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**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, MAY 9, 2016 – 7:00 P.M.  
WEDDINGTON TOWN HALL  
1924 WEDDINGTON ROAD  
WEDDINGTON, NC 28104  
AGENDA**

Prayer – Mayor Bill Deter

1. Open the Meeting
2. Pledge of Allegiance
3. Determination of Quorum

**PUBLIC ADDRESS TO THE COUNCIL**

Any individual or group who wishes to address the Council may do so at this time. Each speaker will have three (3) minutes to make their remarks and shall obey reasonable standards of courtesy in their remarks. Typically, this is a time for the Mayor and Council to hear from the public and not respond. If questions are raised, a member of the Town Council or Staff may contact the individual after the meeting to help address issues raised. If the item you wish to speak about is a Public Hearing item, address your concerns during that time and not under the Public Comment period.

4. Public Comments
5. Additions, Deletions and/or Adoption of the Agenda

**CONSENT AGENDA**

The Council may designate a part of the agenda as the "Consent Agenda." Items placed on the consent agenda are judged to be non-controversial and routine. Any member of the Council may remove an item from the consent agenda and place it on the regular agenda while the agenda is being discussed and revised prior to its adoption at the beginning of the meeting. All items on the consent agenda shall be voted on and adopted by a single motion, with the minutes reflecting the motion and vote on each item.

6. Consent Agenda
  - A. Call for a Public Hearing for the Fiscal Year 2017 Proposed Budget
  - B. Review and Consideration of National Peace Officers Week Proclamation
7. Approval of Minutes
  - A. February 18, 2016 Town Council Retreat Minutes
  - B. February 19, 2016 Town Council Retreat Minutes
  - C. March 14, 2016 Regular Town Council Minutes
  - D. April 11, 2016 Regular Town Council Minutes
  - E. April 19, 2016 Special Town Council Minutes

**PUBLIC HEARINGS**

The Public must sign up before the beginning of the meeting to speak on an item under Public Hearings. The Mayor will recognize speakers in the order in which their names appear on the sign-up sheet. The Council sets the rules for the Public Hearing. The rules may include, but are not limited to, rules fixing the maximum time allotted to each speaker; providing for

the designation of spokespersons for groups of persons supporting or opposing the same positions; providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the Town Hall; and for providing for the maintenance of order and decorum in the conduct of the hearing.

Each speaker must address the Council from the lectern and begin their remarks by giving their name and address. Each speaker will have three (3) minutes to make remarks. A speaker may not yield any of his or her time to another speaker. Speakers must be courteous in their language and presentation. Personal attacks on the Council or members of the public will not be tolerated.

The Mayor may determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and shall rule on objections from other members of the Council on discourteous behavior. A majority vote of the Council may overrule the Mayor's ruling on standards of courtesy. Speakers may leave written comments and/or supporting documents, if any, with the Town Clerk to the Council.

8. Public Hearing and Consideration of Public Hearing

- A. Review and Consideration of Text Amendment to Section 58-3 to create enforcement procedure for recurring violations to the zoning ordinance

9. Old Business

- A. Town Hall Update
  - i. Review and Consideration of additional woodwork addendum to painting contract with Nu Hue
- B. Review and Discussion of Preliminary Budget for Fiscal Year 2016-2017
- C. Discussion and Consideration of Non-smoking Policy/Ordinance
- D. Discussion and Consideration of appointment of the position of Council Staff Liaison

10. New Business

- A. Wesley Chapel Volunteer Fire Department Budget Presentation
- B. Discussion and Consideration of Union County VFD Funding
- C. Review and Consideration of Town's Personnel Policy
- D. Review and Consideration of the Falls at Weddington Amenity Center Construction Documents
- E. Review and Consideration of the Falls at Weddington Final Plat Phase I Map I
- F. Review and Consideration of the Falls at Weddington Conservation Easement
- G. Review and Consideration of amendments to the Land Use Plan to better incorporate the Rea Road extension
- H. Review and Consideration of amendments to the Land Use Plan to prioritize view shed when reviewing and approving Conservation Subdivisions
- I. Discussion and Consideration of Rea Road Extension

11. Update from Planner

12. Code Enforcement Report

13. Update from Finance Officer and Tax Collector

14. Public Safety Report

15. Transportation Report

16. Council Comments

17. Closed Session

**[N.C.G.S. 143-318.11(a)(3)]**

Consult with the Attorney - To protect the attorney-client privilege.

18. Adjournment

**TOWN OF WEDDINGTON  
PROCLAMATION DESIGNATING MAY 15 AS PEACE OFFICERS MEMORIAL DAY  
AND MAY 15 - 21 AS LAW ENFORCEMENT OFFICERS WEEK**

**WHEREAS**, the Congress and President of the United States have designated a national Peace Officers Memorial Day during Law Enforcement Officers Week; and

**WHEREAS**, the members of law enforcement agencies of Weddington and Union County play an essential role in safeguarding the rights and freedom of the citizens of our Town; and

**WHEREAS**, members of law enforcement recognize their duty to serve the people of Weddington by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

**WHEREAS**, during Law Enforcement Week, and throughout the year, the Town of Weddington recognizes and appreciates the critical contributions and sacrifices made by members of law enforcement at all levels, and honors their courage and dedication;

**NOW, THEREFORE**, I, Bill Deter, Mayor of the Town of Weddington, do hereby proclaim May 15-21, 2016, as “LAW ENFORCEMENT OFFICERS WEEK” and May 15, 2016, as “PEACE OFFICERS MEMORIAL DAY” in North Carolina, and commend its observance to all citizens.

In witness thereof, I have hereunto set my hand and caused the Seal of the Town of Weddington to be affixed this 9<sup>th</sup> day of May, 2016.

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Bill Deter, Mayor

Attest:

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Peggy S. Piontek, Town Clerk

**TOWN OF WEDDINGTON  
SPECIAL TOWN COUNCIL MEETING  
2016 BOARD RETREAT  
FEBRUARY 18, 2016 - 9:00 A.M.  
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Meeting/Retreat at the Firethorne Country Club, 1108 Firethorne Club Drive, Marvin, NC 28173 on February 18, 2016, with Mayor Bill Deter presiding.

**Present:** Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Mike Smith, Scott Buzzard and Janice Propst, Planning Board Chairman Dorine Sharp, Vice Chairman Rob Dow, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Julian Burton, and Town Administrator Peggy Piontek

**Visitors:** Michelle Nance, Jason Wager, John Collins, Lee Ainsworth, Neda Salehizadeh, Chief Steven McLendon, Ed Goscicki, Richard Helms, Pam Hadley, Dan Barry

**Welcome and Agenda Review** Mayor Deter opened the February 18, 2016 Special Town Council Meeting/Retreat at 9:00 a.m. There was a quorum.

Facilitator Michelle Nance provided ground rules to the group and discussed the purpose of the retreat. Facilitator Jason Wager discussed the following worksheet developed after speaking with the Mayor and Town Council individually prior to the retreat.

<b>Top 3 Priority Projects for the Next Fiscal Year</b>	<b>Top 3 EXTERNAL SUCCESSES for the Town</b>	<b>Top 3 EXTERNAL CHALLENGES for the Town</b>	<b>Top 3 INTERNAL SUCCESSES for the Town</b>	<b>Top 3 INTERNAL CHALLENGES for the Town</b>
Managing Growth	Fire Service Changes	Moving forward with Fire Service	Excellent Staff and Board Members	Communication and Trust
Moving forward with fire service	Quality of Life - changes in growth and infrastructure	Planning for Expansion, coordination with outside organizations	Improving Standard Operating Procedures	Adequate Staffing and compensation of staff to meet growth demands
Understanding 5-10 years school planning	Town Festivals	Continued growth of sense of community	Ongoing improvements to Town Hall and Ordinances	Improving Town Hall Maintenance issues

Town Attorney Anthony Fox advised Council on the restrictions of Fire Service discussions because it is ongoing litigation which is generally discussed in Closed Session and it is not an item on the agenda, so there is very little opportunity to discuss it.

### **Personnel Policy Review**

#### **1. Physicals and drug testing policy.**

Mayor Deter requested direction from Council related to getting clarity around drug testing and physicals for new hires. There was discussion among Council pertaining to revisions to the current personnel policy and building guidelines. The results of those discussions are:

##### **Action-**

- No physicals for pre employment.
- Drug test required for pre employment.
- Adherence to wellness requirements imposed by health care provider.
- Progressive warnings, then possible consequences if no adherence.
- Need to clarify designated smoking area.
- Align Town policy with State weapon policy.
- Revisit personnel policy.
- Check full time hour standards (page 9 of policy).

#### **2. Review benefits/compensation; update job descriptions and salary bands**

Mayor Deter referred to a chart in the packet which is the result of a survey taken among local jurisdictions. He stated that it's been 5-6 years since the salary bands were updated and asked the Council if they want to revisit this. He suggested a couple of Councilmembers take this project on. The results of those discussions were:

##### **Action-**

- There is a need to discuss job descriptions.
- There is no need to create a subcommittee.
- Hire a professional to provide accurate job descriptions by completing a position classification study.
- Once completed go forward with compensations.

#### **3. Annual Reviews/ Management by Objectives (MBO) for staff**



Mayor Deter defined that a MBO is designed to make sure that staff understands what Council's expectations are and it provides feedback to employees and goal setting.

Town Attorney Fox advised the challenges are size and structure of the organization. Council needs to set up a process and delegation. The appropriate tools need to be set up to measure performance, evaluate and report any chronic progressions.

Action -

- Perform a position class study by an outside agency.
- Set up process and roles within a performance review by Council.
- Set up objectives of staff.
- Provide tools for accomplishing the above.
- Determine who will administer tools.
- Analyze what the critical success factors are.
- Provide direction on formalizing, setting up process.

### **External Communications**

#### **1. School Update and Discussion – John Collins**

Union County School Board Member John Collins provided answers to questions he received prior to the meeting:

*The Council is interested in getting an update on how the McKibben report relates to the Weddington Cluster.*

- The McKibben report states most school systems with any segment of gross migration anticipate redistricting every 3-4 years because of population shifts. It is triggered mostly by population. At the elementary level it's about 1,000 that triggers the planning process to begin by staff. There is no way to determine if we will see a redistricting in the next 3-5 years.

*What chances are there of redistricting over the next 5-10 years that would affect Weddington?*

*What triggers a redistricting situation?*

- Growth in the Weddington Cluster is anticipated to level off 2019-2022 depending on the school. No obvious issues other than the Middle School, because of population. The Community Construction Equity Plan (CCEP) shows a need of increase in capacity at the Middle School level. School Board Policy configurations for capacity are 1,000 at the

elementary level, 1,600 at Middle School level and 2,200-2,300 at the High School level. At the Middle School level that does not mean that every school will be built, refurbished or remodeled to withstand a 1,600 capacity level. For example we are asking approximately for 1,100 capacities in brick and mortar at the Weddington Middle School out of that CCEP.

*Does Union County Schools' modeling reflect the Town's modeling as far as potential build out [i.e.-what does UCPS's modeling call for in terms of growth]?*

- The School Board will look to increase brick and mortar at Middle School level. If all goes according to plan, it would be approximately in the 2019-2020 time-frame.

Mr. Collins advised Council if there is unfinished business, he will be happy to meet with any of them to discuss it. Mr. Collins informed Council of the status of the information as it pertains to the School Board and NCDOT on the Rea Road project by the schools. School staff had a meeting with NCDOT recently. The plans currently change from three driveways to two driveways out on 84 with two stop lights. The bus driveway will come off of the current student entrance. NCDOT is still in the planning stages for pedestrian crossings. There is uncertainty if there will be or if there is a need for any pedestrian crossings on 84. There will possibly be four lanes through there on 84. It is his understanding that NCDOT does not see a need for additional turn lanes. He then went on to answer the questions previously sent to him.

Mayor Pro Tem Titherington inquired who should the Town double check this with, especially pertaining to Antioch Elementary because of the new developments currently in the pipeline. Mr. Collins replied the School Board makes their plans with the information provided by the experts who analyze the environment. Mayor Pro Tem Titherington inquired who the Town should get in touch with for updates on the Highway 84 project. Mr. Collins replied Don Hughes or Dr. Mike Webb.

## **2. NCDOT Roads Update and Discussion – Lee Ainsworth, District Engineer for Union and Anson Counties.**

Before introducing Mr. Lee Ainsworth, Mr. Wager referred to some of the questions he heard during the interviews he conducted prior to the retreat:

- a) How can the Town continue to best work with NCDOT?*
- b) How can good relationships be grown?*
- c) How can the Town have the greatest impact if they were to contribute local funds or whatever other resources they may have to make the most impact on the roads?*

Mr. Ainsworth encouraged the Council and staff to contact him with any questions or concerns.

- Mayor Deter inquired if Providence Acres subdivision is on NCDOT's schedule to repave the road and does NCDOT know in advance what roads are scheduled for resurfacing in Weddington. Mr. Ainsworth replied that every year a resurfacing list is generated, but now it goes out 2-3 years. The rule of thumb is that subdivisions get thrown in the same pot as the rest of the secondary road system. Volume and road condition is considered and subdivisions don't generally have as many cars as other secondary roads. There is no special funding for subdivisions but will advise Town if one is scheduled for resurfacing.
- Mayor Deter advised that Weddington does car counts around the Town on a regular basis and asked if that is something that would be of value to NCDOT. Mr. Ainsworth replied that they do their own counts but if we have different information from NCDOT they would go out and verify it.
- Mayor Deter stated we identified 20-22 big ruts on several roadsides and NCDOT addressed them and asked if Weddington were to do that this year would NCDOT be able to address it. Mr. Ainsworth replied simply send him a list of what should be looked at. He will forward to the maintenance unit.
- County Commissioner Helms asked for an explanation of the pot-hole policy. Mr. Ainsworth replied if a pot-hole is reported NCDOT has two business days to fill it in. It can be reported through the website or they can be contacted directly. It is recommended that you call into the maintenance yard at 704-218-5140.
- Mayor Pro Tem Titherington complemented Mr. Ainsworth and his team. He inquired about the requirement for left turn lanes for new subdivisions - for example 220 new homes on Antioch Church Road. He asked how best to coordinate sight distance and hazard concerns to NCDOT. Mr. Ainsworth replied that those concerns are justified. NCDOT would go out there and conduct a crash history; if none there is no justification for improvement. NCDOT runs a benefit to cost analysis. If it is low it will not be funded before a higher benefit to cost analysis. But if NCDOT were to get funding assistance, that would increase the benefit to cost ratio.
- Councilman Buzzard with the CRTPO stated it has a policy of looking at every road that they have, identifying improvements needed or new road needed. The Town will have an opportunity to go to CRTPO and advise that they have identified these corridors as issues in the area and that will go into their planning process.
- Planning Board Vice Chairman Dow stated that's also why we have the Traffic Impact Analysis (TIA). It requires the developer to check with NCDOT on what is on their impact list, add funding to that so that the benefit to cost moves up if the impact of their development is the cause of the problem. Mr. Ainsworth advised if the Town sees something come through and have something that we need addressed we try to get them to hold to it.

- Mayor Pro Tem Titherington stated that last year NCDOT informed us that there is a threshold on turn lanes. The Town's health, safety and welfare is a little broader and gives a broader parameter. Mr. Ainsworth stated the policy is if the development joins a road that has more than 4,000 average annual daily traffic (ADT), a left turn lane should be requested. They look at 50+ in the peak hour and that's a lot of right turns. It also says that if the jurisdiction requires something more stringent then they will be held to the more stringent of the two. NCDOT makes that part of the requirement.

### **3. Wesley Chapel Fire Department Status and Budget Update.**

Chief McLendon provided a general overview of the department's involvement within the community, achievements and the preliminary budget proposal. He informed Council that the department sends out survey cards to individuals that they have received emergency calls and/or responded to. Every survey received back has noted outstanding services for professionalism, timeliness, ability to deliver the service and overall satisfaction. The upcoming budget includes staffing 24/7 and capital improvements. The Town is projecting 2% growth and the department's projected budget is being presented with a lower growth rate of 1.75%.

Councilwoman Propst asked if the Town will get a line item budget for the upcoming year. Chief McLendon replied that it's up to the determination of the Council and said they will accommodate the town.

### **4. Union County update and discussion - Sewer and/or Water Expansion (Antioch Woods, etc.)**

Ed Goscicki, Director of Union County Public Works provided the background and description of his position and what services the County provides to the residents. Mr. Goscicki explained how new subdivisions get water/sewer hookup and what the requirements are to have single home water hookup, the process for Special Assessment on existing subdivisions for hookup of water and sewer and additional expenses pertaining to these hook ups.

Action -

- Make sure all new developments hook up to water and sewer.

## **Growth Issues (Part I)**

### **1 & 2. Transportation Planning (part I) – CRTPO Coordination**

County Commissioner Richard Helms – VFD, Schools, EMS, CRTPO

### *CRTPO*

Commissioner Helms explained why the County voted differently on CRTPO regarding toll lanes. If it had failed it would have stopped everything so the County voted from a policy standpoint that it's not right and to listen to the citizens. He suggested we look at Charlotte having 37 votes and NCDOT's associated 13 votes. It's a stacked bid at 50%. The County received a letter from NCDOT asking why County voted against it and what they don't like in the contract. He recommended that Councilman Buzzard get in touch with Joe Lesch at Union County on this.

Commissioner Helms addressed Rea Road and advised they went to a public hearing. They are looking at two paths and should make a decision in a week or so. They seem to be leaning towards a combination of the two paths. His focus was between Providence Road and where it hits 84 but not the WCWAA.

Councilman Buzzard stated that the Town is fighting a losing battle with Charlotte and asked if the municipalities need to join with the County. There is an opportunity for all the jurisdictions to get together to discuss the topics. It's a good opportunity to discuss them with Joe Lesch, all of the TCC plus the representatives who sit on CRTPO. It concerns Councilman Buzzard that the TCC is always unanimous and suggested the Town look at how they vote on CRTPO.

### *VFD*

County Commissioner Helms advised that the County staff sent out contracts to the fire departments that were so egregious that all 17 refused. No commissioners or firemen were given an opportunity to review. He provided some points of controversy.

### *SCHOOLS*

County Commissioner Helms said he is very pleased with enhanced communication and stated that their philosophies are different. A resolution was approved Monday evening for information regarding board of education. Mr. Helms read the resolution. A formal request was made on opening all books and audits for schools. In addition, demographics should be included for public schools.

### *EMS*

It is under new management with Brian Edwards. The original plan was to turn it over to a Florida outfit. All the trucks were to stay in Monroe every night. The plan changed due to longer response times and one is now in Wesley Chapel and the response time is better.

## **3. Discussion: Basing an ambulance in western Union County**

Mayor Deter explained that we have an open bay at the Hemby Road Fire Station and the ambulance will be parked over by Wesley Chapel in the Target parking lot. There are 4-5 other locations in Western Union County and we were thinking we could base it at the Hemby Road Fire Station. Mayor Deter spoke with Alicia at EMS and he was advised that would take EMS back to fixed locations. There are concerns about the technicians being too comfortable in the same fire station/fixed location. She has provided the locations where the ambulances are based.

Action –

- Response to NCDOT letter about concerns with managed lanes contract – Councilman Buzzard should speak with Joe Lesch.
- Union County and Municipal CRTPO Representatives meet prior to CRTPO, TCC and TAC (elected)- make sure Councilman Buzzard and Town Planner Burton are on the list.
- Attend work sessions on County Fire Service to understand influence (Mayor Deter).
- Mayor Deter will send EMS locations to other Council members.

#### **4. Public Safety/Transportation Committee**

Chairman Marcos Bilbao introduced himself. He provided his background, referred to other committee member's individual responsibilities and provided their objectives and purpose. He explained their major initiatives – creation of a handbook, HOA collaboration, Wesley Chapel Fire Station, scheduling the traffic counter, radar sign and speed limit trailer, and attending CPR classes. Future efforts include traffic patrol with radar, establish budget/pursue grants, Tour 911 center, citizen input via website, create neighborhood watch packet, bug out bag, fire prevention information, communication updates, mapping of crashes, incident, traffic count, speeding and conducting a hazard vulnerability analysis.

Action Items –

- Roads – prioritize and coordinate communication with NCDOT.
- Coordinate road shoulder issues – gather information.
- Gather trip count data before developers present their projects to Council.
- Know NCDOT speed limit requirements.

### **Internal Communications**

#### **1. Facebook Policy**

Council had a discussion on the advantages and disadvantages of having a Facebook Page, what some of the obstacles are and creating a policy.

Action –

- Take down the Town's Facebook page and research how other jurisdictions handle it and if it can be truly static.

## **2. Speakers for HOA meetings**

Mayor Deter advised that he and Mayor Pro Tem Titherington have spoken to several Weddington subdivisions. These events have proven to be very helpful and informative for both parties. They inquired how the Town can build upon those experiences and incorporate other HOA's into it. The discussion resulted in Council consensus that the Town is doing all that it can on this topic. No action items were recommended.

## **3. Grow the Sunshine List**

There was a brief discussion resulting in a general consensus that the Town is doing all that is possible with the exception of sending information home via the student body in Weddington schools.

Action:

- Check viability with schools – Peggy

## **4. Public Records Policy**

Town Attorney Anthony Fox stated that almost all documents are public record and the purpose of the policy is to balance the burden of the request on the Town and the requestor. Also to ensure that if there are associated costs they are recovered. The discussion was centered on readily available information versus complexity. Staff should address flexibility related to the complexity of the request.

Action Items:

Peggy will handle

- Anonymous requests are okay.
- Delivery tracking and accountability created.
- Add to the form the efficiency and clarity request or purpose.
- Revise policy to state the flexibility as it pertains to the complexity of the request.

## **5. Overall Best Practices and Expectations**

Open Meeting Law –

Town Attorney Fox explained that any meeting of the majority of the Council or a committee appointed by a governing body is an open meeting and requires notice of that meeting. Exceptions are closed sessions, social gatherings or if they are not the architect of the meeting. Social gatherings should not include discussion on town business.

Action Items–

- Be cautious – advertise social events.
- Assume good intent.
- Mayor polls council on issues individually.
- Communicate what you are working on if questioned, own it and ask.

Expectations between council:

Mayor Deter advised he tries to do one on one communications with people. If he is polling the Council on a direction, he will discuss it with them and then give everyone an understanding of positions and views. There was general discussion advising not to “reply to all” on emails, as it could be misconstrued as an illegal meeting. All of the Council informed the Mayor what medium they would prefer to be contacted in.

Mayor Deter recessed the meeting until tomorrow morning at 8:30 a.m.

The meeting ended at 4:34 pm.

