPOSALS
FOR DEVELOPMENT SERVICES TO FACILITATE THE CONSTRUCTION OF
A MIXED USE DEVELOPMENT WITHIN THE TOWN OF WEDDINGTON**

I. INTRODUCTION

The Town of Weddington invites proposals to develop a mixed-use development within the Town limits. The proposal should include a site-specific development plan containing building envelopes and dedicated open space components. The proposer is encouraged to provide for the dedication of land to accommodate a 5,000 square foot public facility that would house a public regional library. The proposal may include financing options available to facilitate the immediate construction of the regional library by the developer with a repayment model that anticipates the availability of public funds in 2014. In addition, the proposal may include phasing options for construction and development of various components of the mixed-use development.

The Town will accept proposals from 9:00 a.m. until 1:00 p.m. on _____ __, 2010, (hereinafter referred to as the “Proposal Due Date”). Proposals should be submitted to Jordan Cook, the Planning Director of the Town of Weddington, on the Proposal Due Date.

The Town wishes to enter into a non-exclusive development agreement (“Development Agreement”) with one or more developers and businesses who can demonstrate to the Town’s satisfaction the experience, qualifications and financial ability to develop a viable mixed-use development within the Town of

Weddington containing open space and public infrastructure components. The Town reserves the right to select the successful proposer based upon the experience, qualification and the Town's determination of the proposal that best fits the Town's needs as determined by the Town in its sole and absolute discretion.

Eligible proposers shall be development firms actively engaged in the development of mixed-used developments with a proven track record. The developer may consist of a joint-venture arrangement to ensure the control of the land, financial solvency and the successful development of the property.

This solicitation document should be read carefully and the instructions and requirements contained herein shall be followed in preparing and submitting the proposal. Proposals must be submitted pursuant to all the instructions and requirements of this RFP including without limiting the generality hereof the requirements contained in this RFP.

The Town will hold a pre-proposal conference in the offices of the Town of Weddington, located at 1924 Weddington Road, Weddington, North Carolina at _____ on November __, 2010. The purpose of the pre-proposal conference will be to discuss this proposal and to answer questions regarding its requirements. Parties interested in attending the pre-proposal conference should contact Jordan Cook at 704-846-2709 before ____ on November __, 2010, to obtain instructions on how to obtain entrance to the conference.

All parties wishing to have their proposals considered are encouraged to attend this conference.

II. CONTACT PERSON, INQUIRIES & PROHIBITED CONTACTS

Any questions, comments or suggestions regarding this RFP should be submitted in writing to Jordan Cook, Planning Director, Town of Weddington, 1924 Weddington Road, Weddington, N.C. 28104-7389 or by email addressed to jcook@townofweddington.com. All requests must be received at least ten (10) days or more before the Proposal Due Date to be considered. Every interpretation made in response to a request for interpretation will be made in the form of a written Addendum which will be sent by facsimile transmission or by certified mail to all parties to whom the RFP has been issued. Submissions of a proposal shall constitute acknowledgment of the proposer's receipt and opening of any and all Addenda, and any subsequent claim that an Addendum had not been received shall be disregarded accordingly. Proposers may not rely upon any oral representations regarding the RFP.

Except for such contacts as are described herein, all proposers including any and all persons affiliated therewith or acting on their behalf or otherwise interested in this RFP are strictly prohibited from contacting elected or appointed Town officials, officers or employees on or regarding any matter relating to the RFP.

Proposers may be invited to make a presentation of their proposal and to be interviewed by the Town Council or a Committee appointed by the Town Council. The presentation may include, but not be limited to, information regarding the experience, qualifications and details and substance of their proposal. Should a proposer decline an invitation to appear for an interview, his proposal will not be given further consideration.

III. MINIMUM THRESHOLD REQUIREMENTS

A. Land Control

The Town is requiring that each proposer demonstrate its ability to control all lands included in its proposal. For purposes of this section, control shall mean, but not be limited to, enforceable options to purchase the land, joint venture arrangements with the landowner, fee simple ownership or long-term lease

arrangements. The proposal shall indicate the current zoning of all land parcels and whether rezoning of the land will be required. Where rezoning is required, the proposal shall identify the desired rezoning. The Town makes no commitment to rezoning the property to accommodate the desired development. Any required rezoning would be dependent upon the legislative powers of the Town Council and this proposal is not intended to compromise such powers. The Town reserves the right to rezone or not rezone the property to achieve the desired development result. If rezoning is required, the respondent should assume that the rezoning is successful for purposes of structuring its proposal.

B. Minimum Land Mass

To accommodate the proposed development to include open space and a public building component, the Town anticipates that the minimum land required for such a development should be no less than _____ acres. Of the approximate acreage, the Town anticipates that the open space component of the required acreage shall be at least 10 percent. In addition, the development should anticipate that the proposed public regional library shall require at least _____ acres and will include a permanent public structure of no less than _____ square feet and no greater than 25,000 square feet. Each proposal shall include a building envelop for the proposed public regional library including the acreage to be dedicated for that use and the size of the public library.

C. Mixed Use Component

The Town intends that the proposed development will establish a mixed use conditional zoning district. This land is intended to have a limited use district with high levels of design control including both site and building features. The Town anticipates a variety of office, commercial, retail, and limited residential uses. The Town, in evaluating each proposal, will consider accessibility, surrounding uses, site design, including building arrangement, aesthetics, landscaping, noise, lighting, pedestrian activity, signage, height, size and elevation design, traffic impact within the proposed development and the surrounding vehicular and pedestrian circulation and parking area design and location, setbacks, buffer effectiveness, compliance with LARTP and LRTP and storm water management.

Each proposal shall identify whether the proposed development can be accomplished under the current ordinances of the Town of Weddington or whether a text amendment will be required. It is anticipated that a land use plan amendment will be required where the proposed development is not currently within the area designated on the Town's land use plan for a mixed-use district. Again, the Town makes no commitment or guarantee that a land use plan amendment or a rezoning will be approved as that will be within the sole discretion of the Council.

D. Scale

The Town believes that the most feasible building type will be no more than a four story or forty feet, stick frame construction with structured parking. The entire project shall not exceed a Floor Area Ratio of 0.20. The architecture, quality of construction and building materials required will need to conform to or fit with the rural character of the Town of Weddington and established design guidelines.

III. PROPOSED CRITERIA

The developer selected shall provide an implementation plan detailing the approach, plan and financial structure for the proposed development. The specific requirements include:

A. Letter of Interest

Developer's submittal shall be accompanied by a letter of interest, briefly summarizing the firm's interest and commitment to this effort. The letter of interest shall be limited to two pages.

B. Developer Qualifications

Each developer shall provide updated information demonstrating their ability and qualifications to perform the project.

C. Physical Plan

Each developer shall describe in detail the physical plan for the proposed land. The plans shall include physical quantities of office, commercial, retail and residential uses. In addition, the plan shall include open space uses and public building uses.

D. Financing and Development

The Town will work with selected developers to obtain approximately the \$_____ committed to the construction of a public library in Union County. This commitment is anticipated to be funded no later than 20__ and is intended to cover all or a significant portion of the development costs for the library. The Town's preference is for the library to be funded and delivered ahead of the 20__ plan and each developer should provide a model to accomplish this objective.

The model should anticipate reimbursement by Union County of funds dedicated to the regional library. The proposal should not anticipate any independent funding from the Town of Weddington.

The Town may consider a long-term land lease in lieu of a fee simple ownership interest in the land dedicated to open space and public infrastructure improvements.

E. Management of the Development

Describe in detail how the developer would organize the management of the development process and how much time key individuals would devote to a development effort.

IV. SCOPE OF SERVICES

The selected developer would be expected to perform the following services:

1. Determine a feasible development proposal for the site that accomplishes the Town's desire to expedite the construction of a regional library and to secure permanently dedicated open space. The Town encourages creative alternatives that maximize the dedicated site, achieves the goals of a mixed use development and provides a reasonable return on the investment for the developer.
2. Develop a site-specific building plan including identified building envelopes.
3. Develop a financing plan for the proposed development that includes models for the expedited construction and delivery of a regional library and repayment schemes.
4. Identify all land use, zoning, text, and annexation changes required to accommodate the proposed development and obtain the necessary approvals and permits, if selected.
5. Structure and secure all necessary operating funds.

6. Perform professional services including program planning, obtaining necessary permits and preparing project plans and specifications, organize appropriate ownership entities and prepare applications for funding and/or applications for reimbursement.

V. EVALUATION PROCESS AND SELECTION CRITERIA

A. Proposal Review

The proposal shall be reviewed by the Town Council or a Committee selected by the Town Council. At their discretion, they may contact references and industry sources, investigate previous projects and current commitments, interview some or all the references, visit some or all of the development cited and take any other information into account in their evaluation process. The evaluation panel also reserves the right to request clarification or additional information from residents.

B. Evaluation Criteria

All proposals shall be evaluated based upon the proposal criteria detailed in the outline below. The evaluation panel will determine a competitive range based upon a standard criterion points system. Each respondent that falls within the competitive range will be allowed to proceed to the presentation and/or interview stage. The selection panel may consider unacceptable any proposal for which critical information is lacking or the submission represents a major deviation from the goals of the Town. The Town reserves the right to reject any and all proposals and to award any and all proposals that it determines meets the goals and objectives of the Town.

The following evaluation factors will be used in determining the competitive range, with 100 possible points:

Physical Quality of the Development 40 points

- The architecture, quality of construction and building materials conform to the Town’s desire to maintain the rural character of the Town of Weddington.
- The physical plan for development was described in detail including building envelopes, building size, building location, amenities, etc.
- Included a timeline for the development process including key events and phases throughout the project.
- Provided conceptual design alternatives.

Financial Strength of Proposal 20 points

- Proposed financing structure and developer experience with relevant lenders, equity providers
- Demonstrated control of the land and commitment of land owner to the proposal
- Included timely delivery of building component and open space commitment
- Included a sound approach and financing to accommodate the delivery of the public components

C. Oral Interview

20 points

A phase of the RFP process is to schedule a presentation or interview with one or more of the developers determined to be in the competitive range. The goal of the oral interview is to assess the developer’s understanding of the project and the strength of the developer’s proposal. Presentations will be conducted on November ____, 2010 and shall address the following:

- Project approach, including program, design and implementation proposal that addresses on-site densities, building and housing types, project budgets, implementation schedules and physical designs
- Project budgets clarifying the timing, type and amount of return to the Town

D. Negotiations

20 points

At the conclusion of the oral interview, the evaluation panel will select, based on the criteria outlined in the RFP, one or more developers with whom to negotiate best and final offers for the site. Based on these negotiations, the evaluation panel will recommend the selection of a developer for contract award. The developer will be required to develop a memorandum of understanding (MOU) outlining business terms proposed for the agreements and the process of contract award. In the event an acceptable agreement cannot be reached, the Town reserves the right to initiate negotiations with the next most preferred developer. The process will continue until a mutually acceptable agreement has been finalized or until the selection process is completed or terminated.

RFP Schedule

Advertise for Bids	12 ____, 2010
Respond to Questions from Developers	12 ____, 2010
Pre-Proposal Conference	12 ____, 2010
Town Response to Interpretation	12 ____, 2010
Proposals due	12 ____, 2010

The Town reserves the right to modify the RFP schedule at the Town’s discretion. All times provided are Eastern Standard Times. Proper notification of changes in the response due date will be made to all interested parties.

C. Discussion of Landscaping Plan for Weddington Town Hall Access Road. Councilmember McKee advised that Weddington Corners has hired a landscape architect to prepare a landscaping plan for the access road. Mayor Anderson asked that Councilmember McKee, Jan Taylor and Stephanie Belcher help coordinate the landscaping of the Town grounds with that road.

D. Consideration of Proposed Text Change to Article V. Appointments, Board and Committees.

The Town Council received the following memo from Town Administrator/Clerk McCollum:

Attached please find a document showing minor text amendments to Article V. Appointments, Boards and Committees of the Code of Ordinances. This text amendment does not require a public hearing. This

amendment corrects the name of several of the committees and adds the Public Safety Advisory Committee under this section.

ARTICLE V. APPOINTMENTS, BOARDS AND COMMITTEES

Sec. 2-151. Boards and committees.

(a) The following boards and committees have been established by the town:

- (1) The planning board, the responsibilities and duties of which are set forth in chapter 38, pertaining to planning.
 - (2) The board of adjustment, the responsibilities and duties of which are set forth in chapter 58, the town zoning ordinance.
 - (3) The historic preservation commission, whose responsibilities and duties are set forth in chapter 26, pertaining to historical preservation.
 - (4) The parks and recreation **advisory** board.
 - (5) The downtown **development** committee.
 - (6) **The public safety advisory committee**
- (b) The council may establish and appoint members to additional boards and commissions to carry out the work of the town when necessary. This power shall be exercised by the council when it has not been previously delegated to the mayor.

Mayor Pro Tem Barry moved to approve the proposed text changes to Article V. of the Code of Ordinances. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

E. Update on Drafting of Ordinance Regulating Air Quality and the Residential Open Burning of Yard Waste in the Corporate Weddington Town Limits. Mayor Pro Tem Barry advised that the Union County Sheriff’s Attorney is reviewing the text and making recommendations since their office will be enforcing the ordinance and language will be available at the January Town Council Meeting.

F. Update from December COG Meeting – Councilmember Werner Thomisser. The Town Council received a packet of the information given at the December 8, 2010 COG Meeting.

Item No. 13. Update from Town Planner. The Town Council received the following update from Town Planner Cook:

- The Trust for Public Land has created base maps with proposed trail locations based on the feedback received at the four Listening Sessions. The Steering Committee met on December 1st to discuss the base maps and schedule Open House meetings for each community. These Open House meetings will occur in January or February and give citizens the opportunity to discuss the base maps and trail locations. Please see the following website for further information: <http://www.carolinathreadtrail.org/>
- The B-1(CD) and B-2(CD) Rezonings will take place after I have met with all property owners involved in the rezonings. Meetings with the property owners are currently being scheduled.
- NCDOT has completed the access road behind Town Hall and removed all of the berm along Weddington-Matthews Road. Weddington Corners is currently working on hiring a Landscape Architect to develop a landscaping plan for the road. Weddington Corners is also applying for a sign permit to construct a sign at the entrance in accordance with the Driveway Easement.
- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road. Installation

of the traffic signals has begun. The turn lanes and signal should be completed by late 2010 or early 2011.

- The Town Council and Planning Board recommended adding private banquet, reception and conference center use(s) as a permitted use in the MX Zoning District rather than adding it as a Conditional Use to all residential zoning districts. This citizen proposed Text Amendment is currently being reviewed by Anthony Fox and will be on an upcoming Town Council agenda.
- Scott Buzzard (Downtown Development Committee Chair), David Grant (Union County Urban Forester) and I will meet with Tim Simpson (NCDOT Roadside Environmental) about the landscaping plan on Providence Road.

Item No. 14. Update from Town Administrator/Clerk. The Town Council received the following update from Town Administrator/Clerk McCollum:

The Coat Drive went well with over four bags of coats being delivered to the Union County Christmas Bureau. We are now collecting non-perishable food and new or gently used toys at the Town Hall for the Bureau. We will be accepting donations through December 16.

The 3rd Annual Tree Lighting was a huge success with approximately 250 people attending.

List of updated Goals and Objectives from the March Retreat and the WCWAA Costs Worksheet is in the front of your Council Books.

Upcoming Dates

- December 20 - Planning Board Meeting (7:00 p.m.)
- December 24 and 27 – Town Hall Closed for Christmas
- December 31 – Town Hall Closed for New Year’s

Item No. 15. Public Safety Report.

A. Consideration of Directing Public Safety Advisory Committee to Investigate Strategies to Minimize Speeding on Providence Road. By consensus the Town Council directed the Public Safety Advisory Committee to investigate strategies to minimize speeding on Providence Road.

B. Update from Wesley Chapel VFD and Providence VFD on Steering Committee and Meeting Date. The Town Council received the following memo from Town Administrator/Clerk McCollum:

The Providence VFD Steering Committee consists of the following people:

Steve Cloutier - President
Jack Parks - Vice President
Steve Carow - Treasurer/Assistant Chief
Daryl Matthews - Chief
Ken Evans - BOD Member

The Wesley Chapel VFD Steering Committee consists of the following people:

Butch Plyler - President
Terry Byrum - Vice President
Carolyn Richards - Treasurer
Chuck Rohland - Secretary
John Rogers - Chief
Steven McClenden - Assistant Chief Station # 26

Jimmy Kubach - Assistant Chief Station # 31

Both departments have advised me that the first meeting will occur in January but they do not have a definite date set yet.

C. Review and Consideration of the Public Safety Advisory Board’s Mission Statement and Rules of Procedure. The Town Council received a copy of the Public Safety Advisory Board’s Mission Statement and Rules of Procedure. Mayor Pro Tem Barry moved to approve the Public Safety Advisory Board’s Mission Statement and Rules of Procedure recognizing that non-residents are no longer allowed to serve in a voting capacity.

Councilmember McKee – That will put us at an even number.

Mayor Pro Tem Barry – You will need to reappoint someone else.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Providence VFD

Fire Calls – 20
EMS Calls – 9
Total Calls – 29

Training hours for the month - 127

Wesley Chapel VFD

October – 145 Calls
November – 93 Calls

Weddington Deputies

276 Calls

Item No. 16. Update from Finance Officer and Tax Collector.

A. Finance Officer’s Report. The Town Council received the Revenue and Expenditure Statement and the Balance Sheet for November 1, 2010 through November 30, 2010.

B. Tax Collector’s Report.

Monthly Report – November 2010

Overpayments	\$(2,659.85)
Pay Interest and Penalties	\$(99.73)
Refunds	\$2,659.85
Adjust Under \$5.00	\$5.00
Taxes Collected:	
2010	\$(189,489.00)
2009	\$(305.04)

2008	\$(329.21)
As of November 30, 2010; the following taxes remain outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$320.66
2006	\$218.06
2007	\$511.14
2008	\$4,482.01
2009	\$9,851.95
2010	\$242,923.18
Total Outstanding:	\$258,744.77

The Town Council also received the Unpaid Balance Report by Receipt Number.

Item No. 17. Transportation Report. Mayor Pro Tem Barry advised that the Town is moving forward on discussions regarding the Rea Road Extension.

Item No. 18. Council Comments. Mayor Pro Tem Barry advised that he had received a phone call regarding one of the agenda items and had been given his first political ultimatum. He stated, "I advised this person that I am a free thinker and will continue to do so."

Item No. 19. Closed Session. Mayor Pro Tem Barry moved to go into Closed Session pursuant to the following: Approval of Closed Session Minutes and Pursuant to NCGS 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and Pursuant to NCGS 143-318.11 (a) (5) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 20. Consideration of Pursuing PARTF Application FY 2010-11. No action was taken regarding pursuing the PARTF Application at this time.

Item No. 21. Adjournment. Mayor Pro Tem Barry moved to adjourn the December 13, 2010 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry
NAYS: None

The meeting ended at 12:01 a.m.

Nancy D. Anderson, Mayor

Amy S. McCollum, Town Clerk

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
MONDAY, JANUARY 17, 2011 - 7:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on January 17, 2011, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser, Robert Gilmartin and Jerry McKee, Town Attorney Bobby Sullivan and Town Administrator/Clerk Amy S. McCollum

Absent: Town Planner Jordan Cook and Finance Officer Leslie Gaylord

Visitors: Steven R. Carow, Jarrin Tucker, Walker Davidson, Daryl Matthews, Virginia Franco, Randy Ratterree, Jeff Perryman, Jan Taylor, Barbara Harrison, Pat Harrison, Jeff Rieves, Clare Meyer, Buzz Bizzell, Dick Douthwaite, Jane Douthwaite, Judy Jones and Scott Buzzard

Ms. Jan Taylor offered an Invocation prior to the opening of the Town Council Meeting.

Item No. 1. Call to Order. Mayor Nancy D. Anderson called the January 17, 2011 Special Town Council Meeting to order at 7:06 p.m.

Item No. 2. Pledge of Allegiance. Mayor Anderson led in the Pledge of Allegiance.

Item No. 3. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. Councilmember Robert Gilmartin moved to approve the agenda with the following amendment:

Move Item 10. from the Consent Agenda to 12.F under New Business.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee, Mayor Pro Tem Barry and
Mayor Anderson
NAYS: None

Item No. 4. Special Recognition.

A. Providence Volunteer Fire Department. Mayor Anderson advised that the Providence VFD held their Awards Banquet over the weekend and the following individuals were recognized:

Firefighters of the Year

Scott Johnston
Mike Elliott
Michael Spika

EMT of the Year

Josh Dye

Officers of the Year

Daryl Matthews
Steve Carow

B. Beth Masurat. Mayor Anderson presented Ms. Beth Masurat with a plaque from the Town for her 10 years of service to the Town on the Planning Board, Historic Preservation Commission and Board of Adjustment.

Ms. Masurat advised that it had been an honor and privilege to serve the Town and thanked the Town Council for giving her the opportunity to serve.

C. Ryan Gilmartin. Mayor Anderson recognized Mr. Ryan Gilmartin, son of Barbra and Robert Gilmartin. She stated, “Ryan was chosen to play in the US Army All Star Bowl which played last weekend. He was one of 24 players from the Eastern team. He was selected out of 2,200 kids that were nominated. I would like to present this football to you from your dad’s team – the Town Council. We expect great things from you.”

Item No. 5. Presentation of Audit - Tinsley and Terry. A copy of the Audit Report and Management Letter is attached to the minutes as Exhibit A. Ms. Clare Meyer presented the audited Financial Statements for the year ending June 30, 2010 to the Town Council. She stated, “We issued an unqualified opinion which is our highest level of assurance. We had no finding with respect to noncompliance with State Statute or any contractual violations. Our firm has been auditing the Town since 2003 and in those seven years that we have audited we have only had one reportable finding and maybe three or four non reportable findings. We do about six governmental agencies a year. I cannot tell you how phenomenal that is. To me, it is a true indication of a dedicated staff and their supportive Council. Your Finance Officer is extremely conscientious.”

Councilmember Thomisser - What is your opinion of the financial condition of the Town of Weddington?”

Ms. Meyer - The Town is in a very good financial condition driven by the fact that you do not have a police or fire department. You have no debt on the books.

Item No. 6. Public Comment. Mr. Walker Davidson – Last September the Union County BOCC approved a property revaluation for Jan. 1, 2012. The current BOCC is considering overturning the previous board’s decision, which would result in pushing the next revaluation to 2016. The deadline for this decision is March 1st. I would like the Weddington Town Council to offer a resolution to the Union County BOCC recommending that the BOCC allow the 2012 revaluation date to stand. I believe the current county property valuations are significantly inaccurate. The purpose of a revaluation is to determine an equitable distribution of the tax burden. The 2007 BOCC approved a revaluation for 2008 and the board cited “inequity” as the reason. The industry standard used to measure equity in the county tax system is called the Coefficient of Dispersion. Today’s COD is higher at 17.96% than it was in 2007 at 14.37%. In other words, today’s county property tax system is more inequitable than it was in 2007, the last time the BOCC determined it was time for a revaluation. These inaccuracies result in most of the citizens of Weddington paying a share of county property taxes that is higher than their fair share. The revaluation of 2008 shifted more of the county tax burden to the citizens of Weddington. The residential tax base in the county increased by 30% after the 2008 revaluation. The tax base in Weddington rose approximately 65% after the 2008 revaluation. Again, I would like the Weddington Town Council to offer a resolution to the Union County BOCC recommending that the BOCC allow the 2012 revaluation date to stand.

Item No. 7. Review and Consideration of Contracts Relative to Downtown Streetscape Plan – Downtown Chairman Scott Buzzard and Mr. Buzz Bizzell. The Town Council received a copy of the Weddington Street Lighting and Gateway Monument project costs.

Sternberg Lighting - \$39,817.70
Boswell Electric Co., Inc. - \$108,400.00
Ornamental Post and Panel - \$40,901.90
Ornamental Post and Panel - \$18,062.59
Specialized Graphics - \$2,802.00
Bizzell Design, Inc. - \$2,500.00
Total Project Costs - \$212,484.19
Shopping Center will cover the cost of two Street Lights - \$6,330.80
Total Net Cost - \$206,153.39

Councilmember McKee expressed concern with the wording in the Boswell Electric Proposal regarding marking all utilities prior to beginning work and the liability associated if the utilities were not marked properly. He stated, “I do not think we should be faced with that potential liability.”

Attorney Bobby Sullivan – We have some standard contract language that we can propose to help address that issue.

Town Administrator/Clerk Amy McCollum advised that the necessary encroachment paperwork will be delivered to NCDOT to get their approval this week.