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**Mayor Bill Deter**

Attest:

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Peggy Piontek, Town Clerk



**TOWN OF WEDDINGTON  
SPECIAL TOWN COUNCIL MEETING  
2016 BOARD RETREAT  
FEBRUARY 19, 2016 - 9:00 A.M.  
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Meeting/Retreat at the Firethorne Country Club, 1108 Firethorne Club Drive, Marvin, NC 28173 on February 19, 2016, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Mike Smith, Scott Buzzard and Janice Propst, Planning Board Chairman Dorine Sharp, Vice Chairman Rob Dow, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Julian Burton, and Town Administrator Peggy Piontek

Visitors: Michelle Nance, Jason Wager

Mayor Deter called the meeting back to order at 9:00 a.m.

**Growth Issues (Part II) Transportation Planning part II**

**5. Transportation Planning Part II**

**a. Charlotte Regional Transportation Planning Organization (CRTPO)  
Update**

Councilman Buzzard stated there are two issues coming up. He is looking for input from the Council and citizens. Comprehensive Transportation Plan (CTP) is the entire wish list for CRTPO's region to include sidewalks, bike paths and roadways, is a long term plan and is not fiscally constrained. They are soliciting information from residents and municipalities. The State Transportation Improvement Plan (STIP) is where the State is scoring funded projects and it trickles down to the CRTPO. If municipalities want to co-fund that is taken into the ranking process consideration. The first one opens up in April where they solicit input for the regional projects (Highway 74, 84 all of the interstates as well). In August, it opens up to the divisional level projects which would be something we would review and request. The difference between the CTP (all projects out there) and the STIP (funded projects) is money. Councilman Buzzard requested that Council determine what the priorities are, how to score them and if there is interest in moving them up by co-funding any projects.

Action Items –  
CTP

- Gap Analysis executive summary of what is out now that decisions would be based off of.
- Contract comments (I-77).
- August – Divisional projects input to be requested – priorities?
- Forecast: Input to be requested.

#### STIP

- Fiscally constrained.
- April projects solicited.
- Time line and evaluation criteria and then some analysis, helping with professional planning support.
- Budget line item for professional services.

#### **b. Rea Road Extension**

##### **i. Public Hearing Concerns from 1/26 meeting**

Mayor Deter advised that the opportunity for public comments is still open. The comments received to date fall into 3 categories he refers to as: Dogwood/Optimist Parks /WCWAA corridor; not in my back yard; collateral issues like crosswalks. Mayor Deter stated that a lot of comments are about WCWAA Optimist Park. He informed Council that he met with Mayor Kapfhammer of Wesley Chapel. Their Council told NCDOT they are willing to give up the frontage of Dogwood Park if that saves WCWAA Park. NCDOT could not guarantee that. Mayor Deter suggested writing a letter from both jurisdictions. Mayor Kapfhammer will put together a letter related to the congestion portion and will send it to Mayor Deter who will forward to Council for approval.

By consensus Council agreed with Mayor Deter presenting a letter.

##### **ii. Commercial and other issues**

As Rea Road is widened, we want to understand the land use vision and have some clarity so that when the proposals come before us we are prepared.

Planning Board Vice Chairman Rob Dow stated that the Town's Land Use Plan does not recognize the potential of new large intersections caused by Rea Road. It would be a modest modification to recognize and strengthen the development of Rea Road and those corners and again emphasizing the commercial section currently in the Land Use Plan is still the only area going to be considered.

Action Items –

- Land Use Plan confirms commercial center in its 5 year plan.
- Specifically address new Rea Road area and reemphasize Town vision - Planning Board to send text to Council.
- Adopt the Land Use Plan with a new date.
- Town Planner Burton to seek answer and background information to Rea Road alignment question.
- Administrator Piontek to put DOT Rea Road Extension files and link on Town website.

## **6. Long Term Median Planting**

Mayor Deter advised that Councilwoman Harrison took care of our long term planting plan. He asked what the Town is doing with the medians. He stated the entrance to Weddington is beautiful. He asked if the plan is to run that landscaping all the way through or put trees in there and suggested the Town have a plan.

Action –

- Median plan is already complete, Finance Officer Gaylord will research with prior staff on what it is and where it is within the next month. Landscape Architect and Urban Forester is a resource for this topic.

### **a. Discussion and Consideration of Daryl's Lawn Care invoice for medians**

Mayor Deter stated that this matter was addressed at the February Council meeting. Council had several questions and Councilwoman Propst volunteered to get the information and report back to Council at the retreat. Councilwoman Propst relayed those answers and Council was satisfied.

Councilman Smith moved to approve payment of \$14,630.00 on the invoice. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

Mr. Dow suggested that the Town consider entering into an agreement with NCDOT on maintenance of the right-of-way property in front of gymnastics center.

Action -

- Parallel work on median plan elements – Councilmembers Smith and Propst
- Get with DOT get agreement on maintaining the landscaping in front of Gymnastics center - Mr. Dow and Town Planner Burton

## **7. Residential Conservation District Subdivision Ordinance**

### **a. Minimum Lot Size**

### **b. Balancing density development**

When the Falls at Weddington was developed in theory 50% open space was expected in both sections. But it could be certain areas are less and some more when split by a road. The question is what do we do about it, balance on both sides or are we allowing flexibility on both sides.

- Do we want to increase the minimum lot size?
- Do you want to see a change to Conservation Subdivisions and if so what sort of change do you want to take place?

Mr. Dow stated that all things relate to one another. The benefits and goals of a Conservation Subdivision are to maintain the green open area that we want when the town is totally built out.

Action-

- Send it back to the Planning Board to look at things that control our lot size, minimum size lot increase, and setbacks. There is a lot that can produce the type of development that the Town will be pleased with, the developer will profit from and the homeowner will be pleased with. A developer will be forced to be innovative with his design.

Action -

- Create a formula – a minimum density ratio.
- Take it on a case by case basis on the typography.
- Lot size minimum, minimum building line width, setbacks, flexibility, case by case, goals spread out.

### **b.View Shed Priority**

Ms. Sharp read the ordinance pertaining to open space as it applies to conventional subdivisions. When the text was sent it read “should/ shall” but the Council changed it to “may”. Town Planner Burton recommended the text change because “may” doesn’t do anything and recommends “should”. She asked if that would still leave the Town the flexibility of not requiring a view shed above the buffer.

Action -

- Put shall unless as otherwise determined by the planning board (discretion language)

With respect to tiers for conservation subdivisions – priorities pertaining to primary conservation land, do we want view sheds added in tier a?

Action-

- Create a text amendment and put view shed in tier a.

## **8. Street Addressing Concerns**

Numbering is inconsistent on Antioch Church road and others. There is concern that emergency personnel will have difficulty responding. Councilman Smith advised that records for 911 are linked together with tax parcel and GIS mapping.

## **9. Sign Ordinances**

Town Attorney Fox provided an update on a recent Supreme Court sign decision and advised the sign ordinance needs to be revised.

- All signs must be the same on content (no discrimination).
- Sizes must be the same.

Action on political signs for the Planning Board

- Timeframe they can be out.
- Size of signs.
- Have attorney review ordinance and advise Planning Board.
- Planning Board to present proposal to Council.
- Check Ordinance on placing signage on trees.

## **10. State Forrest Harvesting Program**

Town Planner Burton explained that part of the issue that has come up is a property in Providence Acres that ended up being a part of the forestry program. A lot of residents have experienced unpleasant issues as a result of this program. The County Forester has reservations about municipalities putting in place regulations mitigating impact. However the residents are dealing with impact and Town Planner Burton pointed out which parcels are part of program: Carrington, property off Lochaven and Cottonfield Circle as well as some others. The County doesn't get the plans before they are implemented. You have to have a certified forester that has to be involved but are not required to come before the Town or county. There is an enforcement issue. He did not recommend that the Town do anything on the policy.

Action -

- Send a letter to parcel owners requesting they inform the Town if they are going to sell their land and consider select cutting and leaving buffers.
- Limited control over state program; we are not always notified.
- Weight limits on streets to prevent damage from timber trucks.

- Buffers left.
  - Voluntary best practices request from Town – sustainable forestry initiative.
  - Town Attorney will create letter mentioned above – to state forestry, to land owner, DENR and legislators outlining the issue and requesting assistance.
- Suggestions: *We would appreciate working with you to mitigate the damage with your program.*

## **Organizational Structures and Matters**

### **1. Expansion of Council from 4 plus Mayor to 6 plus Mayor** **a. Four (4) in district and two (2) at-large**

Town Attorney Fox explained what a charter is and how the charter can be changed. He suggested there needs to be an amendment to codify the change by ordinance adopted by the town. We can decide if we want to allow it to a vote of the residents, along with a public hearing requirement. The Council shall consist of any number not less than 3 or more than 12. It can be achieved by a charter amendment by this Council.

Councilman Buzzard stated the Town is very spread out and there are very distinct issues effecting portions of the town. He stated that we already have to live in a particular district but that doesn't mean it is represented. You are more obligated to those that voted than who you represent. He believes we could potentially work better or more efficiently with a larger group and provided examples. He summarized that it would enable the Council to have more people in a work session (3 as opposed to 2 now) in accordance with the open meeting law. The discussion resulted in the Council not being in favor of the suggestion for the following concerns:

#### Concerns:

- Possibility of 4 (including the mayor) representatives from the same district
- More people would be added expense for salaries
- Less accountability
- No real issue now that can't be overcome
- Added complexity
- Doubles the communications challenges for the Mayor
- Not enough space in chambers and at the council table

### **b. Elections would be majority not plurality**

The Council was not in favor of this suggestion because of the possible runoff expenses if there is no majority.

## **2. Reconstitute Parks & Recreation Advisory Board**

- a. Representation from Council, Planning Board and citizens at large**
- b. Create a meeting schedule**
- c. Would it include festivals and litter sweeps**

Mayor Deter asked that if Parks & Recreation is resurrected would the Council want them to have the responsibility of events and litter sweep as opposed to him and staff handling it.

Councilman Buzzard explained to be eligible for federal grant funds you have to have an established Parks & Recreation Committee. It makes sense that they would also be responsible for events. Some of the tasks involved would be events. A meeting schedule must be created and there should be representation from Council, Planning Board and citizens at-large. The Council agreed that they should be responsible for events.

Councilman Smith stated that he enjoys having the events but he recommends an Events Committee plan them.

Action –

Councilmembers Buzzard & Propst will:

- Create committee charter to determine the name, roles and representation.
- Intended to take the load off the staff and Council.
- Public Safety Committee member should be considered as part of this.
- Planning Board will be polled to find out if there is member interest in being a part of it and provide that information to Council Members Buzzard & Propst.
- Determine budgets for the Committee.
- Advertise for volunteers.

### **d. Weddington trails/greenways**

Mayor Deter explained he has had conversations with Mayors from other jurisdictions and the Town Planner on what it would encompass. He reviewed some results of past town surveys. Council had a conversation ultimately resulting in not being in favor of the trails and greenways for the following reasons:

- Cost analysis for public trail maintenance.
- Information on existing plan.
- Safety issues.
- Focus on connectivity on undeveloped property.

- Preservation of right of way.

Action –

As the Comprehensive Transportation Plan is reviewed, look at sidewalks and bike lanes. Mayor Pro Tem Titherington will work with Town Planner Burton on this.

### **3. Town Hall Repair**

Mayor Deter provided a proposal to put before the town for two actions:

1. Crawl space/venting  
Spend \$5,000 - \$8,000 to vapor barrier the crawlspace – condition, completely seal and put in dehumidifier.

Mayor Pro Tem Titherington suggested talking to Union County building inspector on crawl space solution suggestions.

2. Siding/painting  
Remove caulking and have house painted and fix rotted wood and shutters.

Action –

- Councilwoman Propst will get names of painters experienced on older homes.
- Get bids for both items.
- Get confirmation from Union County Building Inspector that sealing the crawl space is the right course of action.

### **FY2016-17 Budget Planning**

#### **1. YTD Performance to plan**

The Town Council received the FY2017 Estimated Town Operating Budget for FY 2017 and a list of Non-Operating Expenditures.

Items discussed:

- The name of Account 10-4110-340 should be changed to Publications.
- Change the name from Easter Egg Hunt to Spring Event.

Wesley Chapel Fire Department

- Get a line item budget detailing the \$711,000.00.
- Get explanations for how expenditures are allocated to Weddington.



- Why was there an increase in salary and savings in fuel?
- What is the \$67,000.00 for Capital?

## **2. Add budget line item for infrastructure**

Account 10-4130-220, transportation and improvements can be renamed as infrastructure. That is where current infrastructure expenditures are placed.

## **3. Wish List**

The group reviewed the wish list for Fiscal Year 2017.

## **4. Five year projections (operating and fund balance)**

Finance Officer Gaylord provided preliminary five-year projections to the Town Council for their review.

## **5. Budget Schedule**

Town Finance Officer Leslie Gaylord reviewed the budget preparation timeline.

Councilman Smith made a motion to adjourn the meeting. All were in favor with the votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

The meeting ended at 4:00 pm

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**Mayor Bill Deter**

Attest:

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Peggy Piontek, Town Clerk

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, MARCH 14, 2016 - 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 March 14, 2016, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Michael Smith, Scott Buzzard and Janice Propst, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Julian Burton, and Town Administrator Peggy Piontek.

Visitors: Bill Price, Anna-Marie Smith, Walton Hogan, Don Titherington Sr., Peggy Stallings, Andy Stallings, Pat Harrington and Mikki Weaver.

Mayor Bill Deter offered the Invocation prior to the opening of the meeting.

**Item No. 1. Open the Meeting** Mayor Deter opened the March 14, 2016 Regular Town Council Meeting at 7:00 p.m.

**Item No. 2. Pledge of Allegiance** Mayor Deter led in the Pledge of Allegiance.

**Item No. 3. Determination of Quorum** There was a quorum.

**Item No.4. Public Comments**

Don Titherington, Sr. – First of all I would like to thank the Mayor and Council for the work you have done. Times have changed and things are great. When you have a turnout like this that means you must be doing things well. Not a whole lot of conflict as I can see in the Town anymore. When I spoke in December I asked for two issues I thought that would be helpful to the community. Both of them have been addressed and one needs a little bit more work. At that time I mentioned about getting the fire department building signage up and I think that was done before the year end. The other one was the speeding on Providence Road. I would like to share with you something I observed. This was amazing to me. On Wednesday February 10<sup>th</sup> I was exiting the shopping center late afternoon and saw 6 police cars across the street at the new office building staged. In the course of 31 minutes they made 14 chased stops on Providence Road for speeding. Union County Sheriff's, Stallings, Monroe and Marshville police cars were present. There were six cars. At one time all six cars were out writing tickets. We've got an issue and obviously you've addressed it. I appreciate it and I think we need to continue on. But

one of the other observations from where I was sitting in the parking lot for 30 minutes was 11 of the 14 cars that were stopped people were either texting or on a cell phone. Police could not see that from across the chase area where they were staged because they were looking in the passenger side. So not only were they speeding some people were not paying attention when they were driving. I'm just asking you to go back. Thank you for that day, February 10<sup>th</sup> and I'm assuming that it continued on in the afternoon. I think we need more of it because at any given time of the day it's still a speedway and I appreciate what you've done. Thank you.

Mayor Deter – I would like to point out that I, on behalf of the Council, sent a note to Sheriff Cathey thanking him for getting his guys out here. He did acknowledge to me that we do have a problem on Providence Road and as he has resources available he will be getting people out there again.

Mayor Deter closed Public Comments.

**Item No. 5. Additions, Deletions and/or Adoption of the Agenda**

Mayor Pro Tem Titherington moved to adopt the Agenda. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

**Item No. 6. Consent Agenda**

- A. Review and Consideration of 2017 Urban Archery Season Renewal – *This matter was removed from the Consent Agenda and placed under New Business as item 11b*
- B. Review and Consideration of SR-2 Resolution for Timber Top Court, Pine Needle Court, Twin Lakes Drive and Lake Forest Drive in Lake Forest Subdivision. **(COPY ATTACHED HERewith AND MADE A PART OF THE RECORD)**
- C. Call for public hearing: Review and Consideration of a Text Amendment to Section 58-4 to revise the definition of open space and further prioritize view shed protection.
- D. Call for public hearing: Review and Consideration of Text Amendments to Section 58-58 to further prioritize the view shed in conservation subdivisions, and to encourage even distribution of conservation land when proposed subdivisions are divided by a thoroughfare.
- E. Call for public hearing: Review and Consideration of a Text Amendment to Section 58-146 to further control signs placed on trees within a right-of-way.

Councilwoman Janice Propst – I want to talk about the Urban Archery. I am not opposed to hunting because obviously we have had hunting in the area for a long time. But we do already have muzzle loader season with guns. We have the whole gun season and Urban Archery is an extra month from January.

Mayor Deter – Let’s do this from a process standpoint, let’s make a change to the agenda and pull Urban Archery out of the Consent Agenda. You can make a motion to pull it out of the Consent Agenda and let’s just add it under New Business 11b.

Councilwoman Propst made a motion to move item 6a out of the Consent Agenda to 11b for further discussion of Review and Consideration of 2017 Urban Archery Season Renewal and to approve the remaining items b through e of the Consent Agenda. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

**Item No. 7. Approval of Minutes**

A. January 11, 2016 Regular Town Council Meeting

B. February 8, 2016 Regular Town Council Meeting

Councilman Michael Smith moved to approve the January 11, 2016 Town minutes as well as the February 8, 2016 Town Council minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

**Item No. 8. Public Hearing and Consideration of Public Hearing**

A. Review and Consideration of Text Amendment to Section 58-543 of the Zoning Ordinance to correctly reference the “Setbacks from Streams” section of the Ordinance (Section 58-520).

Town Planner Julian Burton – This is a housekeeping item in our Stormwater Management Ordinance or policy, Section 58.543. There’s a citation that we realized was incorrect under #11. So this text amendment corrects it to cite the correct other section of the ordinance for the setbacks from streams.

Mayor Deter opened and closed the Public hearing as no one signed up to speak.

Mayor Pro Tem Titherington moved to approve change to Text Amendment 58-543 Setbacks and Streams section of the Ordinance to 58-520 as recommended by staff. **(COPY ATTACHED HERewith AND MADE A PART OF THE RECORD)**

All were in favor, with votes recorded as follows:

AYES Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

## **Item No. 9. Old Business**

### **A. Review and Consideration of revised Public Records Request Policy and Form**

Mayor Deter – This came up at our Retreat in February. We had some discussion and we now have documents here. Council has provided various inputs. I believe this has also been reviewed by the Town Attorney.

Town Attorney Anthony Fox – It has. I think one thing to note both the policy and form go to great pains to say that the records of the Town are public and if it's an official public record then the public is entitled to it. But for purposes of efficiency and to the accuracy of insuring that the public's request is met through the production of requested records sometimes a form may be required.

Mayor Pro Tem Titherington moved to approve the revised Public Records Request Form, which really sets to clarify the request in a way that staff can efficiently and accurately provide those records as staff recommended as well as the adoption of the revised policy language. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**  
All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

## **Item No. 10. Town Hall Update**

### **A. Review and Consideration of exterior painting and wood repair.**

Mayor Deter – You had in your agenda packet three quotes from Nu Hue, 360 Painting and Certa Pro. I did send out to all of you (hopefully you received it) a summary of those because I know a lot of times one can go in to quotes and try to figure this out and that out. In a nutshell we have three quotes and you can see that Certa Pro did not want to quote on removal of the caulking. I did break out the painting and repair. My personal recommendation is that Nu Hue is the vendor we would want. They have experience with old homes in the Charlotte area. They also offer an option that Council should consider for \$350.00 annual fee they will come out and power wash the house, fill in any cracks that may show up and do any touch up that is needed. Unless there is any discussion I would be looking for a motion. I have had some discussion with Leslie who tells me we should be able to cover that out of the Fiscal 2016 budget. If there are no questions or discussion I will ask for a motion.

Mayor Pro Tem Titherington – If we were to enter into that annual \$350.00 maintenance because with wood, mildew/mold is the biggest part of the problem. That seems to be a very reasonable, but do we need to do that with a contract or do you want to handle that separately?

Town Attorney Fox – I think that if you do proceed with the recommended contractor then make the motion subject to review of the contract by your attorney and that will be reflected in your contract.

Mayor Pro Tem Titherington moved to approve the vendor Nu Hue to provide the paint, material, labor for a total of \$18,750.00 not to exceed. **(COPY CAN BE FOUND IN THE CLERK'S OFFICE)**

Town Attorney Fox – Does that include the annual \$350.00?

Mayor Deter –It's actually \$22,500.00

Mayor Pro Tem Titherington – Right but you have \$3,750.00 for the caulk removal because we had separate quotes from other people. \$22,500 in aggregate and then the third component would be to do the annual power washing touch up for \$350.00 subject to review by the Town Attorney. **(COPY CAN BE FOUND IN THE CLERK'S OFFICE)**

All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

Mayor Deter – Hopefully once Anthony reviews that contract we can get moving on that. One of the things they did recommend was they are going to get out there and get the caulking out and actually let the house breath for a while and then they will come back out and do wood repair and start painting.

#### B. Review and Consideration of crawl space sealing process

Councilman Smith – We discussed it at the retreat I think everybody had a chance to look at the quotes. Pretty much from what I learned after I left home you can pretty much throw those quotes away. This is going to be my recommendation. I contacted the County Inspectors on this and this falls under commercial and in order to fully encapsulate what we discussed at the retreat you would have to pull a permit. It requires venting to the outside which would be in the way of a pipe, drain pipe or a pump and we have a pump that works. But in addition to that we would have to heat and air condition it just the same as the Town Hall. They took off their inspector hats both the residential and the commercial inspectors. As to their personal opinion they weren't allowed to render any. It was hypothetical. They said that really for a 125 year old home there's no problem, there's no rotting wood, no wood issues, there's no issues under there. They would not recommend it. So my recommendation is to replace the vents that need replacing with manual vents. The ones that open and close automatically tend to break down. Bill and I have both not heard anything positive about them. I recommend buying manual vents that can be opened and closed for the appropriate season. There is re-pointing that needs to be done. Some foundation work, it's not critical but it needs to be done and I recommend we do that. The commercial inspector said he would not recommend putting plastic down because there is no issue under there. That's optional to the Council and I will leave that up to the Council. My main recommendation is to repoint the brick and replace the vents. If we do go

with repointing which needs to be done, I did notice the chimney needs to be done also. I would recommend that we have the mason go around and repoint anything that needs to be repointed.