Councilmember Gilmartin moved to proceed with the project and to have the Town Attorney draw up the necessary contracts and purchase orders for the Mayor’s signature.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 8. Discussion with Mr. Jeff Rieves – NC Extension Agent Relative to Agricultural Uses within the Town of Weddington. The Town Council received a copy of the proposed text amendments regarding miniature horses.

Mayor Anderson – Mr. Jeff Rieves is the North Carolina/Union County Extension Agent. People are not aware that he is working on our behalf. Thank you for coming. At our last meeting, the Town Council talked about our horse ordinance and that we may want to expand our agricultural uses here in the Town. After our meeting, I did not get the feeling that the Council was happy with the outcome. I do not feel that we got the product that we wanted so I asked Mr. Rieves to come and specifically address some of the issues. My feeling was that this had less to do with the size of the livestock and number and everything to do with managing compost.

Mr. Rieves – I was asked by the Mayor to take a look at some things. I visited with Ms. Jones on January 7 and toured the facility and based on my observation she is following most of the accepted management practices for a horse owner. I inspected the barns and walked over the lots and even looked at the manure piles. I did offer some suggestions on how to handle the manure to help it break down a little bit quicker and move it off the property faster. I also visited with one of the adjacent homeowners and later was able to speak with the other. I told Ms. Jones that if she kept it at the level of management that I observed that I do not foresee any future problems. Everything that day followed best management practices.

Councilmember McKee - When you say you can recommend a way to break it down, can you expound on that?

Mr. Rieves – I told her that it should have been piled a little higher. She was trying to be a good neighbor in this situation. In basic compost science, there is a critical mass size of 3 x 3 and once it reaches that size it has to break down faster because the microbes that live in a compost pile have more area to work in. The other thing that I told her was that she should continue to turn it as often as she was turning it. That will also break it down faster.

Councilmember Thomisser – Can you explain the pile?

Mr. Rieves – It was not as long and as wide as this desk. There were some adjacent piles of leaves. I did not dig in the center of every one of those piles. She had spread out one of the piles but I told her that was counterproductive. By having it piled in a 3 x 3 pile that would speed the decomposition.

Mayor Anderson – This is not a hearing to determine whether someone is in violation of the code or not. As you recall from our last public hearing, we spent a lot of time talking about size of horses and footprints and amount of solid waste. I want to keep this on generic terms.

Mayor Pro Tem Barry – There seems to be a bigger question. We are going to defer a public hearing on open burning which has a component of what to do with yard debris and we are dealing with this composting issue. It seems that we are coming at the same basic question from two different angles. What do we do with what is leftover from livestock and homeowners with leaves and trees and people upset that they are burning it? What is the right way to handle all of this?

Mr. Rieves – My suggestion is to compost it all. Anything that is made from carbon can be composted. Any one that is a gardener in the area knows the soil we have to deal with is not the best and could benefit from good compost. I would be more than happy to come and do a composting class here at the Town Hall. I would like for more folks to compost.

Councilmember Thomisser - What do you do with all of it - this stuff keeps coming? For someone that lives on 1 to 2 acres, even if they have a garden, can you help me understand how you get rid of the manure?

Mr. Rieves – There are a lot of gardeners in the county, an awful lot of plants being grown and a lot of yards that need fertilizing. I will not go as far to say that we can use every pound of compost that we can develop but I think we can use close to it. Our soils constantly need to be fed and compost is an excellent food for our soil. The big thing is if there was a Central Information Center where you can pick up composted yard waste. Once it gets out amongst the gardeners it is no longer an issue. The big thing is information and education.

Nancy Anderson – In our ordinance we treat all horses as the same. Do you believe that a 200 pound mini horse is the same as a 2000 pound Percheron?

Mr. Rieves – Mr. Mike Yoder, who is an equine specialist for NC State was consulted about this. If you have a 1,000 pound horse, it produces about 50 pounds of manure every day. A 300 pound mini horse would produce about 15 pounds. A smaller horse does not eat as much and does not have as much body mass to support it so it is going to produce less. It is up to you guys regarding equality.

Councilmember McKee moved to enlist the services of Mr. Jeff Rieves to work with the Town Council on developing amendments to the Town's ordinance regarding agricultural uses. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 9. Approval of Minutes.

A. November 8, 2010 Regular Town Council Meeting. Councilmember McKee moved to approve the November 8, 2010 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

B. November 30, 2010 Special Town Council Meeting. Councilmember McKee moved to approve the November 30, 2010 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 10. Consent Agenda.

A. Call for a Public Hearing to Consider a Proposed Text Amendment to Minor Subdivisions Definition (Public Hearing to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall). The Town Council received the following memo from Town Planner Cook and a copy of the proposed text amendment:

- At the October 25 Planning Board Meeting, a resident applied for a minor subdivision to subdivide a one acre tract from their existing 14 acre parcel.
- The way the ordinance is written did not allow this property owner to subdivide the one acre tract because they owned a parcel adjacent to it. The ordinance states that if the subdivider owns any land adjacent to the land being subdivided, it would be considered a major subdivision. Therefore, the owner had to recombine all parcels and start from scratch by subdividing out the one acre parcel.
- The Planning Board realized that an owner of a large tract could subdivide into three lots but the applicant applying for the minor subdivision could not do the exact same thing because they owned adjacent property.
- The newly proposed language will allow that property owner to subdivide as long as the subdivision results in three or fewer parcels.
- For reference, the plat showing the parcels will be included at the next Town Council Meeting.

Councilmember Gilmartin moved to call for a public hearing to consider proposed text amendments to the minor subdivision definition. The public hearing is to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

B. Approval of Resolution of Consideration Identifying Areas as Being Under Consideration for Annexation. This item was moved to New Business.

C. Call for Public Hearing to Review and Consider Proposed Text Amendment to Add “Private Banquet, Reception and Conference Center” Uses as a Permitted Use in the MX Zoning District (Public Hearing to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall).

The Town Council received the following memo and copy of the proposed text amendment from Town Planner Cook:

- A citizen proposed text amendment was reviewed and discussed at the October 25 Planning Board Meeting.
- The Planning Board gave the text amendment an unfavorable recommendation as proposed because they did not feel that the use should be allowed in all residential zoning districts. However, the Planning Board did agree with the concept and the use as a whole. The Planning Board recommended that the use (“Private Banquet, Reception and Conference Center”) be added as a permitted use in the MX (Mixed Use) zoning district. Therefore any applicant requesting that use would be required to go through the Conditional Zoning process.
- At the November 8 Town Council Meeting, the Town Council agreed with the Planning Board’s recommendation and asked that the proposed uses be placed in the M-X Zoning District.
- At the December 20 Planning Board Meeting, the Planning Board revised the language per Anthony’s comments.

Councilmember Gilmartin moved to call for a public hearing to consider proposed text amendments to add “Private Banquet, Reception and Conference Center” uses as a permitted use in the MX Zoning District. The public hearing is to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

D. Consideration of Endorsement to the Union County Board of Commissioners on the Reappointment of Starr Shaffer and Karen Bowman to the Union County Library Board of Trustees.

Councilmember Gilmartin moved to send a letter of endorsement to the Union County Board of Commissioners on the reappointment of Starr Shaffer and Karen Bowman to the Union County Library Board of Trustees. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 11. Old Business.

A. Call for a Public Hearing to Consider Proposed Text Amendments Regarding a Weddington Burning Ordinance (Public Hearing to be held February 14, 2011 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the proposed text amendment.

Planning Board Chairman Dorine Sharp - Mayor Pro Tem Barry and I would like more time to get this document the way you say you want it. We would request another month. We are trying to define the terms more clearly. The State Statute is concerned with air quality. We are looking at it from a safety of property perspective. We are going to take Items e. f. and g. from Draft 2 and add that section to Draft 1 with the exception that the 100 feet will be changed to 50 feet, the penalties will be changed and then we are going to define recreational burning.

Mayor Pro Tem Barry - We sent this to the Sheriff's Office for their review and they came back with a couple of recommendations. They were supposed to forward over to us the citation that they are using in Lake Park. We are on the right track.

There was discussion on several items that needed to be amended such as the amount of the penalties, the distance to be 50 feet from the dwelling instead of 100 feet, exception added to include training for fire purposes and to add language that any law enforcement officer with territorial jurisdiction can enforce the ordinance.

Councilmember Gilmartin moved to defer this item until the next Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 12. New Business.

A. Discussion of Scheduling 2011 Town Council Retreat. Town Administrator/Clerk McCollum advised that the Council has decided to stay in-town for the 2011 Town Council Retreat. Council advised that Ms. McCollum contact Firethorne Country Club to see if either the last weekend in February or the third weekend in March were available for the retreat. Council asked that Ms. McCollum determine if Mr. Al Sharp would be able to facilitate the retreat. Ms. McCollum asked that Councilmembers forward any agenda items and what members of staff and Boards and Committees that they would like in attendance at the retreat to her. Mayor Anderson asked that the Town Council consider inviting the County Commissioners for a reception on the Friday night of the retreat.

B. Discussion of Scheduling Joint Meeting with Union County Board of Commissioners and County Staff. The Town Council received a copy of the following letter from Cynthia A. Coto, ICMA-CM, Union County Manager:

At the Board of County Commissioners meeting of December 20, 2010, the Commission expressed a desire to schedule joint sessions between each of the municipal governments and the Union County Board of Commissioners. The purpose of the meeting is to discuss items of mutual interest and benefit between our two governmental entities.

Please let me know if the Town of Weddington is interested in scheduling such a meeting, preferred day of the week and time, and topics you would like to be considered as we develop an agenda. If you could also identify who you wish for me to communicate with as we develop a meeting schedule and topics to be discussed, I would be appreciative. As there are fourteen (14) municipal governments, the meeting schedule may span the next six to twelve months.

Councilmember McKee felt that the Town Council should wait to meet with the County officials until after the Town retreat and asked staff to get on their agenda for possibly April.

C. Consideration of Appointment to the Public Safety Advisory Committee. The Town Council received a copy of the following applications:

- Michael J. Smith

- Ken Evans
- Steve Godfrey

Councilmember Thomisser - We have three well qualified candidates. There is one candidate that has expertise that we currently do not enjoy which is law enforcement. Michael Smith served 26 years in law enforcement as a Delaware State Trooper and also he was a Volunteer Fireman.

Councilmember Thomisser moved to appoint Michael Smith to the Public Safety Advisory Committee. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

D. Appointment of Lorri Elliott as Ex-Officio Member to the Public Safety Advisory Committee.

Councilmember Thomisser – Lorri Elliott has a BS in Nursing, she is a Registered Nurse with a specialty in trauma care. She has a tremendous amount of expertise beyond the EMT area. She could also provide expertise to the Public Safety Committee relative to developing an Emergency Response Plan for Weddington and a Citizen Emergency Response Team. She was appointed to the Public Safety Committee by the Town Council and has served as an ex-officio member since October 26. I recently contacted her and she wants to continue to serve. She has been to three meetings and I see no reason why she should not continue. She does understand that she cannot vote. Her function would be to provide expertise. I move to appoint Ms. Lorri Elliott as an ex-Officio Member to the Public Safety Advisory Committee.

Mr. Ken Evans – An ex-officio member is appointed by virtue of the office that they hold. Lorri holds no office with this Town Council. According to Robert’s Rules of Order, you cannot appoint an ex-officio member.

Councilmember Thomisser - The Town Council on November 8 approved our Appointment Policy and it specifically states that non-residents could be appointed as ex-officio members but would not be granted voting privileges.

Mayor Anderson – I am not sure why this particular issue has drawn such controversy. It is the expressed authority and responsibility of the Town Council to appoint to committees. There has seemed to be a lot of resistance and conflict regarding this particular person.

Attorney Sullivan - I am not sure what ex officio means in other contexts but the intent is to appoint her as a non-voting member. Why not remove the term ex-officio? The intent is very clear. It is your committee and you can structure it the way you want to.

Councilmember Thomisser - I move that we appoint Lorri Elliott as a non-voting member to the Weddington Public Safety Committee. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

E. Consideration of Direction Regarding NCLM Advocacy Goals.

The Town Council received a packet of information regarding Proposed 2011-2012 NCLM Advocacy Goals. Mayor Pro Tem Barry advised that he would be attending a meeting on behalf of the Town and acting as the voting delegate regarding these advocacy goals. Mayor Anderson asked that the Town Council review the goals and express any concerns to Mayor Pro Tem Barry by Thursday.

F. Approval of Resolution of Consideration Identifying Areas as Being Under Consideration for Annexation Resolution of Consideration of Area. The Town Council received a copy of the following memo from Town Administrator/Clerk Amy McCollum and a copy of the map showing the area:

Please find attached a map showing areas that the Town has identified as areas for possible future annexation. The original Resolution and Map identifying this area was adopted in 1998. It is recommended that the Town adopt this Resolution every year. By adopting the Resolution, it allows the Town in the future to proceed with involuntary annexation of these areas without having to wait one year before the annexation would become effective. Approval of this Resolution and map only helps to facilitate future annexations.

This is further information from Bill Duston of COG regarding Resolution of Considerations (ROC):

Adoption of an ROC does not necessitate notification to affected and/or adjacent property owners. There is no obligation for a community to actually go forward with an annexation if an ROC is adopted. If an ROC is adopted and is not renewed within the initial two-year period post adoption, the ROC is null and void. Having an ROC in place does not preclude another community from adopting a Resolution of Intent (ROI) in any portion of the ROC territory. The advantage for a community to have an ROC adopted and kept in place is that once the initial one-year waiting period is met, a community can at any time thereafter adopt an ROI and formally begin annexation proceedings. Without an active ROC in place (i.e., one that has been in place for at least one year), there will be a one year hiatus in the effective date of an adopted annexation ordinance.

Attorney Sullivan - We added number 4 to the version that was in your packet. It is language that the statute says to put in there. If you own certain kinds of agricultural forestland you can put it in a program where you get some pretty favorable property tax treatment. If we annex property that is in that program the annexation only takes effect part way. The property comes into the Town but you cannot tax it - you cannot regulate it fully. This provides a notice to these people in this Resolution of Consideration area if they own that type of property that this is a benefit of the annexation laws.

Mayor Pro Tem Barry - Can we not do zoning restrictions on that property?

Attorney Sullivan - I believe that you can do land use regulations. It is other police powers that you cannot do. You can regulate development there but there are certain regulations and general ordinance powers I think would be restricted.

Council asked that Attorney Sullivan review the statutes on this issue and provide additional information.

Mayor Pro Tem Barry moved to approve Resolution R-2011-01 with the amended language:

RESOLUTION OF CONSIDERATION

TOWN OF WEDDINGTON

A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER CONSIDERATION FOR ANNEXATION

R-2011-01

BE IT RESOLVED by the Town Council of the Town of Weddington:

Section 1. That pursuant to G.S. 160A-37 (i), the following area is hereby identified as being under consideration for future annexation by the Town of Weddington, under the provisions of Chapter 160A, Article 4A, Part 2 of the General Statutes of North Carolina.

All properties within the boundaries as shown on the attached map are incorporated by reference.

Section 2. That a copy of this resolution shall be filed with the Town Clerk.

Section 3. This resolution shall remain in effect as provided by G.S. 160A-37(i).

Section 4. Owners of agricultural land, horticultural land and forestland within the area under consideration for annexation as described in Section 1 above are hereby notified that they may have rights to a delayed effective date of annexation. G.S. § 160A-49(f1) and (f2) provide that land being taxed at present-use value qualifies for delayed annexation, and land that is eligible for present-use value taxation but which has not been in actual production for the time period required by G.S. § 105-277.3 may qualify for delayed annexation by making application to the Union County Tax Assessor for certification. For qualified tracts, the annexation will not become effective for most purposes until the last day of the month in which the tract or part thereof becomes ineligible for present-use value classification under G.S. § 105-227.4 or no longer meets the requirements of G.S. § 160A-49(f1)(2). Until annexation of a tract becomes effective, the tract will not be taxed by the Town of Weddington and will not be entitled to services from the Town.

Adopted this 17th day of January, 2011.

Adopted: June 8, 1998
Renewed: May 8, 2000
Renewed: April 8, 2002
Renewed: March 8, 2004
Renewed: February 13, 2006
Renewed: January 14, 2008
Renewed: January 12, 2009
Renewed: February 8, 2010

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

A copy of the map is attached to the minutes as an Exhibit.

Item No. 13. Update from Town Planner. The Town Council received a copy of the following update from Town Planner Cook:

- The Trust for Public Land has created base maps with proposed trail locations based on the feedback received at the four Listening Sessions. The Steering Committee met on December 1st to discuss the base maps and schedule Open House meetings for each community. These Open House meetings will occur in January or February and give citizens the opportunity to discuss the base maps and trail locations. Please see the following website for further information: <http://www.carolinathreadtrail.org/>

- The B-1(CD) and B-2(CD) Rezoning will take place after I have met with all property owners involved in the rezonings. Meetings with the property owners are currently being scheduled. **Council asked that this item be placed on the next agenda for call for public hearing.**
- NCDOT has completed the access road behind Town Hall and removed all of the berm along Weddington-Matthews Road. Weddington Corners has submitted a landscaping plan for the access road that will be reviewed by Councilman Jerry McKee, Jan Taylor, Stephanie Belcher and I once finalized. The Planning Board has also approved (with conditions) the permit for a ground sign located at the intersection of the access road and Weddington-Matthews Road. Please let me know if you would like to see a rendering of the ground sign. The sign is in accordance with the Driveway Easement.
- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road. Installation of the traffic signals has begun. The turn lanes and signal should be completed by late 2010 or early 2011.
- The Text Amendment adding “Private Banquet, Reception and Conference Center” use(s) as a permitted use in the MX Zoning District is on the January 10, 2011 Town Council agenda.
- The Minor Subdivision Text Amendment is also on the January 10, 2011 Town Council agenda.
- Scott Buzzard (Downtown Development Committee Chair), David Grant (Union County Urban Forester) and I met with Tim Simpson (NCDOT Roadside Environmental) last Wednesday to discuss landscaping plan on Providence Road. The landscaping materials will be available for planting on January 15, 2011 and planting will begin shortly after that. Mr. Simpson stated that the Town of Weddington could do some supplemental planting after the initial planting was done. He also stated that Federal Enhancement Funds may be available to help pay for the supplemental planting. The Town and NCDOT will continue to work together throughout the process.
- Changes are currently being made to the RFP. These revisions are based on comments from the last Town Council meeting. I will e-mail the RFP to the Council and would like to receive names of developers, property owners, etc. to send the RFP to. The Town will also advertise the RFP to be sure no one is excluded. The final version of the RFP will go out at the beginning of January per the Mayor’s request.

Item No. 14. Update from Town Administrator/Clerk. The Town Council received a copy of the following update from Town Administrator/Clerk McCollum:

US Infrastructure is reviewing the study prepared by WCWAA’s engineer related to their proposed mitigation plan.

We are working on the next Town newsletter. It should be mailed out the beginning of February.

Staff is working on researching the cost savings with the Town Council doing paperless agendas.

The Town Council has been invited to the Providence VFD Banquet at the Firethorne Country Club on January 15.

The burning of the house on Twelve Mile Creek Road has been completed. Our Minimum Housing Inspector will now work with the property owner to further clean up the property after the burn.

Upcoming Dates

- January 11 – Public Safety Advisory Committee Meeting
- January 17 – Town Hall Closed for Martin Luther King, Jr. Day
- January 24 – Downtown Development Committee Meeting
- January 24 – Planning Board Meeting
- January 24 – Historic Preservation Commission Meeting
- January 24 – Board of Adjustment Meeting

Item No. 15. Public Safety Report.

A. Reports.

- Sheriff’s Deputies – 293 Calls
- Wesley Chapel VFD – 132 Calls
- Providence VFD – 226 Training Hours, and 24 Fire Calls and 10 EMS Calls. The Town Council received the Providence VFD’s Income and Expense Budget Performance and Balance Sheet.

B. Update on Fire Department Issue. Town Administrator/Clerk McCollum advised that she was notified by Providence VFD Board of Director’s President Steve Cloutier that a meeting has been scheduled between Providence VFD and Wesley Chapel VFD for January 26. Both departments have their Steering Committee members in place.

Item No. 16. Update from Finance Officer and Tax Collector.

A. Finance Officer’s Report. The Town Council received the Revenue and Expenditure Statement and Balance Sheet for 12/1/10 to 12/31/10.

B. Tax Collector’s Report. Monthly Report – December 2010

Transactions	
Overpayments	\$(952.85)
Pay Interest and Penalties	\$(53.36)
Refunds	\$952.75
Adjust Under \$5.00	\$.22
Taxes Collected:	
2010	\$(113,196.09)
2009	\$(383.19)
2008	\$(8.88)
2007	\$(171.21)
2006	\$(12.48)
2005	\$(10.48)
As of December 31, 2010; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$310.18

2006	\$205.58
2007	\$320.22
2008	\$4,473.13
2009	\$9,447.00
2010	\$129,715.32
Total Outstanding:	\$144,909.20

Item No. 17. Transportation Report. Mayor Pro Tem Barry advised that work is progressing relative to the Rea Road Extension Project.

Item No. 18. Council Comments. Councilmember McKee advised that he has placed on the retreat agenda discussion regarding landscaping of the Town Hall property near the access road and whether the Council wants to consider a full landscaping plan to include a fountain and/or gazebo area.

Item No. 19. Closed Session – Pursuant to NCGS 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and Pursuant to NCGS 143-318.11 (a) (5) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. This item was deferred until January 18, 2011 at 4:00 p.m. to allow Attorney Anthony Fox to be present.

Item No. 20. Continuation. Mayor Pro Tem Barry moved to continue the meeting until January 18, 2011 at 4:00 p.m. to go into Closed Session.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry

NAYS: None

The meeting ended at 8:57 p.m.

Nancy D. Anderson, Mayor

Amy S. McCollum, Town Clerk

ORDINANCE REGULATING THE OPEN BURNING OF YARD WASTE IN THE CORPORATE TOWN LIMITS

WHEREAS, the Town Council of the Town of Weddington deems it to be in the best interest to protect the health, safety and welfare of the citizens of Weddington from fire hazards, it is necessary to regulate open burning in the Town.

THEREFORE, BE IT ORDAINED by the Weddington Town Council as follows:

Section 1. Definitions. The following words when used in this ordinance shall have the meanings ascribed to them in this section:

- (A) "Open burning" means the burning of yard waste in such a manner that the products of combustion resulting from the burning are emitted directly into the atmosphere without passing through a chimney, or a permitted air pollution control device.
- (B) "Yard waste" means any grass, weeds, leaves, tree trimmings, plants, shrubbery pruning, and such other similar materials which are generated in the maintenance of yards and gardens.
- (C) "Recreational burning" means camp fires and fires used solely for outdoor cooking and other recreational purposes, or for ceremonial occasions, or for human warmth and comfort and which do not create a nuisance and do not use synthetic materials or refuse or salvageable materials for fuel.

Section 2. Open Burning Regulations:

- (A) A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted in accordance with North Carolina General Statutes 113-60.21 through 113-60.31 and 15A NCAC 2D .1901.
- (B) Open burning must be constantly attended by an adult (age 18 or older) until after the fire is extinguished.
- (C) This adult must have on-site fire extinguishing equipment such as dirt, water barrel, garden hose or water truck that is available for immediate use.
- (D) Fires that are intended to clear undergrowth by running along the ground are prohibited, except when conducted under a directive from a state or federal government agency, such as the Forestry Service.
- (E) Open burning is prohibited on High Ozone days when levels are in the Orange, Red or Purple Zone according to the North Carolina Division of Air Quality.
- (F) Open burning shall only be allowed at least 50 feet from any occupied dwelling.
- (G) Recreational burning will have no time limit as long as the burning is not creating a nuisance or hazard.

Section 3. Exceptions

Training fires set for the purpose of instruction and training of firefighters in the methods of firefighting are exempt from this ordinance.

Section 4. Penalties and Remedies

(A) Civil penalties. Any law enforcement officer with territorial jurisdiction or code enforcement officer may issue a warning citation for a first offense of this ordinance. Any law enforcement officer with territorial jurisdiction or code enforcement officer may issue a civil citation for any subsequent violations of this ordinance, subjecting the violator to a civil penalty of \$50.00 for the second offense, \$100.00 for the third offense and \$150.00 for all subsequent offenses. If a person/corporation fails to pay the citation within ten days of issuance, the Town may seek to recover the penalty by filing a civil action in the nature of a debt.

(B) The Town may seek to enforce this ordinance through any appropriate equitable action.

(C) Each day that a violation continues after the offender has been notified of the violation shall constitute a separate offense.

(D) The Town may seek to enforce this ordinance by using any one or a combination of the foregoing remedies.

(E) The issuance of a citation or the collection of penalties by the Town does not relieve any individual from liabilities that may result from a violation of this ordinance

Section 5. Effective Date This Ordinance shall be effective upon adoption.

Adopted this the ____ day of December 2011.

**NOTICE OF VIOLATION OF TOWN ORDINANCE
TOWN OF WEDDINGTON**

Date of Violation: _____

Location/Address of Violation: _____

Vehicle Tag # (If applicable): _____

Tax Parcel I.D. No. (If applicable): _____

Name of Property Owner or Person in Legal Possession of
Property: _____

Date of Birth: _____ SS#: _____

Telephone No.: _____

You are hereby notified that you are in violation of section
_____ of the Town of Weddington
ordinance, payable in the amount of \$_____.

Payment must be made within ten (10) days of the issuance of
this Notice. Failure to make timely payment may result in the
referral of this matter to a Collection Agency or the Town
seeking to recover the penalty by filing a civil action in the
nature of a debt. Failure to pay in accordance with the terms
set forth in the ordinance may subject the offender to court
costs, including reasonable attorney's fees.

Payment may be delivered or mailed to:
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Payments may be made by cash, check or money order. If
paying by check or money order, please make it payable to the
Town of Weddington. Town Hall is open Monday,
Wednesday, and Friday from 9:00 a.m. to 1:00 p.m.

Description of Violation:

You are hereby ordered to immediately cease and desist in
violating the terms of the ordinance specified. Any failure to
cease and desist shall be charged as additional violations under
the ordinance.

Signature of Issuing Official

Printed Name and Title of Issuing Official

Date Issued: _____

**TOWN OF WEDDINGTON
WEDDINGTON PUBLIC SAFETY ADVISORY COMMITTEE
RULES OF PROCEDURE**

**Article I
Name**

- 1-1 The official name of the committee shall be the Weddington Public Safety Advisory Committee, hereafter referred to as the Committee.

**Article II
Objective and Purpose**

- 2-1 The Public Safety Committee serves to consider public safety issues concerning Weddington and its citizens. These issues include, but are not limited to, fire protection, emergency medical services, law enforcement, and transportation. The Committee may make recommendations to the Town Council. The Committee shall also act to disseminate and improve communications on public safety issues.

**Article III
Membership**

- 3-1 Members of the Committee shall be appointed by the Town Council for designated terms. The Committee shall consist of two members of the Weddington Town Council and five additional residents of the Town. The five at-large members shall be referred to herein as at-large members.
- 3-2 Terms of members of the Committee serving elected office shall overlap with their elected terms. Therefore, for those members of the Committee serving terms on the Town Council, their term on the Committee shall correspond with the duration of their term on the Town Council. The at-large members shall serve four-year terms with three at-large members appointed to terms ending in odd numbered years, and two at-large members appointed to terms ending in even numbered years. Non-voting members may be appointed by the Town Council; however, they will not be included in the determination of a quorum and will not have voting privileges. Non-voting members will also serve a four-year term unless determined otherwise by the Town Council. The Secretary of the Committee shall request the Town Council to make appointments in accordance with this section at its regular December meeting.
- 3-3 All vacancies on the Committee shall be filled by Town Council appointment. All members appointed to fill an unexpired term shall serve for the duration of the unexpired term.

**Article IV
Meetings**

- 4-1 The Committee shall hold its initial meeting no later than January, 2011 and all other Committee meetings shall be scheduled as needed. All meetings shall be held in accordance with the North Carolina Open Meetings Law.
- 4-2 Special meetings may be called by the Chairman or the Vice Chairman.
- 4-3 A majority of the members of the Committee shall constitute a quorum. A quorum shall be present before any business is transacted.

- 4-4 Unless otherwise stated herein, the Committee shall operate according to Robert's Rules of Order. The Chairman shall decide all points of procedure unless otherwise directed by a majority vote of the Committee.
- 4-5 The order of business of the Committee shall be as follows; (a) determination of quorum/deletions to the agenda, (b) approval of minutes, (c) old business, (d) new business, (e) public comment, (f) member comment, and (g) adjournment.

**Article V
Attendance**

- 5-1 Any member of the Committee who misses more than three (3) consecutive meetings or one-half (1/2) the meetings during any calendar year without an excused absence may lose his or her status as a member of the Committee. The Chairman may request that the member be replaced by Weddington Town Council.

**Article VI
Action by Committee**

- 6-1 All actions of the Committee shall be taken in the form of a motion and voted upon by all members present following the establishment of a quorum.
- 6-2 Voting shall be done by a show of hands. All members present at the time a vote is taken shall be eligible to vote.
- 6-3 All members of the Committee must vote on all matters except as specified in Section 8-1 of these rules.

**Article VII
Election of Officers**

- 7-1 At the first meeting of the Committee held in each calendar year, a Chairman and Vice-Chairman shall be elected by members of the Committee. These officers shall be elected for a term of one year and may be reelected for successive terms to the same office. Members shall be notified of the date, time and place of the election of officers. At least seven (7) days notice prior to the first annual meeting of the Committee shall be given. Each officer shall serve until a replacement is elected.
- 7-2 The Chairman shall preside at all meetings of the Committee, shall appoint all standing and temporary committees, and shall have all other duties normally conferred on such office.
- 7-3 The Vice-Chairman shall perform the duties of the Chairman in his absence. In the event of the absence of both the Chairman and Vice-Chairman, the members present may elect a temporary chairman for that meeting and proceed with the order of business.
- 7-4 The Town Clerk shall serve as secretary and shall keep the minutes of the Committee, prepare with the Chairman the agenda for all meetings, provide notice of meetings, attend to correspondence of the Committee and perform such other duties normally carried out by a secretary.

**Article VIII
Conflict of Interest**

- 8-1 No member of the Committee may discuss, advocate, or vote on any matter in which he has a financial, pecuniary or monetary interest, either direct or indirect, in the outcome. Any member who violates this provision may be subject to removal from the Committee.

**Article IX
Committee Powers**

- 9-1 The Committee is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities.

**Article X
Records**

- 10-1 An annual written report shall be prepared by the Committee and submitted to the Town Council of Weddington. Such report shall include a comprehensive and detailed review of the activities, recommendations and actions of the Committee. The report shall include any budget requests for the upcoming year. The Secretary shall keep accurate minutes of the Committee meetings and a record of attendance of the members of the Committee.

**Article XI
Adoption and Amendments**

- 11-1 These Rules of Procedure shall be adopted by a majority vote of the members of the Committee.
- 11-2 These Rules of Procedure may be amended by an affirmative vote of a majority of the membership present at any meeting, provided that such proposed amendment shall have first been submitted to all members in writing at least seven (7) days prior to the meeting at which the vote is to be taken.

ADOPTED this 16th day of November 2010.
Amended this 19th day of January, 2011.

Walker F. Davidson, Chairman

Amy S. McCollum, Town Clerk

TOWN OF WEDDINGTON APPOINTMENT POLICY

PURPOSE

The council or the mayor, as appropriate, may establish and appoint members for such temporary and standing committees and boards as are needed to help carry on the work of town government. Any specific provisions of law relating to particular committees and boards shall be followed. The purpose of this policy statement is to develop a preferred process for the Town Council to follow for the board/committee appointments to ensure that all Councilmembers operate under the same process. This written process will clearly outline and show citizens the process the Town Council uses for board appointments. The Town Council may, by majority vote, decide to waive, vary, or otherwise modify the process outlined in this policy.

The requirements of the open meetings law shall apply to all committees and boards that either (a) are established by the council, or (b) are comprised of council members.

The Council may consider and make appointments to other bodies, including its own committees, if any, only in open session. The Council may not consider or fill a vacancy among its own membership except in open session.

APPOINTMENT TERMS

Appointments to Boards and Committees shall not exceed a four-(4) year term. A person shall serve no more than two (2) consecutive full terms on the same board. After serving two (2) consecutive full terms, a committee member must sit out one (1) year before applying to serve again on the same committee.

Terms on all boards shall be staggered and insofar as is possible, there shall always be one or more members with experience on each board.

The term of office of the chair of each board shall be one (1) year.

The Town Council shall generally avoid appointment of any one person to more than two bodies unless that person is serving in their role as Town Councilmember or Planning Board Member.

RECOMMENDED PROCESS

Application. In order to be eligible for appointment to a board and continue to serve, a person must be an adult (21 years or older) permanently residing inside the town limits and file an application on a form provided by the Town Clerk. Non-residents could be appointed as a non-voting member. ~~ex-officio members but will not be granted voting privileges.~~ Their attendance is not included when determining a quorum. All applications will be kept on file for a period of two (2) years from the date of submission. The Council will only consider citizens for which there is a current application on file. The Town Clerk may be instructed to investigate and verify all statements contained in the application.

Publication-posting. The Town Clerk shall advertise vacancies in the Town newsletter, website, and using Constant Contact to solicit written applications from interested individuals.

Distribution of applications. The Town Clerk will provide a list of the applicants along with the applications to the Nominating Committee for their consideration.

Unexpired terms. The Town Council intends to make appointments to fill unexpired portions of terms created by vacancies as expeditiously as needed.

Removal. All members of all boards shall, unless in conflict with State Statute, serve at the pleasure of the Town Council, regardless of the terms for which appointed. The Town Council may in its discretion at any time remove any members of any board when it is determined to be in the best interest of the Town.

Resignations. If a member concludes that he or she will have difficulty fulfilling their volunteer commitment, the member may in his or her discretion voluntarily resign from the board. Notice should be communicated in writing by letter or e-mail to the Town Clerk.

SELECTION AND APPOINTMENTS

The Town Council may form a standing "Nominating Committee" to review applications. The committee will be comprised of one (1) Councilmember and the Chairman, Vice-Chairman or designee of the Board or Committee that has the vacancy. The Town Clerk or designee will serve as staff representative to the Nominating Committee. The Nominating Committee will review applications to ensure that the applicants are eligible to serve on each board or committee for which the applicant has expressed interest. The Nominating Committee will forward a recommended list of appointments along with comments to the Town Council for their review prior to placement on agenda for consideration.

The Town Council may vote on the list of appointments as submitted by the Nominating Committee, but upon request of any board member, may nominate additional applicants.

Any Councilmember may request that applicants for a body be present at the Council meeting during which the appointment is expected to be made so that the applicant may be questioned by members of the Council as to the applicant's qualifications. Even if no such request is made, it shall be proper for Council members to directly contact applicants to discuss the applicant's interest in and qualification for the appointment.

Appointments shall proceed as follows. The mayor shall open the floor to nominations. Any member, including the mayor, may put forward a nominee. Any member, including the mayor, may also move that the Council appoint a nominee to the position. When a motion is made to appoint a nominee, that nominee shall be debated. When the debate ends, the mayor shall call the roll of the members, and each member shall cast an affirmative or negative vote for the nominee. The mayor may vote to break any tie.

If a majority of votes cast are in the affirmative, the nominee shall be appointed. If the majority of votes cast are not in the affirmative, the mayor shall open the floor to further nominations.

If the Council wishes to fill multiple positions, each position shall be considered and voted upon separately.

ATTENDANCE EXPECTATIONS

Regular attendance on any Board or Committee is important. Attendance less than the standards established for any such body is cause for removal except for excused illness, or other extraordinary circumstances. Lacking any written standards for attendance by any Board or Committee, attendance of at least 75% of all meetings during any one calendar year will be expected to maintain a seat on any Board or Committee. The chair of each board shall notify the Town Council of any member whose absences exceed 25% of the regular meetings. Members not meeting this 75% attendance expectation may be removed by action of the Town Council and replaced by another interested individual.

Adopted on December 13, 2010.

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2011-02**

**North Carolina
County of Union**

Road Description: Beulah Oaks Way in the Beulah Oaks Subdivision in the Town of Weddington, North Carolina

WHEREAS, the attached petition has been filed with the Town Council of the Town of Weddington, Union County, requesting that the above described roads, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and,

WHEREAS, the Town of Weddington is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Town of Weddington of the County of Union that the Division of Highways is hereby requested to review the above-described roads, and to take over the roads for maintenance if it meets established standards and criteria.

Adopted this 14th day of February, 2011.

Daniel Barry, Mayor Pro Tem

Attest:

Amy S. McCollum, Town Clerk

**TOWN OF WEDDINGTON
PROCLAMATION
CLASSICS WEEK
P-2011-01**

WHEREAS, the National Junior Classical League (NJCL) was founded in 1936 to encourage an interest in and an appreciation for the language, literature, and culture of the ancient Greeks and Romans; and

WHEREAS, JCL chapters are involved in the educational needs of its student members and are committed to a better future for their students and the community, through active participation in service and outreach projects; and

WHEREAS, JCL members believe that the Classics still hold great value to modern society and that the spreading of the Classics is vital to the continued appreciation and spreading of interest in the Classics; and

WHEREAS, Classics Week is held in commemoration of the traditional anniversary of the founding of ancient Rome (April 21st) and in celebration of the North Carolina Junior Classical League 60th annual state convention (April 8-9, 2011); and

WHEREAS, the Town of Weddington recognizes the relevance of Classical culture in the relation to its own history, the great interest that many residents hold for the Classics, and the countless benefits that studying Classics offer to everyone; and

NOW, THEREFORE, I, Nancy D. Anderson, do hereby recognize the week of April 2-9, 2011 as Classics Week in the Town of Weddington and I call this proclamation to the attention of all our citizens.

Adopted this 14th day of February, 2011.

Nancy D. Anderson, Mayor

Attest:

Amy S. McCollum, Town Clerk

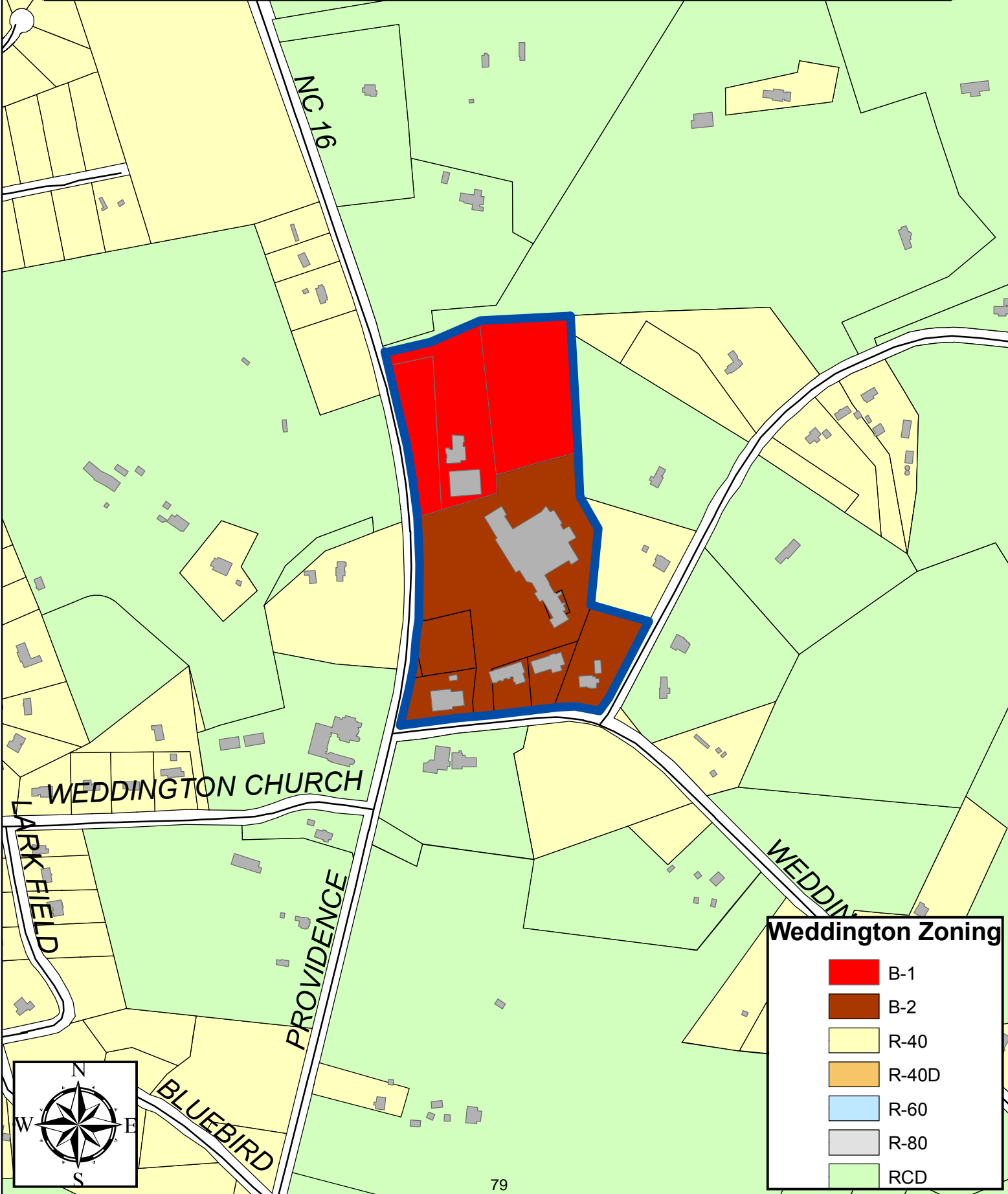









TOWN OF WEDDINGTON MEMORANDUM

DATE: 2/14/2011
TO: NANCY ANDERSON, MAYOR
TOWN COUNCIL
CC: AMY MCCOLLUM, TOWN CLERK
FROM: JORDAN COOK, ZONING ADMINISTRATOR/PLANNER
RE: B-1(CD) & B-2(CD) REZONINGS

- In early to mid 2010 the Town Council approved text amendments that created B-1(CD) and B-2(CD) zoning districts. The purpose of these new zoning districts would be to allow any changes occurring at the existing B-1 and B-2 zoned properties to be reviewed under the Conditional Zoning (legislative) process rather than the Conditional Use Permit (quasi-judicial) process.
- The approved text amendments essentially changed B-1 and B-2 to B-1(CD) and B-2(CD). Changing B-1 and B-2 to B-1(CD) and B-2(CD) would then allow all modifications to existing uses to be legislative rather than quasi-judicial.
- Rezoning the existing B-1 and B-2 properties is the final step in this process.
- The Town of Weddington sent letters to all property owners impacted by these rezonings and did not get a reply from any of them.
- There is 23.87 acres of land under consideration for rezoning. The following parcels are included:
 - 06150057-Weddington Town Hall-2.14 Acres
 - 06150053A-Dr. Pinsak's Office-0.67 Acres
 - 06150053-Weddington Associates Building-0.84 Acres
 - 06150056-Weddington Associates (Weddington Corners Shopping Center)-10 Acres
 - 06150055-Gas Station/Convenience Store-1.34 Acres
 - 06150050A-Citizens South Bank-1 Acre
 - 06150059A-Treski Property-7.88 Acres

B-1(CD) & B-2(CD) Rezoning: Properties to be Rezoned Outlined in Blue



	B-1
	B-2
	R-40
	R-40D
	R-60
	R-80
	RCD

TOWN OF W E D D I N G T O N

MEMORANDUM

TO: Nancy Anderson, Mayor
Town Council

CC: Amy McCollum, Town Clerk

FROM: Jordan Cook, Zoning Administrator/Planner

DATE: February 14, 2011

SUBJECT: Bromley Sales Office Permit Renewal

PDN, LLC requests an extension for a temporary sales office located on Lot 1 in the Bromley Subdivision. The address of Lot 1 is 1049 Bromley Drive, Weddington, NC 28104.

General Information

- A renewal for the temporary sales office is required per *Section 58-13 (4)* of the *Town of Weddington Zoning Ordinance*.
- The applicant is required to apply for a renewal every year (12 months).
- The first permit was approved by Town Staff in 2007 for a one year period. In December 2008 Town Staff gave a one year extension.
- Every extension after the initial two years must be approved by the Town Council.
- *Section 58-13 (4)* of the *Town of Weddington Zoning Ordinance* states that three or more lots must be remaining to grant the extension. The Bromley Subdivision currently has 101 lots remaining, therefore complying with the *Town of Weddington Zoning Ordinance*.

Staff has reviewed the application and submitted documents and finds the Sales Office Renewal Permit Application is in compliance with the *Town of Weddington Zoning Ordinance*.



Town of Weddington



Application for Temporary Placement of Mobile Home,
Construction Trailer or
Temporary Building
(Article I Section 58-13(2) Weddington Zoning Ordinance)

Date of Issue: _____

Name of Property Owner: PDH, LLC

Address: 6719 Fairview Rd.

Charlotte, NC 28210

Location of Property: 1049 Bromley Dr., Lot 1

Subdivision Name: Bromley

The undersigned applies to the Town of Weddington for a permit to temporarily place on the above described property a:

- Sales office
mobile home lot # location 1
- construction trailer lot # location _____
- temporary building lot# location _____

Total number of lots
in subdivision left
to sell 101

- To be used for:
- Sales office
 - field office
 - storage

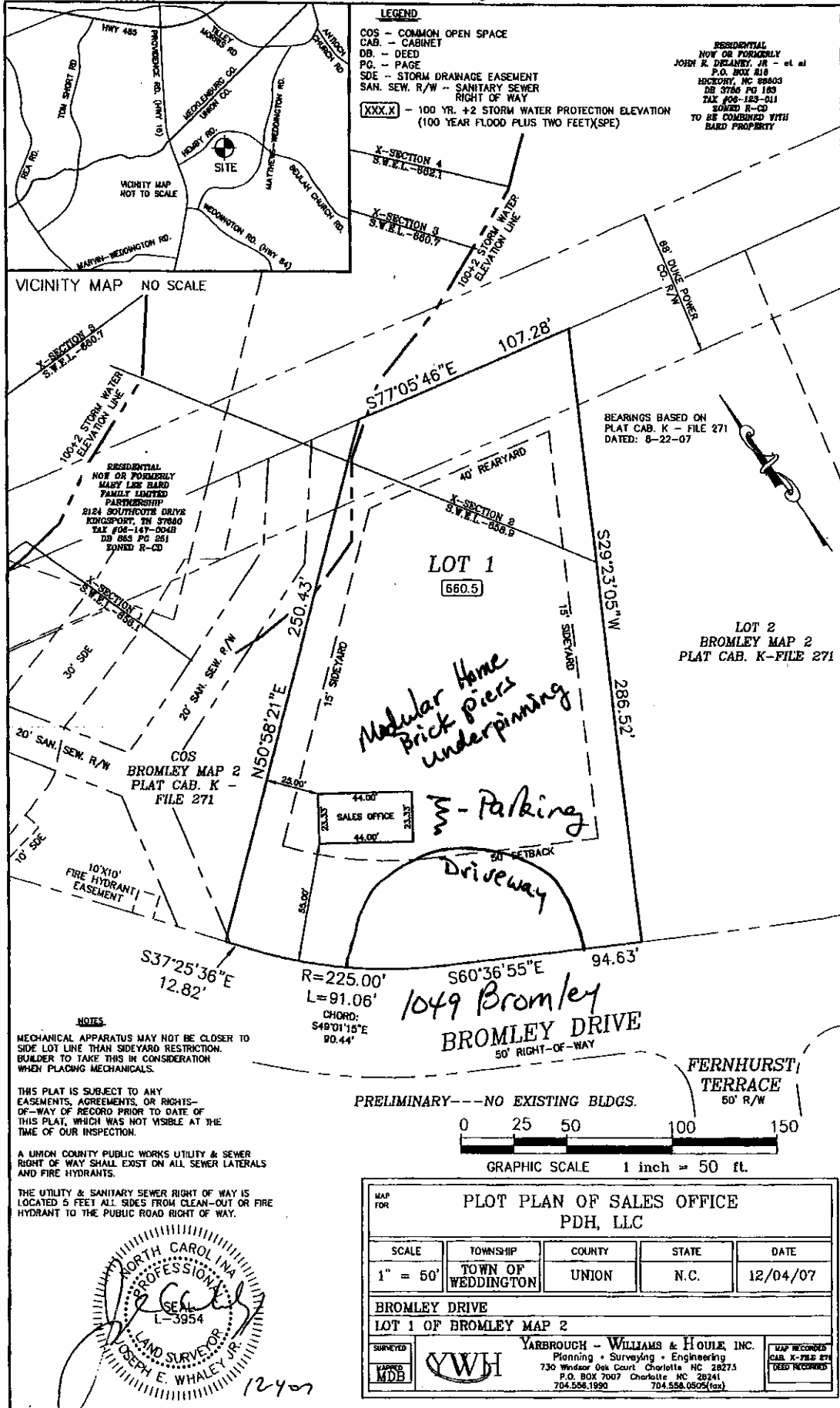
Above to be used during time of construction of structure on the above property.