Mayor Pro Tem Titherington – From my perspective it's probably not a bad idea to have this visqueen or the plastic put down. That's usually 8 mils and is about \$750.00 at most. It does prevent some issues and doesn't hurt. The only other thing I wondered is if the pipes are sweating. So if we keep the vents open which is great do we just have someone take a look at insulating any of the wire or pipes so we don't have to worry about things in the cold weather?

Councilman Smith – It's questionable which ones are sweating because I went underneath there. There's a lot of water piping that no longer exists and a lot of loose wiring. What I did see and wasn't sure if it was from the air conditioning is there was a lot of flex pipe down there that I know I had in my house for water. So we could have that looked at. But there really hasn't been an issue. That's my recommendation.

Mayor Deter – For clarity the action item is to get three quotes for the manual vents to be installed and the bricks to be repointed on the house. So we had review and consideration do we even need to take a vote on this?

Town Attorney Fox – No. You are not really having movement on the item on the agenda and you are giving direction to obtain more quotes on bringing something back.

#### **Item No. 11. New Business**

##### **A. Review and Discussion of Preliminary Budget for Fiscal Year 2017**

Finance Officer Leslie Gaylord – I want to show you the changes we made since the retreat. For the actual numbers for the year I have updated them through the end of March. We had them coming into February through the end of January. I had to revisit projections and added the budget for the current year so you would be able to see it and compare it to what next year's proposed budget is. There weren't any changes to the operating budget. What we ended up with after operating expenses and revenues is a net operating budget of approximately \$932,000.00. That's the money that we have basically to fund for the fire department and all that good stuff. That's what's on the page of non-operating expenditures. Then I went through the notes that I took at the retreat and the amounts that we all discussed and put them in to say if we funded all the things we discussed what would we be looking at. We would have net revenue of \$506.00 although we don't have a litigation number in there yet. But if we do the building maintenance in this fiscal year that money could get reallocated somewhere else because I have it both places for right now.

Mayor Deter – When I looked at the non-operating expenditures, I know you are going to get up with Julian and come up with a number for subdivisions and future revenue. Right now we're not sure what that number is.

Finance Officer Gaylord – Yeah, I have to wait for April when things are a little closer to being in the pipeline and having an idea of what's out there. We also get our tax estimate from the County in April. We get our deputy number in April and towards the end of this month we will get from the League of Municipalities estimated revenues projections. So next month we will have a lot more information.

Mayor Deter – I'll mention some things so Council can think about them next month or the month after. Trying to come up with a balanced budget I plugged in \$60,000.00 revenue for subdivision fees and I plugged in \$100,000.00 for litigation. Trying to offset and balance things I was looking at the painting and siding. We have \$35,000.00. I reduced that by \$15,000.00 and we still have \$20,000.00 in there.

Finance Officer Gaylord – That's what I was saying because we weren't sure what the timing of that was going to be so I have it in both years.

Mayor Deter – I still left \$20,000.00 in there to do some roof work. I went down under street lights we had \$18,000.00 and \$18,000.00. I took the \$18,000.00 out. If I do that and my math is right we still are about \$7,000.00 short, with the information we have now, of balancing the budget.

Finance Officer Gaylord – One thing also that is not on here is the new sales tax on services. There is a potential to bump up in sales tax revenue. I'm waiting to get the estimates from the League on that.

Mayor Deter – There are other things we can do on this, but I was trying to scrounge around for another \$7,000.00 and I went back. Don and I discussed this and I might have misunderstood, under 41-10-340 Events and Publications, you put in \$12,000.00. That's because of festivals and stuff and if I go back into the non-operating....

Finance Officer Gaylord – Yeah, that's for the newsletters and that's the maximum amount that we would spend. That's assuming that we would do four to six newsletters a year when actually we only average two or three.

Mayor Deter – Okay so we are within striking distance and it's still very early.

Finance Officer Gaylord – The other piece I don't know about is the audit number for the fire department. I don't know if that is something that's going to be paid out or not.

Mayor Deter – We can keep that as a placeholder for right now.

Finance Officer Gaylord – Right. I know we haven't had to pay anything yet this year.

Mayor Pro Tem Titherington – I think when you look at the house you were saying for this year we actually had a general fund assigned house maintenance that we have been accruing over the years that Leslie has some good news on.



Finance Officer Gaylord – We are paying it out of our operating budget so we had set aside that we could pay out of fund balance if we needed to and we're not going to need to. I did on the assignment of fund balance go ahead and leave it. I just left that alone and didn't add any more to it for next year. We're having a good year.

Mayor Deter – This is a good budget. It should be noticed we put \$50,000.00 into the infrastructure fund anticipating DOT projects and other things. We've covered the house which is a pretty major expense. We're plugging in \$100,000.00 for litigation; without litigation we'd be at \$150,000.00 in the infrastructure fund. So on the surface I think this is a good budget.

Finance Officer Gaylord – Before we move on I think maybe we should just go ahead and bring it back at the April Council Meeting and then if we need to we can schedule a work session. As long as everyone is good with where we are.

Mayor Deter – I think we should have it as an agenda item.

Finance Officer Gaylord – Right. If there are some things that still need to be discussed after the April meeting we'll have a work session. But if it's looking clean...

Mayor Deter – Do you think you will have your more firm numbers early or late April?

Finance Officer Gaylord – It could go either way. I might have it the day of the Council Meeting on April 11th.

Mayor Pro Tem Titherington – We do have two street lights in this year's budget. Are we going to table that for discussion this month to kind of move that into this year or tackle that next year? What's your preference?

Finance Officer Gaylord – We'll get to that when we do the financial statements. I made a budget transfer from the current year and I went ahead and took that out of this year's budget and moved it to next year. So that the \$18,000.00 that's in there is the same two street lights from this year.

Mayor Deter – Am I correct if we just map the street lights around here that if we added a street light somewhere in the town don't we work that through Union Power? We pay for the electric for X dollars a month or something.

Councilman Smith – Well it used to be that way. We kind of dealt with that in my neighborhood. It used to be that way but it's pretty pricey.

Finance Officer Gaylord – A couple thousand dollars, right?

Councilman Smith – It's a pretty steep price because they were having people installing them in their neighborhoods and then backing out of them and closing it down and they got stuck with the bill. So it's a pricey event.

Mayor Deter – So now it's a one-time fixed cost or is it a monthly fee?

Councilman Smith – It's like \$11,000.00 I think. For some reason that sticks in my head.

Finance Officer Gaylord – When we bought our street lights from a vendor, I forget if we had Boswell or something, but they are the ones that we have now.

Councilman Smith – I remember something about that.

Finance Officer Gaylord – I know that depending on where you put them you might need to coordinate with DOT to make sure that you can.

Councilwoman Propst – So you're saying if you purchase the street light then you pay whatever the monthly charge is for the electric?

Councilman Smith – Union County used to have a better deal than Duke. You were able to split between Union and Duke but it flip flopped. Union now I think is pretty pricey and you have to buy them and then in addition to pay the monthly charges.

Mayor Deter – I guess I would ask staff to investigate how lighting works. At the retreat we talked to the Public Safety Committee about possibly putting a light there at Tilley Morris and Weddington Matthews Road.

Councilman Smith – If there's a power line or a pole they can put it on that's easy to do. If it's not near an electrical box then they have to run a wire that connects to it.

Finance Officer Gaylord – I know that while they were doing the construction we had them to put the conduit in to be able to have the lights at the traffic circle. So if you have to install that it gets pretty pricey.

B. Review and Consideration of 2017 Urban Archery Season Renewal – *this item was moved from the Consent Agenda as a result of a motion made by Councilwoman Propst*

Councilwoman Propst – I would like to discuss it. A citizen called me about the program and asked that we consider not having it. I thought about it and thought okay, the Town has grown quite significantly in the last few years. I'm neither here nor there there are homes still here. We have the muzzle loading season, early in season and then we have the regular gun season which you can actually do archery and hunting and then the Urban Archery is a month later and I just had these arrow points in my possession because my brother used to be an avid archery hunter. But as Weddington is changing people call me at night when they hear guns go off in the middle of the night during hunting season. So do we really need to have an extra month of archery in Weddington? I just felt we should have a conversation just because how many new Weddington residents do we have in the last two years? How many new homes and how many new neighborhoods do we have? Like I said I was sharing the points with Mike and I was looking at them. The people that go out in the woods in the winter for a walk, I just thought is this really safe for them? So I just wanted to have that conversation.

Mayor Pro Tem Titherington – From my perspective the season in North Carolina is actually very short when you look at surrounding states and archery season is probably about the safest manner. If you are worried about that even regular hunting seasons issues have dropped significantly with the safety regulations that are out there. Typically people archery hunting are doing it from a tree stand and your effective rate is about 40 to 45 yards. If you're really good you might be about 60 to 65. So I wouldn't be worried about somebody walking through the woods and running into an issue. The other issue that you really need to think about is as our deer population continues to grow it does become a safety issue. The amount of deer vehicle accidents has gone up within the insurance industry. I don't have the actual information. I didn't know we were going to discuss this. But off the wall directionally correct is well over a billion dollars a year just on deer vehicle accidents. So from my perspective when you think about our environment the reality is most of these deer drop twins every year. So if you have 10 today out of those 5 bucks you're going to have 15 does next year and it goes up. So to the extent that it helps control the population that's why North Carolina Wildlife Service's put it out there to solicit the municipalities because that's where they have the biggest challenge. It's not the guys hunting on leases South of Waxhaw it's really the municipalities. We will see most of the municipalities have actually adopted it really more from a health and safety perspective. So my vote is to continue to keep it there.

Councilman Buzzard – I would tend to agree with Don. I think that we are still a rural area. I think it's still a valid program for us. If and when we are ever 100% built out we might want to revisit it but of all the hunting that's done it's the safest.

Councilman Smith – I agree that it's a big issue in every state but I do appreciate Janice bringing it up because as we grow out it's something we will need to take a look at.

Councilwoman Propst – The biggest issue is more of the guns you hear at night because I do get people calling me about the guns and asking what is that. I'm like "call the Sheriff's office, I don't know." I was just thinking there are a lot more communities so I just thought we should at least have a conversation. Again, this is probably the safest. I'd rather have this being shot than a gun near my home but I just thought we should at least have a conversation because there are new neighborhoods.

Mayor Deter – I think it's a good conversation and I don't know whether it's possible going forward can we get a determination of how many deer are actually taken during archery season?

Mayor Pro Tem Titherington – North Carolina is not a check in state so if you were to go to Pennsylvania for example they do keep harvest records. But I don't believe North Carolina does.

Councilwoman Propst – I can check into that because I know when my brother did kill we did actually report. But I don't know how that works.

Mayor Pro Tem Titherington – It's a voluntary system.

Councilwoman Propst – So I can check into that for you. I'd love to see it. I just thought it was worth the conversation because I had people call me and say "I don't like this" and I thought well let's have a conversation. It says on the program that there are only 50 towns that actually do participate. I looked at the list and said "well Weddington's a small community and we don't have many forests left but..."

Mayor Deter – 50 towns in North Carolina?

Councilwoman Propst – Participate.

Mayor Deter – Yes, because there are 17 towns in Union County.

Councilwoman Propst – Yes, well we are more rural.

Mayor Deter – I don't think they all participate, I don't think Monroe does.

Councilwoman Propst – We're a more rural area so, okay.

Mayor Pro Tem Titherington moved to approve Weddington's participation in the 2017 Urban Archery Program . **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)** All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

#### **Item No. 12. Update from Planner**

Town Planner Burton – I put my report or update in the packet. We do have a post hearing meeting for Rea Road on March 22<sup>nd</sup>. I know I heard there are a couple of things we need to try and check in on before that meeting but that should give us additional information as well. In addition to checking on a few things, I know that Don wanted to get some maps about impact of sidewalks and easements on the WCWAA property. I'll check back in. There were several things that we asked about in some emails after the initial hearing.

Mayor Pro Tem Titherington – Just for Council's information, I did ask Julian to make another polite request because when the meeting was back in January it was pretty clear that we had specific questions that as town representatives should be glad we had them. I know several went in and it's been a black hole so I've just asked him to make the first pass and if that does not get a result I would like to authorize staff to, under Town Council's signature, make another polite request to DOT prior to our going to get some action on that. If you guys are comfortable with that I would just like to phase I and phase II.

Town Planner Burton – Several subdivisions are still going through different approvals. I can answer questions about anything there. We will have another meeting, I'm waiting to hear the

exact date, but it will probably be the last week in March for a follow up with the critical intersection analysis that Union County is undertaking. I put the summary and list of 15 intersections in your packet as well from the first meeting. I'm happy to answer any questions from Council.

Mayor Pro Tem Titherington - Do we have any update on Matthews Weddington Road and DOT when they are going to start that?

Town Planner Burton – No, we do not.

Mayor Pro Tem Titherington - Because when we get that we may want to post that update on the Town website because that will be a traffic challenge.

**Item No. 13. Code Enforcement Report**

Town Planner Burton – It does appear that #4 may be resolved. We are trying to confirm that with the property owner but we do have some evidence that may be resolved in terms of the electrical contractor business operating from the home.

**Item No. 14. Update from Finance Officer and Tax Collector**

Town Finance Officer Gaylord – You have in your packets the monthly financials. Per Don's request you've got some green and yellow lines on there. For revenues green means we're doing better than we budgeted, expenditures green means we're coming in less than what we budgeted. The yellow are the lines that I'm watching and fortunately we don't have any red which would be things are bad. We are in good shape. We also have a budget change sheet where I made some line item budget transfers. We needed some additional funding in litigation and grounds maintenance and I just showed you where I moved the money from to swap out and give the money where we needed it.

Councilwoman Propst – So you moved it from the consulting?

Finance Officer Gaylord – Right. Well, I moved it from transportation and improvement. That was the street lights. We probably won't end up doing those until next fiscal year. Consulting, contract labor we budgeted to do a website redesign and we are going to push that into next year so I moved that money out. The festival money was because we came in under budget on that, knowing that we don't need that money anymore and then events and publications we didn't do as many newsletters as we had budgeted for. So it just reduced those budgets and upped the others. There was a net zero effect on our total budget. One thing I did want to say, I meant to say it when I was talking about the proposed budget, I did get with Steve McLendon about the fire department and he's working on getting us the information that you requested. He's got to present it to his Board and he will have it for the April meeting.

Mayor Pro Tem Titherington – Great job, well done.

#### **Item No. 15. Public Safety Report**

Councilman Smith – The Chairman couldn't make it tonight so he asked me to make some brief comments. Last month's meeting was cancelled. They did a tour of the 911 center which went very well. There were some great questions asked and it was given by the Director of 911, Larry Brinker. Some good contacts were made there and at that visit Larry has agreed to help the committee wherever it's needed. They are in the process of making up a manual. It's kind of a footprint of what the committee does so as the committee changes over and changes hands there will be some documentation on direction and what it does so it won't flounder. They are on schedule with their assigned tasks and so there will probably be some updates within the next month or two on radar schedules and some of the things they are working on that was assigned by Council.

Mayor Deter – I would like to give kudos to the Public Safety Committee. Gordon Wilson has done a great job in bringing a higher level of sophistication and analysis to car counts. Of course Marcos is leading that group so I want to give them that "Atta boy" and "Atta girl".

Mayor Pro Tem Titherington – Mike maybe you can help me with this. When I go through the total calls for the month traffic stops popped up a little bit and I'm sure that was based on some of the activity on Providence but the radar patrol is still kind of down. So is there any explanation from the deputies on that? Is that their own radar patrol here in town that they are conducting?

Councilman Smith – Yeah, I doubt very much what you saw up there. That was a special task force and I doubt very much that was probably added in there so that's probably just their staff.

#### **Item No. 16. Transportation Report**

Councilman Buzzard – Not a whole lot to report, I did get a letter off to NCDOT, Warren Cooksey, with regards to questions and comments that were solicited for the I77 toll lanes. I don't know if there's a time frame to hear back but I'll keep Council posted if/when we hear back on those. Outside of that we talked at the retreat getting some feedback for upcoming CRTPO items that you might want to change or at least amend some of the LARTP information so that we've got a good body of work for them to look at. Mayor Deter was very good with having gone through that and came back with some comments. If you have any questions on that feel free to ask. If not, Julian and I will be breaking it up into smaller chunks as things come about.

Mayor Deter – It's a big report, 267 pages, but I would encourage Council to go through it and provide your input to Scott because he's our guy on this. This is an opportunity. You will see stuff there that is now obsolete from a 2009 report. There are a lot of things that have been implemented and a lot of things that changed so I encourage Council to find some time to go through that report and give Scott your feedback.

#### **Item No. 17. Council Comments**

Mayor Pro Tem Titherington – I want to shout out to you and staff for what you have done so far for this upcoming event this weekend. We will look forward to that and tomorrow is the Primary Day so if you haven't done early voting get out and vote and exercise your right.

Councilman Buzzard – I want to thank everyone for coming out and listening to us again tonight. Always good to see a bit of a crowd in the audience.

Councilman Smith – I want to thank everyone for coming out. I appreciate it. I would like to take this opportunity to recognize Bill Price. Bill was on the first elected Council to Weddington and he shows up regularly to these meetings. Keeping an eye on us to make sure we're doing everything that we need to do. It's always a pleasure to see you out there so thank you for coming.

Councilwoman Propst – I'll second that one, Bill. I appreciate your diligence to the Town and I appreciate everything you've done. Thanks everyone for coming out and come out Saturday to the Easter Egg Hunt.

Mayor Deter – Everyone's talking about the Easter Egg Hunt. There has been a lot of work done. Peggy and staff and some town residents have done the yeomen's job. We've got 4,000 eggs stuffed, we've got a bunch of Easter baskets, and we've got some bicycles that we are going to be giving away. We piggybacked on the hard work Barbara did and collected almost \$1,500.00 from involved businesses in the community that I believe will more than support the expenses we incurred from this. I did send Council a note as I'm looking for volunteers. Don and I will get together Friday morning to do some stuff. I know some people are out of town but if anyone is willing or has the time we are looking for help Saturday before and after the event. Once we get the Easter Egg Hunt behind us, the next event will be the Litter Sweep and I will be talking to you about that soon too. I'm feeling confident about the Easter Egg Hunt. I set a tentative date for the Fall Festival on September 17<sup>th</sup>. I want to recognize Pat. I see he's back there. He is going to offer his services as the Easter Bunny again this year. I was having trouble finding someone that wasn't too tall and wasn't too small to fit. So Pat, I know Barbara's trained you and you know how to handle that. I want to thank Barbara, who is one of the residents that came here to help stuff eggs and put Easter Baskets together. As I said before I want the Town

to build on the good foundation that was created. Having said that I appreciate everyone coming out. I love to get people engaged in government.

**Item No. 18. Adjournment**

Councilman Buzzard moved to Adjourn. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

The meeting ended at: 7:52

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**Mayor Bill Deter**

Attest:

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Town Clerk Peggy S. Piontek



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

**R-2016-01**

**North Carolina**

**County of Union**

**Road Description: Timber Top Court, Pine Needle Court, Twin Lakes Drive and Lake Forest Drive in Lake Forest Subdivision**

**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 14<sup>th</sup> day of March, 2015

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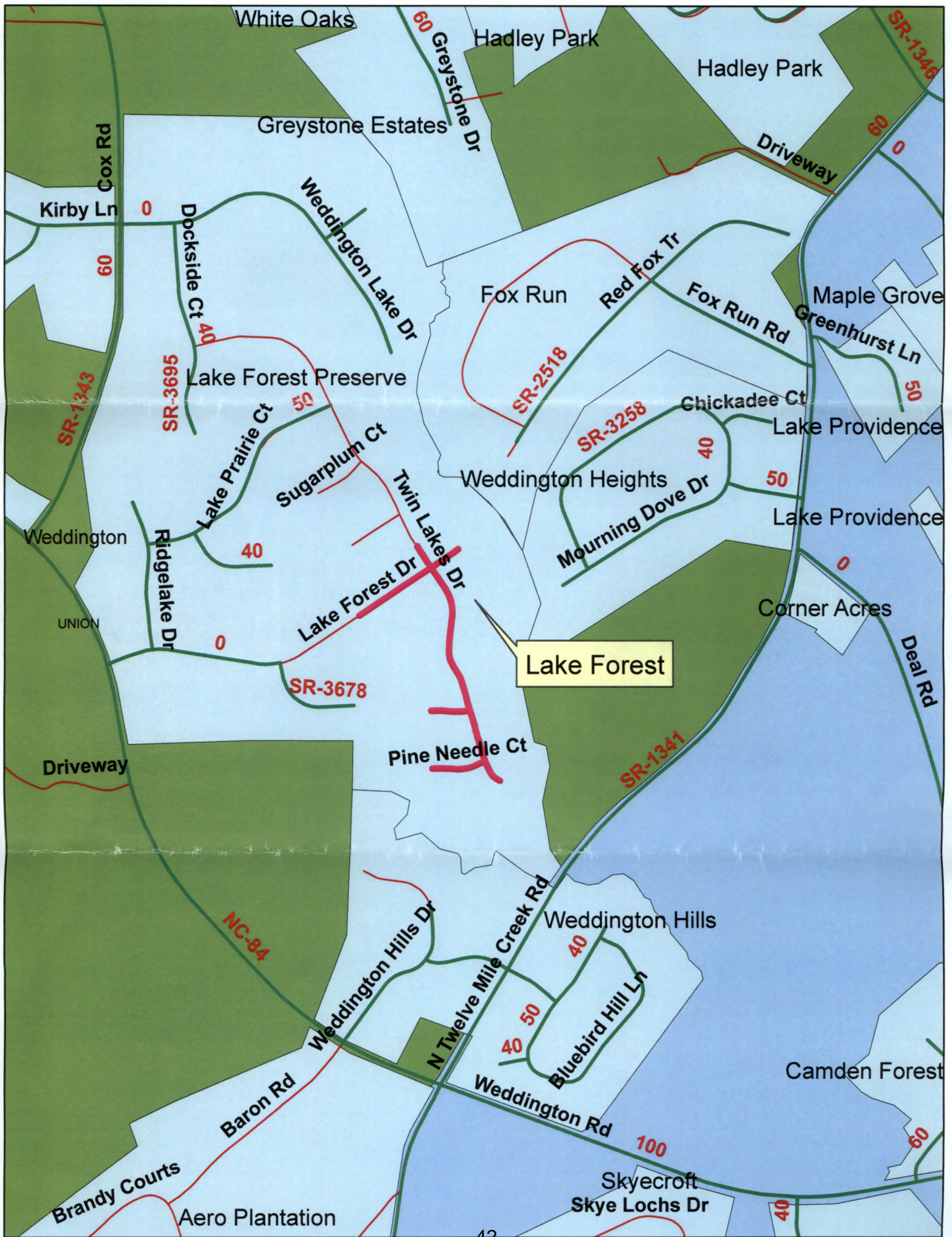
Bill Deter, Mayor

Attest:

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Peggy S. Piontek, Town Clerk







**AN ORDINANCE TO AMEND SECTION 58-543.2  
OF THE CODE OF ORDINANCES  
OF THE TOWN OF WEDDINGTON**

**O-2016-1**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-543.2 OF  
THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

Sec. 58-543.2. - Maintenance of stormwater facilities.