The undersigned understands this permit shall be valid for ^{1 year} ~~six months~~ from the date of issuance and that the structure allowed by this permit may not be used for residential purposes. The permit may be renewed by the Weddington Zoning administrator upon application prior to the expiration of the initial permit, only if construction has proceeded in a diligent manner.

Marsha B. Craig
Signature of applicant

Expiration of permit: _____

[Signature]
Zoning Administrator



TO: Mayor and Town Council
FROM: Kim H. Woods, Tax Collector
DATE: February 14, 2011
SUBJECT: 2010 Authorization to Advertise

In accordance with North Carolina General Statute 105.369(a), the following represents the total of unpaid 2010 taxes that are liens on real property to date:

\$ 52786.80

In accordance with General Statutes 105.369(a), I am hereby requesting authorization to advertise unpaid 2010 taxes that are liens on real property.

State of North Carolina
Town of Weddington
To the Tax Collector of the Town of Weddington

The Town of Weddington Tax Collector is ordered to advertise all unpaid 2010 taxes that are liens on real property, pursuant to North Carolina General Statute 105-369(a), -369(c).

Witness my hand and official seal this 14th day of February, 2011.

Daniel Barry, Mayor Pro Tem

Attest:

Amy S. McCollum, Town Clerk



Subdivision, minor, means a subdivision where:

- (1) No public or private streets are proposed;
- (2) No rights-of-way are dedicated and no easements dedicated, except as provided in section 46-76; and
- (3) Three or fewer parcels result after the subdivision is completed, including any the subdivider owns, leases or holds any legal or equitable interest in and is adjacent to the property to be subdivided. For purposes of this section, property is deemed to be adjacent even if the property is separated by a street, easement or right-of-way.

Notwithstanding this provision, any subdivision that is classified as a conservation subdivision shall be considered a major subdivision and exempt from this provision. Additionally, the Procedure for Review of Minor Subdivisions may be used only once within any three year period on any property less than 1,500 feet from the original property boundaries. The Procedure for Review of Minor Subdivisions may be used by anyone who owned, had an option on, or any legal or beneficial interest in the original subdivision at the time the original subdivision received preliminary or final plat approval.

Adopted this 14th day of February, 2011.

Daniel Barry, Mayor Pro Tem

Attest:

Amy S. McCollum, Town Clerk

**AN ORDINANCE TO AMEND SECTIONS 58-4, 58-60, 58-152 AND 58-175
OF THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON
O-2011-02**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTIONS 58-4, 58-60, 58-152 AND 58-175 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Sec. 58-4. Definitions.

Banquet and Reception Centers are uses and structures that are designed for groups of people to gather for social functions or events, including, but not limited to weddings and wedding receptions and other gatherings. This definition does not apply to churches.

Conference Centers are facilities designed to accommodate corporate meetings, training, retreats, exhibition space, and other uses of a similar nature.

Sec. 58-60. MX mixed-use conditional district.

(1) *Permitted uses.*

- o. Banquet and Reception Centers, and Conference Centers provided the lot is at least 5 acres. However, nothing shall prohibit one or more of these uses from being combined on a single 5 acre lot. These uses shall not produce levels of noise or electronically amplified sound that is audible at levels greater than 60 DB beyond the boundary of the property on which the facility is located. Further, no noise or electronically amplified sound shall be audible beyond the property boundary between the hours of 10 p.m. and 9 a.m.

Sec. 58-152. Signs permitted in all R residential districts.

- (d) Signs on-premises of banquet, reception, and conference centers are regulated as follows:

(1)	Types of signs permitted:	Identification.
(2)	Permitted number of signs:	One per street front.
(3)	Maximum area of signs:	20 square feet.
(4)	Permitted location:	Behind required setback.

Items (d) and (e) become (e) and (f).

Sec. 58-175. Off-street parking.

Banquet, Reception, and Conference Center	1 per employee during the shift of greatest employment plus 1 space for every 2 guests based on the maximum number of guests the facility can accommodate. At a minimum, each use shall have parking to accommodate at least 30 vehicles.
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Adopted this 14th day of February, 2011.

Daniel Barry, Mayor Pro Tem

Attest:

Amy S. McCollum, Town Clerk

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Amy S. McCollum, Town Administrator/Clerk

DATE: February 8, 2011

SUBJECT: Retreat

The retreat is scheduled for March 18 and 19, 2011 at the Firethorne Country Club. We usually begin with lunch on Friday at 12:00 and end the meeting part of the day by 6:00 p.m. We begin Saturday at 9:00 and usually go to 3:00 or 4:00 that day. I need the following questions answered by the Council to help me finalize plans for the retreat:

- Who from staff would the Council like in attendance for the Retreat?
- Who from the Town's Boards and Committees would the Council like in attendance for the Retreat?
- There have been discussions of holding a social with the Union County Board of County Commissioners for dinner on Friday night. Last year, we had a drop in social with Town residents with light hors d'oeuvres being served. I need the Council's direction on what you would like to do so that the proper invitations and arrangements can be made.
- Al Sharp is unable to be the facilitator for the retreat. I have contacted COG and Bill Duston could be available on Saturday but not Friday. The cost for Bill to facilitate which includes attendance all day on Saturday as well as meeting with Town officials to discuss the retreat, how it would be conducted, topics for discussion, agenda, etc, would be approximately \$1,057, including the use of six member hours from the Town's FY 2010-11 allocation. Mr. Jim Prosser, who took Al Sharp's place at COG, can come on both days at a cost of \$2,500 for two days and \$1,500 for one day. Please let me know how to proceed with the facilitator.
- I need your agenda items by March 1 to allow time to prepare the necessary backup documentation.
- There is no charge to use Firethorne Country Club. The only charge is for our food. I believe that we have approximately \$2,500 in the budget for the retreat.

The following are agenda items that I have received so far:

- Town Hall Landscaping Plan
- Parks and Recreation Trust Fund (PARTF)
- Preparation of Agenda Items for Union County Board of County Commissioners Meeting
- LARTP Text Amendment Questions
- Technology for Council and Staff
- Annexation
- Providence VFD Presentation

- Greenspace and Urban Planning

**TOWN OF WEDDINGTON
RESOLUTION IN SUPPORT OF
2012 UNION COUNTY PROPERTY REVALUATION
R-2011-04**

WHEREAS, one of the primary goals of the Union County tax system is to ensure that each property owner pays his or her fair share for the services provided by the county; and

WHEREAS, accurate property valuations are an essential part of an equitable Union County tax system; and

WHEREAS, the industry standard used to measure the accuracy of county tax values relative to market values is the Coefficient of Dispersion; and

WHEREAS, the Union County Board of County Commissioners determines the level of property value accuracy that is suitable for the county; and

WHEREAS, county tax values are currently 82% accurate, which is less accurate than they were when the 2007 BOCC determined that a level of 85% accuracy was unacceptable and thus initiated a revaluation in 2008; and

WHEREAS, the 2008 revaluation resulted in a 65% increase in property tax values within the Town of Weddington while the residential tax base of Union County increased by 30% and;

WHEREAS, the Town of Weddington believes that its citizens understand and accept their responsibility of paying their fair share of the Union County tax burden; and

WHEREAS, the 2012 revaluation will accurately capture the most recent market values of Union County properties resulting in an improved level of fairness in the Union County tax system for all the citizens of Union County.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Weddington strongly recommends that Union County move forward with a property revaluation in 2012.

Adopted this 14th day of February, 2011.

Daniel Barry, Mayor Pro Tem

Attest:

Amy S. McCollum, Town Clerk

**RESOLUTION IN SUPPORT OF POSTPONING
COUNTYWIDE PROPERTY REVALUATION
R-2011-03**

WHEREAS, the City of Monroe understands that property revaluation is a favored way to provide equitable distribution of the tax burden among the entire county; and

WHEREAS, the last property evaluation was performed by Union County in 2008 and state statute mandates each county must complete a property revaluation at least every eight years; and

WHEREAS, the Union County and national financial landscape has changed dramatically over the past four years leading to increased unemployment, underemployment, foreclosures and financial hardship; and

WHEREAS, several households in Monroe and throughout Union County are already facing financial difficulties and would be adversely affected by a property revaluation in 2012; and

WHEREAS, a property revaluation performed in 2012 will not portray an accurate picture of the value of the property and surrounding property due to increased foreclosures and market trends; and

WHEREAS, the City of Monroe would incur a negative budgetary impact from a revaluation at this time; and

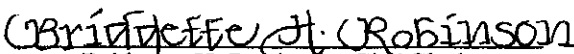
WHEREAS, the Monroe City Council believes it would be prudent for the Union County Board of Commissioners to postpone conducting the countywide property revaluation.

NOW, THEREFORE, BE IT RESOLVED, that the City of Monroe strongly recommends that revaluation be postponed at this time

Adopted this 18th day of January, 2011.

Attest:


Bobby G. Kilgore, Mayor


Bridgette H. Robinson, City Clerk



Revaluation 2008



John Petoskey
Tax Administrator

What is a Revaluation?

- | Complete review and valuation of all real property
- | Must be done every eight years
- | Typically done every four years
- | Last revaluation was in 2004

What is the purpose of the Revaluation?

- I To create a Real Property Tax Base
- I Determine an equitable distribution of the tax burden
- I Property values change with time, but not all properties change at the same rate

How is property revalued?

- | “Fair Market Value”
- | Based on the status as of January 1, 2008

Who determines “Fair Market Value”?

The Tax Administration office does not dictate value. We interpret the marketplace by analyzing real estate transactions and comparing a property to similar properties which have sold.

What if a Taxpayer disagrees with their Assessment?

- I File an appeal with the Tax Administrators Office
- I Appeal to the Board of Equalization and review
- I Appeal to the North Carolina Tax Commission
- I Appeal to the North Carolina Circuit Court of Appeals

General Statistics Countywide

- | Approximately 90,000 real estate parcels
- | Notices should be received the week of March 17th

Impact of the Revaluation

- | Residential tax base increased approximately 30%
- | Commercial tax base increased approximately 50%
- | The market value of all land increased 70%

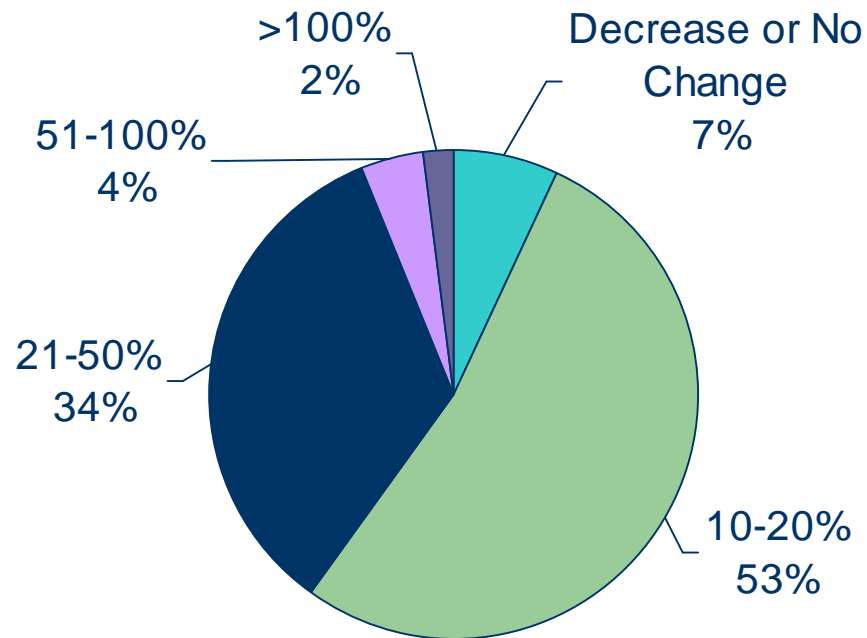
Appropriate Basis for Comparison

- I Individual assessment changes will vary due to the specific market conditions associated with the property
- I The percentage of change in value is not a basis for appeal
- I The issue for individual property owners is the comparison of the new assessment to current market value of the property

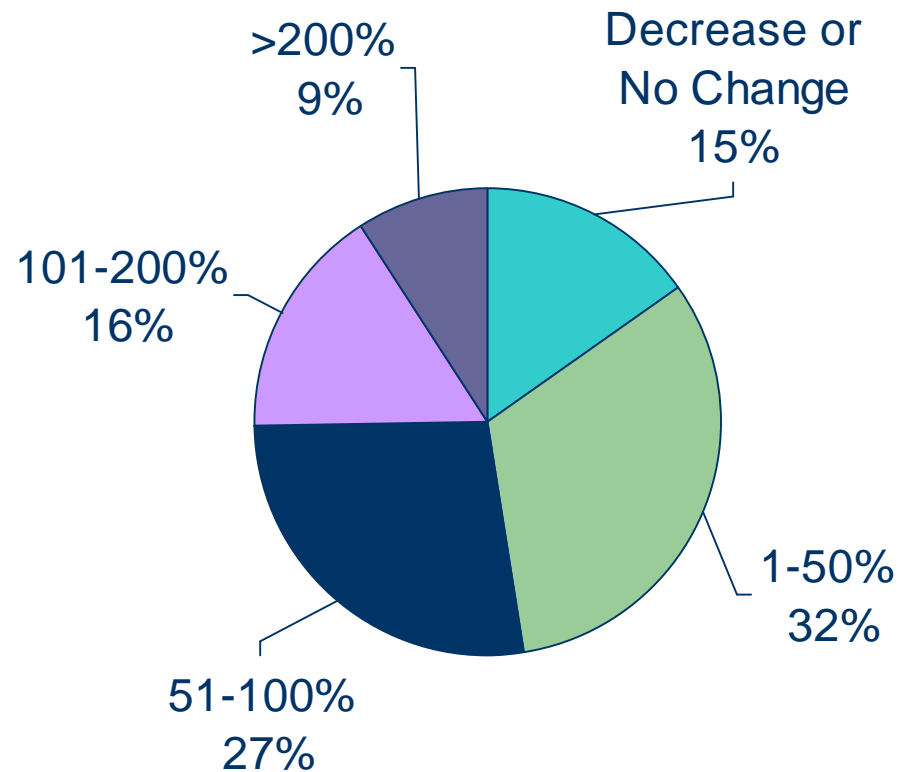
Residential Parcels

- | Residential value makes up approximately 85% of the Real Estate tax base
- | Improvement (buildings) values increased 12% in total (before new construction)
- | Land Values increased 66% in total
- | Some land values more than doubled

Percent of Increase - Residential Parcels with Buildings



Percent of Change Residential Land



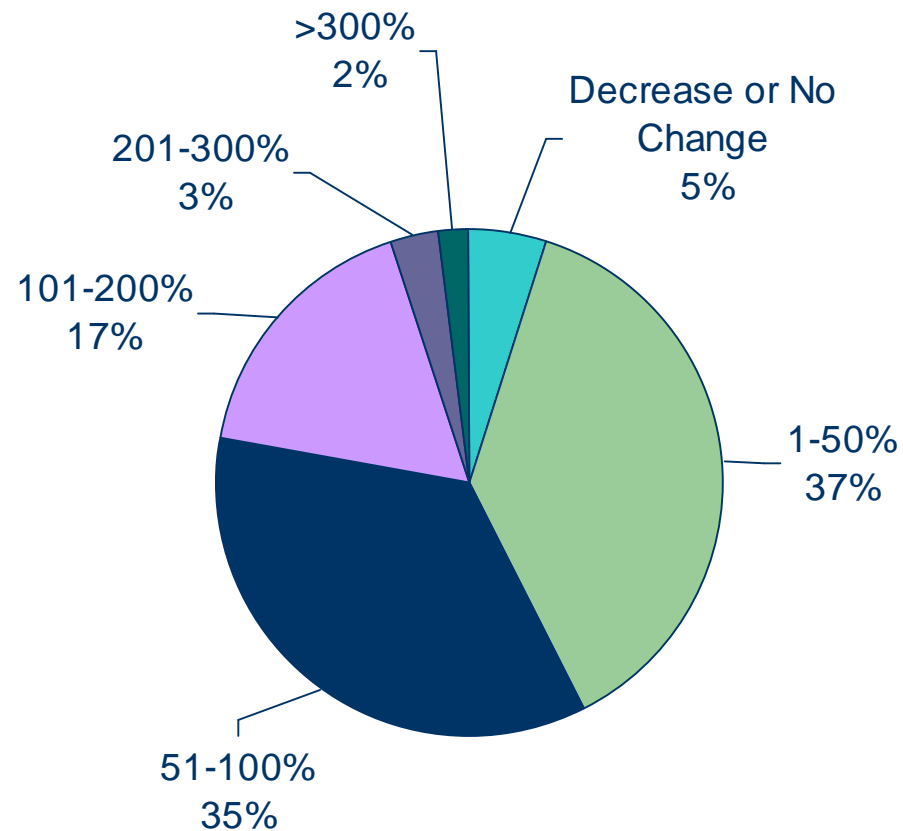
Commercial Parcels

- | Land Values increased 90%
- | Improvement (buildings) values marginally increased (before new construction)

Agricultural Parcels in Use Value Program

- | Market land value increased over 80 %
- | Majority of this value is deferred
- | Now over 1.4 billion dollars in deferred

Change in Market Land Value of Use Value Parcels



Tax Base

- l The real estate taxable tax base is expected to increase by approximately 30% due to revaluation
- l New construction is likely to add \$900 million to the Real Estate tax base
- l Appeals, Elderly Exemptions and new Use Value application are likely to decrease the tax base by 2 - 3%
- l Personal Property and Public Utilities are likely to remain largely unchanged

Quality of Revaluation

- | Coefficient of Dispersion - The variation from the typical assessment/sales ratio
- | Pre-revaluation - 14.37%
- | Post-revaluation – 10.02%
- | Represents over a 40% improvement in equity

Summary of Salient Facts

- I The percentage of change in value is not a basis for appeal
- I The issue for individual property owners is the comparison of the new assessments to the market value
- I The new assessments reflect the market value as of January 1, 2008
- I The sales used in market analysis were the most recent couple of years prior to January 1, 2008
- I Land sales used were the sales that occurred since the knowledge of sewer and water shortages

UNION COUNTY REAL PROPERTY REVALUATION



John C. Petoskey
Tax Administrator

What is Revaluation?

A complete review and update of the market value of each real property parcel to a specific date

Reasons for Revaluation

To adjust assessed values to reflect current market value

To improve equity among property owners

How Often Can Revaluation Occur ?

N.C. General statutes requires a revaluation
of real property every 8 years

(Machinery Act 105-285)

History

Year of Revaluation

1984	8 Year
1992	8 Year
2000	8 Year
•	4 Year
2008	4 Year Proposed
2012	8 Year Required

Appreciation

(inflation of property values)

Since 2003 5.3% ↑ per year

Measurements

Level of Assessment

Coefficient of Dispersion

Utility assessed value adjustment

Level of Assessment

Property Assessment / sale price

Example:

\$90,000 assessment / \$100,000 sale =

90% ratio

Current & Projected Level of Assessment

Current Level of Assessment = 84%

Projected Level of Assessment in 2008 = 79%

Projected Level of Assessment in 2012 = 57%

Equality

Due to different rates of appreciation within the county, different areas are at different levels of assessment

Parcels with dwellings

Townships 2-3 (Marshville & Lanes Creek) 92%

Township 6 (Sandy Ridge) 82%

Vacant Land

Township 1 (New Salem) 90%

Townships 5-6 (Jackson & Sandy Ridge) 72%

Coefficient of Dispersion

Measure of uniformity between
real property

Currently

Overall 13%

Some areas as high as 35%

Utility Assessed Value Adjustment

Is a challenge of value to the Property
Tax Commission by the Utilities and
can only be done in the
Fourth and Seventh year
after a revaluation

Utility Assessed Value Adjustment

2008 Projected Potential Loss

\$375,000

Summary

FACTORS DRIVING A REVALUATION:

Low Level of Assessment

High Coefficient of Dispersion

Utility Value Adjustment

Suggested Action

Approve a countywide Revaluation for 2008

Union County

Revaluation

The Revaluation Cycle

- n North Carolina General Statute 105-286 requires every County to conduct an octennial (eight year) revaluation.
- n The eight year reappraisal cycle can be advanced, but not delayed, by County Board Resolution.
- n A revaluation can also be triggered if a sales ratio falls outside the 85%- 115% compliance level. The revaluation will have to be completed within 3 years of this trigger.
- n The Union County Board of Commissioners on September 7, 2010 advanced the revaluation from January 1, 2016 to January 1, 2012.

Background

- § The last Union County revaluation was in 2008.
- § Union County's last two revaluations (2004 & 2008) were advanced to a four year cycle by County Board resolution (and now 2012).
- § Other revaluations were preformed on an eight year cycle (1984, 1992, 2000).

Assessment / Sales Ratio Studies

- n The sales ratio study is the industry standard for measuring assessment accuracy.
- n The sales ratio of a single sale is the assessment of the property divided by the sales price.
- n A sales ratio study consists of the median of all arms length sales during a specified time period.
- n The county-wide sales ratio measures the “level of assessment” of the county as a whole.
- n A sales ratio of over 1.0 indicates a certain degree of over assessment, while a ratio of less than 1.0 indicates an under assessment.

Coefficient of Dispersion

- n The coefficient of dispersion (COD) is the industry standard for measuring “equity”.
- n The COD can be defined as the average deviation from the median.
- n The International Association of Assessing Officers (IAAO) standard on sales ratio studies generally recommends consideration of a reappraisal when the county-wide coefficient of dispersion exceeds 20.0.

Union County Status

- n The last official state sales ratio study was for the year 2009. The ratio was 106% which does not trigger a state mandated reappraisal.
- n Internal studies for 2010 show a ratio of 111% and a COD of 17.96%. Which do not yet meet IAAO standards for a revaluation.
- n However there are categories of properties that are above these thresholds.

Revaluation Impact

n On tax base

- High-end dwellings have been among the most heavily impacted properties, causing the actual tax base loss to be greater than the median.
- Weighted averages indicate that, if the revaluation was conducted today, the real estate tax base would drop approximately 14%.

n On the tax rate

- A 14% decline in the real estate base, would require an increase of approximately 8 cents to remain revenue neutral.

n On individual properties

- A revaluation would result in a decrease in valuation on most properties. However the magnitude of this decrease would vary depending on location and type of property.
- If a revenue neutral tax rate were adopted many taxpayers would receive a decreased assessment yet pay more in taxes.

Challenges

- n Union County is experiencing less than a third of the number of arms-length sales than it did prior to the slow-down in the market.
 - It will be difficult to determine the market on certain properties where there are few or no sales.
 - Statewide, 12 out of 23 counties postponed a 4 year revaluation in 2011 (primarily because of an insufficient number of sales).
- n It is uncertain what will occur in the market place between now and the revaluation implementation date (Jan. 1, 2012).
- n The last point to affirm or rescind is no later than March 1, 2011.