- (a) General standards for maintenance. The owner, its successors and assigns, including any homeowners association, of a stormwater management facility installed pursuant to this division shall maintain and operate the practice so as to preserve and continue its function in controlling stormwater runoff at the degree or amount of function for which the facility was designed.
- (b) Operation and maintenance agreement.
  - (1) Prior to the conveyance or transfer of any lot or building site to be served by a stormwater control facility pursuant to this division, and prior to issuance of any permit for development requiring a stormwater control facility pursuant to this division, the applicant or owner of the site must execute an operation and maintenance agreement that shall be binding on all subsequent owners of the site, portions of the site, and lots or parcels served by the facility. Until the transference of all property, sites or lots served by facility, the original owner or applicant shall have primary responsibility for carrying out the provisions of the maintenance agreement.
  - (2) The operation and maintenance agreement shall require the owner or owners to maintain, repair and, if necessary, reconstruct the stormwater control facility, and shall state the terms, conditions and schedule of maintenance for facility. In addition, it shall grant to the town a right of entry in the event that the town administrator has reason to believe it has become necessary to inspect, monitor, maintain, repair, or reconstruct the facility; however, in no case shall the right of entry, of itself, confer an obligation on the town to assume responsibility for the facility.
  - (3) A maintenance plan must be attached as an addendum to the operation and maintenance agreement which identifies the specific maintenance activities to be performed for each facility. The operation and maintenance agreement and maintenance plan templates to be completed may be obtained from the Town of Weddington. The operation and maintenance agreement must be approved by the town administrator prior to construction plan approval. The agreement shall be referenced on the final plat and recorded with the county register of deeds upon final plat approval. A copy of the recorded maintenance agreement shall be given to the town administrator within 14 days following its recordation.
  - (4) For all stormwater management facilities required pursuant to this division, the required operation and maintenance agreement provided by the owner, homeowner's association, or similar entity, shall include all of the following provisions:
    - a. Acknowledgment that the owner or association shall continuously operate and maintain the stormwater management facilities.
    - b. Establishment of an escrow account, which can be spent solely for sediment removal, structural, biological or vegetative replacement, major repair, or reconstruction of the stormwater management facilities. If stormwater management facilities are not performing

adequately or as intended or are not properly maintained, the Town of Weddington, in its sole discretion, may remedy the situation, and in such instances the Town of Weddington shall be fully reimbursed from the escrow account. Escrowed funds may be spent by the owner or association for sediment removal, structural, biological or vegetative replacement, major repair, and reconstruction of the stormwater management facilities provided that the Town of Weddington shall first consent to the expenditure.

- c. Both developer contribution and annual sinking funds shall fund the escrow account. Prior to plat recordation or issuance of construction permits, whichever shall first occur, the developer shall pay into the escrow account an amount equal to 15 percent of the initial construction cost of the stormwater management facilities. Two-thirds of the total amount of sinking fund budget shall be deposited into the escrow account within the first five years and the full amount shall be deposited within ten years following initial construction of the stormwater management facilities. Funds shall be deposited each year into the escrow account. A portion of the annual assessments of the owner or association shall include an allocation into the escrow account. Any funds drawn down from the escrow account shall be replaced in accordance with the schedule of anticipated work used to create the sinking fund budget.
  - d. The percent of developer contribution and lengths of time to fund the escrow account may be varied by the Town of Weddington depending on the design and materials of the stormwater control and management facility.
  - e. Granting to the Town of Weddington a right of entry to inspect, monitor, maintain, repair and reconstruct stormwater management facilities.
  - f. Allowing the Town of Weddington to recover from the owner or association and its members any and all costs the Town of Weddington expends to maintain or repair the stormwater management facilities or to correct any operational deficiencies. Failure to pay the Town of Weddington all of its expended costs, after 45 days' written notice, shall constitute a breach of the agreement. In case of a deficiency, the Town of Weddington shall thereafter be entitled to bring an action against the owner or the association and its members to pay, or foreclose upon the lien hereby authorized by the agreement against the property, or both. Interest, collection costs and attorney fees shall be added to the recovery.
  - g. A statement that this agreement shall not obligate the Town of Weddington to maintain or repair any stormwater management facilities, and the Town of Weddington shall not be liable to any person for the condition or operation of stormwater management facilities.
  - h. A statement that this agreement shall not in any way diminish, limit, or restrict the right of the Town of Weddington to enforce any of its ordinances as authorized by law.
  - i. A provision indemnifying and holding harmless the Town of Weddington for any costs and injuries arising from or related to the stormwater management facilities, unless the Town of Weddington has agreed in writing to assume the maintenance responsibility for the BMP and has accepted dedication of any and all rights necessary to carry out that maintenance.
- (c) Maintenance easement. Prior to approval of the final stormwater management plan, the applicant or owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land, including any homeowners associations, served by the stormwater management facility. The agreement shall provide for access to the facility at reasonable times for periodic inspection by the Town of Weddington, or their contractor or agent, and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this division. The easement agreement shall be recorded in the Union County Register of Deeds land records.
- (d) Inspections. The person responsible for maintenance of any stormwater management facility installed pursuant to this division shall submit to the zoning administrator an annual inspection report from a qualified, registered North Carolina professional engineer performing services only in their

area of competence during the renewal window prescribed in the Town of Weddington Annual Enforcement Manual. Failure to provide the inspection report may result in enforcement and penalties described in Section 58-3. The inspection report shall contain all of the following:

- (1) The name and address of the land owner;
  - (2) The recorded book and page number of the lot of each stormwater management facility;
  - (3) A statement that an inspection was made of all stormwater management facilities;
  - (4) The date the inspection was made;
  - (5) A statement that all inspected stormwater facilities are performing properly and are in compliance with the terms and conditions of the approved maintenance agreement required by this division; and
  - (6) The original signature and seal of the engineer. An original inspection report shall be provided to the zoning administrator beginning one year from the date of as-built certification and each year thereafter on or before the anniversary date of the as-built certification.
- (e) Records of installation and maintenance activities. The owner, its successors and assigns, including any homeowners association, of each stormwater management facility shall keep records of inspections, maintenance, and repairs for at least five years from the date of creation of the record and shall submit the same upon reasonable request to the zoning administrator.
- (f) Nuisance. The owner, its successors and assigns, including any homeowners association, of each stormwater management facility, shall maintain it so as not to create a nuisance condition.

(Ord. No. O-2014-14, 11-10-2014; Ord. No. O-2015-08, 6-8-2015, Ord. No. O-2016-1, 3-14-2016).

**Adopted the 14<sup>th</sup> day of March 2016**

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**Bill Deter, Mayor**

Attest:

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**Peggy Piontek, Town Clerk**

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# TOWN OF WEDDINGTON

*You have a right to any public record of the Town. The purpose of this form is for staff to be able to provide the records efficiently and to ensure the accuracy of the records you are requesting. Staff will be happy to assist with this form or answer any questions pertaining to same.*

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The Town of Weddington requires payment in accordance with the adopted Public Records Request Fee Schedule and the signature of the requestor before the release of any Public Record. Persons making a Public Records Request may obtain a copy of the adopted Public Records Request Fee Schedule from the Town Clerk or on the Town website.

Date of Request:

Name of person or group making

request:

Name of person responsible for payment:

Address/phone number to contact person making request:

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Complete description of the requested records (including title, date and location, if known):

Form of request: ☐ Inspection ☐ Electronic Copy ☐ Copying

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*Signature of requesting party*

*(Do not sign unless you have received the items requested above)*

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*Date*

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## For office use only

Total number of copies provided:

Amount due in accordance with fee schedule: \$

Payment received (method) Check ☐ Cash ☐ Money Order ☐

Staff filling request:

Date request filled:



## North Carolina Wildlife Resources Commission

Gordon S. Myers, Executive Director

### Deer Urban Archery Season Renewal Form

Name of Municipality: Town of Weddington

February 3, 2016

County: Union

Participation in the **2017 Season** (dates are *Jan. 14 to Feb. 18*) ☐ Yes ☐ No

It is Wildlife Management policy to provide a complete list of participating municipalities to the hunting public in the *Regulations Digest*.

Please indicate a phone number and/or Internet address for listing in the *2016-2017 Inland Fishing, Hunting and Trapping Regulations Digest*:

Phone: \_\_\_\_\_

Internet address: \_\_\_\_\_  
(Please Print)

Are there any changes to the map submitted with your participation letter? ☐ Yes ☐ No

*If yes, please attach new map to this form. (No larger than 11" X 17")*

Name of Municipality Representative: \_\_\_\_\_  
(Please Print)

Signature of Municipality Representative: \_\_\_\_\_

Thank you for your interest in the management of our state's wildlife resources. Please complete and return this form to: Division of Wildlife Management, 1722 Mail Service Center, Raleigh, N.C. 27699-1722 by **April 1, 2016**.

David T. Cobb, Ph.D., Chief  
Division of Wildlife Management  
(919) 707-0050

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, APRIL 11, 2016 – 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 April 11, 2016, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Scott Buzzard, Janice Propst, Michael Smith, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Julian Burton, and Administrative Assistant Tonya Goodson

Absent: Town Administrator Peggy Piontek

Visitors: Bill Price, Jonathan Keith, Elton Hardy, Edlyn Niimi, Aislinn Niimi, Sherri Madden, Carlyle Fulton, Laura Schoeck and Anna Marie Smith

Mayor Bill Deter offered the Invocation prior to the opening of the meeting.

**Item No. 1. Open the Meeting** Mayor Deter opened the April 11, 2016 Regular Town Council Meeting at 7:00 p.m.

**Item No. 2. Pledge of Allegiance** Mayor Deter led in the Pledge of Allegiance.

**Item No. 3. Determination of Quorum** There was a quorum.

**Item No. 4. Special Presentation**

- A. Weddington Classics Week Proclamation – Mayor Deter read the Proclamation and presented it to representatives from the school. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**
- B. National Day of Prayer Proclamation – Mayor Deter read the Proclamation. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**

**Item No. 5. Public Comments** – *None*

**Item No. 6. Additions, Deletions and/or Adoption of the Agenda**

Councilman Michael Smith made a motion to add Council Staff Liaison Position as item 11D under New Business. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None



Town Planner Julian Burton – I would like to suggest that we move Item 11 New Business in front of item 10 Old Business because we have an applicant present.

Mayor Pro Tem Don Titherington made a motion to approve changing the agenda pursuant to staff recommendations. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

#### **Item No. 7. Consent Agenda**

- A. Call for Public Hearing: Review and Consideration of Text Amendment to Section 58-3 to create enforcement procedure for recurring violations to the zoning ordinance
- B. Roadway and Water/Sewer Performance Bond Reduction for Atherton Estates Phase 2 to \$59,327.88

Mayor Pro Tem Titherington moved to approve the Consent Agenda. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

#### **Item No. 8. Approval of Minutes** - None

#### **Item No. 9. Public Hearings**

Mayor Bill Deter opened and closed the public comments portion of all the public hearings as no one signed up to speak for any of them.

- A. Review and Consideration of a Text Amendment to Section 58-4 to revise the definition of open space and further prioritize view shed protection.

Town Planner Burton – This is for a Text Amendment to Section 58-4 to revise the definition of open spaces and further prioritize view shed protection. Section 58-4 is the section of our Zoning Ordinance that provides definitions for different terms used throughout the Zoning Ordinance. This Text Amendment is specifically for the definition for open space and this puts additional emphasis on using required open space to protect the view shed. It makes protecting that view shed a general requirement while still giving Council flexibility in unique situations.

Town Attorney Fox – For the record the hearing has been opened and closed.

Mayor Pro Tem Titherington moved to approve Text Amendment change to Section 58-4 as stated and recommended by staff. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**

All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

- B. Review and Consideration of Text Amendments to Section 58-58 to further prioritize the view shed in conservation subdivisions, and to encourage even distribution of conservation land when proposed subdivisions are divided by a thoroughfare.

Town Attorney Fox – For the record the Mayor opened the public hearing, acknowledged that no one signed up for any of the items listed under this section and then closed the public hearings.

Town Planner Burton – This Text Amendment is in Section 58-58 and also deals with view shed and also defines RCD Residential Conservation District. Both of the amendments in this section are related to minimum required conservation length. The first under Roman numeral I makes view shed from the road a top priority for designation of conservation land. Both of these amendments are a result of the Town Retreat. Under Roman number IV this is specifically dealing with Conservation Subdivisions that may be bisected by a minor or major thoroughfare. It generally requires that 50% of each side's gross acreage be designated as Conservation Land. It does still allow the Council flexibility in unique situations.

Mayor Pro Tem Titherington moved to approve Text Amendment change to Section 58-58 as outlined by staff. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**  
All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

- C. Review and Consideration of a Text Amendment to Section 58-146 to further control signs placed on trees within a right-of-way.

Town Planner Burton – This is an Amendment to Section 58-146 that deals with prohibited signs. Currently our Ordinance prohibits signs placed on trees but it was felt that we could add some additional clarity to what we meant by trees. This Amendment specifies that it is trees located on public land or lies within a public road right-of-way.

Mayor Pro Tem Titherington moved to approve Text Amendment change to Section 58-146 as outlined by staff. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**  
All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

Mayor Pro Tem Titherington – Julian, please thank the Planning Board for working through that so quickly as a result of the retreat. I appreciate it.

**11. New Business** – *This matter was moved up as a result of a motion made in Additions and Deletions by Mayor Pro Tem Titherington.*

## A. Update to Town Policies

### B. Review and Consideration of Non-smoking Policy

Mayor Deter – This came up at the retreat and we were looking at all the policies being current. A sample is in your packet and after discussion with some of the Council a question that came up regarding the section referring to “buildings owned, leased by the Town”. Obviously we own another building that’s leased. I have been in contact with Wesley Chapel and all of their fire stations are non smoking so as far as they are concerned it’s not an issue. Another question pertains to no reference to E-Cigarettes which is something unique unto itself.

Town Attorney Fox – It’s currently defined as smoking is the use of a lighted cigarette, cigar, pipe or any other lighted tobacco product.

Councilman Buzzard – It is not a lighted product and several employees where I work switched to E-Cigarettes and they are just as bad. Is there a way to have them encompassed in the policy?

Town Attorney Fox – The best approach is to incorporate that now just to clarify the ambiguity.

Councilwoman Propst – So we would just add lighted cigarettes, cigar, pipe and electronic cigarettes or any other lighted tobacco. Will there be designated outside areas for smokers? It says 20 feet away from the building and I’m wondering if we should consider having a specific smoking area on the property.

Mayor Deter – My personal opinion is if someone wants to stand out in the parking lot and smoke its better than directing them to a certain location.

Mayor Pro Tem Titherington – I agree with the common sense approach on that because then we will need to put a receptacle there.

Councilwoman Propst – So just common sense they know its 20 feet away from the building hopefully they know to go out to the parking lot.

Mayor Pro Tem Titherington – Right, and if it becomes an issue we don’t have to renew the policy we can just create a visible smoking area.

Town Finance Officer Leslie Gaylord – How would this work with our events when we have the kids around?

Councilman Buzzard – It might be for special events we designate smoking areas. That could be something you could set up.

Councilwoman Propst – Would we have to state that in our Ordinance?

Town Attorney Fox – This Ordinance enforcement really relates solely to employees. This is only with regards to prohibition with your staff.

Councilman Smith – This is an internal policy - is that what we are putting it under?

Town Attorney Fox – It's a policy with regards to your staff. We also have an Ordinance that we have followed.

Mayor Deter – I'll read the Ordinance because I'm assuming we would want to do the Ordinance the same. *"The smoking of cigarettes, cigars or pipes in buildings, facilities and vehicles or on grounds or property now owned or hereafter acquired by the Town is strictly prohibited" Violation of this section shall be a misdemeanor and shall be subject to enforcement set out in General Statute".* The General Statute is a \$50.00 fine that's from the North Carolina General Statutes.

Councilman Smith – So under the policy are we saying we're going to allow them to smoke 20 feet from the facility but in the same capacity they are not allowed to be on the property?

Mayor Deter – This is an opportunity to get them in sync and because the Ordinance 34-1 doesn't reference E-Cigarettes either, I'm looking for direction from Council whether to update the ordinance to include E-Cigarettes.

Councilman Smith – Wouldn't any ordinance supersede the internal policy?

Town Attorney Fox – The issue we were having with Peggy was whether or not you wanted to do it by ordinance or policy. It was communicated that there was not an agreement on which way Council wanted to go with that. An ordinance is actually broader than a policy statement and it would supersede the policy. I would think that the Council would adopt one or the other and not both. Therefore you wouldn't have a conflict. The ordinance has more force and effect and can be enforced against other people.

Mayor Deter – What I'm hearing is we would probably be better off not to have a company policy; this one is geared strictly to employees but have an ordinance that's more encompassing. We don't need both. We can't address an ordinance at this meeting tonight because it's not on the agenda.

Town Attorney Fox – There are some questions that need to be resolved: What is the scope of the prohibition that you want to apply? Do you want to restrict it? It currently restricts it from this property (the Town Hall) but any property owned by the Town or leased by the Town. That would include the fire station and the building associated with the fire station. I'm hearing that it appears Council is comfortable with that prohibition. Then the issue is do you want to allow the policy to provide a place where smokers who are on those premises an area they can go to and use those for smoking purposes. Some prohibit it all together and some do allow some designated areas.

Mayor Pro Tem Titherington – I take it we are trying to get the existing policy updated is what the objective was out of the retreat. Some of our policies were written a while ago. The second thing- realistically Town property ends at the sidewalk so too if you wanted to use the ordinance definition on Town property it's not to be overly cumbersome to anybody. Either they can walk that way instead of this way 20 feet and be on Town property, that's the reality.

Councilwoman Propst – Unless they are at an event and if they are at the back of the property we could have some issues.

Mayor Pro Tem Titherington – That would be covered by the ordinance, it would say Town property allowing you to say smoking areas of Town property which of course is the parking lot.

Mayor Deter – Something for Council to consider whether it's not at all or whether it's now within 20 feet of an entrance and not at events. That balances it.

Councilman Smith – I think we should make it simple and ban it from the property. Do we really want to get into distance? It makes it complicated. If you look at most of them you are not allowed to do it on the property and I think just to make it simple and easy to enforce you are not allowed to smoke on the property.

Mayor Pro Tem Titherington – If there is an event and they have to smoke they can go to their car. It's right there I don't think it's an overly cumbersome process for anyone.

Mayor Deter – What I'm hearing is not on the property at all. The property will include the fire station.

Town Attorney Fox – Well actually your property would include if you were to do an event and leased that property because it's under lease by you it also would apply to that.

Mayor Deter – What I'm hearing is we are not taking anything on this as a policy but we're saying to give Anthony direction to incorporate that into updating the Ordinance 34-1.

Town Attorney Fox – I'm including E-Cigarettes and there's no carve out for any leased property, owned property for any smokers.

Mayor Pro Tem Titherington – I think that's what I heard, but just to be clear you are going to have to update the policy to say that it's in line with your ordinance. The policy will be very simple; the smoking policy in the Town of Weddington is in alignment with the ordinance.

Town Attorney Fox – We are going to revisit the employee handbook as Council is aware from the retreat. That's being undertaken.

Mayor Deter – I'm going to summarize, Council has given direction to Anthony to incorporate not on the Town property whether it's leased or whatever and to include E-Cigarettes.

Town Attorney Fox – The ordinance can be enforced by a multitude of ways. The draft that has been prepared really just makes it an infraction subjecting the person to a fine of \$50.00.

Mayor Pro Tem Titherington – That's consistent with Union County buildings and Marshville.

Councilwoman Propst – Do we need to post the notice?

Mayor Deter – Will there need to be a public hearing?

Town Attorney Fox – It's not a Zoning Ordinance; you don't have to have a public hearing.

C. Review and Consideration of Final Plat Phase II Map 1 for the major subdivision, the Falls at Weddington –

Town Planner Burton – The Falls at Weddington LLC submitted a Subdivision Final Plat Application for 48 lots of the approved Residential Conservation Subdivision the Falls at Weddington, located off Antioch Church Road. The preliminary plat was approved in 2014 and consists of 185 lots. This is 48 of the approved 185 lots. If you remember this is a subdivision bisected by a thoroughfare. These are the lots located on the east side of Antioch Church Road. One of the major conditions associated with preliminary plat approval is construction document approval by our engineering consultant US Infrastructure (USI). They have partially approved the construction documents for the entire subdivision and we are still waiting on a couple of items for the west side of the Falls at Weddington. However all 48 lots on the east side that you are looking at and reviewing today have been approved in terms of the construction documents. In my staff report I have listed 8 conditions that are standard for final plat approval, mostly making sure that financial guarantees are in place all other documents being recorded have been reviewed by the Attorney. The Planning Board reviewed the final plat on March 28<sup>th</sup> and recommended approval unanimously. I will be happy to answer any questions and the applicant Jonathan Keith is also available to answer any questions.

***Recommended Conditions of Approval:***

- 1. Bond estimates to be approved by the Town's engineering consultant.*
- 2. Bond instruments to be reviewed and approved by the Town Attorney, and the final bond instruments must be submitted to the Town prior to recording of the final plat.*
- 3. Declaration of Conservation Easement and Restrictions shall be reviewed (by Town Attorney) and executed prior to recording of the final plat.*
- 4. Maintenance Plan and Maintenance Agreement shall be reviewed (by Town Attorney) and executed prior to recording of the final plat.*
- 5. Covenants, Conditions and Restrictions (CCRs) shall be reviewed (by Town Attorney) and executed prior to recording of the final plat.*
- 6. Each remaining lot to be recorded in the Falls at Weddington subdivision shall include on its Deed a statement that any roads in the subdivision that are not accepted by NCDOT are private and not the responsibility of the Town of Weddington and shall be maintained by the Falls at Weddington Homeowners Association or its Developer.*
- 7. Vehicle control signs including but not limited to stop signs and speed limit signs shall be installed by the Developer and maintained by the Homeowners Association on any roads not accepted by NCDOT. All speed limits within the subdivision shall be no greater than 25mph .*
- 8. Coordinate with USPS and DOT to provide cluster mailboxes within subdivision.*

Councilman Smith – I know we discussed some of the spreading fields. Where do they stand at this point?