Costs

- n Printing & Mailing of Notices - \$100,000+
- n Board of Equalization and Review Meetings - \$20,000?
- n Staffing – 4 Part time employees (2 full time equivalents) for remainder of this year – and next two fiscal years - \$100,000

Appendix

State Sales Ratio Studies

Small Random Sampling

Year	Quarter	Median	COD
2008	1 st	96%	
2008	2 nd	90%	
2008	3 rd	97%	
2008	4 th	102%	
Total 2008		96%	10.15%
2009	1 st	104%	
2009	2 nd	107%	
2009	3 rd	108%	
2009	4 th	108%	
Total 2009		106%	17.66%
2010	1 st	103%	
2010	2 nd	116%	
2010	3 rd	113%	
Year to Date 2010		111%	

Internal Sales Ratio Studies

All "Arms-Length" Sales

Year	Quarter	Median	# Sales	COD
2008	1 st	96%	886	
2008	2 nd	96%	960	
2008	3 rd	97%	928	
2008	4 th	101%	634	
Total 2008		96%	3,388	14.20%
2009	1 st	103%	403	
2009	2 nd	105%	528	
2009	3 rd	110%	644	
2009	4 th	109%	587	
Total 2009		106%	2,162	15.08%
2010	1 st	108%	327	
2010	2 nd	111%	684	
2010	3 rd	113%	504	
Year to Date 2010		111%	1,515	17.96%

Internal Sales Ratio Studies

2010 Sales by Dwelling Quality

Quality	# of Sales	Median
Fair (-)	5	120%
Fair	13	118%
Fair (+)	14	100%
Average (-)	126	102%
Average	410	110%
Average (+)	333	113%
Good (-)	197	112%
Good	150	111%
Good (+)	107	114%
Excellent (-)	16	123%
Excellent	22	129%
Excellent (+)	50	121%
Superior	5	148%

**TOWN OF WEDDINGTON
 PROPOSED AMENDED BUDGET
 FOR FY2010-2011**

	Original	Proposed Amended
Revenues		
Ad Valorem Tax	584,750	590,750
State-Collected Revenues	552,500	594,250 A
Zoning and Subdivision Revenues	11,000	9,000
Other Revenues	11,500	66,000 B
Total Revenues	1,159,750	1,260,000
Appropriation from Fund Balance	63,500	55,000
Total Revenues and Appropriation from Fund Balance	1,223,250	1,315,000
Expenditures		
Administrative Expenditures	324,040	340,000 C
Planning & Zoning Expenditures	333,300	399,700 D
General Government Expenditures	565,910	575,300 E
Total Expenditures	1,223,250	1,315,000

- A** Utility franchise tax revenue is greater than originally budgeted
- B** Revenue from Weddington Corners Shopping Center for driveway and for streetlights
- C** Additional funding for irrigation and landscaping in addition to funding for online tax inquiry
- D** Includes additional \$80k for downtown streetscaping contract offset somewhat by decrease in consulting budgets
- E** Additional donation to Weddstock

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT
01/01/2011 TO 01/31/2011

FY 2010-2011

YEAR-TO-DATE

REVENUE:

10-3101-110 AD VALOREM TAX - CURRENT	512,499.47
10-3102-110 AD VALOREM TAX - 1ST PRIOR YR	3,865.96
10-3103-110 AD VALOREM TAX - NEXT 8 YRS PRIOR	1,418.29
10-3110-121 AD VALOREM TAX - MOTOR VEH CURRENT	16,056.06
10-3115-180 TAX INTEREST	540.28
10-3231-220 LOCAL OPTION SALES TAX REV - ART 39	53,671.54
10-3322-220 BEER & WINE TAX	0.00
10-3324-220 UTILITY FRANCHISE TAX	234,153.92
10-3340-400 ZONING & PERMIT FEES	6,735.00
10-3350-400 SUBDIVISION FEES	150.00
10-3830-891 MISCELLANEOUS REVENUES	50,549.00
10-3831-491 INVESTMENT INCOME	<u>2,177.40</u>
TOTAL REVENUE	881,816.92

4110 GENERAL GOVERNMENT

EXPENDITURE:

10-4110-126 FIRE DEPT SUBSIDIES	216,300.00
10-4110-128 POLICE PROTECTION	162,456.75
10-4110-192 ATTORNEY FEES	49,188.33
10-4110-195 ELECTION EXPENSE	1,796.25
10-4110-340 EVENTS & PUBLICATIONS	17,480.16
10-4110-495 OUTSIDE AGENCY FUNDING	<u>0.00</u>
TOTAL EXPENDITURE	447,221.49

EXPENDITURE:

10-4120-121 SALARIES - CLERK	36,203.09
10-4120-123 SALARIES - TAX COLLECTOR	18,669.93
10-4120-124 SALARIES - FINANCE OFFICER	3,728.56
10-4120-125 SALARIES - MAYOR & TOWN COUNCIL	12,250.00
10-4120-181 FICA EXPENSE	5,317.76
10-4120-182 EMPLOYEE RETIREMENT	7,907.15
10-4120-183 EMPLOYEE INSURANCE	9,644.55
10-4120-184 EMPLOYEE LIFE INSURANCE	175.21
10-4120-185 EMPLOYEE S-T DISABILITY	159.60
10-4120-191 AUDIT FEES	7,800.00
10-4120-193 CONTRACT LABOR FEMA Atty, Union Cty Forester	7,549.17
10-4120-200 OFFICE SUPPLIES - ADMIN	4,683.81
10-4120-210 PLANNING CONFERENCE	0.00
10-4120-321 TELEPHONE - ADMIN	696.57
10-4120-325 POSTAGE - ADMIN	1,889.52
10-4120-331 UTILITIES - ADMIN	2,198.10
10-4120-351 REPAIRS & MAINTENANCE - BUILDING	7,568.14
10-4120-352 REPAIRS & MAINTENANCE - EQUIPMENT	17,321.11
10-4120-354 REPAIRS & MAINTENANCE - GROUNDS	21,105.00
10-4120-355 REPAIRS & MAINTENANCE - PEST CONTRL	602.00
10-4120-356 REPAIRS & MAINTENANCE - CUSTODIAL	2,807.00
10-4120-370 ADVERTISING - ADMIN	320.88
10-4120-397 TAX LISTING & TAX COLLECTION FEES Online tax	3,223.21
10-4120-400 ADMINISTRATIVE:TRAINING	1,654.00
10-4120-410 ADMINISTRATIVE:TRAVEL	3,974.15

10-4120-450 INSURANCE	22,750.59
10-4120-491 DUES & SUBSCRIPTIONS MUMPO	12,365.00
10-4120-498 GIFTS & AWARDS	810.27
10-4120-499 MISCELLANEOUS	<u>1,186.66</u>
TOTAL EXPENDITURE	214,561.03

EXPENDITURE:

10-4130-121 SALARIES - ZONING ADMINISTRATOR	33,442.50
10-4130-122 SALARIES - ASST ZONING ADMINISTRATR	2,648.04
10-4130-123 SALARIES - RECEPTIONIST	10,737.90
10-4130-124 SALARIES - PLANNING BOARD	9,150.00
10-4130-125 SALARIES - SIGN REMOVAL	2,672.89
10-4130-181 FICA EXPENSE - P&Z	4,486.88
10-4130-182 EMPLOYEE RETIREMENT - P&Z	6,629.56
10-4130-183 EMPLOYEE INSURANCE	10,694.25
10-4130-184 EMPLOYEE LIFE INSURANCE	199.99
10-4130-185 EMPLOYEE S-T DISABILITY	92.40
10-4130-193 CONSULTING	7,660.87
10-4130-194 CONSULTING - COG	2,798.00
10-4130-200 OFFICE SUPPLIES - PLANNING & ZONING	3,059.19
10-4130-201 ZONING SPECIFIC OFFICE SUPPLIES	179.00
10-4130-215 HISTORIC PRESERVATION	110.99
10-4130-220 TRANSPORTATION & IMPROVEMENTS	0.00
10-4130-321 TELEPHONE - PLANNING & ZONING	696.61
10-4130-325 POSTAGE - PLANNING & ZONING	695.51
10-4130-331 UTILITIES - PLANNING & ZONING	2,198.17
10-4130-370 ADVERTISING - PLANNING & ZONING	<u>450.22</u>
TOTAL EXPENDITURE	98,602.97

TOTAL EXPENDITURES	760,385.49
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NET REVENUES/(EXPENDITURES)	<u><u>121,431.43</u></u>
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LESLIE
fl141r07

**PROPOSED
AMENDED
BUDGET**

**ORIGINAL
BUDGET**

552,000.00	550,000.00
5,000.00	5,000.00
1,500.00	2,000.00
30,500.00	26,000.00
1,750.00	1,750.00
123,000.00	120,000.00
16,250.00	30,000.00
455,000.00	402,500.00
9,000.00	10,000.00
0.00	1,000.00
55,000.00	1,500.00
<u>11,000.00</u>	<u>10,000.00</u>
1,260,000.00	1,159,750.00

216,300.00	216,300.00
220,000.00	222,860.00
110,000.00	110,000.00
2,500.00	2,500.00
22,000.00	21,750.00
<u>4,500.00</u>	<u>3,500.00</u>
575,300.00	576,910.00

64,500.00	64,500.00
33,500.00	36,000.00
10,500.00	12,000.00
21,000.00	21,000.00
9,000.00	10,065.00
16,000.00	15,000.00
17,000.00	15,700.00
300.00	225.00
275.00	300.00
7,800.00	7,800.00
17,500.00	7,500.00
10,000.00	13,500.00
2,500.00	2,500.00
1,500.00	1,575.00
4,000.00	4,225.00
4,500.00	4,100.00
8,125.00	8,125.00
20,000.00	20,000.00
25,000.00	15,250.00
750.00	750.00
5,500.00	5,500.00
1,000.00	1,000.00
5,250.00	2,000.00
4,100.00	4,100.00
6,500.00	6,500.00

23,100.00	23,100.00
16,800.00	18,225.00
1,500.00	1,500.00
<u>2,500.00</u>	<u>2,000.00</u>
340,000.00	324,040.00

57,500.00	57,500.00
4,250.00	4,250.00
18,500.00	18,500.00
17,500.00	17,500.00
4,500.00	4,500.00
7,700.00	7,700.00
12,000.00	12,000.00
18,300.00	17,500.00
275.00	275.00
175.00	175.00
15,000.00	18,000.00
10,000.00	15,000.00
5,000.00	5,000.00
2,500.00	2,500.00
500.00	1,000.00
215,000.00	130,000.00
1,500.00	1,575.00
4,000.00	4,225.00
4,500.00	4,100.00
<u>1,000.00</u>	<u>1,000.00</u>
399,700.00	322,300.00

1,315,000.00	<u><u>-322,300.00</u></u>
<u><u>-55,000.00</u></u>	<u><u>-63,500.00</u></u>



6TH ANNUAL REGION OF EXCELLENCE AWARDS

FEBRUARY 9, 2011

EXCELLENCE AWARD WINNERS

Local Government Efficiency & Effectiveness

Iredell County
*Project Access
Initiative*

Community Investment & Development

City of Gastonia
*Gaston Mall Connector
Road Project*

Service to Citizens

Town of Matthews
*Library Volunteers
Initiative*

CLEAN CITIES AWARD WINNER

God Bless the USA,
Incorporated

BACKGROUND

Centralina COG celebrates the work of member governments through the Excellence Awards. These awards honor the outstanding achievements that work collectively to achieve regional goals.

Elected officials, managers and other staff from our member governments were encouraged to nominate innovative projects implemented by their jurisdictions that contribute to significant and positive advancements in the community.

A panel of impartial judges reviewed each submittal and selected award winning projects based on the following award criteria:

- Innovation and creativity

- Commitment to goals
- Contributions to regionalism
- Program successes and sustainable benefits
- Engagement of community members
- Interaction with public/private partners

Our judges this year included: Vi Lyles, The Lee Institute; Theresa Salmen, ULI Charlotte and Bill Thunberg, owner of Alexander Zachary Jewelers and former Mayor of the Town of Mooresville. A separate committee reviewed and selected the winner of the Clean Cities Award. Please read page 4 of this brochure for more details on our judges.

EXCELLENCE AWARD CATEGORIES

Local Government Efficiency & Effectiveness

The award recipient has been creative in implementing a new or innovative program or initiative that is effective and delivers the most value with public funds. The award recipient best keeps public costs down and/or services up and exceeds goals by: utilizing economies of scale, partnering with other local governments to maximize the impact of public funds, and/or encouraging best practices to maintain or expand services.

Community Investment & Development

The award recipient has implemented innovative solutions to community development/investment challenges and engages in best practice strategies that: utilize public/private sector partnerships to maximize investment opportunities; prepares existing sites and infrastructure to meet the needs of target industries; and/or implements economic development including job creation/retention initiatives, etc.

Service to Citizens

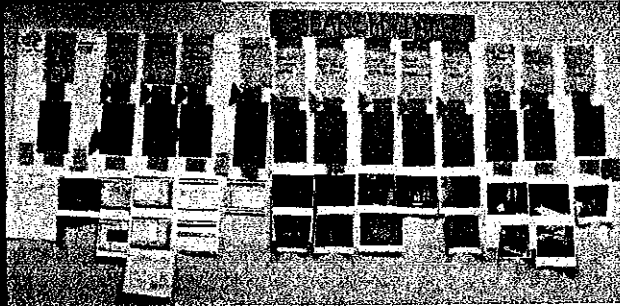
The award recipient best leverages resources to improve the quality of life for its citizens. This recipient has implemented new and innovative program offerings such as those that enhance social equity; encourage community participation through public and private sector leadership; develop solutions that build on the community's strengths and improve upon its weaknesses; or use cooperative volunteerism to maintain or expand services.

Clean Cities

The award recipient best recognizes the environmental and economic benefits of reducing consumption of fossil fuels. This recipient has lowered the use of traditional transportation fuels by: purchasing alternative fuel and/or fuel efficient vehicles, using alternative fuels in their fleet, implementing idle reduction policies and/or has partnered with fuel providers to expand alternative fuel availability.

EXCELLENCE IN LOCAL GOVERNMENT EFFICIENCY AND EFFECTIVENESS

Iredell County Project Access Initiative



Event Value Stream Flowmap



identify improvement opportunities

In February 2010, the Iredell County Health Department (ICHD) participated in a Public Health QI 101 course and learned Lean Six Sigma tools, methods and principles to advance the department's system of storing, accessing and retrieving septic system permits. The old system involved a paper filing process that was time consuming with many steps and occasional inaccuracies. Converting hard copies of installed septic system permits into a digital format, in an organized system, has provided instant access to permits and has improved customer satisfaction due to rapid access of information, shortening customer response times.

The average time to find and access a paper permit was at least 30 minutes compared to seconds with the digital format. This new system has improved employee satisfaction mainly because it has created efficiencies that now make the employee's job less frustrating. Customer satisfaction has also increased because copies of electronic permits can be instantly accessed and printed and/or e-mailed.

Between May 2010 and January 2011, over 11,000 installed septic system permits have been digitized and the department continues to see an overall increase in employee efficiency and customer satisfaction.

EXCELLENCE IN COMMUNITY INVESTMENT & DEVELOPMENT

City of Gastonia

Gaston Mall Connector Road Project



Commercial Buildings



where Mall once stood

Gaston Mall, built in 1967, was the first major mall complex constructed in Gastonia and has served as a major retail anchor on the eastern side of the City.

In early 2007, the overall condition of the mall structure prompted owners to look at a major redevelopment initiative. In order to attract big box and junior anchor tenants, the internal, private mall road (the "connector road") needed to be extended, connecting Cox Road to Franklin Boulevard, to open up vacant land for new development.

The Gaston Mall Connector Road project represents a public/private partnership that will leverage approximately \$20 million in private sector development. The City and County buy-in for the financing plan has allowed the project to progress and allowed the developer to attract

and open new businesses, creating local jobs during and after construction. It is anticipated that the completion of the road will spur additional economic development in the general vicinity, which in turn, will continue to add to the overall ad valorem tax base, and further provide a positive rate of return for the City and County's participation in the project.

As a substantial side benefit, the connector road improvements helps divert traffic, which will improve local traffic flow and provide regional air quality benefits.

This innovative approach to economic development is a model for public/private partnerships, creative financing, and overall coordination to leverage funds for public infrastructure, private investment, and job creation.

EXCELLENCE IN SERVICE TO CITIZENS

Town of Matthews Library Volunteers Program



Library Volunteers

In the spring of 2010, the Town of Matthews received word from the Charlotte-Mecklenburg Public Library System that they would not be able to meet budget needs and the closing of the Matthews branch library was imminent.

The Matthews branch, along with others in the county, were slated to close and the library system was asking the Town as well as other municipalities in the county to make significant funding contributions in order to save the closing of the branches.

Each year the library pays rent to the Town for occupying the space. During a Special Meeting of the Town Board on June 21, the Town offered to forgo the rent for the library for 2010-11. This amounted to \$204,000. The Town also agreed to recruit and help train volunteers, which would

allow the branch to stay open a minimum of five days a week.

The Town staff pulled together community members and library staff to begin working on a volunteer recruitment campaign. The Town rolled out posters, news releases, e-mail newsletters, Facebook postings and more, in an effort to recruit volunteers to staff the library. The goal was to have 50 volunteers who would begin training in September so that the fifth day of service could be added by October. However, the response was so great that the fifth day of service was added a month ahead of schedule.

In less than a year's time, the Town of Matthews and the Matthews Library Branch have discovered the assets of being more than neighbors sharing a building. They are collectively working on a long term friendship that benefits the entire community.



Library Volunteer Training



EXCELLENCE IN CLEAN CITIES INITIATIVES

God Bless the USA, Inc.

God Bless the USA, Incorporated, began operations in December of 2005 and has brought new and insightful developments to its industry. The company provides residential waste management services in the Union County (North Carolina) and Lancaster County (South Carolina) areas and is the only company that has a Hybrid Refuse Vehicle in the Carolinas.

In 2010, the company was the first in the southeastern United States to obtain a Hydraulic Hybrid Refuse Vehicle. This unique, advanced technology truck was purchased using stimulus funding through the bi-state Carolina Blues Skies and Green Jobs Initiative (CBS), coordinated by the Centralina Clean Fuels Coalition. This vehicle captures energy in a hydraulic

tank system from the constant braking on its routes. This captured energy is recycled for use and is re-used as the principal energy source to re-launch the truck between its many daily stops. This truck has achieved a 25% increase in fuel economy for the company.

God Bless the USA, Inc. continues to look for a cleaner fuel source through the acquisition of two compressed natural gas (CNG) refuse trucks (also through CBS funding) and the addition of a CNG refueling station at its base of operations. These trucks will reduce nitrogen oxide emissions by 97%. An added benefit of the refueling station will be making the CNG fuel source available to the general public for use in other CNG vehicles.



GBUSA Hybrid Truck



Odyssey Day at CPCC-Central Campus

More Information on CCOG

Centralina Council of Governments (CCOG)

Centralina Council of Governments is the state-designated lead regional organization for our nine county region and is one of 17 regional councils in the state. CCOG represents 70 county and municipal governments and encompasses a population of close to 1.85 million people.



Centralina Council of Governments

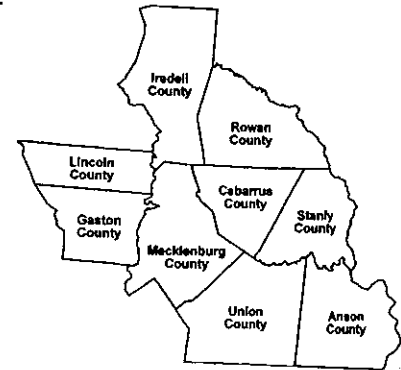
www.centralina.org

CCOG's role in the region

CCOG serves as a bridge between federal, state and local governments. This is an increasingly critical role as we manage the growth in our region. CCOG:

- Provides a platform for formulating, implementing and coordinating regional public policies.
- Provides a forum for networking and problem solving for local jurisdictions.
- Serves as a conduit of state and federal grants in areas of aging, workforce development, economic development, environment and planning.

This organization concentrates its efforts on forming greater collaborative partnerships to address and find solutions to regional issues. Recognizing the importance of Regionalism and setting regional priorities, CCOG provides a number of award-winning services and has embarked upon a number of program initiatives to further this concept.



A Special Thank You to our Judges!

Vi Lyles

Vi Lyles joined The Lee Institute after a career at the City of Charlotte, where she retired as the Assistant City Manager. Ms. Lyles has brought her expertise in citizen engagement and facilitation to her work with the Charlotte Housing Authority Moving Forward initiative, the Committee of 21 transportation initiative, the Charlotte Mecklenburg African American Agenda and Achieve Together, a community based, advocacy initiative centered on education. Ms. Lyles serves as Chairperson of the Presbyterian Hospital Board and serves on the Charlotte Regional Visitors Authority Board.

Theresa Salmen

Theresa Salmen, CAE, CMP, is the District Council Coordinator for ULI Charlotte, a District Council of The Urban Land Institute. ULI's mission is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. Ms. Salmen has been with ULI Charlotte since 1999, bringing the public and private sectors together to meet their mission. She is also the President of TH Mgmt, Inc., a 20-year-old association management company that provides professional management services to local, state and national membership organizations.

Bill Thunberg

Bill Thunberg is the owner of Alexander Zachary Jewelers. He has served as Chairman of the Iredell County Board of Equalization and Review and Vice Chairman to the Centralina Economic Development Commission and the Public Policy Board for the Mooresville-South Iredell Chamber of Commerce. Mr. Thunberg has also been a member on many boards and committees including the North Carolina Code Officials Qualifications Board and the Metropolitan Transportation Commission. Mr. Thunberg is also the former Mayor of Mooresville.

Clean Cities Awards

A separate committee reviewed and selected the winner of the Clean Cities Award. This committee included: Jim Burke, Gaston County Cooperative Extension; Rich Deming, Calor Energy; and Greg Johnson, Piedmont Natural Gas. The Centralina Clean Fuels Coalition appreciates the work of this committee and thanks them for their time and participation in the awards program.



Mission Statement:

Centralina Council of Governments is the lead organization to coordinate regional solutions for growth and quality of life issues.

Serving Anson, Cabarrus, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly and Union Counties and the municipalities throughout the region.



Notice & Agenda of Meeting

New Location

*Hilton Charlotte University Place
8629 J.M. Keynes Drive
Charlotte, NC 28262*

Wednesday, February 9, 2011

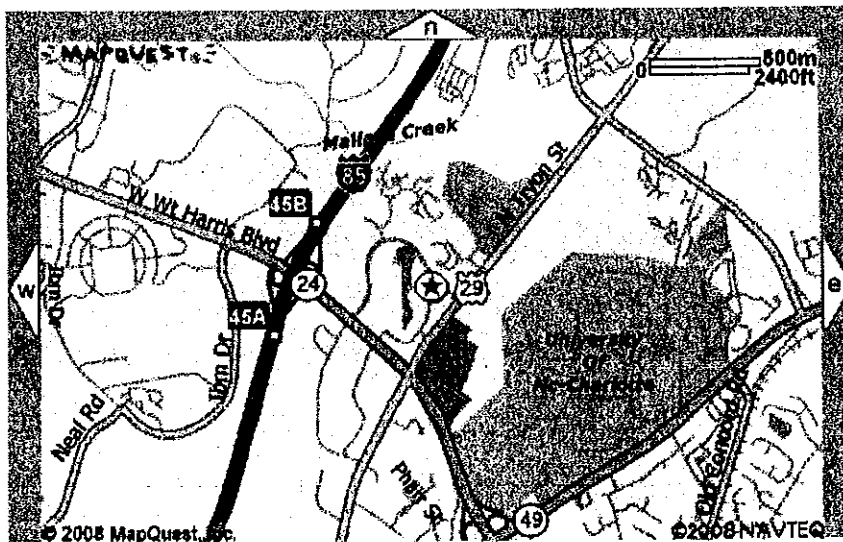
6:15 p.m. – Social Reception

7:00 p.m. – Dinner

- **RSVP by 10:00 a.m. on**
- **CALL**
- **Monday, February 7, 2011 to:**
- (704) 348-2728 (direct)
- bblackwell@centralina.org
- (704) 718-1555 (cell)

Hilton Charlotte University Place
8629 JM Keynes Drive
Charlotte, NC 28262
Tel: 704-547-7444

Exit from I-85 North or South at exit 45A. W.T. Harris Boulevard East. Hilton Charlotte University Place is 1/4 mile on the left in the University Place complex. The hotel is the highrise building in the complex, which is totally visible from Harris Boulevard. The left turn at J M Keynes Drive goes directly into the hotel parking lot.



**Centralina Council of Governments
Agenda of Meeting
February 9, 2011**

1. Call to Order

2. Amendments to the Agenda (if any)

3. Approval of Board of Delegates Minutes of the December 8, 2010 Meeting

The minutes of the December 8, 2010 meeting have been e-mailed to all members of the Board. The minutes should be approved if correct. (See Attachment #1)

ACTION REQUESTED: I move to approve the December 8, 2010 minutes as presented.

4. Report of Service Agreements: (information only)

This is a list of agreements entered into with member governments and others since our last report. Under these agreements, staff provides technical assistance to the local government. No action required.

<u>Member Government:</u>	<u>Cost</u>
Town of Matthews Mixed Use Sportsplex Project Phase I	\$15,533
Town of Mooresville On-Call Services Part B Extension	22,432
Total	\$37,965

[Note: Membership hours are provided on these projects in accordance with Centralina policy.]

*No member hours are used on this project.

Grants Awarded-FY 2010-11

Name of Grant	Funding Source	Amount to COG
City of Concord-Clean Water Management Trust Fund	Clean Water Management Trust Fund	\$56,000
Environmental Education Grant	USEPA	\$11,095

5. Presentation of Region of Excellence Awards:

Centralina COG celebrates the work of member governments through the Excellence Awards. These awards honor the outstanding achievements that work collectively to achieve regional goals.

Elected officials, managers and other staff from our member governments were encouraged to nominate innovative projects their jurisdiction has implemented that contribute to significant and positive advancements in the community.