Mr. Keith – They are in design right now.

Councilman Smith – Okay. Any issue there that you can see?

Mr. Keith – Not at this particular time. No.

Councilman Smith – Okay.

Town Attorney Fox – This is a conditional final plat approval. I assume it's the intent that the final plat approval will not attach until all the conditions are met.

Town Planner Burton – Correct.

Town Attorney Fox – So there will not be any recordation of any plats until there has been affirmative indication from Julian that these conditions have been met.

Town Planner Burton – Just to clarify correct that all these conditions have been met. I didn't know if you were speaking specifically to the construction document from the other side.

Town Attorney Fox – No.

Town Planner Burton – Okay. Yes, that is correct. We won't have the Mayor sign the Mylar until all of this has been addressed.

Town Attorney Fox – I'm just trying to figure out if there is anything that will require interpretations by staff and if they get to the point where they require direction, if there are gray areas, it's going to need to come back to Council. I just wanted to make sure that's included on the map. If there are objective measurements of compliance and it's clear and good it's just that this is a conditional nature of a final plat.

Mayor Deter – So the Council can approve it upon the conditions and if Julian runs into a situation he can bring it back to the Council for clarification?

Town Attorney Fox – Because USI has not finalized its review of the construction documents.

Town Planner Burton – They have for this.

Mayor Pro Tem Titherington – They have for the East side which is what we are doing tonight. I think the west side is getting caught up with the Lake and whatever.

Town Planner Burton – Yes.

Mayor Pro Tem Titherington moved to conditionally approve Final Zoning Plat Phase II Map 1 as outlined by staff subject to 8 conditions as outlined to staff and Council's satisfaction. All were in favor with the votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

D. Council Staff Liaison Position – *This item was added as a result of a motion made in additions and deletions by Councilman Smith.*

Councilman Smith – I have given this consideration for some time and I think Council should consider appointing one Council Member as the Council staff liaison. The reason is to help foster some of the efficient communication between the Council and the staff. I know everyone has different schedules and I think that if we have one focal point it might make communications a little bit easier. Another duty would be to assist the staff with any concerns or issues that they might be having. It would help work through them and help staff implement any new policies set forth by the Council ensuring a smooth transition to those policies. When appropriate the liaison would report back to the Council with any issues or concerns. The one thing I want to stress is that this is not intending to prohibit any Council Member from speaking with any staff member on any issue or visa versa. Hopefully it will make communications more efficient and smoother. It is suggested to assist both the Council and the staff. I know that Scott manages a small business and deals with personnel issues and this is kind of in his wheelhouse. So I have spoken with him about this and I think he might be a good candidate for this. I'm opening it up for discussion.

Mayor Pro Tem Titherington – A scope of the role and responsibilities would make things a little meat on the bone for me I guess.

Councilman Smith – Just what I said - any policies set forth, as the role goes on it can expand or it can get smaller whatever the Council wants it to be. I know there are some new things that we're doing in Council that the liaison can help with. I know that there have been several occasions just due to the way things move I wasn't aware of certain things so it would be the liaison's responsibility to make sure the Council was fully aware of what's going on.

Mayor Pro Tem Titherington – It seems a little gray to me. What's the meeting frequency and objectives?

Councilman Smith – Okay. Well say there's a conflict with staff that liaison would handle that conflict. Bill and I experienced this ourselves, one staff member goes to one Council Member and another staff member goes to a different Council Member. This would eliminate that so if there's any conflict you would go to the liaison. If there are any reviews or stuff like that the liaison could assist the Administrator with that.

Mayor Deter – I kind of view it as a role that I think I've been filling and trying to do. I think you're saying instead of having the Mayor do it have a Council Member do it. The way I see it the whole process is going to continue as it does; it will just be a different person.

Councilman Smith – One of the reasons I was looking at Scott is in addition to his experience as a manager he is just starting a four year term. I went around looking at the most likely candidates and for me it's somebody who will provide continuity for four years along with his background and experience.

Councilwoman Propst – It makes sense to me. It gives the staff a chance to have another person to go to if there is a conflict. They know the person that they should go to who should talk to everyone if there is



an issue. Again, if that liaison needs some assistance obviously he can reach out to all of us as well. So it makes sense to me. If Scott would be willing to do it.

Mayor Deter – I will speak a little bit from the Mayor's perspective. I view it as the same thing that I'm doing now. A lot of the liaison I do with staff is obviously during working hours 8-5. What if there's a call. "Can you come up? I have an issue?" I know Scott works so I'm not sure if he can meet up here during working hours if that's when things come up. Again, it's going to come down to the Council. I think we're talking same thing, same processes. It's just changing the individual and if I'm not doing the job appropriately then fine, that's the Council's prerogative, they can do what they want.

Councilman Smith – It has nothing to do with that. It's never been officially appointed and it's said you've done it to a certain degree but we've all been doing it in one form or another on various occasions. Scott, Bill brings up a very good point with your schedule. Is this something that would be conflicting with your schedule? Would you be able to perform this should you need to come up during business hours? Is this something that would stand in the way of your work schedule?

Councilman Buzzard – For the most part I'm flexible with my work schedule. I don't know that I could spend two or three days in a row sitting up here but certainly bouncing back and forth. I only work over in Stallings so it's not like I'm travelling from afar.

Councilman Smith – This position can change or be eliminated if anyone feels that it's not being useful. It's time for it. I don't want it to be nonflexible.

Mayor Pro Tem Titherington – I like the idea and I think it has been on an ad hoc basis. Bill with his schedule has been able to jump into a lot of these things some of them are momentary. You are up here signing some things and by the way we have this issue. There's a convenience factor of being here. To make sure that there are no unintended consequences or conflicts I guess that's why I'm wondering what the job description is. What are the roles and responsibilities? I'm not clear. I understand the concept of high level but I think clarity of purpose is tremendously important to both the staff and Council. You don't want to get into turf wars and those things. That's why I'm feeling a little gray. We live in gray but I think to me I'd like to see the scope of the role and responsibilities. For example if there is this type of scenario this would be the intent because you don't want to get into a situation where Bill is up here signing something and staff says hey, this just popped and then somebody says I'm not that person - you know what I'm saying.

Councilman Smith – That could happen to any one of us. This then prevents that from happening. That the person that you go to is this if there is conflict. That has happened where Bill's been tapped for something and I've gotten tapped for something. I'm trying to add some consistency and hopefully some assistance to staff. This can change; we can expand the roles as this goes on. These are just my thoughts at first so if Council has some additional responsibilities or doesn't want them to take on certain responsibilities that could be adjusted or discussed as well.

Councilwoman Propst – Then since Scott is in Stallings he can easily say this is the best way to contact me and then we will work out a time to get together with that staff member that has an issue. Whether it's over the phone or whatever.

Mayor Pro Tem Titherington – I just think we need a conception of the issue and its formalizing process would be good. I just think there needs to be clarity. You don't also want staff get that I should have gone to so and so but I didn't because I'm here and there's protocol. There should be some protocol internally too. The way we are set up so I would just like to see a little more of a job description. What do we really intend for this role to do and the important part is clarity for us.

Councilwoman Propst – Didn't you have a list of things?

Councilman Smith – Yes I did, I mean I could send it.

Councilwoman Propst – Yes, send it again.

Mayor Pro Tem Titherington – Well I haven't seen anything.

Councilwoman Propst – Me neither.

Councilman Smith – I just hashed these out because if we're going to do this it's to foster an efficient line of communication between the Council and the staff, assist staff with any issues or concerns personal or work related, help staff with implementing any new policies set forth by the Council for a smooth transition. The liaison would then report back to the Council if needed or would communicate with the Council; that's the whole process to keep the Council informed. This is not intended to limit any Council Member from speaking directly to staff on an issue with any employee or staff or visa versa. I encourage that; it's really just to make sure that the lines of communication are open.

Councilwoman Propst – They can feel comfortable with the person and they have somewhere to go to.

Councilman Smith – Yes, and they know who that person is.

Town Attorney Fox – This item is listed for discussion purposes and what might be a good opportunity. What I'm hearing from this discussion is that this is also a person who is going to be identified to staff as a person that staff goes to and seeks out or inform them of any issues. For that purpose it might be best to reduce it to writing so that you have clarity and staff has clarity of who and what they can bring to the person.

Mayor Deter – I'm assuming staff if they have employment related issues that the first person they are going to go to is the Town Administrator/Clerk who they report to. Then if they feel there's some issue there and I think Peggy's kind of set this up, I'm not sure, then fine you can go a Councilperson or whoever. You don't want to set up a situation where they coming to a Councilperson and yet they report to the Town Administrator.

Mayor Pro Tem Titherington – That's what we're trying to set up.

Councilman Smith – Well and that's exactly part of this intent because on occasion that has happened. This was just brought up and I wanted to give the Council time to provide input into this. I would want to seek everyone's opinion on this, on what is this role and then discuss it at a later date.

Mayor Pro Tem Titherington – I like it; I just think it needs to be formalized and in writing in roles and responsibilities. I don't want to get too corporate but you're right, the first one is your manager and then if you don't feel you have a resolution then here's the appeal process.

Councilman Smith – Right and then we can set structure to it. I feel the whole Council should have input on this.

Mayor Pro Tem Titherington – So this was for consideration, I like the idea. I would make the objective and scope, Mike, and it looks like you did some writing already.

Councilman Smith – That's just some points I wanted to throw out there. I want all of you to write down what you feel this should be.

Mayor Pro Tem Titherington – No, but if you are going to start the process circulate it back.

Councilwoman Propst – Yes, email us all that and then we'll add to that.

Councilman Smith – Sure.

Mayor Deter – I think we'll have to table this. Right now I see it as personnel issues but I think it's probably more than personnel issues so we need to make sure we have clarity on that. One of the roles the Mayor has to do is liaison with staff and the Administrator as agendas are put together and draft agendas are sent out. I don't want to get double tagged.

Councilwoman Propst – It's not about that.

Councilman Smith – No.

Mayor Deter – Well that's the reason I think we need clarity on what this stuff is.

Mayor Pro Tem Titherington – We need the object and scope.

Councilman Smith – I'll send you an email you guys add to what you want and then we'll bring it up again and then turn the new one back to the Council.

**10. Old Business**– *This matter was moved down as a result of a motion made in Additions and Deletions by Mayor Pro Tem Titherington.*

#### A. Town Hall Update

Councilman Smith – I know Bill's working on the painters and scraping the building and getting that all fixed up. It looks like it's coming along pretty good. I've been working on trying to find a mason and I didn't think it would be such a difficult task. I spoke with one and asked if he had insurance, he assured me he did and when he arrived advised that he didn't. It's kind of been archived. I'm still working on it and am making some headway. That and I'm also working on getting a handyman. There is work that we need to get done. I found two but only received estimates on one that's going to be calling me back

about installing the drop box and possibly installing the brick. As far as the landscaping, just to make you aware and to put on your radar, in June Daryl's Landscaping contract will be up for renewal. I don't think we've done any competitive bid process in the last couple of years so I've been talking with Janice on this and she's graciously volunteered to help me find some estimates from other companies to be competitive. The landscaping is separated into two contracts - one for the Town Hall and a separate one for the medians. I believe Janice is going to take of both of those for me and I greatly appreciate that.

Mayor Pro Tem Titherington – So the contracts up in June; it's going to roll over because Daryl's done a great job in the Town. I love driving in Western Union County because you know when you're in Weddington and as soon as you leave it you have no idea where you are. It builds a great sense of community too. But if we're thinking that we need to have that bid out again just to be compliant, then we probably need to think about that process now, its mid April.

Councilwoman Propst – That's what I'm going to do. Daryl will submit a new bid and I'm going to get two other companies.

Town Attorney Fox – Daryl's services are a services contract meaning that it's not governed by the Public Bid Statutes - it's just a policy that you bid out most contracts. There you can solicit others and you don't have to put it in a formal document.

#### B. Review and Discussion of Preliminary Budget for Fiscal Year 2016-2017

Mayor Deter – We will keep this on the agenda until we get an actual approved budget. There was information in the packet.

Finance Officer Gaylord – I wanted to go over some of the modifications from last the version of this for you. The last page of the non-operating discretionary expenditures - the long page - I updated those to where we are to date. We got a letter from the County for the deputies so the number I put in there for the deputies is the increase that they have asked for. It was \$9,945.00 which is a basic 4% increase. I got with Julian to kind of firm up what we might anticipate to be some subdivision and permit fee numbers and I put those in there. I took all of these items that are on this page and put them in the budget that was in the front. It is now a zero balanced budget. Before it was an operating budget. Those numbers are in yellow on the page. The County sent this afternoon their tax valuation. The number that we have in there was our estimate. We estimated it just under a 2% increase; they are coming in at 2.75% so the number I've got, it's only like a \$10,000.00 revenue difference. I don't know that it's worth changing. Since we're below I would leave it the way it is. If you are all good with where we are I don't know that we need to have a budget work session. I think we can just come back in May and hammer out the final details.

Mayor Deter – In May we have to call for the Public Hearing.

Finance Officer Gaylord – I spoke with Steven McLendon and he thinks he can present in May. He's getting me some information; I'll look at it and make sure it's what you want. He will come before the Council and go over his number in a little more detail.

Councilwoman Propst – Since that's our biggest budget item I just feel like we need a little more detail.

Finance Officer Gaylord – If there's anything else you need or you feel like we need to meet again just let me know.

Mayor Pro Tem Titherington – I saw that you put the DOT placeholder in there as well; thank you.

Finance Officer Gaylord – I changed the account headings for spring evnt and infrastructure; I got that in there this time around.

## **12. Update from Planner**

Town Planner Burton – My memo is in your packet. Several subdivision updates: The Falls at Weddington Amenity Center should be on the Planning Board agenda; Graham Allen may also be on the Planning Board agenda; the preliminary plat which is the 25 lot subdivision at Weddington Matthews Road and Antioch Road and Sugar Magnolia is on the brink of submitting their preliminary plat as well. Something newer than those items is we did receive a TIA scoping package for a new 132 lot subdivision located off Providence Road. There is an additional 49 lots that are proposed within Union County but it looks like it will be one Unified Development developed under two Zoning Ordinances potentially. We have asked them to do the TIA for 181 lots and they have agreed to do that.

Mayor Pro Tem Titherington – Before you leave Graham Allen that intersection is kind of like the four corners of the county. You have Stallings, Indian Trail, unincorporated Union County there and then Weddington. So as we look at the TIA and that turn that you went over with Sean and Lee about 3-4 months ago. Since then that property to the north has been sold and I think if you look at the Stallings site they have that mapped out for multi-family. Do we need to get with DOT now and are their assumptions correct still? The main reason I'm asking is that road is backing up pretty heavily and if they are only looking at that impact for Graham Allen and not taking the rest of that into account I get a little nervous.

Town Planner Burton – I can certainly confirm that with NCDOT. I know coming up on Weddington Matthews Road is just a right in, there's no left turn access at all. It's restricted and then on Antioch Road I think there's already room for the turning lane and I think it would be there already.

Mayor Pro Tem Titherington – I can start taking some pictures if you want because it's backing up in the morning all the way back. It's just one of those things that if it made sense six months ago does it still make sense today in light of what Stallings is looking to allow there. If I recall correctly they are under our TIA.

Town Planner Burton – No that's incorrect - they did not have to do a TIA.

Mayor Pro Tem Titherington – That's what I'm saying. They didn't have to do it because they are under that threshold so I just want to make sure we get all that squared away.

Town Planner Burton - Threshold Church is currently working through their TIA for a new Conditional Zoning application for what will be Phase II. I'm predicting it will be on the May Planning Board agenda. A couple of Text Amendments that should be on the next Planning Board agenda. One is some

additions to the Land Use Plan to better incorporate Rea Road and future development along Rea Road to make sure that is clearly discussed. We are also drafting an amendment to deal with blasting in subdivisions to make sure that there are more notifications to both the Town and nearby residents. I'm thinking the easiest way to do it would be to tie it to the preliminary plat approval that they understand as a condition that they need to notify the Town ahead of time and the residents within a certain distance.

Councilman Smith – Thank you, Julian, I appreciate what you are doing.

Town Planner Burton – One final update that Weddington Matthews Road – Tilley Morris Road improvement is still on track for spring construction start.

### **13. Code Enforcement Report**

Mayor Deter – The report is in your packet. Does anyone have any questions for Julian?

Mayor Pro Tem Titherington – Julian, the only one I don't want to lose visibility on is about a year ago we approved Town funds to clean up an abandoned building. If it was ever sold or disposed of we have a lien on it. Do we have that as an occasional check in or is it still in a degrading state?

Town Planner Burton – It is. Everything is still in place and the problem is its still getting overgrown. We did have someone landscape a little bit around there. We've had some complaints from residents but I had Sam send another letter to the owner to remind him. He hasn't been very responsive ever so I don't know that we'll hear anything back but just to remind him of the state of the situation.

Mayor Pro Tem Titherington – Do we at some point have to elevate that, Anthony, or what's the story.

Town Attorney Fox – We certainly can seek enforcement of our lien that's been filed in that case. I think it's merely been a process of seeing how many calls you've gotten before you go and exert the powers of enforcement. But certainly you can seek those right now if the Council wants to pursue that.

Mayor Pro Tem Titherington – So maybe next month we can have an update on that property and the expenditures to date. I just don't want that to get lost. The Town has laid money out and also to make sure it's a safe environment for the neighbors? If Council's okay with that?

Councilwoman Propst – Is this that house you were telling me about in that neighborhood or is this a building?

Mayor Pro Tem Titherington – This one was in a neighborhood.

Councilwoman Propst – Okay I was here for that meeting.

Mayor Deter – It's been abandoned.

Councilwoman Propst – It's been abandoned for years.

Mayor Pro Tem Titherington – We actually had to have a garage door put on.

Councilman Buzzard – Don't we have the authority to demolish that property under Union County? Because I believe, if I'm not mistaken, we took action on the corner plot of Weddington Matthews Road and intersection of Beulah Church Road.

Town Attorney Fox – It has to be confirmed to be dilapidated in order for Union to demolish it. Dilapidated by statute means that it would take 60% of the value of the house to bring it up to code. Then you can follow a process to get it torn down. I think Sam mentioned when he first came they didn't think it was to that point. As I recall this property is an eyesore because it's boarded up and unsightly but it's not deteriorated. Deteriorated means the roof is in.

Councilman Buzzard – I think we might want to talk to an inspector at some point because I believe if they don't have any HVAC and there's a problem with mold situations and whether or not you could even make it livable at some point.

Town Attorney Fox – The statute that deals with minimal housing code which this is under and the statute that deals with this really offers the opportunity to vacate and closed. Closed just means to board it up. You can't live in it because it doesn't have the heating and air. But if you boarded it up under the law provided it's not dilapidated and that house could sit there like that for a while.

Councilwoman Propst – All we did was clean up the yard and put up a garage door. Is that correct? And put a lien on the property.

Mayor Pro Tem Titherington – Why don't we just have Sam do a drive by and get us an update?

#### **14. Update from Finance Officer and Tax Collector**

Finance Officer Gaylord – You've got your statements in your packet. We are nine months into the year and we're looking good. The only thing that I would draw your attention to is on the balance sheet. The auditors presented in February so after their presentation I left the fund balance assigned/unassigned as it had been at the end of last year until we accepted their audit. So I took out the \$200,000.00 for the capital for the fire department out of the unassigned line item. Then put that in assigned. So it's just a re-class.

Mayor Pro Tem Titherington – If we go back real quickly on the expense it's like Christmas in April with all that green, it's good. But I was just surprised that you had a couple of items under total expenditure lines like utility repair and maintenance. I'm assuming that has to do with you anticipating our expenses to cover it a little higher. Because you budgeted for projections and they are coming a little close.

Finance Officer Gaylord – Yes. They are a little tight. I think we're fine that's why they are yellow.

Mayor Pro Tem Titherington – Yes. What jumped out was the \$36,419 versus \$63,250. So I'm assuming that's bills that we know will be coming due. 10-4120-354?

Finance Officer Gaylord – That’s the grounds maintenance we had.

Mayor Pro Tem Titherington – We are at \$36,000 year to date and we budgeted \$63,000

Finance Officer Gaylord – Yes, and we have the project going on and we still have the monthly bills which are like \$4,000.

Mayor Pro Tem Titherington – Okay so not to exceed but I’m not going to hold you to it. Okay thank you.

### **15. Public Safety Report**

Councilman Smith – Nothing to report. The Public Safety Committee did not meet this month the meeting was cancelled due to a lack of Quorum.

### **16. Transportation Report**

Councilman Buzzard – Unfortunately I don’t have anything. I was hoping that the State would have their list of projects presented but the CRTPO is still waiting for them. I will get those out as soon as we get them.

### **17. Council Comments**

Councilwoman Propst – Thank you everybody for coming out. We appreciate your attendance.

Councilman Smith – No comments.

Mayor Pro Tem Titherington – Bill, I would just like to thank you and staff for an outstanding Easter Egg Hunt. I think it was great and fortunately I was able to do some pre work but I wasn’t able to make the event itself. When I saw some of those pictures on-line and everything else it was outstanding so I know that’s a lot of work for you guys. You stayed late on a Saturday and I really do appreciate it. It’s a big event for the Town and it gets bigger every year.

Councilman Buzzard – We are a little thin in our attendance but I want to thank those who came out and appreciate you being active and involved.

Mayor Deter – I just want to make a comment again on the Easter Egg Hunt. It was great Julian volunteered his Saturday. He had company in town. We had a lot of good volunteers. I would like to remind everybody the Litter Sweep is Saturday at 9:00 a.m. Hopefully we will get a good turnout. The weather is supposed to be nice 70 degrees trying to keep our Town beautiful. I see Elton Hardy back there - I know he’s got a group working. So we will have gloves, vests and bags for anybody who shows up.

### **18. Closed Session**

[N.C.G.S. 143-318.11(a)(3)]



Consult with the Attorney - To protect the attorney-client privilege.

**[N.C.G.S. 143-318.11 (a)(6)]** To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

Mayor Pro Tem Titherington moved to enter into Closed Session. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

Mayor Pro Tem Titherington moved to enter into Open Session. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

## **19. Adjournment**

Mayor Pro Tem Titherington moved to Adjourn. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

The meeting ended at 9:50 pm.