Each submittal was reviewed and a winner selected based on the following award criteria:

- Innovation and creativity
- Commitment to goals
- Contributions to regionalism
- Program successes and sustainable benefits

- Engagement of community members
- Interaction with public/private partners

This year's judges include: Vi Lyles, Consulting Director at the Lee Institute, Theresa Salmen, District Council Coordinator of ULI Charlotte, and Bill Thunberg, Former Mayor of Mooresville, Vice-Chairman of Centralina Economic Development Commission, and owner of Alexander Zachery Jewelers

6. Clean Cities Award

The Centralina Clean Fuels Coalition (CCFC) will recognize an organization that best exemplifies excellence in clean transportation and clean fuel activities and initiatives in the Centralina region. The award recipient best recognizes the environmental and economic benefits of reducing consumption of fossil fuels. This recipient has lowered the use of traditional transportation fuels by: purchasing alternative fuel and/or fuel efficient vehicles, using alternative fuels in their fleet, implementing idle reduction policies and/or has partnered with fuel providers to expand alternative fuel availability.

7. Preferred Sustainability Status Announcement: (information only)

On behalf of the CONNECT Consortium formed by Centralina and Catawba Regional Councils of Government over the summer, Centralina applied in August 2010 for a HUD Sustainable Communities Regional Planning Grant. While the application for \$3.9 million was not funded, Centralina has received "Preferred Sustainability Status" (PSS) from HUD. This status applies to the CCOG and all Consortium members. Included in PSS benefits are training, a potentially streamlined application process for the next round of funding, and more importantly, bonus points awarded to Consortium members for certain types of HUD grants in 2011. Staff will provide any additional information at the meeting. No action is required.

8. Regional Transportation Planning Study Update: (information only)

At their meeting on January 19, the Executive Board approved the creation of a policy-level "Go Forward" Committee to work toward a consensus regional approach based on the Transportation Planning Study results, feedback from the November roll-out event, and additional feedback from MPOs, RPOs, local governments, NCDOT, and other stakeholder groups including business and environmental concerns. The Committee includes representation from each MPO and RPO, NCDOT Board members, the Metropolitan Transit Commission, and the Regional Roads Committee, among others. The Committee will hold their first meeting in February, 2011. Staff will be available to answer any questions at the meeting. No action is required.

9. Request for participation on CCOGs Board Committees

Please consider sharing your expertise on one of the CCOG Boards for fiscal year 2011-2012. The following is a list of CCOG Committees:

- **Legislative Committee: Michael Johnson, Chairman**
Committee Members: Joe Carpenter, Gaston County; Mitch Abraham, Mooresville; James Furr, Landis; Jarvis Woodburn, Anson County and Charles Seaford, Town of China Grove. Program support will be provided from Jim Prosser, CCOGs Executive Director and Barbie Blackwell, CCOGs Clerk to the Board.
- **Finance and Audit Committee: George Area Chairman**
Committee Members: Rick Burleyson, Dottie Nash, and Charles Seaford. Staff support from Tonya Frye, Finance Director and Jim Prosser, CCOGs Executive Director.

- **Membership/Outreach Committee:**
Additional volunteers are need for the committee.

10. Recognition of Staff Awards

At its Annual Meeting, Centralina traditionally recognizes employees at each five (5) year employment level. This year Centralina would like to recognize the following individuals:

Vail Carter	5 years	7/10/05
Diane Welch	5 years	12/5/05
Nadine Bennett	10 years	6/5/00
Barbie Blackwell	10 years	10/2/00
Cindy Kincaid	10 years	9/23/00
Gayla Woody	25 years	9/16/85

11. Comments by the Chairman:

12. Comments by the Executive Director:

13. Adjournment:

Centralina Council of Governments complies with the Americans with Disabilities Act (ADA) which prohibits discrimination on the basis of disability. Centralina Council of Governments will make reasonable accommodations in all programs/services to enable participation by an individual with a disability who meets essential eligibility requirements. Centralina Council of Governments' programs will be available in the most integrated setting for each individual. If any accommodations are necessary for participation, please contact Barbie Blackwell, Clerk to the Board, 525 North Tryon Street, 12th Floor, Charlotte, NC, bblackwell@centralinagov.org or phone (704) 348-2128. Please allow 14 hours advance notice for preparation. Visit our website: www.centralinagov.org



**Board of Delegates Minutes
December 8, 2010**

Jurisdiction	Represented By	Jurisdictions Not Represented
Albemarle	Martha Sue Hall	Cherryville
Anson County	Jarvis Woodburn	Cleveland
Badin	Deloris Chambers	Dallas
Belmont	Charlie Martin	East Spencer
Bessemer City	Kay McCathen	Fairview
Charlotte	Patsy Kinsey	Farmington
China Grove	Charles Seaford	Granite Quarry
Cornelius	Thurman Ross	Hampton
Cramerton	Will Cauthen	Harrisburg
Davidson	Laurie Venzon	Hemlock Bridge
Gaston County	Joe Carpenter	Hendell County
Gastonia	Dale Burkett	Kings Mountain
High Shoals	Claude Crain	Lenoir
Indian Trail	Darlene Luther	Levens
Kannapolis	Bob Misenheimer	McAdenville
Lincoln County	George Arena	Meddenburg
Lincolnton	Carroll Heavner	Minerals Springs
Lowell	Judy Horne	Mooreville
Marshville	Frank Deese	Morrisville
Marvin	Nick Dispenziere	Mount Holly
Matthews	Jeff Miller	Northwood
Midland	Mike Tallent	Oakboro
Mint Hill	Lloyd Austin	Pineville
Misenheimer	Michael Riemann	Reidsville
Ranlo	Jason Williams	Rocky Hill
Spencer	Jody Everhart	Stallings
Stallings	Thelma Privette	Spence Mountain
Stanly County	Lindsey Dunevant	Spaulfield
Statesville	Michael Johnson	Stanley
Troutman	Betty Jean Troutman	Unionville
Union County	Todd Johnson	Winterville
Wadesboro	Bill Thacker	
Waxhaw	Daune Gardner	
Weddington	Werner Thomisser	
Wesley Chapel	Kim Ormiston	

- 1. Call to Order** – Chairman Bob Misenheimer called the meeting to order at 7:38 p.m. The Clerk to the Board confirmed and CCOG Attorney, Bill McNair verified a quorum was present. Councilman Charles Seaford, Town of China Grove, gave the invocation.

Chairman Misenheimer recognized the North Carolina Secretary of State Elaine Marshall and her Assistant Mandy Haynes as Centralina’s special guests.

2. **Amendments to the Agenda** – There were no amendments to the agenda.
3. **Minutes of the August 11, 2010 Meeting** – Lloyd Austin made the motion to approve the minutes from the August 11, 2010 meeting as presented. Patsy Kinsey seconded the motion. The motion was approved.
4. **Report of Service Agreements** – A list of service agreements and grant awards as noted in the December 8, 2010 agenda packet was received as information. Under the agreements staff will provide contract assistance to the member governments. No action was required.
5. **2010 Census Updates** – Nadine Bennett and Blair Israel presented a PowerPoint presentation of the timetable for the redistricting data for the 2010 Census. The data for redistricting is scheduled to be released in April 2011 and could affect approximately 100 NC cities, counties, and school boards. Local city councils, county commissioners and school boards are responsible for drawing the new lines. By July 2011, candidate filing for municipal elections should be completed and the new district lines should be completed by February 2012.

Who must redistrict? Counties listed as true electoral districts and only voters from that district would be able to vote for the candidates from that district (i.e. Albemarle City Council; Anson County; Charlotte-Mecklenburg Board of Education; Charlotte City Council; Kings Mountain City Council; Iredell-Statesville Board of Education; Mecklenburg County Commission; Mooresville Town Council; and Statesville City Council). Also the purpose of the redistricting is to determine any imbalances of population and correcting those imbalances within the districts. There is a 5% rule that is used for measuring the imbalances where no district population can be above or below 5% of an even split.

If need more information or would like to schedule a presentation on the redistricting data at your next Council meeting, please contact Nadine Bennett at nbennett@centralina.org or Blair Israel at bisrael@centralina.org.

6. **Report from the Nominating Committee** – Commissioner Joe Carpenter, Chairman of the Nominating Committee and CCOG Immediate Past Chairman, presented the slate of 2011 CCOG Officers for election to the CCOG Board of Delegates. Chairman Misenheimer called for nominations from the floor. There were no additional nominations from the floor, the 2011 slate of CCOG Officers was presented as follows for election:

Chairperson: Martha Sue Hall, Councilperson, City of Albemarle
Vice-Chairman: Michael Johnson, Mayor Protem, City of Statesville (*note of correction: jurisdictional representation was incorrect on the agenda and corrected in the minutes*)
Secretary: Frank Deese, Mayor, Town of Marshville
Treasurer: George Arena, Commissioner, Lincoln County

7. **Election of Officers** – Charlie Martin made the motion to accept and elect the slate of Officers as presented by acclamation to represent the 2011 CCOG Board of Delegates. Jeff Miller seconded the motion. The motion was approved.
8. **Financial Report** – Tonya Frye, CCOG's Finance Director, presented the financial activities for the first three months of FY 2010-2011 in comparison with the budget. This information will be used as a basis for forecasting CCOG's financial position for the remainder of the fiscal year.

She reported that all federal and state grants incurred expenditures on a reimbursement basis and the revenues received will lag behind the actual expenditures incurred on average by one month. As of September 2010, all other revenues are in line with the budget.

She also reported that expenditures exceed the budget in program areas due primarily to timing and the annual budget and would sufficiently cover the divisional costs. The Workforce Development program is over-budgeted due to a lease agreement allowing access to a database library with contact information for employers throughout the region. As of September 2010, no other expenditures significantly (greater than 10%) would exceed the year-to-date budget.

9. **Audit Report** – Tonya Frye reported that the FY 2009-10 Annual Audit Report has been completed by Dixon Hughes, PLLC and has been submitted to the Local Government Commission. She reported that CCOG received an unqualified audit opinion and increased its fund balance by \$34,000. The report also showed one finding regarding budget amendments; management has established procedures to ensure a similar oversight would not occur in the future. The complete FY 2009-10 Annual Audit Report is available on our website at www.centralina.org.

10. **2011 Workforce Development – Incumbent Workforce Development Program Grant Approval**
David Hollars reported that the Centralina Workforce Development Board received grant approval from the NC Department of Commerce in the amount of \$33,593 for two (2) grants submitted on behalf of two (2) local businesses—Hornwood, Inc in Anson County and Gaylor Inc. of North Carolina in Mooresville. The grants would provide retraining and employment services to current employees. The result would be a more highly skilled workforce, increased efficiency and reduced production costs for the companies. CCOG would be the fiscal agent for the grants.

Jeff Miller made the motion to approve the WIA special grant funds for the Workforce Incumbent Development Program, authorize the Executive Director to act as fiscal agent for the grants and execute the necessary contracts, and amend the CCOG's grant project and operating budget for the grants. Charlie Martin seconded the motion. The motion was approved.

11. **Proposed Amendment to the CCOG Bylaws** – Al Sharp reported that the Executive Board recommended the following amendments to the CCOG bylaws for approval and clarification at their meeting on October 13, 2010. Martha Sue Hall made a motion to handle each amendment individually as follows:

1. **Article III: Membership – Section C: Withdrawal of a member:**

C. **Withdrawal of a Member:** Any member of the Council may withdraw or terminate its membership on the Council effective at the end of any fiscal year (June 30) by timely notifying all members of the Council of its intent to terminate its membership. A certified copy of the resolution of withdrawal of the governing body of the member shall be attached to such notice. The notice shall be sent to the delegate of each of the other Council members, not later than January 1 preceding the end of the fiscal year for which the member's withdrawal is to be effective. A member withdrawing shall not be entitled to any rebate for the current fiscal year. Timely and proper notice of withdrawal may not be waived by the Council. Upon the failure of such member to give the prescribed notice in compliance with the Charter and these Bylaws, such member shall continue to be a member until the end of the fiscal year in which timely and proper notice is given. Such member shall also be responsible for the payment of all annual dues and assessments until

the end of the fiscal year in for which a timely and proper notice was given. Any jurisdiction which has withdrawn from the Council and reapplies for membership in the Council shall pay any delinquent dues or assessments before being permitted to rejoin the Council, which its withdrawal was properly and timely noticed.

Lloyd Austin made the motion to approve the amendment to Article III: Membership – Section C: Withdrawal of a Member as recommended by the Executive Board at its October 13, 2010 meeting. Jody Everhart seconded the motion. The motion was approved.

2. Article IX: Officers

- a. Designation and Term of Office: *The Council officers shall consist of a Chair, a Vice-Chair, a Secretary, and a Treasurer, who shall be elected and installed at the last regular meeting of the Council each year. Officers shall be elected for a term of one year, or until their successors are elected. which term shall commence upon their installation at the December meeting of the Council. In addition, the immediate past Chair of the Council shall continue to serve as an officer of the Council as long as he or she remains a delegate.*
- b. Nominating Committee and Election: *The Executive Board, at its last regular meeting in October of each year, shall appoint a nominating committee of three (3) delegates who shall submit to the Council the names of proposed officers at the last regular meeting December meeting of the Council each year, at which meeting the election shall be held. Nominations from the floor may be made. The person receiving the highest number of votes cast for each office shall be deemed elected.*

Lloyd Austin made the motion approve the amendment to Article IX: Officers as recommended by the Executive Board at its October 13, 2010 meeting. Jarvis Woodburn seconded the motion. The motion was approved.

12. Regional Transportation Planning Study Roll-out Next Steps – Rebecca Yarbrough gave a brief report on the Regional Transportation Planning Study Roll-out event hosted by CCOG on November 15, 2010 with NC Department of Transportation and The Louis Berger Group in an active partnership. The roll-out event had an excellent attendance from all major transportation agencies in the region. The study was conducted due to the wide discussion of a MPO/RPO merger as well as frustrations about project funding and how projects are moved forward. As mentioned by Nadine Bennett and Blair Israel, the census data will not only impact redistricting lines but it will impact the MPO/RPO boundaries.

The purpose of the study was to review the best methods in developing a more effective multi-modal transportation system and whether any organizational change might contribute to the development of a regional transportation system.

As a result of the study findings, three options were identified showing advantages and disadvantage that might impact the region:

Option 1: Maintain Status Quo – the advantages as a result of the study would be: (1) requires no action by the MPOs/RPOs; (2) staff relationships are already established; and (3) the region would have a local voice.

The disadvantages may result in: (1) regional projects that cross MPO/RPO boundaries may have different priorities; (2) no leveraging of regional “weight” on major projects; and (3) no regional transportation policy or regional Long Range Transportation Plan (LRTP)

Option 2: Form New Regional Transportation Entity – the advantages as a result of the study would: (1) allow regional perspective on both land use and transportation planning; (2) provides a regional framework for regional projects, with local decisions made at local levels; and (3) creates unified regional voice on regional issues and projects.

The disadvantages as a result of the study would: (1) require coordination between local and regional plans; (2) require a new level of planning and may not save money; and (3) require State and Federal approval on “standing”.

Option 3: Merge some/all MPOs and RPOs – the advantages as a result of the study would be: (1) a more unified voice for the region; (2) better integration of transportation/land use; (3) greater leverage of regional “weight” on transportation issues and funding; and (4) opportunity for economies of scale.

The disadvantages as a result of the study would be: (1) little national experience; (2) potential loss of planning funds for merged organizations; and (3) care needed to maintain local voice and choices.

- 13. Introduction of the New Executive Director** – In review of the recruitment process, Commissioner Arena reported that the Executive Search Panel was comprised of eight members—the five CCOG Board Officers, two City/County Managers, and the Chairman of the Mecklenburg County Board of Commissioners. The Panel interviewed three search firms and selected The Mercer Group to conduct the search. The Mercer Group had an applicant pool of over 60 qualified candidates and presented 20 for review by the Panel. The Panel interviewed five candidates selected Jim Prosser as the top candidate. A recommendation was then made to the Executive Board and a special called meeting was held on November 10, 2010 where Jim Prosser was unanimously approved as CCOG’s new Executive Director.

James (Jim) Prosser is currently President of JDP Public Partnership Group based out of St. Paul Minnesota. He most recently served as City Manager of the City of Cedar Rapids, Iowa. Other city management appointments include: City Manager—Richfield, Minnesota; City Manager—Hazel Crest, Illinois; Assistant to City Manager—Glen Ellyn, Illinois. Jim officially began employment with CCOG on December 6.

- 14. Installation of New Officers** –North Carolina Secretary of State Elaine Marshall and CCOG’s Legal Counsel William H. McNair installed the newly elected CCOG Board Officers for 2011.

- 15. Appointment of Convening Members of Municipal Government – Article VII: Executive Board**
The following counties and member governments caucused as required by the CCOG bylaws to select a representative to serve on the CCOG Executive Board: Mayor Bill Thacker, Anson County; Councilman Dale Burkett, City of Gastonia; Councilman Thurman Ross, Town of Cornelius; and Councilman Charles Seaford, Town of China Grove.

16. **Comments by the Delegates** – No comments were made.

17. **Comments by the outgoing Chairman** – Bob Misenheimer presented Joe Carpenter with a token of appreciation for six years of active service on the CCOG Board of Delegates. Mr. Carpenter will continue to serve as Gaston County's representative to the CCOG Executive Board and as CCOG's representative to the Joint Regional Forum.

Mr. Misenheimer expressed his gratitude for having served several years with many wonderful people on the CCOG Board and expressed his appreciation for the outstanding work of the CCOG staff. He also expressed appreciation for Al Sharp and his service over the past eight years as CCOG's Executive Director.

18. **Comments by the New Chairman** – The newly elected CCOG Chairperson Martha Sue Hall expressed sincere thanks for the appointment. She recognized Secretary of State Elaine Marshall, a good friend, for her role in the installation of this year's CCOG officers. She also thanked former Chairman Bob Misenheimer for his leadership as Chairman of the Executive Board over the past two years. Chairperson Martha Sue Hall expressed that CCOG will have to work harder and think smarter and be more collaborative in all our efforts. She asked that everyone keep the family of Wilson Barbee, former Mayor of the Town of Locust, in our thoughts who passed away two weeks ago. Mr. Barbee also served as the CCOG Delegate for the Town of Locust.

19. **Comments by the outgoing Executive Director** – Al Sharp expressed his appreciation for the Board's support over his eight year tenure as CCOG's Executive Director. He expressed the desire to remain active in regional issues and also enjoy time with family.

20. **Comments by the new Executive Director** – Jim Prosser thanked the Board for selecting him for the position of Executive Director. He looks forward to getting to know the CCOG Staff and working collaboratively with the member governments in the region.

21. **Adjournment** – The meeting was adjourned at 9:30 p.m.

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TOWN OF WEDDINGTON MEMORANDUM

DATE: 2/14/2011
TO: NANCY ANDERSON, MAYOR
TOWN COUNCIL
CC: AMY MCCOLLUM, TOWN CLERK
FROM: JORDAN COOK, ZONING ADMINISTRATOR/PLANNER
RE: UPDATE FROM PLANNING/ZONING OFFICE

- Open Houses for the Carolina Thread Trail were held a couple weeks ago throughout Union County. Comments from those open houses will be used to determine proposed locations for the trails. Throughout March and April the Carolina Thread Trail Steering Committee and Consultants will be begin walking the proposed trail sites and locations to determine if the land is actually suitable for the proposed trails.

For a map of the proposed trail locations and a survey please visit the following website:
<http://www.carolinathreadtrail.org/index.php?id=116>

- NCDOT has completed the access road behind Town Hall and removed all of the berm along Weddington-Matthews Road.

A landscaping plan for the access road has been approved and the applicant has agreed to the conditions of approval recommended by the Planning Board for the ground sign. The applicant has also agreed to install a light at the rear of the Shopping Center (behind the Vet Clinic) and one at the access road and Weddington-Matthews Road intersection. The landscaping and sign should be installed in the next 2-4 weeks.

- Landscaping on Providence Road and Weddington Road has commenced. This work is being performed by NCDOT.
- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road.

Installation of the traffic signals has begun. The turn lanes and signal should be completed in early 2011.

- The Planning Board began to review the proposed LARTP (Local Area Regional Transportation Plan) Text Amendments at their January 24th meeting. The LARTP should soon be added to the CTP (Comprehensive Transportation Plan). The Planning Board decided that some of the Text Amendments should be discussed at the March Planning Retreat.

- Mayor Anderson, Councilman Thomisser and I met with Union County Agriculture-Horticultural Extension Agent Jeff Rieves last week regarding a livestock management plan and the miniature horse text. Jeff Rieves is currently working on proposed text and information (including links to NC State University's Best Management Practices) regarding livestock within subdivisions.
- Councilman McKee and Mike Carver of the Weddington Public Safety Committee and I met with Scott Cole and Pate Butler of NCDOT last week regarding the Antioch Church Road and Beulah Church Road intersection. This meeting was arranged after discussions about the safety of this intersection at the Public Safety Committee meetings.

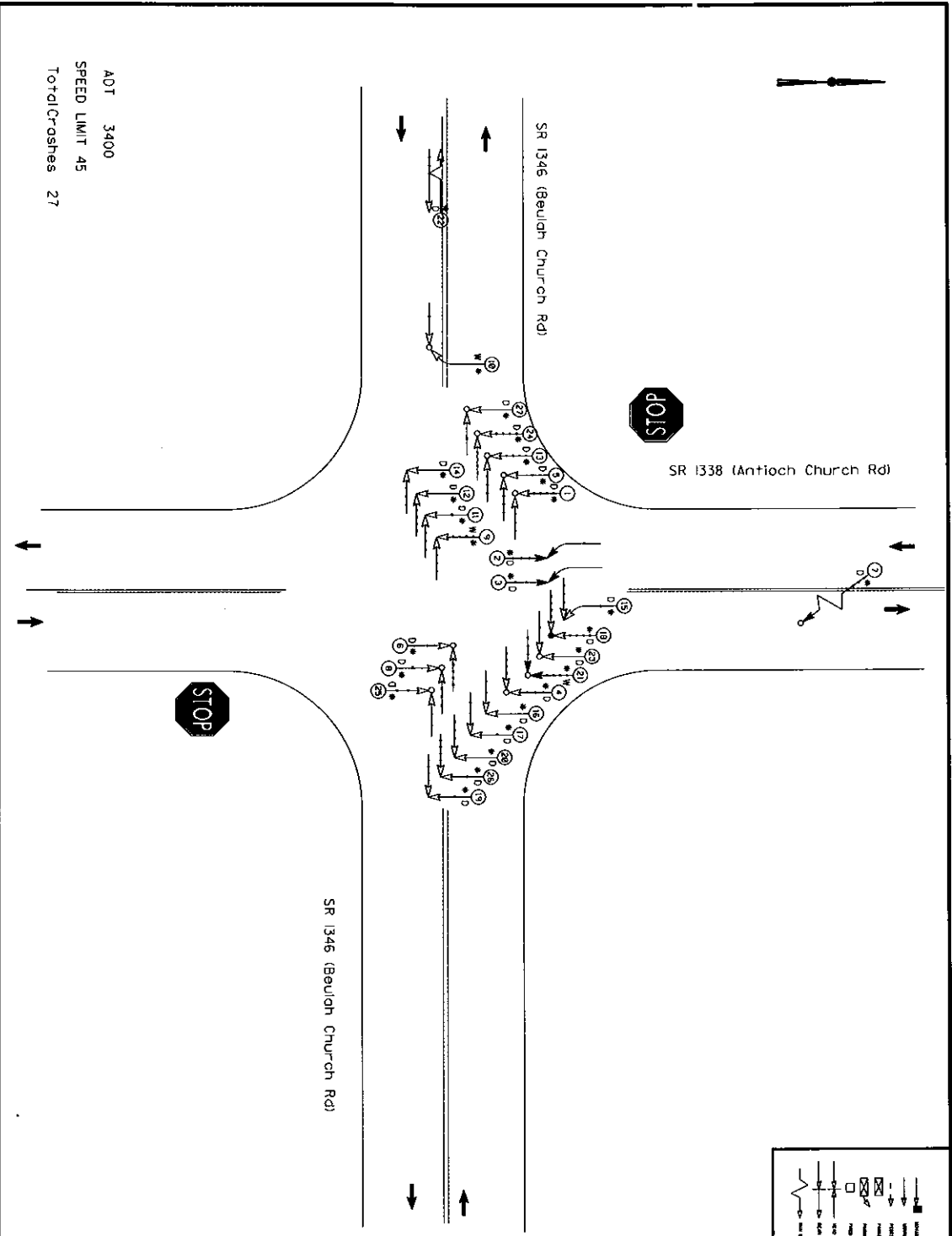
NCDOT plans to install stop signs along Beulah Church Road to make this intersection an all-way or four-way stop. NCDOT had previously determined that this was an unsafe intersection and needed to be improved. According to NCDOT, installing an all-way intersection typically reduces crashes up to 60%. The two new stop signs should be installed within 4-6 weeks.