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**Bill Deter Mayor**

Attest:

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Peggy S. Piontek, Town Clerk

## Weddington Classics Week

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, in North Carolina there are 51 chapters of the NJCL, and 1,734 middle and high school students of Latin, Greek, and the Classics; and

Whereas, North Carolina 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, North Carolina 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, Weddington Classics Week is held in commemoration of the traditional anniversary of the founding of ancient Rome (April 21<sup>st</sup>) and in celebration of the North Carolina Junior Classical League 65<sup>th</sup> annual state convention (April 15 and 16, 2016); and

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

Now, therefore, I, Bill Deter, do hereby recognize the week of April 15-22, 2016 as Weddington Classics Week and I call this proclamation to the attention of all our citizens.

---

Mayor Bill Deter

**PROCLAMATION  
NATIONAL DAY OF PRAYER**

**May 5, 2016**

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identity, made the Laws of Nature and Nature's God the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U. S. Congress themselves begin each day with prayer; and

WHEREAS, in 1988, legislation setting aside the first Thursday of May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in the Town of Weddington when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation.

NOW, THEREFORE, I, Bill Deter, Mayor of the Town of Weddington do hereby proclaim Thursday, May 5, 2016, as "**A DAY OF PRAYER IN THE TOWN OF WEDDINGTON**" and urge all citizens of Weddington to observe the day in ways appropriate to its importance and significance.

This the 11th day of April 2016.

\_\_\_\_\_  
Mayor Bill Deter

Attest: \_\_\_\_\_  
Town Clerk Peggy S. Piontek

**AN ORDINANCE TO AMEND SECTION 58-54  
OF THE CODE OF ORDINANCES  
OF THE TOWN OF WEDDINGTON**

**O-2016-02**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-54 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

Sec. 58-4. - Definitions.

[...]

Mobile home, class B, means a mobile home that meets all of the criteria of a class A mobile home except the width criteria.

Modular home means a dwelling unit constructed in accordance with the standards set forth in state building code (Uniform Residential Code for One- and Two-Family Dwellings), and composed of components substantially assembled in a manufacturing plant and transported to the site for final assembly on a permanent foundation.

Music store means a retail store that is primarily in the business of selling musical instruments, sound and audio recording equipment, music software, and/or audio and videotapes and discs. Music lessons may also be given at a music store.

Nonconforming use means any use of a building or land which does not conform to the use regulations of this chapter for the district in which it is located, either at the effective date of the ordinance from which this chapter is derived or as a result of subsequent amendments to this chapter.

Nuisance means an interference with the enjoyment and use of property.

Nursery means the use of land for the growing for sale or selling of grasses, shrubs, trees, or ornamental plants. Plant materials are primarily grown outdoors, but a nursery may include one or more greenhouses incidental to and in support of the nursery operation.

Open-air storage means an unroofed area for the storage of bulk materials or discarded items whether fenced or not but not including items and nonbulk materials openly displayed for the purpose of retail sale.

Open space means a land area or water feature that conserves, enhances, or creates natural or scenic resources and wildlife habitat or that enhances or creates outdoor recreational opportunities. Open space may be dedicated for public use or held under private ownership. The required open space for conventional subdivisions ~~may shall~~ be adjacent to the required roadway buffer unless the open space is protecting a natural feature or stormwater management facility on the property and is approved by the Town. The Town may allow flexibility on the location of open space in unique cases where an alternative purpose is served. All conservation land, as defined in subsection 58-58(4)d is considered open space. However, not all open space is necessarily conservation land. As defined, open space may be land left in its natural state or grass and medians planted with trees in a residential, commercial or nonresidential development.

Orientation sign means an on-premises sign that directs pedestrians and traffic on a property.

Park means a noncommercial, not-for-profit recreational facility. Such facilities could include parks within subdivisions, neighborhood parks, community parks and/or regional parks. Improvements on parks may include passive (e.g., walking trails) and active (e.g., playgrounds, ballfields) facilities. Commercial

amusement facilities such as miniature golf courses, driving ranges, go-cart tracks, water slides, batting ranges, etc., shall not be considered parks.

Parking deck means an off-grade structure used solely for the parking of motor vehicles (other than carport or garage in a residential or agricultural district). No repair, storage or maintenance of vehicles may occur in a parking deck.

Parking space means a storage space of not less than nine feet by 20 feet for one automobile and having access to a road, but not located within a road right-of-way.

Pharmacy means a retail store that sells prescription drugs and which may also sell other items.

Photocopy service means an establishment that makes photocopies of items and which may offer related services, including printing services, the use of in-house computer equipment, and the retail sale of paper goods and other office products.

Planned residential development means a residential community that is planned and developed with internal streets that are privately maintained and developed and may contain a gatehouse. Access to such a development may be restricted via a gate.

Plat means a map or drawing depicting the division of land into blocks, parcels, tracts, sites, or other divisions.

Pond means any inland body of water that, in its natural state, has a surface area of at least 1,000 square feet but less than two acres, and any body of water artificially formed or increased that has a surface area of at least 1,000 square feet but less than two acres.

Post office means a local branch of the United States Postal Service handling the mail for the local area.

Postal store and contract station means a retail establishment that provides post office services (i.e., the vending of stamps, the mailing of items and rental of post office boxes) and which may sell other auxiliary goods, including boxes, envelopes, and other paper products.

Preschool facility means an educational facility for preschool children aged two to six years whose major purpose is to provide educationally-oriented classes and activities, as opposed to child care. Such classes shall be limited in time to five hours or less per day.

Preserve, habitat, means a wooded area of local or state significance that is maintained in a natural state for the preservation of animal and/or plant life.

Principal use means the primary or predominant use on any lot.

Public parks and recreational facilities means recreational facilities owned by the public or by nonprofit organizations. The term "recreational facilities" may include athletic fields, riding or jogging paths, concession stands serving the recreational area, or tennis courts.

Real estate agency means an establishment primarily in the business of representing buyers and/or sellers in a real estate transaction in exchange for commissions.

Restaurant means a commercial establishment, other than a drive-in, drive-through, or fast-food restaurant, where food is prepared, served and consumed on-premises.

Restaurant, drive-in means an establishment where food products are sold in a form ready for consumption and where consumption is designed to take place on-site but outside the confines of a building. At drive-in restaurants, customers may order their food from individual outdoor calling stations rather than at a centrally located drive-in service window commonly found at drive-through or fast-food restaurants.

Restaurant, drive-through means an establishment whose principal business is the sale of precooked or rapidly prepared food directly to the customer in a ready-to-consume state for consumption on the restaurant premises or off-premises. Unlike a fast-food restaurant, a drive-through restaurant does not contain any indoor customer dining areas. Unlike a drive-in restaurant, orders are taken from customers from centrally located drive-in windows rather than from individual calling stations.

Restaurant, fast-food means an establishment whose principal business is the sale of precooked or rapidly prepared food that is sold directly to the customer in a ready-to-consume state for consumption either on the restaurant premises or off-premises. When sold to the customer, food from a fast-food restaurant generally is packaged or wrapped rather than served to the customer on plates or other dishware. Orders for food may be placed either within the restaurant building or from a centrally located outdoor calling station. Such restaurants also have drive-in service windows for pick-up of food orders

Riding academy means an establishment where horses are boarded and cared for and where instruction in riding, jumping, and showing is offered and the general public may, for a fee, hire horses for riding.

Road right-of-way means an area of land occupied or intended to be occupied by a road, including areas offered for dedication for such purposes, areas claimed by the state for such purposes, or actually used for such purposes.

Rock formation means a portion of bedrock or other stratum protruding through the soil level.

School. See Elementary and secondary schools.

School for the arts means an establishment where classes in the various arts (e.g., dance, painting, sculpting, music, yoga, etc.) are taught.

Service station means any building, structure, or land used for the dispensing, selling, or offering for retail sale automotive fuels, oils, or accessories. Service stations may perform general automotive servicing and minor repair work which does not involve major motor repair, drive train work, or other major mechanical repair and body work.

Shared parking means that one or more parking spaces are permitted to simultaneously satisfy the parking requirements of multiple uses. Shared parking is permitted only where, because of the days and/or hours of operation of those uses sharing the parking or for other reasons, drivers associated with one use are unlikely to use the shared parking spaces at the same time those spaces are being used by drivers associated with another use.

Shopping center means a group of (two or more) commercial establishments planned, developed and managed as a unit and related in location, size and type of shop to meet the needs of the trade area which is being serviced.

Sign means any form of publicity, visible from any public highway directing attention to an individual activity, business service, commodity or product and conveyed by means of words, figures, numerals, lettering, emblems, devices, designs, trademarks or trade names or other pictorial matter designed to convey such information and displayed by means of bills, panels, posters, paints, or other devices erected on an open framework, or attached to or otherwise applied to posts, stakes, poles, trees, buildings, or other structures or supports.

- (1) Nonconforming sign. A sign or advertising structure existing within the town on the effective date of the ordinance from which this chapter is derived, which does not conform to the requirements of this ordinance.
- (2) Off-premises sign. Any advertising sign which advertises goods, products, or services not necessarily sold on the premises on which the sign is located.
- (3) On-premises sign. Any sign identifying or advertising a business, person, activity, foods, products or services located on the same premises as the sign.
- (4) Sign area. Sign area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof, which will encompass the entire advertising copy area. Only one side of a double-faced sign shall be considered.
- (5) Sign setback. The shortest horizontal distance from the property line to the nearest point (leading edge) of the sign or its supporting member whichever is nearer to the property line.

Sign, attached (on-structure), means a sign applied or attached directly to the face of a building and becoming, or appearing to become, a part of the building. These signs are flush to the wall to which they are affixed.

Sign, building-mounted, means any sign attached to and deriving its major support from a building, and including wall or fascia signs, projecting signs, and roof signs. These signs are perpendicular to the wall and protrude from the wall to which they are affixed.

Sign, construction announcement, means a sign located on the premises of a construction site, identifying the purpose of the construction, the name of the architect, engineer, contractor, subcontractor and suppliers of material or equipment on the premises of work under construction.

Sign, directional, means an off-premises sign, which provides directions to a business, commodity, service, or entertainment not conducted, sold or offered on the premises where the sign is located.

Sign, freestanding ground, means any single- or double-sided sign, either monument-style or erected on a supporting structure, mast, post or pole and not attached, supported or suspended to or from any building or structure.

Sign, identification, means a sign used to identify:

- (1) The name of the individual, family, organization or enterprise occupying the premises;
- (2) The profession of the occupant; or
- (3) The name of the building on which the sign is displayed.

Sign, lighted, means a sign illuminated only by light cast upon the sign from an external light source.

Sign, luminous, means a sign lighted by or exposed to artificial lighting either by lights on or in the sign.

Sign, portable, means any sign not permanently attached to the ground or building.

Sign, projecting, means a sign attached to a building or other structure and extending beyond the surface of the supporting structure to which it is attached.

Sign, real estate, means a temporary sign pertaining to the sale, lease or rental of land or building and identifying the selling agent.

Sign, subdivision sales, means a sign located at the entrance of a subdivision, identifying lots and/or homes for sale. Subdivision sales signs may be permitted only after the final plat is approved by the town council.

Sign, temporary, means any sign erected and maintained for a specific length of time.

Sign, time and temperature, means a sign conveying a lighted message of time, temperature, barometric pressure, or similar information by means of electrical impulse or changing intervals.

Slope, steep, means an area having a slope greater than 15 percent.

Small animal veterinary clinic means a facility where small animals or pets of no more than 175 pounds are given medical or surgical treatment and are cared for only while there for treatment and convalescence. The facility must be a completely enclosed building with no outside storage or animal areas and no animals may be kept in the facility overnight except for ongoing veterinary or surgical care and convalescence up to a maximum of ten animals. All buildings for a veterinary clinic, whether for a new or existing structure, must be certified by a registered architect or acoustical engineer that no sounds emitted through the perimeter walls, all common walls and the roof of the clinic will exceed 45 decibels.

Stationery store means a retail business that sells stationery items, including, but not limited to, labels, memos, cards, postcards, business stationery, cups and napkins and other various paper products.

Stock brokerage firm means an establishment that is primarily in the business of executing securities transactions on behalf of customers in exchange for a commission, fee, or other compensation.

Structure means any building, sign, wall, fence, or similar physical obstruction placed or erected on property.

Structure, principal, means a structure in which is conducted the principal use of the lot on which it is located.

Subdivision, conservation, means a residential subdivision six acres or greater in area that is developed pursuant to section 58-58.

Subdivision, conventional, means a residential subdivision that is not a conservation subdivision.

Supermarket means an establishment which may sell a wide variety of fresh produce, canned and packaged food items, small household goods and similar items which are consumed and used off-premises. In addition, the store may contain a delicatessen section in which prepared foods are sold and may be consumed on-premises in a specially designed sitdown area. Unlike convenience stores, gasoline sales are not permitted.

Tailor, dressmaking and millinery shop means a retail establishment that is primarily in the business of making, repairing, or altering articles of clothing.

Tax preparation service means an establishment that is primarily in the business of assisting customers in preparing their tax returns and/or offering tax-related advice or other tax-related services.

Telecommunication tower and facilities means a structure, including any accessory structures to house transmitting or maintenance equipment, designated to support antennae used for transmitting or receiving communication transmissions. The term "telecommunication tower and facilities" does not include ham radio operations, wireless radio towers, or television broadcast station towers.

Thoroughfare means streets which provide for movement of high volumes of traffic throughout the town. In general, thoroughfare streets consist of numbered state roads and other major streets as described in NCDOT, Union County, or Town of Weddington Thoroughfare Plans. Design criteria for thoroughfare streets shall be determined by the NCDOT, and construction plans shall be reviewed and approved by the NCDOT District Engineer.

Toy and hobby shop means a retail store that is primarily in the business of selling toys, games, collectibles, models and/or similar items.

Travel agency means an establishment that is primarily in the business of assisting customers in planning and arranging vacations and other travel, often by finding and booking flights, hotels, cruises or vacation packages.

Use means the specific purpose for which land, a building, or a portion of a building is designed, arranged, intended, occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include a nonconforming use.

Used or occupied means and includes, as applied to any land or building, the terms "intended, arranged or designed to be used or occupied".

Video store means a retail store that is primarily in the business of renting and/or selling videos, DVDs and/or video games. An establishment that sells video and meets the definition of adult establishment, as herein defined, shall not be considered a video store.

Viewshed means a view through or along a road, or opening, including those along the boundaries of a stream, lake or pond, which frames, highlights, or accentuates a prominent structure, scene or panorama.

Wedding, 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.

Wetlands means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a



prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Yard means any area on the same lot with a building or buildings lying between the building or buildings and the nearest lot line.

Yard, front, means an open, unoccupied space between the street right-of-way line, and the front of a building, projected to the side lines of the lot.

Yard, rear, means a yard extending the full width of the lot on which a principal building is located and situated between the rear lot line parallel thereto and passing through the point of the principal building nearest the rear lot line. If a rear yard abuts a buffer area along a major or minor thoroughfare as required by subsection 46-76(d), the rear lot line shall be considered to be the nearest edge of the buffer area.

Yard, side, means a space extending from the front yard to the rear yard between the principal building and the side lot line as measured perpendicular from the side lot line to the closest point of the principal building. If a side yard abuts a buffer area along a major or minor thoroughfare as required by subsection 46-76(d), the side lot line shall be considered to be the nearest edge of the buffer area.

Yield plan means a plan that shows the number of developable lots in a proposed conservation subdivision if such subdivision were to be built as a conventional subdivision in a R-CD zoning district in the town.

(Ord. No. 87-04-08, § 2.2, 4-8-1987; Amd. of 5-9-1994; Ord. No. O-2002-33, 12-9-2002; Ord. No. O-2003-05, 3-10-2003; Ord. No. O-2003-14, 7-14-2003; Ord. No. O-2004-01, 3-8-2004; Ord. No. O-2004-06, 6-14-2004; Ord. No. O-2004-08, 7-12-2004; Ord. No. O-2004-25, 11-18-2004; Ord. No. O-2006-05, 1-9-2006; Ord. No. O-2006-14, 8-14-2006; Ord. No. O-2006-17, 10-9-2006; Ord. No. O-2006-19, 10-9-2006; Ord. No. O-2007-01, 1-8-2007; Ord. No. O-2008-06, 4-14-2008; Ord. No. O-2009-06, 7-13-2009; Ord. No. O-2010-05, 4-12-2010; Ord. No. O-2011-02, 3-14-2011; Ord. No. O-2011-07, 4-11-2011; Ord. No. O-2011-09, 5-9-2011; Ord. No. O-2011-11, 7-11-2011; Ord. No. O-2011-16, 12-12-2011; Ord. No. O-2012-01, 1-9-2012; Ord. No. O-2012-11, 7-9-2012; Ord. No. O-2012-12, 8-13-2012; Ord. No. O-2012-13, 10-8-2012; Ord. No. O-2013-12, 8-12-2013; Ord. No. O-2013-14, 12-9-2013; Ord. No. O-2014-03, 3-10-2014; Ord. No. O-2014-13, 11-10-2014; Ord. No. O-2015-01, 2-9-2015; Ord. No. O-2015-11, 6-8-2015; Ord. No. O-2016-2, 4-11-2016)

**Adopted the 11<sup>th</sup> day of April, 2016**

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**Bill Deter, Mayor**

Attest:

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**Peggy S. Piontek, Town Clerk**

**AN ORDINANCE TO AMEND SECTION 58-58  
OF THE CODE OF ORDINANCES  
OF THE TOWN OF WEDDINGTON**

**O-2016-03**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-58 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

Sec. 58-58. - R-CD residential conservation district.

[...]

(4) Standards for developments located in conservation subdivisions.

- a. Ownership. When land of a conservation subdivision is held in multiple ownerships, it shall be planned and developed as a single entity for purposes of this chapter.
- b. Conservation lands disturbance. The proposed design of the conservation subdivision shall minimize disturbance of primary conservation and required secondary conservation lands.
- c. Density standards. The actual number of lots suitable for the placement of a principal residential structure may be limited by on-site features as determined by submission and analysis of a yield plan as contained in subsection 46-42(d)(2).
- d. Minimum required conservation land. No lot suitable for the placement of a principal residential structure shall be platted to include within its dimensions any conservation lands as herein required. Conservation land on the tract containing the conservation subdivision shall be calculated as follows:
  1. Tracts containing primary conservation lands. All primary conservation lands within the tract shall be retained as conservation land. Half of all remaining secondary conservation lands, where they exist, shall be retained as conservation land in the order of priority as described below:
    - i. Tier A (high priority).
      - A. Viewshed from the Road
      - B.. Forestlands.
    - ii. Tier B (medium priority).
      - A. Farmlands.
      - B. Historic site.
    - iii. Tier C (lowest priority).
      - A. Steep slopes.
      - B. Rock formations.
      - C. Lands adjacent to parks.
  - iv. At a minimum, 50 percent of the gross acreage of the tract will be required to be retained as conservation land. When a subdivision lies on both sides of a major

or minor thoroughfare, all attempts should be made to have 50 percent of each side's gross acreage designated as conservation land. The Town may allow flexibility on the distribution of conservation land in unique cases where an alternative purpose is served. Conservation land in excess of the 50 percent minimum, while not required by this chapter, may be set aside at the property owner's discretion.

2. Tracts not containing primary conservation lands. At a minimum, 50 percent of the gross area of the tract shall be retained as secondary conservation land if there are no primary conservation lands on the tract. The priority order for retaining secondary conservation lands shall be as described in subsection (4)d.1. of this section.
- e. Dimensional standards.
1. Minimum lot sizes: One of the primary differences between conventional subdivisions and conservation subdivisions is that although the overall allowable density levels between the two are the same, conservation subdivisions allow much smaller lot sizes. Accordingly, lots containing single-family dwellings may have a minimum area of 12,000 square feet. Easement lots are not permitted in a conservation subdivision.
  2. Minimum lot width at building line: 80 feet.
  3. Minimum street frontage: 30 feet.
  4. Yard regulations: Variations in the principal building position and orientation on the lot are encouraged, but shall observe the following minimum standards:
    - i. Front yard: 20 feet.
    - ii. Rear yard: 30 feet.
    - iii. Side yard: 30 feet separation for principal buildings on adjacent lots, with no side yard less than five feet. The streetside side yard on a corner lot (i.e., the lot fronting a street that is not the "front yard") shall be at least 15 feet.

Notwithstanding the provisions of this subsection, all principal dwelling units within a conservation subdivision shall be set back at least 100 feet from all external road rights-of-way (i.e., rights-of-way of roads that are external to the proposed subdivision), as depicted on the most current version of the local thoroughfare plan. In addition, all principal dwelling units shall otherwise be set back a minimum of 50 feet from the external boundaries of the conservation subdivision.
  5. Maximum building height: 35 feet.
  6. Garages with front loading bays shall be recessed a minimum of two feet from the front facade of the house and visually designed to form a secondary building volume.
- f. Design standards. Lot lines shall not encroach upon the designated conservation lands. A minimum of 95 percent of building lots within the subdivision must share at least one lot line with another lot in the subdivision.
- g. Conservation land uses. Except as provided herein, most types of structural development are not allowed on primary conservation lands and required secondary conservation lands.
1. Principal uses permitted outside of primary and required secondary conservation lands. Single-family dwellings.
  2. Principal uses permitted on primary and required secondary conservation lands. No use or development shall be allowed on primary and required secondary conservation lands except as follows:
    - i. Conservation of open land in its natural state (e.g., forestlands, fields or meadows).