Information about all-way stop intersections and a diagram showing all accidents at this intersection from September 2005 to August 2010 is attached to this memo.



Frequently Asked Questions About All-way Stop Intersections

- Q:** What is an all-way stop?
- A:** All-way stops are a low cost form of intersection control. Stop signs are placed at each road approaching an intersection requiring all drivers to stop before proceeding through the intersection. All-way stops are commonly referred to as four-way stops.
- Q:** Who goes first at an all-way stop?
- A:** The first vehicle to reach the intersection should move forward first. If two vehicles reach the intersection at the same time, the driver on the right would proceed first.
- Q:** Why are all-way stop signs being installed at this intersection?
- A:** Once a safety concern is identified, NCDOT and local government officials evaluate the intersection for safety. If a safety issue is identified, an all-way stop may be installed if it is determined to be the appropriate action. An all-way stop is not installed to reduce speed.
- Q:** Why are you installing an all-way stop at this intersection instead of a traffic signal?
- A:** An all-way stop is a low cost form of intersection control and can be installed quickly. Intersections with low traffic volumes do not warrant a traffic signal. Traffic signals can cause more traffic delays and be more expensive to maintain than all-way stops.



TRAFFIC SAFETY SYSTEMS MANAGEMENT UNIT		COLLISION DIAGRAM	
PROJECT LOCATION: SR 1338 Antioch Church Rd & SR 1346 Beulah Church Rd in Haddonfield, Union CO		DIVISION: 11 REGIONAL OFFICE	
DATE: 01/27/00		SCALE: NOT TO SCALE	
PROJECT NUMBER: 2890035		ANALYSIS PREPARED BY: SECTION NUMBER:	
DESIGNER: [Signature]		CHECKER: [Signature]	
DATE: 01/27/00		SCALE: NOT TO SCALE	
PROJECT NUMBER: 2890035		ANALYSIS PREPARED BY: SECTION NUMBER:	
DESIGNER: [Signature]		CHECKER: [Signature]	

TRAFFIC SAFETY SYSTEMS MANAGEMENT UNIT
COLLISION DIAGRAM
SR 1338 Antioch Church Rd
& SR 1346 Beulah Church Rd
in Haddonfield, Union CO
DATE: 01/27/00
PROJECT NUMBER: 2890035
ANALYSIS PREPARED BY: SECTION NUMBER:
DESIGNER: [Signature]
CHECKER: [Signature]



TOWN OF WEDDINGTON MEMORANDUM

DATE: 2/8/11
TO: MAYOR AND TOWN COUNCIL
FROM: AMY S. MCCOLLUM, TOWN ADMINISTRATOR/CLERK
RE: UPDATE

The Town newsletter will be mailed out to residents this week.

The encroachment agreements have been submitted to NCDOT regarding the decorative lighting for the downtown area. We are waiting for their approval. Also Anthony Fox is preparing a document to be signed by the individuals allowing the Town to locate the Town monuments on their property. We are still working with property owners on getting their permission to allow the construction of the Town markers on their property. Purchase orders and contracts are finalized and will be sent out once DOT grants approval.

We will be having some computer cabling work done within the next few weeks here at the Town Hall.

Steve Cloutier and Butch Plyler will be providing an update for the Council's review after the first meeting to be held on Wednesday, February 9, 2011. This update will be included in your Council packet.

Upcoming Dates

- February 28 – Planning Board Meeting
- February 28 – Parks and Recreation Advisory Board



Union County Sheriff's Office
Events By Nature

Date of Report

2/2/2011

9:07:49AM

For the Month of: January 2011

<u>Event Type</u>	<u>Total</u>
911 HANG UP	35
911 MISDIAL	5
911 SILENT OPEN LINE	3
ACCIDENT PD COUNTY NO EMD	5
ACCIDENT PD MUNICIPAL	1
ALARMS EPD	36
ALARMS LAW	1
ANIMAL COMP SERVICE CALL LAW	6
ANIMAL NUISANCE CALL LAW	1
ASSIST OTHER AGENCY LAW	2
ATTEMPT TO LOCATE	4
BOLO	9
BUSINESS CHECK	15
CALL BY PHONE	9
DANGEROUS ANIMAL EPD	1
DELIVER MESSAGE	1
DISTURB NUISANCE SML GRP EPD	2
DISTURBANCE OR NUISANCE	1
DOMESTIC DISTURB VIOLENCE EPD	8
DRUG USE POSS OR SALE EPD	1
ESCORT	5
FIREWORKS VIOLATION REPORT	2
FOLLOW UP INVESTIGATION	3
FOOT PATROL	2
FRAUD DECEPTION EPD	4
FRAUD DECEPTION FORGERY	4
FUNERAL ESCORT	1
GENERAL ASSIST FOR OTHERS	1

<u>Event Type</u>	<u>Total</u>
HARASSMENT STALKING THREATS	1
INVESTIGATION	5
LIVE STOCK ON HIGHWAY	2
LOST STRAY UNWANTED ANIMAL EPD	1
MISCELLANEOUS CALL LAW	1
MOTORIST ASSIST	4
NC DOT MISCELLANEOUS	4
NOISE COMPLAINT	3
OVERDOSE POISONING EMD	1
PAST PD VANDLSM MISCHIEF EPD	1
PAST THEFT EPD	5
PD VANDALISM SML GRP EPD	1
PREVENTATIVE PATROL	22
PSYCH BEH OR SUICIDE ATTEMPT	1
PUBLIC WORKS CALL	2
RADAR PATROL INCLUDING TRAINIG	1
SERVE CRIMINAL SUBPOENA	2
SERVE DOMESTIC VIOL ORDER	1
SERVE WARRANT	12
SHOTS FIRED HEARD ONLY EPD	3
SHOTS FIRED SUSPCT WEAPNS EPD	1
STALKING HARASSMENT EPD	2
SUBPOENA CIVIL PAPER	1
SUSP CIRCUMSTANCES EPD	1
SUSP WANTED VEHICLE EPD	11
SUSPICIOUS PERSON	1
SUSPICIOUS PERSON EPD	4
SUSPICIOUS VEHICLE	1
THEFT FROM VEHICLE	2
TRAFFIC HAZARD EPD	1
TRAFFIC STOP	15
TRAFFIC TRANSP ACCIDENT EPD	2

<u>Event Type</u>	<u>Total</u>
TRESPASS UNWANTED EPD	3
VEHICLE DISABLED	1
WANTED PERSON EPD	1
WELL BEING CHECK	2

Total Calls for Month: 290

Weddington

1/2011

UCR Code	Description	Date of Report	Incident ID	
13B				
13B	ASSAULT ON FEMALE	1/5/11	201100154	
			Total:	1
13C				
13C	COMMUNICATING THREATS	1/21/11	201100511	
			Total:	1
23F				
23F	BEL / THEFT FROM MOTOR VEHICLE	1/3/11	201100040	
23F	BEL / THEFT FROM MOTOR VEHICLE	1/4/11	201100114	
23F	BEL / THEFT FROM MOTOR VEHICLE	1/15/11	201100371	Unfounded
23F	BEL / THEFT FROM MOTOR VEHICLE	1/22/11	201100522	
23F	BEL / THEFT FROM MOTOR VEHICLE	1/24/11	201100573	
			Total:	5
23H				
23H	LARCENY-FELONY	1/26/11	201100612	
			Total:	1
26A				
26A	FRAUD-CREDIT CARD	1/6/11	201100166	
26A	OBTAINING PROPERTY BY FALSE PRETENSES	1/17/11	201100392	Unfounded
26A	FINANCIAL CARD FRAUD	1/24/11	201100571	
26A	FRAUD-CREDIT CARD	1/26/11	201100629	Unfounded
26A	FRAUD-CREDIT CARD	1/29/11	201100710	
			Total:	5
270				
270	LARCENY BY EMPLOYEES	1/8/11	201100223	
			Total:	1
290				
290	INJURY TO REAL PROPERTY	1/5/11	201100154	
290	INJURY TO PERSONAL PROPERTY	1/24/11	201100573	
290	INJURY TO PERSONAL PROPERTY	1/29/11	201100709	
			Total:	3
90Z				
90Z	HARASSING PHONE CALL	1/21/11	201100511	
			Total:	1
999				
999	DOMESTIC	1/5/11	201100136	
			Total:	1

Weddington

Monthly Crime Total

19

Providence VFD - January

Union Fire - 16 calls

Union EMS - 6 calls

Meck Fire - 2 Calls

Meck EMS - 1 call

Total – 25 Calls

Training Hours - 67.50 training hours

Providence Volunteer Fire Department
Income & Expense Budget Performance
January 2011

	<u>Jan 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>Jul '10 - Jan 11</u>	<u>YTD Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense						
Income						
AFG Grant	0.00	0.00	0.00	0.00	0.00	0.00
DHS Grant	0.00			38,000.00		
Weddington Grant	0.00	0.00	0.00	0.00	0.00	0.00
110 - Subsidies						
111 - Mecklenburg Cty	7,291.67	7,291.67	0.00	51,041.69	51,041.65	0.04
112 - Union County	1,800.00	1,800.00	0.00	19,824.64	12,600.00	7,224.64
114 - Town of Weddington - Day Staff	0.00	45,000.00	-45,000.00	180,000.00	135,000.00	45,000.00
115 - Town of Weddington - Night Staff	0.00	6,843.75	-6,843.75	36,300.00	20,531.25	15,768.75
116 - Town of Weddington - Other	0.00	2,231.25	-2,231.25	0.00	6,693.75	-6,693.75
Total 110 - Subsidies	9,091.67	63,166.67	-54,075.00	287,166.33	225,866.65	61,299.68
120 - Dues & Fees						
121 - Union County Fire Fees	22,480.78	4,981.08	17,499.70	79,169.67	34,867.60	44,302.07
Total 120 - Dues & Fees	22,480.78	4,981.08	17,499.70	79,169.67	34,867.60	44,302.07
130 - Vol Donations						
131 - Memorials	0.00			0.00		
134 - Other	790.00	0.00	790.00	2,144.00	0.00	2,144.00
130 - Vol Donations - Other	0.00	0.00	0.00	0.00	0.00	0.00
Total 130 - Vol Donations	790.00	0.00	790.00	2,144.00	0.00	2,144.00
140 - Other Income						
142 - Fire Fighters' Relief Fund	0.00			5,055.75	0.00	5,055.75
143 - Fuel Tax Refund	227.73	500.00	-272.27	510.77	1,000.00	-489.23
144 - Sales Tax Refund	0.00			10,800.57	1,500.00	9,300.57
145 - Interest	1.09	0.00	1.09	936.82	6,000.00	-5,063.18
147 - Medic-EMS Reimbursement	20.55	1,000.00	-979.45	7,150.56	7,000.00	150.56
148 - Firemen Relief Interest	2.93	0.00	2.93	18.82	0.00	18.82
155 - Christmas Fundraising Income	840.00	0.00	840.00	5,590.00	0.00	5,590.00
Total 140 - Other Income	1,092.30	1,500.00	-407.70	30,063.29	15,500.00	14,563.29
150 - Uncategorized Income						
151 - Sale of Assets	0.00			150.00		
152 - Annexation	0.00			0.00	0.00	0.00
Total Income	33,455.73	69,647.75	-36,192.02	437,058.03	276,234.25	160,823.78
Expense						
200 - Administration						
209 - Annual Dinner/Award	5,151.63	6,000.00	-848.37	5,367.60	6,000.00	-632.40
210 - Fire Chief Discretionary	108.99	167.00	-58.01	737.19	1,165.00	-427.81
211 - Bank Charges & Credit Card Fees	0.00	21.00	-21.00	99.96	147.00	-47.04
212 - Prof Fees	859.17	335.00	524.17	2,825.00	2,345.00	480.00
213 - Computer Upgrades	0.00	1,250.00	-1,250.00	0.00	3,750.00	-3,750.00
214 - Off Supplies	52.44	208.00	-155.56	942.80	1,456.00	-513.20
215 - Printing/Newsletter	0.00	500.00	-500.00	91.82	1,500.00	-1,408.18
216 - Postage	0.00	40.00	-40.00	190.22	300.00	-109.78
217 - Dues, Subscriptions, & Internet	665.00	41.66	623.34	879.65	291.68	587.97
218 - Fire Fighters' Association	0.00	125.00	-125.00	90.00	375.00	-285.00
219 - Miscellaneous	0.00	416.67	-416.67	1,127.32	2,916.69	-1,789.37
200 - Administration - Other	0.00			-70.00		

Providence Volunteer Fire Department
Income & Expense Budget Performance
January 2011

	<u>Jan 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>Jul '10 - Jan 11</u>	<u>YTD Budget</u>	<u>\$ Over Budget</u>
Total 200 - Administration	6,837.23	9,104.33	-2,267.10	12,281.56	20,246.37	-7,964.81
220 - Insurance						
223 - Vol. Fire Fighters' Workers Com	0.00			4,762.00	2,500.00	2,262.00
224 - Commercial Package	0.00			17,260.00	18,000.00	-740.00
Total 220 - Insurance	0.00			22,022.00	20,500.00	1,522.00
225 - Drug Testing/Physical Exams	0.00			2,405.00	2,500.00	-95.00
230 - Taxes						
231 - Sales Taxes						
232 - Meck CO.	210.45	125.00	85.45	1,150.58	875.00	275.58
233 - Union County	14.03	33.33	-19.30	948.50	233.35	715.15
238 - NC Sales & Use Qualifying Food	0.00	0.00	0.00	1.63	0.00	1.63
239 - Electricity & Telecommunication	19.51	0.00	19.51	141.66	0.00	141.66
Total 231 - Sales Taxes	243.99	158.33	85.66	2,242.37	1,108.35	1,134.02
236 - Property Tax	0.00			82.75	100.00	-17.25
237 - Freight	0.00	0.00	0.00	51.24	0.00	51.24
230 - Taxes - Other	0.00			0.00		
Total 230 - Taxes	243.99	158.33	85.66	2,376.36	1,208.35	1,168.01
240 - Interest Expense						
242 - Bank of America Tanker Loan	486.13	495.83	-9.70	3,402.91	3,470.85	-67.94
243 - 2006 KME Truck Loan	1,134.85	1,129.17	5.68	7,943.95	7,904.19	39.76
240 - Interest Expense - Other	0.00			0.00		
Total 240 - Interest Expense	1,620.98	1,625.00	-4.02	11,346.86	11,375.04	-28.18
250 - Principal Payments (Long Term)						
252 - Bank of America Tanker Loan	1,656.09	1,666.67	-10.58	11,592.63	11,666.69	-74.06
253 - 2006 KME Truck Loan	3,754.96	1,958.33	1,796.63	15,343.36	13,708.35	1,635.01
Total 250 - Principal Payments (Long Term)	5,411.05	3,625.00	1,786.05	26,935.99	25,375.04	1,560.95
300 - Build Maintenance						
310 - Cleaning	0.00			125.00	250.00	-125.00
320 - Landscaping & Lawn Care	200.00	145.00	55.00	1,285.00	1,490.00	-205.00
330 - Trash and Landfill	113.95	125.00	-11.05	331.91	375.00	-43.09
340 - Pest Control	0.00			228.00	500.00	-272.00
350 - Maintenance Supplies	545.02	333.33	211.69	2,133.55	2,333.35	-199.80
351 - Furniture	0.00	500.00	-500.00	586.98	1,500.00	-913.02
360 - Repairs	620.24	583.33	36.91	8,148.63	4,083.35	4,065.28
300 - Build Maintenance - Other	0.00			0.00		
Total 300 - Build Maintenance	1,479.21	1,686.66	-207.45	12,839.07	10,531.70	2,307.37
400 - Utilities						
410 - Electric	650.28	750.00	-99.72	4,723.76	5,250.00	-526.24
420 - Natural Gas	326.75	500.00	-173.25	507.59	2,450.00	-1,942.41
430 - Telephone	459.88	541.67	-81.79	2,599.88	3,791.69	-1,191.81
440 - Water	64.40	45.00	19.40	222.94	295.00	-72.06
Total 400 - Utilities	1,501.31	1,836.67	-335.36	8,054.17	11,786.69	-3,732.52
500 - Fire Fighters' Equip/Training						
510 - Clothing						

Providence Volunteer Fire Department Income & Expense Budget Performance January 2011

	<u>Jan 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>Jul '10 - Jan 11</u>	<u>YTD Budget</u>	<u>\$ Over Budget</u>
512 · Dress Uniforms	98.38	290.00	-191.62	335.58	2,040.00	-1,704.42
513 · Clothing - Other	0.00	0.00	0.00	0.00	0.00	0.00
Total 510 · Clothing	98.38	290.00	-191.62	335.58	2,040.00	-1,704.42
520 · Equipment						
521 · Radios\ Pagers - New	0.00	250.00	-250.00	235.00	1,750.00	-1,515.00
522 · Radios\ Pagers - Maintenance	0.00	83.33	-83.33	25.00	583.35	-558.35
523 · Equipment - New	0.00	750.00	-750.00	1,093.94	5,250.00	-4,156.06
524 · Equipment - Maintenance	0.00	416.67	-416.67	1,353.65	2,916.69	-1,563.04
525 · Firefighting Supplies	0.00	208.33	-208.33	184.97	1,458.35	-1,273.38
527 · SCBA Compressor	0.00			40,000.00		
Total 520 · Equipment	0.00	1,708.33	-1,708.33	42,892.56	11,958.39	30,934.17
526 · PPE (Personal Protective Equip)	0.00	2,083.33	-2,083.33	8,605.32	14,583.35	-5,978.03
530 · Medical						
531 · Equipment	0.00	0.00	0.00	0.00	0.00	0.00
532 · Supplies	9.86	436.92	-427.06	158.80	3,058.44	-2,899.64
533 · Waste	167.08	41.67	125.41	931.14	291.69	639.45
Total 530 · Medical	176.94	478.59	-301.65	1,089.94	3,350.13	-2,260.19
540 · Training						
541 · Seminars	0.00	291.67	-291.67	1,199.67	2,041.69	-842.02
542 · Books	0.00	297.83	-297.83	0.00	2,084.85	-2,084.85
543 · PR Literature	0.00	125.00	-125.00	126.40	875.00	-748.60
544 · Other	0.00	395.83	-395.83	0.00	2,770.85	-2,770.85
Total 540 · Training	0.00	1,110.33	-1,110.33	1,326.07	7,772.39	-6,446.32
Total 500 · Fire Fighters' Equip/Training	275.32	5,670.58	-5,395.26	54,249.47	39,704.26	14,545.21
600 · Fire Engines						
620 · '99 Southern Coach Eng #322	0.00	1,000.00	-1,000.00	3,306.72	7,000.00	-3,693.28
640 · '03 Red Diamond #324	0.00	250.00	-250.00	5,499.92	1,750.00	3,749.92
650 · '02 Ford Quesco Brush #326	0.00	166.67	-166.67	676.23	1,166.69	-490.46
660 · '95 Intern\Hackney Squad #32	120.00	416.67	-296.67	1,094.09	2,916.69	-1,822.60
680 · '06 KME Pumper #321	148.86	870.00	-721.14	12,497.73	5,850.00	6,647.73
681 · Diesel Fuel	759.26	1,000.00	-240.74	4,808.47	7,000.00	-2,191.53
682 · Gasoline	0.00	16.67	-16.67	0.00	116.69	-116.69
683 · Cleaning Supplies	0.00	41.67	-41.67	642.06	291.69	350.37
684 · Miscellaneous Parts	30.45	83.33	-52.88	487.81	583.35	-95.54
685 · Fire Engines - Other	0.00	500.00	-500.00	0.00	3,500.00	-3,500.00
600 · Fire Engines - Other	0.00			647.72	0.00	647.72
Total 600 · Fire Engines	1,058.57	4,345.01	-3,286.44	29,660.75	30,175.11	-514.36
800 · Firefighters Payroll						
801 · Payroll - Day Shift	17,311.00	15,000.00	2,311.00	123,042.01	105,000.00	18,042.01
802 · Payroll - Night Shift	1,710.00	2,281.25	-571.25	14,227.50	15,968.75	-1,741.25
807 · Payroll Expenses - Training	0.00	747.90	-747.90	1,800.00	5,235.42	-3,435.42
808 · Payroll Expenses						
FICA	1,455.15	1,250.00	205.15	10,501.19	8,750.00	1,751.19
FUTA	0.00	0.00	0.00	0.00	0.00	0.00
SUTA	296.71	416.66	-119.95	2,095.24	2,916.70	-821.46
808 · Payroll Expenses - Other	67.25	0.00	67.25	462.90	0.00	462.90

Providence Volunteer Fire Department
Income & Expense Budget Performance
January 2011

	<u>Jan 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>Jul '10 - Jan 11</u>	<u>YTD Budget</u>	<u>\$ Over Budget</u>
Total 808 - Payroll Expenses	<u>1,819.11</u>	<u>1,666.66</u>	<u>152.45</u>	<u>13,059.33</u>	<u>11,666.70</u>	<u>1,392.63</u>
Total 800 - Firefighters Payroll	20,840.11	19,695.81	1,144.30	152,128.84	137,870.87	14,257.97
850 - Christmas Fundraising Expense	0.00			4,270.00	0.00	4,270.00
Total Expense	<u>39,267.77</u>	<u>47,747.39</u>	<u>-8,479.62</u>	<u>338,570.07</u>	<u>311,273.43</u>	<u>27,296.64</u>
Net Ordinary Income	-5,812.04	21,900.36	-27,712.40	98,487.96	-35,039.18	133,527.14
Other Income/Expense						
Other Income						
Fixed Asset-Air Compressor	0.00			40,000.00		
Fixed Asset-Air Pack	0.00			0.00		
Gain/Loss on Sale of Property	0.00			0.00		
Total Other Income	<u>0.00</u>			<u>40,000.00</u>		
Net Other Income	0.00			40,000.00		
Net Income	<u>-5,812.04</u>	<u>21,900.36</u>	<u>-27,712.40</u>	<u>138,487.96</u>	<u>-35,039.18</u>	<u>173,527.14</u>

**Providence Volunteer Fire Department
Income & Expense Budget Performance
January 2011**

	<u>Annual Budget</u>
Ordinary Income/Expense	
Income	
AFG Grant	0.00
DHS Grant	
Weddington Grant	0.00
110 - Subsidies	
111 - Mecklenburg Cty	87,500.00
112 - Union County	21,600.00
114 - Town of Weddington - Day Staff	180,000.00
115 - Town of Weddington - Night Staf	27,375.00
116 - Town of Weddington - Other	8,925.00
Total 110 - Subsidies	<u>325,400.00</u>
120 - Dues & Fees	
121 - Union County Fire Fees	59,773.00
Total 120 - Dues & Fees	<u>59,773.00</u>
130 - Vol Donations	
131 - Memorials	500.00
134 - Other	5,000.00
130 - Vol Donations - Other	0.00
Total 130 - Vol Donations	<u>5,500.00</u>
140 - Other Income	
142 - Fire Fighters' Relief Fund	5,000.00
143 - Fuel Tax Refund	1,000.00
144 - Sales Tax Refund	3,000.00
145 - Interest	6,000.00
147 - Medic-EMS Reimbursement	12,000.00
148 - Firemen Relief Interest	0.00
155 - Christmas Fundraising Income	0.00
Total 140 - Other Income	<u>27,000.00</u>
150 - Uncategorized Income	
151 - Sale of Assets	
152 - Annexation	0.00
Total Income	<u>417,673.00</u>
Expense	
200 - Administration	
209 - Annual Dinner/Award	6,000.00
210 - Fire Chief Discretionary	2,000.00
211 - Bank Charges & Credit Card Fees	250.00
212 - Prof Fees	4,000.00
213 - Computer Upgrades	5,000.00
214 - Off Supplies	2,500.00
215 - Printing/Newsletter	2,000.00
216 - Postage	500.00
217 - Dues, Subscriptions, & Internet	500.00
218 - Fire Fighters' Association	500.00
219 - Miscellaneous	5,000.00
200 - Administration - Other	<u></u>

Providence Volunteer Fire Department
Income & Expense Budget Performance
January 2011