- ii. Agricultural uses, including raising crops or livestock, nurseries and associated buildings, excluding residences, provided that such buildings are specifically needed to support an active, viable agricultural or horticultural operation, and are architecturally compatible with the neighborhood setting. Specifically excluded, but not limited to, are commercial livestock operations involving swine, poultry and mink.
  - iii. Pastureland.
  - iv. Horse farms or academies.
  - v. Forestry, in keeping with established best management practices for selective harvesting and sustained yield forestry.
  - vi. Neighborhood uses such as village greens, commons, picnic areas, community gardens, trails and similar low-impact, passive recreational uses.
  - vii. Noncommercial recreational areas, such as playing fields, playgrounds, courts and bikeways, provided such areas do not consume more than half of the minimum required conservation land or five acres, whichever is less. Parking facilities for the same shall also be permitted, and they shall generally be gravel-surfaced, unlighted, properly drained, provide safe ingress and egress, and contain no more than ten parking spaces. Notwithstanding the above, golf courses, their parking areas, and associated structures, shall not be allowed on any required conservation lands.
  - viii. Water supply and sewage disposal systems and stormwater detention areas designed, landscaped and available for use as an integral part of the conservation area.
  - ix. Easements for drainage, access, sewer or water lines or other public purposes.
  - x. Underground utility rights-of-way. Above ground utility and street rights-of-way may traverse conservation lands but street rights-of-way shall not count toward the minimum required conservation land. Fifty percent of the utility rights-of-way may be counted toward the minimum required conservation land.
- h. Permanent conservation land protection through conservation easements.
- 1. Subject to the provisions of subsections (4)h.2. and (4)h.3. of this section, conservation lands required pursuant to subsection (4)d. of this section may be retained by the applicant or may be conveyed to another party, but must be and remain subject to a conservation easement. Nothing herein shall restrict the legislative zoning authority of the town council.
  - 2. Required conservation land shall be subject to a conservation easement that specifies the range of uses allowable pursuant to subsection (4)g.2. of this section, and which are enforceable in accordance with all applicable laws of the state. There shall be at least two holders of every easement, except as provided in subsection (4)h.3. of this section. The holders of the conservation easement shall be the state or appropriate department or agency thereof, or one or more conservation organizations, in any combination of two or more, except as provided in subsection (4)h.3. of this section. Enforcement of the terms of the conservation easement shall be in accordance with applicable state law. The proposed preliminary plat shall indicate that required conservation lands are subject to a conservation easement being conveyed to specific entities pursuant to this section.
  - 3. Upon demonstration by the applicant that efforts to comply with subsection (4)h.2. of this section have been exhausted and pursued in good faith, but have failed to result in the execution of a valid conservation easement by two qualified holders, the applicant shall enter into either:

- i. A conservation easement to be held by the state or appropriate department or agency thereof;
- ii. Held by a conservation organization approved by the town council, if the state will not agree to be the conservation easement holder;
- iii. Held by a homeowners' association, subject to subsection (4)h.4. of this section; or
- iv. Other appropriate easement holder approved within the discretion of the town council.

To the extent possible, any combination of two or more of the above listed easement holder, is preferable.

- 4. Any homeowners' association that is a holder of a conservation easement as provided in subsection (4)h.3. of this section, shall be subject to and comply with all applicable requirements for homeowners' associations as set forth in state statutes. In addition, the following criteria shall be met:

- i. The applicant for conservation subdivision approval shall provide the town a description of the organization of the proposed association, including its bylaws, and all documents governing ownership, maintenance and use restrictions for common facilities;
- ii. The proposed homeowners' association shall be established by the conservation subdivision applicant and shall be operating (with financial underwriting by the applicant, if necessary) before the sale of any dwelling units in the development;
- iii. Membership in the homeowners' association shall be mandatory for all purchasers of lots within the conservation subdivision and their successors in title;
- iv. The homeowners' association bylaws shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in his dues. Such dues shall be paid with the accrued interest before the lien may be lifted;
- v. The homeowners' association shall annually provide to the town a listing of the names, addresses and telephone numbers of all their officers and board members;
- vi. Any proposed changes to the conservation easement that substantively affect the usage, location or maintenance of conservation land within the conservation subdivision must first be consented to and approved by the town council.

- i. Maintenance plans and maintenance agreement.

- 1. The cost and responsibility of maintaining the required conservation lands and associated common facilities shall be borne by the fee simple owner of the required conservation lands, or by another party as specified in an executed, binding and enforceable maintenance agreement, who is a holder of the conservation easement.
- 2. The applicant must submit, with an application for preliminary plat approval, a maintenance agreement that obligates either the property owner of the conservation lands, or other specified party as provided above, to implement the maintenance plan.
- 3. The maintenance plan shall be submitted with an application for preliminary plat approval of a conservation subdivision, and shall be in accordance with the following requirements:
  - i. The maintenance plan shall specify ownership of required conservation lands.

- ii. The maintenance plan shall establish a regular operation and maintenance program appropriate to the uses to be undertaken on the subject conservation lands, pursuant to subsection (4)g.2. of this section.
- iii. The maintenance plan shall specify required insurance and all maintenance and operating costs, and shall define the means for funding the maintenance plan on an on-going basis. Such funding plan shall include the means for funding long-term capital improvements as well as regular yearly operating and maintenance costs.
- iv. The property owner or other specified party as provided above, shall be required to escrow or bond sufficient funds for the maintenance and operation costs of the conservation lands for two years. The amount of such escrow or bond shall be equal to 1.5 times the biannual estimated maintenance and operational costs, and shall be in a form as provided in subsection 46-45(b).
- v. Any changes to the maintenance plan shall be approved by the town council.
- vi. In the event that conservation lands and associated common facilities are not maintained in accordance with the approved maintenance plan, the town may recover the escrow or bond funds to be used for such maintenance and any development permits and approvals may be revoked or suspended.
- vii. The property owner of the conservation lands and, if utilized, any other maintaining party by agreement, shall execute a release and indemnity of the town, in a form satisfactory to the town, for any claims or damages arising from the maintenance agreement and maintenance plan or performance thereof.

(Ord. No. 87-04-08, § 5.7, 4-8-1987; Ord. No. O-2004-07, 6-14-2004; Ord. No. O-2004-09, 7-12-2004; Ord. No. O-2004-13, 7-12-2004; Ord. No. O-2004-26, 11-18-2004; Ord. No. O-2007-04, 4-9-2007; Ord. No. O-2009-07, 7-13-2009; Ord. No. O-2010-07, 4-12-2010; Ord. No. O-2011-06, 4-11-2011; Ord. No. O-2013-11, 8-12-2013; Ord. No. O-2014-04, 3-10-2014; Ord. No. O-2014-20, 12-8-2014; Ord. No. O-2016-3, 4-11-2016)

**Adopted the 11<sup>th</sup> day of April, 2016**

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**Bill Deter, Mayor**

Attest:

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Peggy S. Piontek, Town Clerk

**AN ORDINANCE TO AMEND SECTION 58-146  
OF THE CODE OF ORDINANCES  
OF THE TOWN OF WEDDINGTON**

**O-2016-04**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-146 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

Sec. 58-146. - Prohibited signs.

The following signs are expressly prohibited within all zoning districts, unless as otherwise specified in this chapter:

- (1) All off-premises signs, including directional signs and billboards. Such prohibition, however, shall not be applicable to temporary signs permitted by section 58-151.
- (2) All portable signs, except as may otherwise be allowed by this chapter.
- (3) Flashing light signs.
- (4) Any sign which the zoning administrator determines obstructs the view of bicyclists or motorists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
- (5) Luminous signs.
- (6) Any sign placed upon a traffic control sign, tree that is on public land or lies within a public road right-of-way, or utility pole for any reason whatsoever.
- (7) Building-mounted signs.

(Ord. No. 87-04-08, § 8.3, 4-8-1987; Ord. No. O-2003-06, 3-10-2003; Ord. No. O-2012-01, 1-9-2012; Ord. No. O-2012-03, 3-12-2012; Ord No. O-2016-4, 4-11-2016)

**Adopted the 11<sup>th</sup> day of April, 2016**

---

**Bill Deter, Mayor**

Attest:

---

Peggy S. Piontek, Town Clerk

**TOWN OF WEDDINGTON  
SPECIAL TOWN COUNCIL MEETING  
TUESDAY, APRIL 19, 2016 – 6:30 P.M.  
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Town Council meeting at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on April 19, 2016, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Scott Buzzard, Janice Propst and Michael Smith,

**Item No. 1. Open the Meeting** Mayor Deter opened the April 19, 2016 Special Town Council Meeting at 6:30 p.m.

**Item No. 2. Determination of Quorum** There was a quorum.

**Item No. 3. Closed Session**

Mayor Pro Tem Titherington moved to enter into Closed Session [N.C.G.S. 143-318.11 (a)(6)] To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee. . All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

Upon returning from Closed Session Mayor Pro Tem Titherington moved to enter into Open Session. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

**Item No. 4. Adjournment**



Mayor Pro Tem Titherington moved to Adjourn the April 19, 2016 Special Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

The meeting was adjourned at 9:50 p.m.

Attest:

\_\_\_\_\_  
Bill Deter, Mayor

\_\_\_\_\_  
Don Titherington, Mayor Pro Tem

Sec. 58-3. - Enforcement and penalties.

- (a) Pursuant to G.S. 160A-175, 160A-365, 160A-389, and 14-4, any person violating any provision of this chapter shall be subject to a civil penalty of the greater of \$50.00 per day for each day that the violation exists or ten times the permitting fee, if applicable, with a maximum fine of \$500.00. Violations of this chapter shall not constitute a misdemeanor or infraction. Proceeds from civil penalties collected under this chapter shall go into the town's general fund.
- (b) Pursuant to G.S. 160A-175, the town may file a civil action to recover said penalty if the offender does not pay said penalty within five days after the offender has been cited for violation of this chapter.
- (c) Pursuant to G.S. 160A-175, 160A-365, and 160A-389, the town may also seek any appropriate equitable relief issuing from a court of competent jurisdiction that it deems necessary to ensure compliance with the provisions of this chapter. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the town for equitable relief that there is an adequate remedy at law.
- (d) Pursuant to G.S. 160A-389, if a building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this chapter or other regulation made under the authority conferred thereby, the town, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate the violation, to prevent occupancy of the building, structure or land or to prevent any illegal act, conduct, business or use in or about the premises.
- (e) Pursuant to G.S. 160A-175, the town may seek a mandatory or prohibitory injunction and an order of abatement commanding the offender to correct the unlawful condition upon or cease the unlawful use of the subject premises. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the rules of civil procedure in general and Rule 65 in particular.
- (f) The remedies provided in this section are cumulative, and the town may pursue any or all of the same as its direction. Each day that the violation exists shall constitute a separate and distinct offense.
- (g) Following case resolution, a recurrence of the same violation within 6 months of the initial violation shall be considered a recurring violation and shall be subject to a continuation of any or all of the code enforcement penalties previously enacted by the Town. To address frequently recurring violations, the Town may initiate non-complaint based inspections/code enforcement after case resolution to check for a recurrence of the same violation.

(Ord. No. 87-04-08, § 1.5, 4-8-1987; Ord. No. O-2013-09, 8-12-2013)

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

## MEMORANDUM

**TO:** Mayor and Town Council

**FROM:** Peggy Piontek Town Administrator

**DATE:** May 9, 2016

**SUBJECT:** Addendum to painting contract with Nu Hue

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Mayor Deter sent an email advising Council of the rotted structural support beam and other rotted woodwork found by Nu Hue. Our Finance Officer has confirmed that the additional funds of \$3,450.00 funds are available in 2016 budget. The invoice for the work is attached.

PSP



Estimate

**Nu Hue Company, LLC**10468 TINTINHULL DR  
Indian Land, SC 29707[www.nuhuecompany.com](http://www.nuhuecompany.com)

Nick LeClair

[nick@nuhuecompany.com](mailto:nick@nuhuecompany.com)

704-648-7454

Date	Estimate #
4/28/2016	11122110

**Bill To:**Town of Weddington  
Peggy Piontek  
1924 Weddington Road  
Weddington, NC 28104**Project Location**Town of Weddington  
Peggy Piontek  
1924 Weddington Road  
Weddington, NC 28104

Item	Description	Qty	Total
Change Order	Labor and material for additional rotten wood repairs found on the home and garage.  Garage - On side closest to the house, 2 additional pieces of siding were found. House - Front of the building, windows on second floor above entry door, 2 window sills; back corner near garage replace a piece of quarter round trim between corner boards; the outer porch band to the left of the stairs by the ground. Major repair - The overhang at the entry of the building where the patio meets the bump out. It was initially surface damage, but after removing wood it was easy to see the structure was completely rotted away. We need to remove a 4 foot section of the ceiling then support the structure with bracing, remove the left handrail, remove the rotten inner and outer fascias and bottom cap, we need to remove the two outer joists, remove some of the siding, remove the 4"x4" posts. Once all damage is gone we need to install the new post and secure to existing structure. Next we need to install two new joists and tie into the post and existing structure on both sides. Although the ceiling structure was sound there was a small amount of surface damage so we need to install ledger strips on both sides of the roof beams so we have solid wood to hang the ceiling from. After supports and joists are installed we need to trim out the joist with new inner and outer fascias and bottom cap. Install new bed mouldings inside and	1	3,450.00
<b>Total</b>			



Estimate

## Nu Hue Company, LLC

10468 TINTINHULL DR  
Indian Land, SC 29707

[www.nuhuecompany.com](http://www.nuhuecompany.com)

Nick LeClair

[nick@nuhuecompany.com](mailto:nick@nuhuecompany.com)

704-648-7454

Date	Estimate #
4/28/2016	11122110

### Bill To:

Town of Weddington  
Peggy Piontek  
1924 Weddington Road  
Weddington, NC 28104

### Project Location

Town of Weddington  
Peggy Piontek  
1924 Weddington Road  
Weddington, NC 28104

Item	Description	Qty	Total
	out, and install new tongue and grove ceiling boards. Caulk seams, and paint to match existing.  Labor and material for all repairs.		
<b>Total</b>			\$3,450.00

**TOWN OF WEDDINGTON  
PRELIMINARY BUDGET  
FY2017**

	<u>FY2015 ACTUAL</u>	<u>AS OF 4/30/16 ACTUAL</u>	<u>PROJECTED 6/30/2016</u>	<u>BUDGET FY2016</u>	<u>PRELIMINARY OPERATING BUDGET FY2017</u>
REVENUE:					
10-3101-110 AD VALOREM TAX - CURRENT	1,064,358.86	975,607.45	976,000.00	944,000.00	985,000.00
10-3102-110 AD VALOREM TAX - 1ST PRIOR YR	3,743.38	3,319.14	2,500.00	4,000.00	3,500.00
10-3103-110 AD VALOREM TAX - NEXT 8 YRS PRIOR	4,335.72	6,298.08	5,750.00	1,500.00	1,500.00
10-3110-121 AD VALOREM TAX - MOTOR VEH CURRENT	75,120.79	65,656.93	85,156.93	73,075.00	80,000.00
10-3115-180 TAX INTEREST	3,286.85	2,528.64	2,250.00	2,250.00	2,250.00
10-3231-220 LOCAL OPTION SALES TAX REV - ART 39	301,893.07	197,677.56	296,516.34	285,000.00	311,250.00
10-3322-220 BEER & WINE TAX	47,364.63	0.00	45,000.00	41,000.00	45,000.00
10-3324-220 UTILITY FRANCHISE TAX	441,388.97	407,529.16	529,529.16	425,000.00	475,000.00
10-3340-400 ZONING & PERMIT FEES	45,270.00	39,550.00	38,000.00	25,000.00	24,850.00
10-3350-400 SUBDIVISION FEES	114,785.00	62,500.00	62,500.00	55,000.00	58,300.00
10-3830-891 MISCELLANEOUS REVENUES	1,231.00	1,471.00	1,500.00	1,000.00	1,000.00
10-3831-491 INVESTMENT INCOME	4,799.87	4,124.51	5,000.00	5,000.00	5,000.00
TOTAL REVENUE	2,107,578.14	1,766,262.47	2,049,702.43	1,861,825.00	1,992,650.00
GENERAL GOVERNMENT EXPENDITURE:					
10-4110-126 FIRE DEPT SUBSIDIES	752,625.00	586,437.18	703,014.68	709,895.00	717,710.00
10-4110-127 FIRE DEPT CAPITAL/BLDG MAINTENANCE	717,795.28	3,642.15	5,000.00	3,800.00	10,000.00
10-4110-128 POLICE PROTECTION	242,849.72	247,577.44	248,077.44	248,677.00	258,620.00
10-4110-192 ATTORNEY FEES - GENERAL	116,038.61	59,241.05	95,000.00	95,000.00	95,000.00
10-4110-193 ATTORNEY FEES - LITIGATION	16,574.65	133,625.12	125,000.00	125,000.00	100,000.00
10-4110-195 ELECTION EXPENSE	0.00	8,871.58	10,871.58	11,000.00	3,500.00
10-4110-340 EVENTS & PUBLICATIONS	5,834.55	3,621.20	7,742.40	2,000.00	12,000.00
10-4110-341 WEDDINGTON FESTIVAL	(34.05)	-3,130.28	(3,130.28)	0.00	10,000.00
10-4110-342 HOLIDAY/TREE LIGHTING	5,529.01	4,284.62	4,500.00	6,500.00	6,500.00
10-4110-343 SPRING EVENT	(138.64)	479.92	750.00	750.00	750.00
10-4110-344 OTHER COMMUNITY EVENTS	373.51	236.53	400.00	250.00	500.00
10-4110-495 COMMITTEE/OUTSIDE AGENCY FUNDING	3,799.09				1,500.00
TOTAL GENERAL GOVT EXPENDITURE	1,861,246.73	1,044,886.51	1,197,225.82	1,202,872.00	1,216,080.00

budget 2017 may council mtg

**TOWN OF WEDDINGTON  
PRELIMINARY BUDGET  
FY2017**

	<u>FY2015 ACTUAL</u>	<u>AS OF 4/30/16 ACTUAL</u>	<u>PROJECTED 6/30/2016</u>	<u>BUDGET FY2016</u>	<u>PRELIMINARY OPERATING BUDGET FY2017</u>
ADMINISTRATIVE EXPENDITURE:					
10-4120-121 SALARIES - CLERK	64,824.65	59,499.94	71,433.26	71,000.00	71,000.00
10-4120-123 SALARIES - TAX COLLECTOR	41,427.26	33,840.58	40,608.70	46,315.00	46,315.00
10-4120-124 SALARIES - FINANCE OFFICER	13,437.66	10,504.28	13,164.28	13,840.00	13,840.00
10-4120-125 SALARIES - MAYOR & TOWN COUNCIL	25,200.00	21,000.00	25,200.00	25,200.00	25,200.00
10-4120-181 FICA EXPENSE	11,050.12	9,542.65	11,451.18	12,460.00	12,460.00
10-4120-182 EMPLOYEE RETIREMENT	15,915.88	13,686.24	16,423.49	18,885.00	18,885.00
10-4120-183 EMPLOYEE INSURANCE	21,766.56	19,838.13	19,802.13	25,000.00	26,000.00
10-4120-184 EMPLOYEE LIFE INSURANCE	281.12	283.08	278.88	400.00	400.00
10-4120-185 EMPLOYEE S-T DISABILITY	264.00	240.00	288.00	300.00	300.00
10-4120-191 AUDIT FEES	8,000.00	8,200.00	8,200.00	8,500.00	8,500.00
10-4120-193 CONTRACT LABOR	16,458.50	0.00	1,500.00	2,430.00	19,000.00
10-4120-200 OFFICE SUPPLIES - ADMIN	8,872.52	3,897.36	8,000.00	12,500.00	13,000.00
10-4120-210 PLANNING CONFERENCE	2,762.48	2,954.34	3,000.00	2,500.00	4,000.00
10-4120-321 TELEPHONE - ADMIN	2,863.93	1,770.95	2,500.00	3,500.00	3,500.00
10-4120-325 POSTAGE - ADMIN	1,398.94	1,009.53	2,500.00	2,500.00	2,500.00
10-4120-331 UTILITIES - ADMIN	3,550.26	3,239.34	4,250.00	4,250.00	4,250.00
10-4120-351 REPAIRS & MAINTENANCE - BUILDING	19,753.35	8,722.81	51,722.81	30,223.00	22,500.00
10-4120-352 REPAIRS & MAINTENANCE - EQUIPMENT	67,050.58	57,662.75	63,326.75	63,000.00	65,000.00
10-4120-354 REPAIRS & MAINTENANCE - GROUNDS	52,862.00	47,479.85	57,484.85	63,250.00	63,520.00
10-4120-355 REPAIRS & MAINTENANCE - PEST CONTRL	792.00	440.00	750.00	1,000.00	1,000.00
10-4120-356 REPAIRS & MAINTENANCE - CUSTODIAL	5,100.00	3,000.00	5,600.00	6,000.00	6,000.00
PAYROLL ADJUSTMENTS					5,000.00
10-4120-370 ADVERTISING - ADMIN	111.10	629.41	1,000.00	1,000.00	1,000.00
10-4120-397 TAX LISTING & TAX COLLECTION FEES	1,261.20	-302.97	0.00	1,000.00	500.00
10-4120-400 ADMINISTRATIVE:TRAINING	2,433.00	3,721.69	4,000.00	4,000.00	4,000.00
10-4120-410 ADMINISTRATIVE:TRAVEL	3,832.14	4,000.02	5,000.00	6,000.00	5,000.00
10-4120-450 INSURANCE	14,909.94	13,387.05	15,000.00	15,500.00	15,500.00
10-4120-491 DUES & SUBSCRIPTIONS	18,787.76	14,495.00	17,000.00	18,000.00	18,000.00
10-4120-498 GIFTS & AWARDS	1,009.46	2,020.84	3,000.00	3,500.00	3,000.00

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**TOWN OF WEDDINGTON  
PRELIMINARY BUDGET  
FY2017**