	<u>Annual Budget</u>
Total 200 - Administration	28,250.00
220 - Insurance	
223 - Vol. Fire Fighters' Workers Com	5,000.00
224 - Commercial Package	18,000.00
Total 220 - Insurance	<u>23,000.00</u>
225 - Drug Testing/Physical Exams	
	5,000.00
230 - Taxes	
231 - Sales Taxes	
232 - Meck CO.	1,500.00
233 - Union County	400.00
238 - NC Sales & Use Qualifying Food	0.00
239 - Electricity & Telecommunication	0.00
Total 231 - Sales Taxes	<u>1,900.00</u>
236 - Property Tax	
	100.00
237 - Freight	
	0.00
230 - Taxes - Other	
	0.00
Total 230 - Taxes	<u>2,000.00</u>
240 - Interest Expense	
242 - Bank of America Tanker Loan	5,950.00
243 - 2006 KME Truck Loan	13,550.00
240 - Interest Expense - Other	0.00
Total 240 - Interest Expense	<u>19,500.00</u>
250 - Principal Payments (Long Term)	
252 - Bank of America Tanker Loan	20,000.00
253 - 2006 KME Truck Loan	23,500.00
Total 250 - Principal Payments (Long Terr	<u>43,500.00</u>
300 - Build Maintenance	
310 - Cleaning	500.00
320 - Landscaping & Lawn Care	2,500.00
330 - Trash and Landfill	500.00
340 - Pest Control	500.00
350 - Maintenance Supplies	4,000.00
351 - Furniture	2,000.00
360 - Repairs	7,000.00
300 - Build Maintenance - Other	0.00
Total 300 - Build Maintenance	<u>17,000.00</u>
400 - Utilities	
410 - Electric	9,000.00
420 - Natural Gas	3,500.00
430 - Telephone	6,500.00
440 - Water	500.00
Total 400 - Utilities	<u>19,500.00</u>
500 - Fire Fighters' Equip/Training	
510 - Clothing	

Providence Volunteer Fire Department
Income & Expense Budget Performance
January 2011

	<u>Annual Budget</u>
512 · Dress Uniforms	3,500.00
513 · Clothing - Other	3,500.00
Total 510 · Clothing	7,000.00
520 · Equipment	
521 · Radios\ Pagers - New	3,000.00
522 · Radios\ Pagers - Maintenance	1,000.00
523 · Equipment - New	9,000.00
524 · Equipment - Maintenance	5,000.00
525 · Firefighting Supplies	2,500.00
527 · SCBA Compressor	
Total 520 · Equipment	20,500.00
526 · PPE (Personal Protective Equip)	25,000.00
530 · Medical	
531 · Equipment	0.00
532 · Supplies	5,243.00
533 · Waste	500.00
Total 530 · Medical	5,743.00
540 · Training	
541 · Seminars	3,500.00
542 · Books	3,574.00
543 · PR Literature	1,500.00
544 · Other	4,750.00
Total 540 · Training	13,324.00
Total 500 · Fire Fighters' Equip/Training	71,567.00
600 · Fire Engines	
620 · '99 Southern Coach Eng #322	12,000.00
640 · '03 Red Diamond #324	3,000.00
650 · '02 Ford Quesco Brush #326	2,000.00
660 · '95 Intern\Hackney Squad #32	5,000.00
680 · '06 KME Pumper #321	10,000.00
681 · Diesel Fuel	12,000.00
682 · Gasoline	200.00
683 · Cleaning Supplies	500.00
684 · Miscellaneous Parts	1,000.00
685 · Fire Engines - Other	6,000.00
600 · Fire Engines - Other	0.00
Total 600 · Fire Engines	51,700.00
800 · Firefighters Payroll	
801 · Payroll - Day Shift	180,000.00
802 · Payroll - Night Shift	27,375.00
807 · Payroll Expenses - Training	8,975.00
808 · Payroll Expenses	
FICA	15,000.00
FUTA	0.00
SUTA	5,000.00
808 · Payroll Expenses - Other	0.00

Providence Volunteer Fire Department
Income & Expense Budget Performance
January 2011

	<u>Annual Budget</u>
Total 808 - Payroll Expenses	<u>20,000.00</u>
Total 800 - Firefighters Payroll	236,350.00
850 - Christmas Fundraising Expense	<u>0.00</u>
Total Expense	<u>517,367.00</u>
Net Ordinary Income	-99,694.00
Other Income/Expense	
Other Income	
Fixed Asset-Air Compressor	
Fixed Asset-Air Pack	0.00
Gain/Loss on Sale of Property	<u>0.00</u>
Total Other Income	<u>0.00</u>
Net Other Income	<u>0.00</u>
Net Income	<u><u>-99,694.00</u></u>

Providence Volunteer Fire Department
Balance Sheet
As of January 31, 2011

	Jan 31, 11
ASSETS	
Current Assets	
Checking/Savings	
CD - BBT - 0108/0094	174,429.87
CD - Bldg - Fifth Third - 2314	109,630.89
CD - Truck - FirstCharter -2306	109,630.89
Checking Accounts	
BB&T Checking-5119	83,151.91
BOA Bus Economy - 8095	6,424.03
BOA Payroll-7449	40,055.66
Total Checking Accounts	129,631.60
Firemen Relief-BOA-8254	34,541.10
Total Checking/Savings	557,864.35
Total Current Assets	557,864.35
Fixed Assets	
Air Packs	73,087.70
Bauer Vertecon Air Compressor	40,000.00
Commercial Protector System	2,112.50
Dexter T-400 Washer\Extractor	3,611.00
Fire Fighter Main Equipment	2,448.00
Groban Electric Generator	5,000.00
Ladder Truck Building	32,452.08
Total Fixed Assets	158,711.28
Other Assets	
1996 Internat'l #32	119,365.76
1999 SouthCo #322	274,231.58
2002 Ford #326	44,029.33
2003 Red Diamond #324	240,302.00
2006 KME Pumper #321	400,555.50
Building	346,812.09
Equip	27,615.37
Land	12,590.00
X Accum Depr	-914,663.00
Total Other Assets	550,838.63
TOTAL ASSETS	1,267,414.26
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Relief Fund	29,656.05
2100 - Payroll Liabilities	4,920.58
Total Other Current Liabilities	34,576.63
Total Current Liabilities	34,576.63
Long Term Liabilities	
2006 KME Truck Loan	38,301.10
Bank Of America Tanker Loan	71,859.59
Total Long Term Liabilities	110,160.69
Total Liabilities	144,737.32
Equity	
3900 - Retained Earnings	984,188.98
Net Income	138,487.96
Total Equity	1,122,676.94

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Cash Basis

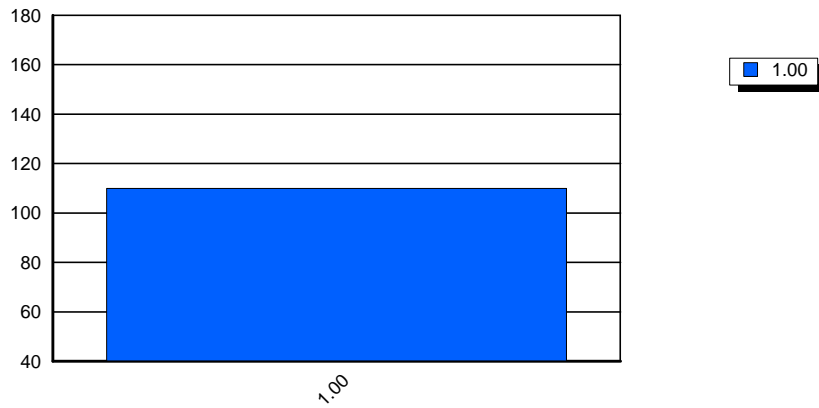
Providence Volunteer Fire Department
Balance Sheet
As of January 31, 2011

	<u>Jan 31, 11</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,267,414.26</u></u>

WESLEY CHAPEL VFD

2/2/2011

Count of Alarms Per Month



<u>FDID</u>	<u>INCIDENT#</u>	<u>EXP</u>	<u>ALARM DATE</u>
09020	1100026	0	01/01/2011
09020	1100059	0	01/02/2011
09020	1100060	0	01/03/2011
09020	1100063	0	01/03/2011
09020	1100066	0	01/03/2011
09020	1100073	0	01/03/2011
09020	1100078	0	01/03/2011
09020	1100084	0	01/04/2011
09020	1100085	0	01/04/2011
09020	1100107	0	01/04/2011
09020	1100120	0	01/05/2011
09020	1100125	0	01/05/2011
09020	1100127	0	01/05/2011
09020	1100129	0	01/05/2011
09020	1100136	0	01/05/2011
09020	1100149	0	01/06/2011
09020	1100166	0	01/06/2011
09020	1100177	0	01/07/2011
09020	1100181	0	01/07/2011
09020	1100188	0	01/07/2011
09020	1100215	0	01/08/2011
09020	1100218	0	01/08/2011
09020	1100219	0	01/08/2011
09020	1100230	0	01/08/2011
09020	1100234	0	01/08/2011

<u>FDID</u>	<u>INCIDENT#</u>	<u>EXP</u>	<u>ALARM DATE</u>
09020	1100237	0	01/09/2011
09020	1100248	0	01/09/2011
09020	1100250	0	01/09/2011
09020	1100251	0	01/09/2011
09020	1100256	0	01/09/2011
09020	1100269	0	01/10/2011
09020	1100289	0	01/10/2011
09020	1100291	0	01/10/2011
09020	1100301	0	01/11/2011
09020	1100981	0	01/11/2011
09020	1100324	0	01/12/2011
09020	1100329	0	01/12/2011
09020	1100333	0	01/12/2011
09020	1100347	0	01/12/2011
09020	1100368	0	01/13/2011
09020	1100371	0	01/13/2011
09020	1100379	0	01/13/2011
09020	1100395	0	01/14/2011
09020	1100401	0	01/14/2011
09020	1100412	0	01/14/2011
09020	1100413	0	01/14/2011
09020	1100430	0	01/15/2011
09020	1100447	0	01/15/2011
09020	1100455	0	01/16/2011
09020	1100458	0	01/16/2011
09020	1100476	0	01/16/2011
09020	1100496	0	01/17/2011
09020	1100516	0	01/17/2011
09020	1100519	0	01/17/2011
09020	1100523	0	01/17/2011
09020	1100524	0	01/17/2011
09020	1100539	0	01/18/2011
09020	1100562	0	01/19/2011
09020	1100571	0	01/19/2011
09020	1100573	0	01/19/2011
09020	1100597	0	01/20/2011
09020	1100617	0	01/21/2011
09020	1100634	0	01/21/2011
09020	1100645	0	01/22/2011
09020	1100647	0	01/22/2011
09020	1100652	0	01/22/2011
09020	1100653	0	01/22/2011
09020	1100656	0	01/22/2011

<u>FDID</u>	<u>INCIDENT#</u>	<u>EXP</u>	<u>ALARM DATE</u>
09020	1100670	0	01/22/2011
09020	1100672	0	01/23/2011
09020	1100677	0	01/23/2011
09020	1100682	0	01/23/2011
09020	1100689	0	01/23/2011
09020	1100697	0	01/24/2011
09020	1100703	0	01/24/2011
09020	1100707	0	01/24/2011
09020	1100709	0	01/24/2011
09020	1100713	0	01/24/2011
09020	1100715	0	01/24/2011
09020	1100717	0	01/24/2011
09020	1100845	0	01/24/2011
09020	1100728	0	01/25/2011
09020	1100729	0	01/25/2011
09020	1100732	0	01/25/2011
09020	1100737	0	01/25/2011
09020	1100743	0	01/25/2011
09020	1100748	0	01/25/2011
09020	1100759	0	01/26/2011
09020	1100764	0	01/26/2011
09020	1100770	0	01/26/2011
09020	1100792	0	01/27/2011
09020	1100796	0	01/27/2011
09020	1100805	0	01/27/2011
09020	1100824	0	01/28/2011
09020	1100826	0	01/28/2011
09020	1100851	0	01/29/2011
09020	1100858	0	01/29/2011
09020	1100864	0	01/29/2011
09020	1100886	0	01/30/2011
09020	1100887	0	01/30/2011
09020	1100889	0	01/30/2011
09020	1100890	0	01/30/2011
09020	1100892	0	01/30/2011
09020	1100902	0	01/30/2011
09020	1100901	0	01/30/2011
09020	1100909	0	01/31/2011
09020	1100910	0	01/31/2011
09020	1100917	0	01/31/2011
09020	1100920	0	01/31/2011
09020	1100934	0	01/31/2011

FDID **INCIDENT#** **EXP** **ALARM DATE**

Month Total: **110**

Grand Total: **110**

NFIRS Incident Listing Summary Report

1 total calls for Incident Type **111 Building fire**
1 total calls for Incident Type **113 Cooking fire, confined to container**
2 total calls for Incident Type **142 Brush or brush-and-grass mixture fire**
48 total calls for Incident Type **311 Medical assist, assist EMS crew**
4 total calls for Incident Type **322 Motor vehicle accident with injuries**
2 total calls for Incident Type **324 Motor vehicle accident with no injuries**
2 total calls for Incident Type **331 Lock-in (if lock out , use 511)**
1 total calls for Incident Type **412 Gas leak (natural gas or LPG)**
1 total calls for Incident Type **500 Service Call, other**
1 total calls for Incident Type **551 Assist police or other governmental agency**
1 total calls for Incident Type **553 Public service**
1 total calls for Incident Type **600 Good intent call, other**
12 total calls for Incident Type **611 Dispatched & canceled en route**
3 total calls for Incident Type **631 Authorized controlled burning**
3 total calls for Incident Type **651 Smoke scare, odor of smoke**
3 total calls for Incident Type **700 False alarm or false call, other**
1 total calls for Incident Type **710 Malicious, mischievous false call, other**
10 total calls for Incident Type **735 Alarm system sounded due to malfunction**
6 total calls for Incident Type **736 CO detector activation due to malfunction**
6 total calls for Incident Type **745 Alarm system activation, no fire - unintentional**
1 total calls for Incident Type **746 Carbon monoxide detector activation, no CO**

Total Incidents:

110

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: February 7, 2011

SUBJECT: Monthly Report – January 2011

Transactions	
Overpayments	\$(494.97)
Pay Interest & Penalties	\$(341.27)
Refunds	\$492.62
2010 Interest Charges	\$1163.22
Releases	\$(149.07)
Adjust Under 5.00	\$(32.31)
Taxes Collected:	
2010	\$(76971.92)
2009	\$(1392.98)
2008	\$(74.14)
As of January 31, 2011; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$301.79
2006	\$195.09
2007	\$320.22
2008	\$4379.98
2009	\$7759.71
2010	\$53713.82
Total Outstanding:	\$67108.38

**TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT**

FY 2010-2011

	01/01/2011 TO 01/31/2011			
	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET</u>
REVENUE:				
10-3101-110 AD VALOREM TAX - CURRENT	76,655.62	512,499.47	550,000.00	93
10-3102-110 AD VALOREM TAX - 1ST PRIOR Y	1,392.98	3,865.96	5,000.00	77
10-3103-110 AD VALOREM TAX - NEXT 8 YRS	74.14	1,418.29	2,000.00	71
10-3110-121 AD VALOREM TAX - MOTOR VEH	3,438.43	16,056.06	26,000.00	62
10-3115-180 TAX INTEREST	185.33	540.28	1,750.00	31
10-3231-220 LOCAL OPTION SALES TAX REV -	10,570.77	53,671.54	120,000.00	45
10-3322-220 BEER & WINE TAX	0.00	0.00	30,000.00	0
10-3324-220 UTILITY FRANCHISE TAX	0.00	234,153.92	402,500.00	58
10-3340-400 ZONING & PERMIT FEES	775.00	6,735.00	10,000.00	67
10-3350-400 SUBDIVISION FEES	0.00	150.00	1,000.00	15
10-3830-891 MISCELLANEOUS REVENUES	146.00	50,549.00	1,500.00	3,370
10-3831-491 INVESTMENT INCOME	180.32	2,177.40	10,000.00	22
TOTAL REVENUE	93,418.59	881,816.92	1,159,750.00	76
AFTER TRANSFERS	93,418.59	881,816.92	1,159,750.00	
4110 GENERAL GOVERNMENT				
EXPENDITURE:				
10-4110-126 FIRE DEPT SUBSIDIES	0.00	216,300.00	216,300.00	100
10-4110-128 POLICE PROTECTION	54,152.25	162,456.75	222,860.00	73
10-4110-192 ATTORNEY FEES	0.00	49,188.33	110,000.00	45
10-4110-195 ELECTION EXPENSE	0.00	1,796.25	2,500.00	72
10-4110-340 EVENTS & PUBLICATIONS	750.00	17,480.16	21,750.00	80
10-4110-495 OUTSIDE AGENCY FUNDING	0.00	0.00	3,500.00	0
TOTAL EXPENDITURE	54,902.25	447,221.49	576,910.00	78
BEFORE TRANSFERS	-54,902.25	-447,221.49	-576,910.00	
AFTER TRANSFERS	-54,902.25	-447,221.49	-576,910.00	
4120 ADMINISTRATIVE				
EXPENDITURE:				
10-4120-121 SALARIES - CLERK	5,189.52	36,203.09	64,500.00	56
10-4120-123 SALARIES - TAX COLLECTOR	2,336.89	18,669.93	36,000.00	52
10-4120-124 SALARIES - FINANCE OFFICER	518.32	3,728.56	12,000.00	31
10-4120-125 SALARIES - MAYOR & TOWN COU	1,750.00	12,250.00	21,000.00	58
10-4120-181 FICA EXPENSE	735.05	5,317.76	10,065.00	53
10-4120-182 EMPLOYEE RETIREMENT	1,084.54	7,907.15	15,000.00	53
10-4120-183 EMPLOYEE INSURANCE	1,382.25	9,644.55	15,700.00	61
10-4120-184 EMPLOYEE LIFE INSURANCE	25.03	175.21	225.00	78
10-4120-185 EMPLOYEE S-T DISABILITY	22.80	159.60	300.00	53
10-4120-191 AUDIT FEES	7,800.00	7,800.00	7,800.00	100
10-4120-193 CONTRACT LABOR	2,356.60	7,549.17	7,500.00	101
10-4120-200 OFFICE SUPPLIES - ADMIN	389.66	4,683.81	13,500.00	35
10-4120-210 PLANNING CONFERENCE	0.00	0.00	2,500.00	0
10-4120-321 TELEPHONE - ADMIN	114.47	696.57	1,575.00	44
10-4120-325 POSTAGE - ADMIN	100.00	1,889.52	4,225.00	45
10-4120-331 UTILITIES - ADMIN	439.64	2,198.10	4,100.00	54
10-4120-351 REPAIRS & MAINTENANCE - BUIL	225.00	7,568.14	8,125.00	93
10-4120-352 REPAIRS & MAINTENANCE - EQU	2,780.19	17,321.11	20,000.00	87
10-4120-354 REPAIRS & MAINTENANCE - GRO	295.00	21,105.00	15,250.00	138
10-4120-355 REPAIRS & MAINTENANCE - PES	0.00	602.00	750.00	80

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**TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT**

FY 2010-2011

	01/01/2011 TO 01/31/2011			
	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET</u>
10-4120-356 REPAIRS & MAINTENANCE - CUS	969.00	2,807.00	5,500.00	51
10-4120-370 ADVERTISING - ADMIN	62.19	320.88	1,000.00	32
10-4120-397 TAX LISTING & TAX COLLECTION	-96.76	3,223.21	2,000.00	161
10-4120-400 ADMINISTRATIVE:TRAINING	971.00	1,654.00	4,100.00	40
10-4120-410 ADMINISTRATIVE:TRAVEL	1,007.22	3,974.15	6,500.00	61
10-4120-450 INSURANCE	0.00	22,750.59	23,100.00	98
10-4120-491 DUES & SUBSCRIPTIONS	315.00	12,365.00	18,225.00	68
10-4120-498 GIFTS & AWARDS	585.77	810.27	1,500.00	54
10-4120-499 MISCELLANEOUS	84.23	1,186.66	2,000.00	59
TOTAL EXPENDITURE	31,442.61	214,561.03	324,040.00	66
BEFORE TRANSFERS	-31,442.61	-214,561.03	-324,040.00	
AFTER TRANSFERS	-31,442.61	-214,561.03	-324,040.00	
4130 PLANNING & ZONING				
EXPENDITURE:				
10-4130-121 SALARIES - ZONING ADMINISTR	4,777.50	33,442.50	57,500.00	58
10-4130-122 SALARIES - ASST ZONING ADMIN	347.89	2,648.04	4,250.00	62
10-4130-123 SALARIES - RECEPTIONIST	1,477.14	10,737.90	18,500.00	58
10-4130-124 SALARIES - PLANNING BOARD	1,650.00	9,150.00	17,500.00	52
10-4130-125 SALARIES - SIGN REMOVAL	385.82	2,672.89	4,500.00	59
10-4130-181 FICA EXPENSE - P&Z	660.84	4,486.88	7,700.00	58
10-4130-182 EMPLOYEE RETIREMENT - P&Z	936.13	6,629.56	12,000.00	55
10-4130-183 EMPLOYEE INSURANCE	1,527.75	10,694.25	17,500.00	61
10-4130-184 EMPLOYEE LIFE INSURANCE	22.29	199.99	275.00	73
10-4130-185 EMPLOYEE S-T DISABILITY	13.20	92.40	175.00	53
10-4130-193 CONSULTING	180.00	7,660.87	18,000.00	43
10-4130-194 CONSULTING - COG	51.00	2,798.00	15,000.00	19
10-4130-200 OFFICE SUPPLIES - PLANNING &	293.45	3,059.19	5,000.00	61
10-4130-201 ZONING SPECIFIC OFFICE SUPPLI	0.00	179.00	2,500.00	7
10-4130-215 HISTORIC PRESERVATION	0.00	110.99	1,000.00	11
10-4130-220 TRANSPORTATION & IMPROVEM	0.00	0.00	130,000.00	0
10-4130-321 TELEPHONE - PLANNING & ZONI	114.48	696.61	1,575.00	44
10-4130-325 POSTAGE - PLANNING & ZONING	100.00	695.51	4,225.00	16
10-4130-331 UTILITIES - PLANNING & ZONING	439.66	2,198.17	4,100.00	54
10-4130-370 ADVERTISING - PLANNING & ZON	62.19	450.22	1,000.00	45
TOTAL EXPENDITURE	13,039.34	98,602.97	322,300.00	31
BEFORE TRANSFERS	-13,039.34	-98,602.97	-322,300.00	
AFTER TRANSFERS	-13,039.34	-98,602.97	-322,300.00	
GRAND TOTAL	-5,965.61	121,431.43	-63,500.00	

TOWN OF WEDDINGTON
BALANCE SHEET

FY 2010-2011

PERIOD ENDING: 01/31/201

10

ASSETS

ASSETS

10-1120-000 TRINITY CHECKING ACCOUNT	609,297.11
10-1120-001 TRINITY MONEY MARKET	502,189.65
10-1120-002 CITIZENS SOUTH CD'S	1,000,000.00
10-1170-000 NC CASH MGMT TRUST	529,102.59
10-1211-001 A/R PROPERTY TAX	53,713.82
10-1212-001 A/R PROPERTY TAX - 1ST YEAR PRIOR	7,759.71
10-1212-002 A/R PROPERTY TAX - NEXT 8 PRIOR YRS	5,634.85
10-1232-000 SALES TAX RECEIVABLE	770.52
10-1610-001 FIXED ASSETS - LAND & BUILDINGS	621,611.26
10-1610-002 FIXED ASSETS - FURNITURE & FIXTURES	14,022.92
10-1610-003 FIXED ASSETS - EQUIPMENT	135,946.44
TOTAL ASSETS	3,480,048.87

LIABILITIES & EQUITY

LIABILITIES

10-2120-000 BOND DEPOSIT PAYABLE	44,473.80
10-2151-000 FICA TAXES PAYABLE	2,426.85
10-2152-000 FEDERAL TAXES PAYABLE	1,253.74
10-2153-000 STATE W/H TAXES PAYABLE	749.00
10-2154-001 NC RETIREMENT PAYABLE	2,869.68
10-2155-000 HEALTH INSURANCE PAYABLE	-3,132.50
10-2156-000 LIFE INSURANCE PAYABLE	-7.46
10-2157-000 401K PAYABLE	420.89
10-2620-000 DEFERRED REVENUE - DELQ TAXES	7,759.71
10-2625-000 DEFERRED REVENUE - CURR YR TAX	53,713.82
10-2630-000 DEFERRED REVENUE-NEXT 8	5,634.85
TOTAL LIABILITIES	116,162.38

TOWN OF WEDDINGTON
BALANCE SHEET

FY 2010-2011

PERIOD ENDING: 01/31/201

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EQUITY	
10-2620-001 FUND BALANCE - UNDESIGNATED	1,798,304.80
10-2620-003 FUND BALANCE-DESIG FOR CAP PROJECTS	569,629.30
10-2620-004 FUND BALANCE-INVEST IN FIXED ASSETS	771,580.62
10-2620-005 CURRENT YEAR EQUITY YTD	102,934.34
CURRENT FUND BALANCE - YTD NET REV	121,431.43
TOTAL EQUITY	3,363,880.49
TOTAL LIABILITIES & FUND EQUITY	3,480,042.87