	FY2015 <u>ACTUAL</u>	AS OF 4/30/16 <u>ACTUAL</u>	PROJECTED 6/30/2016	BUDGET FY2016	PRELIMINARY OPERATING BUDGET FY2017
10-4120-499 MISCELLANEOUS	6,007.85	3,998.17	5,000.00	5,000.00	5,000.00
TOTAL ADMINISTRATIVE EXPENSE	<u>431,984.26</u>	<u>348,761.04</u>	<u>457,484.32</u>	<u>467,053.00</u>	<u>484,170.00</u>
PLANNING & ZONING EXPENDITURE:					
10-4130-121 SALARIES - ZONING ADMINISTRATOR	54,302.72	46,515.54	55,905.74	57,240.00	57,240.00
10-4130-122 SALARIES - ASST ZONING ADMINISTRATR	2,161.74	1,089.18	2,250.00	2,250.00	2,250.00
10-4130-123 SALARIES - RECEPTIONIST	20,837.36	17,038.07	20,445.68	24,975.00	24,975.00
10-4130-124 SALARIES - PLANNING BOARD	4,500.00	3,900.00	5,000.00	5,200.00	5,200.00
10-4130-125 SALARIES - SIGN REMOVAL	3,007.01	2,629.15	4,000.00	4,000.00	4,000.00
10-4130-181 FICA EXPENSE - P&Z	6,488.05	5,448.63	6,538.36	7,770.00	7,770.00
10-4130-182 EMPLOYEE RETIREMENT - P&Z	11,310.48	9,208.48	11,050.18	13,015.00	13,015.00
10-4130-183 EMPLOYEE INSURANCE	23,826.00	20,880.00	25,056.00	27,000.00	27,000.00
10-4130-184 EMPLOYEE LIFE INSURANCE	245.28	204.40	245.28	300.00	300.00
10-4130-185 EMPLOYEE S-T DISABILITY	144.00	120.00	144.00	150.00	150.00
PAYROLL ADJUSTMENTS					3,000.00
10-4130-193 CONSULTING	22,894.63	-4,869.36	2,000.00	4,000.00	10,000.00
10-4130-194 CONSULTING - COG	7,854.81	11,700.00	16,750.00	21,750.00	21,750.00
10-4130-200 OFFICE SUPPLIES - PLANNING & ZONING	8,634.30	3,832.02	5,000.00	5,000.00	5,000.00
10-4130-201 ZONING SPECIFIC OFFICE SUPPLIES	0.00	40.01	1,000.00	2,500.00	2,500.00
10-4130-215 HISTORIC PRESERVATION	922.46	0.00		2,500.00	2,500.00
10-4130-220 INFRASTRUCTURE		0.00		3,000.00	94,500.00
10-4130-321 TELEPHONE - PLANNING & ZONING	2,863.94	1,771.05	2,500.00	3,500.00	3,500.00
10-4130-325 POSTAGE - PLANNING & ZONING	(79.86)	739.95	2,500.00	2,500.00	2,500.00
10-4130-331 UTILITIES - PLANNING & ZONING	3,550.42	3,262.97	4,250.00	4,250.00	4,250.00
10-4130-370 ADVERTISING - PLANNING & ZONING	1,042.50	327.89	1,000.00	1,000.00	1,000.00
TOTAL PLANNING EXPENSE	<u>174,505.84</u>	<u>123,837.98</u>	<u>165,635.24</u>	<u>191,900.00</u>	<u>292,400.00</u>
TOTAL EXPENDITURES	<u>2,467,736.83</u>	<u>1,517,485.53</u>	<u>1,820,345.38</u>	<u>1,861,825.00</u>	<u>1,992,650.00</u>
NET REVENUES/(EXPENDITURES)	<u>(360,158.69)</u>	<u>248,776.94</u>	<u>229,357.04</u>	<u>0.00</u>	<u>0.00</u>

budget 2017 may council mtg



**TOWN OF WEDDINGTON  
PRELIMINARY BUDGET  
FY2017**

<u>FY2015 ACTUAL</u>	<u>AS OF 4/30/16 ACTUAL</u>	<u>PROJECTED 6/30/2016</u>	<u>BUDGET FY2016</u>	<u>PRELIMINARY OPERATING BUDGET FY2017</u>
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1 cent tax = approximately #####

**FUND BALANCE ASSIGNMENTS**

Capital Projects				
Town Hall -- Buildings			45,000.00	45,000.00
Town Hall -- Sidewalks			9,000.00	12,000.00

**TOWN OF WEDDINGTON  
NON-OPERATING/DISCRETIONARY EXPENDITURES**

		<b>PROPOSED FY2017</b>	<b>FY2016</b>
Total non-operating revenues		956,255.00	
<u>Proposed non-recurring revenues</u>			
Zoning & Permit Fees		14,850.00	15,000.00
Subdivision Fees			
Current (est. Atherton/VC final -- 50 lots)		5,500.00	27,500.00
Future unidentified (132 lot prel or sketch; 30 lot sketch/prel)		52,800.00	27,500.00
Total revenues available to fund non-operating/discretionary expenditures		1,029,405.00	
<u>Proposed non-operating/discretionary expenditures to be funded</u>			
PVFD			48,318.75
WCVFD	Fire service contract	711,710.00	641,176.25
	Estimated increase for additional territory/One mth under old contract		11,332.08
	Audit "placeholder"	6,000.00	6,000.00
	Building maintenance	10,000.00	
Stallings VFD			3,067.92
Police	Increase in contract price (4% for FY2017)	9,945.00	4,827.00
Public Safety	Training/literature/pamphlets/mailings	1,500.00	500.00
Attorney	Litigation	100,000.00	
Outside agency	Urban forester		3,800.00
Parks & Rec	Spring Event	750.00	750.00
	Festival -- upfront money	3,500.00	3,500.00
	Festival -- net	6,500.00	1,500.00
	Historic committee	2,500.00	1,000.00
	Tree lighting	6,500.00	6,500.00
	Litter sweeps	250.00	250.00
	Deputy	150.00	
	Fencing & signs/miscellaneous	100.00	500.00
Office supplies	Ipads/laptops/etc	5,000.00	
Gifts & Awards	Pins, tshirts, sweatshirts, etc.		2,000.00
Grounds maintenance	Landscape upgrades/medians/roundabout	20,000.00	5,000.00
	Winter maintenance & mulching (every other year)		9,750.00
	Contract increase - estimated at 2.5%	1,000.00	
Building Maintenance	Painting and/or siding		20,223.00
	Minor repairs	15,000.00	2,000.00
	Parking expansion and garage pavement		3,000.00
	Other		
Technology	Website design	9,000.00	8,930.00
	Recording upgrades for town meetings		
Consulting/Contract Labor	Historian - expense stipends/intern		2,500.00
	Code Enforcement (funds for remedies)	5,000.00	5,000.00
	Retreat mediator	2,500.00	2,500.00
	Salary mapping/professional planning for TIP evaluation	10,000.00	
Salary adj	COLA/Merit/Bonus/Taxes/Benefits - (1.5% COLA, 1.5% bonus)	6,500.00	6,500.00
	Short-staffing bonuses/certifications	1,500.00	2,000.00
	Adjustment for new clerk/administrator's actual salary		1,000.00
Infrastructure	Streetlights near roundabout per Barbara (2)	18,000.00	18,000.00
	Additional Streetlights (potential cost share with Atherton)	18,000.00	54,000.00
	Cost participation for DOT projects	58,500.00	
Total cost of non-operating expenditures less other revenues		1,029,405.00	805,425.00
Total Net Revenue		0.00	

**AN ORDINANCE TO PROHIBIT SMOKING AND THE USE OF TOBACCO  
PRODUCTS ON TOWN OF WEDDINGTON PROPERTY**

**WHEREAS**, on January 2, 2010, “An Act To Prohibit Smoking In Certain Public Places And Certain Places of Employment,” North Carolina Session Law 2009-27, became effective, authorizing local governments to adopt and enforce policies “that are more restrictive than State law and that apply in local government buildings, on local government grounds, in local vehicles, or in public places.”;

**WHEREAS**, the Town of Weddington is committed to providing a safe and healthy workplace in all Town of Weddington buildings for employees and a safe and healthy environment for the visiting public; and

**WHEREAS**, the Town of Weddington wishes to minimize the harmful effects of tobacco use among municipal employees and the public and to eliminate secondhand smoke exposure for employees and the public in and on those buildings, vehicles and grounds controlled by the Town of Weddington; and

**WHEREAS**, the Town of Weddington finds that in order to protect the public health and welfare, it is in the best interest of the employees and the public to adopt an ordinance prohibiting smoking and the use of tobacco products in all Town of Weddington buildings and vehicles.

**NOW, THEREFORE**, be it ordained by the Town Council of the Town of Weddington as follows:

**Section 1.     Authority**

This Ordinance is adopted pursuant to G.S. 130A-498 and 160A-174(a).

**Section 2.     Definitions**

1. “Town Building” – Any building owned, leased as lessor, or the area leased as lessee and occupied by the Town of Weddington.
2. “Town Grounds” – Any unenclosed area owned, leased to, or otherwise occupied by the Town of Weddington.
3. “Town Vehicle” – Any vehicle owned or leased by the Town of Weddington.
4. “Employee” – Any person who is employed by the Town of Weddington, or who contracts with the Town of Weddington, or a third person to perform services for the Town of Weddington, with or without compensation.
5. “Smoking” – The use or possession of a lighted cigarette, lighted cigar, lighted pipe, electronic cigarette or any other lighted tobacco product.
6. “Tobacco Product” – Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component part or accessory of a tobacco product. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Section 3.     Areas and Vehicles in Which Smoking and the Use of Tobacco Products are Prohibited

1. Smoking and the use of Tobacco Products are prohibited in any Town Building, Town Vehicle, and on Town Grounds.
2. Any person who fails to comply with this Section shall be subject to the penalties provided for in Section 4 of this Ordinance.

Section 4.     Posting of Signs Prohibiting Smoking and Tobacco Use on Town Property

1. The Town Administrator is authorized to post conspicuous signs at, on, or within any Town Building, Town Vehicle, or Town Grounds, stating that Smoking and the use of Tobacco Products are prohibited therein.
2. The signs provided for in this Section 4 shall:
  - a. be posted at appropriate locations and intervals reasonably calculated to inform Employees and the public of the prohibition;
  - b. be of sufficient size to be clearly legible to a person of normal vision; and
  - c. include the universal “No Smoking and Tobacco Products Prohibited” symbol.

Section 5. Penalties

1. Failure to cease Smoking or the use of Tobacco Products in accordance with Section 3 constitutes an infraction punishable by a fine of not more than fifty dollars (\$50.00).
2. A citation for violating Section 3 of this Ordinance may be issued by a sworn law enforcement officer.
3. An infraction under this Section 5 has no consequence other than payment of a penalty, and no court costs may be assessed.
4. In addition to any penalty provided for in this Section 5, Employees who violate Section 3 of this Ordinance shall be subject to disciplinary sanctions consistent with the Town's personnel policy.

Section 6. Abrogation

This Ordinance shall supersede any previous Town ordinances or policies regulating Smoking or the use of Tobacco Products at, on, or within any Town Building, Town Vehicle, or Town Grounds.

Section 7. Effective Date

This Ordinance shall be effective upon adoption.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Bill Deter, Mayor

ATTESTED:

\_\_\_\_\_  
Peggy Piontek, Town Clerk



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Monday, April 11, 2016

## **Subject: FY17 Budget Transmittal Letter – Town of Weddington**

Dear Mayor Deter:

I have prepared this report to provide further information and justification for the proposed FY17 budget requested by the Wesley Chapel Volunteer Fire Department. The information in this document is in addition to the information presented during the budget retreat and designed to provide further clarification and transparency for the proposed FY17 budget.

### **Executive Summary:**

On January 21, 2016, the Wesley Chapel Volunteer Fire Department ("WCVFD" or "the department") Board of Directors unanimously approved sending the FY17 budget to the Town of Weddington officials for your consideration and approval. On February 18, 2016, at the direction of the Board of Directors, Chief McLendon presented the preliminary budget and associated components to council and staff at the annual budget retreat.

The proposed budget for FY17 has been designed to facilitate WCVFD's progress towards the departmental goals for the fire service (which are described in detail below), to staff the department to provide exemplary service to our constituents and to contribute to the overall stability and future viability of the organization. Additional budget line item details may be found in the Appendix.

**Based upon the initial growth rate information from town staff, the department is proposing a preliminary FY17 budget for \$711,705. This budget illustrates a growth rate of 1.75% over the FY16 budget.**

Information presented in this document is specific to the funding and expenses related to the operations within the municipal limits of Weddington. As noted, the department does provide services to two other areas in Union County (Wesley Chapel VFD Tax District and the area formally known as the Providence Rural Fee District). For the purposes of this document, information only applicable to the Weddington municipal limits will be included. Revenue received from Union County for the other services areas are not included in the document.



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## **WCVFD's Mission-driven Goals:**

I, and the Wesley Chapel Fire Department Board of Directors, take great pride in ensuring that the Town's shareholders and customers receive professional service and also take very seriously the stewardship of their tax dollars that are allocated to the department. To this effect, we have again striven to provide you with solid and transparent proposals during the budget process and with a laser focus; we have developed this budget in order to properly address the needs and stability of the organization while executing forward progress on our intermediate and long-term goals. For your reference purposes, our goals are as follows:

1. Improve safety through training and equipment
2. Implement technology upgrades to improve the efficiency of both administrative operations and response times and to improve the effectiveness of firefighting and emergency management operations
3. Lower ISO rating
4. Improve management of apparatus lifecycle and replacement scheduling
5. Properly plan for and address staffing needs
6. Continue following a disciplined approach to managing the department's budget

## **Requests from Budget Retreat:**

Following the presentation at the budget retreat, I received a note from the Finance Officer, Leslie Gaylord, with a few follow up questions from the council and staff. As a result of these inquiries, and the departments continual effort to provide the town and the citizens with as much practical information in regards to the department budget submission, I have included information in this document that addresses each of these inquiries. I have summarized the inquiries from Ms. Gaylord as follows:

- Request for a line-item budget
- Process for determining percentage basis for 'shared' and/or 'pro-rated' expenses
- Breakdown of Personnel expenses (Salaries and Wages)
- Information about the Capital allocations



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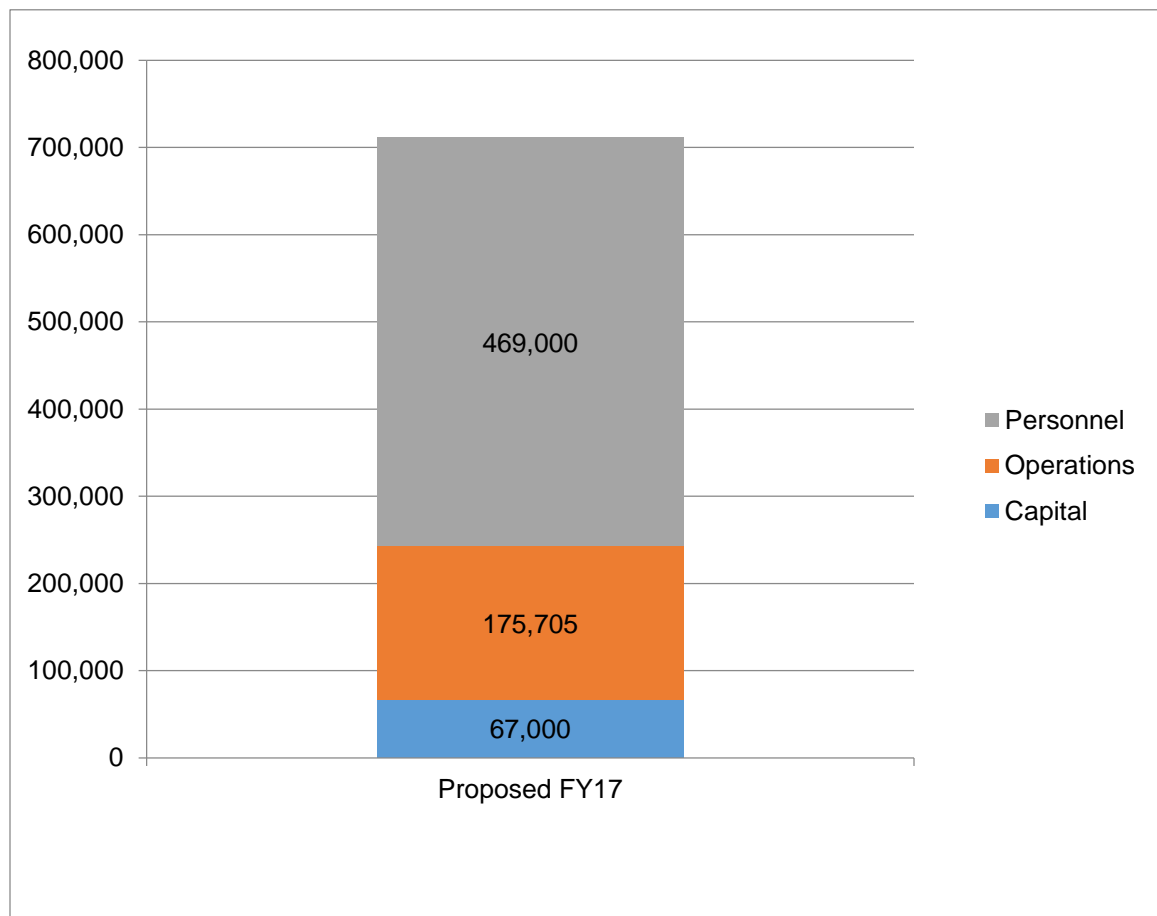
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## **Preliminary Budget:**

The preliminary FY17 budget is presented in two formats. 1) General Classification format, which was delivered and discussed at the budget retreat; 2) Line-item format, as requested by council and staff.

**General Classification Budget**



*The general classification breakdown illustrates the three major expense categories and the associated expenses within each respective category.*





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To build upon the general classifications budget illustrations, as well as provide additional transparency into the allocations for each classification, the preliminary line-item budget is presented as follows:

#### **Preliminary Line-item Budget**

Wesley Chapel VFD Preliminary FY17 Line-item budget	
Salaries and Wages	469,000
Uniforms	4,500
Medical Supplies (First Responders)	5,500
Office Equipment/Supplies	1,800
Firefighting Supplies	2,200
Small Equipment	7,200
Misc. Expenses	1,805
Travel and Training	6,000
Telephone/Pagers	1,100
Utilities	22,000
Maintenance (Building and Grounds)	10,500
Maintenance (Small Equipment)	3,000
Fuel	17,000
Maintenance (Vehicles)	20,500
Advertising	500
Legal & Professional Fees*	5,000
Insurance	20,000
Dues & Subscriptions	2,500
Taxes	30,000
PPE	14,600
Capital Reserve	67,000
<b>Total</b>	<b>711,705</b>

*\*Legal and Professional fees do not include the amount discussed with the Town for the allocation towards the annual audit (~\$4,500)*

*Additional information, line-item specific, is provided in the Appendix*



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## **Support for Proposed Budget:**

The items included in detail in the Appendix have been identified to continue the essential operations of the department. As illustrated and conveyed throughout this proposal, the department is very forthcoming and transparent in the budget process; fully disclosing a transparent budget proposal annually. Decisions made by the Board of Directors are focused on mission critical and necessary expenses for the department's continual sustainability and improvement of service delivery.

The funding proposed is essential for the continual operations of the organization as well as taking strides towards making forward progress on executing the mission driven goals of the department. The department has been able to illustrate professional response times to emergencies within the town and work towards delivering a more sustainable service delivery and effective firefighting force (NFPA 1720). The department has been able to implement and manage training programs and safety practices for the continual development and safety of personnel (NFPA 1500 and NFPA 1001) and implement practices for apparatus lifecycle/replacement, budget management and other related goals.

In preparation for the FY17s budget cycle, I have spent the necessary time evaluating current funding; using actual expenditure figures and professional calculations and projections to better forecast the department's future expenditures. Because of these professional standards, the department prides itself on being able to formulate an annual budget that meets the demands of the organization, while also staying within the growth projections for the town's revenue. In doing so, we feel this speaks greatly for the professionalism and business sense of the organization and illustrates our commitment to fiscal responsibility and due diligence in the budget process, as well as illustrates our commitment to maintaining a strong partnership with the town. We kindly invite and encourage you to review the Appendix for additional details regarding the make-up of the proposed FY17 budget.

If you have any questions about the content in this proposal or require any further information, please feel free to contact me at any time. I look forward to working with the council and staff again this year and thank you for the opportunity to explain the needs, goals and rationale during this year's budget process.

Respectfully,

Steven McLendon  
Fire Chief  
Wesley Chapel Fire Department  
Office – 704-843-3367  
Email – [smclendon@wesleychapelvfd.org](mailto:smclendon@wesleychapelvfd.org)



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## **Appendix to WCVFD FY17 Budget Request**

The information detailed below is illustrated to provide full transparency into the line-item appropriations for the FY17 budget. The department receives funding from the town of Weddington, as well as Union County for the provisions of providing fire protection and emergency services in Union County, NC. Because of the nature of the contractual relationships, funding provided and the geographical area serviced by the department, there are some expenses which are considered 'shared' or 'pro-rated' by nature. Additionally, there are direct expenses that are directly related to the operations and expenses for the Town of Weddington, such as utilities, maintenance categories, fuel, small equipment, and other line-items that fund expenses directly related to the specific equipment or service for the Hemby Road station.

For the shared or pro-rated expenses, the department uses several methods to determine the allocations in the budget. The methods factored are based on percentage of shared use, percentage of total cost, or other similar calculations or combinations of methods. This process has been validated by the external CPA firm and deemed to exceed the standards for Generally Accepted Accounting Practices (GAAP).

For clarification purposes, I will provide a few examples.

Example 1) Utilities - An example of a direct expense would be the utilities associated with the Hemby Road station. Under this expense, these are direct expenses, exclusively funded within the allocations from the town budget because they are direct expenses related to the operations of the Hemby Road station.

Example 2) Uniforms - Because members and employees are in fact members and employees of the corporation, and not individual fire stations, the use of percentage allocations for certain expenses must be allocated to meet the standards for General Accepted Accounting Practices (GAAP) as well as transparent and fiscally responsible business practices by the corporation.

For example, the department is purchasing new uniform shirts for the members of the department and the project costs \$6,000. For this expense, the county budget would be charged 66.5% (\$3,990) of the expense, and the town budget would be charged the balance, 33.5% (\$2,010). This percentage factor is determined by allocating a percentage to each fire station, or respective funding category. The town budget for uniforms cover the expenses for one fire station and the county budget funds the expense for the other two stations.

Example 3) Maintenance (Vehicles) – Another example of a direct expense would be the expenses related to the maintenance for the vehicles located at the Hemby Road station. Under this example, the cost of annual preventive maintenance, emergency repairs, etc.... would be funded directly from the town's line-item because this equipment is primarily assigned and located at the Hemby road station.

Example 4) Travel & Training – The travel and training budget line-item could be a shared expense or directed expense, depending on the nature of the expenditure. For example, a shared or pro-rated expense would be applied to the department's annual contract with the training software vendor. For this expense, the department is charged an annual users fee, per user. This program is used for training management for ISO, North Carolina Department of Insurance and OSHA. Under this expense, the department would apply a percentage to the annual cost, similar to the percentage allocation example for uniforms, allocated by number of personnel related to the total expense.



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## Budget Expense Detail by line item

**Salaries & Wages** – Volunteerism has long been the foundation of the Wesley Chapel Fire Department and the department is extremely proud to have such a large community volunteer base. Wesley Chapel Fire Department has the largest membership of any department in Union County, at over 100 members. The department uses a program called Volunteer Duty Schedule (VDS) for supplemental staffing and retention of volunteers, as well as the utilization of part-time paid staffing. Together, these programs provide an excellent service delivery model that ensures the proper personnel are available to respond to emergencies on a 24/7-365 basis.

Because of the geography of the municipal limits, all three fire stations operated by Wesley Chapel Fire Department have 'primary' response areas within the municipal limits. Therefore, the methodology used to determine the funding for the Salaries & Wages line-item is both a direct and percentage allocation.

During the FY 16 budget, the department began operations at the Hemby Road station with staffing allocations that allow for up to 4 in-station personnel on a 24/7 basis. The department staffing model for the Hemby Road station is allocated based on the following staffing projections.

Daytime staffing (6am-6pm) – 4 FF/EMT part time paid positions

Nighttime staffing (6pm-6am) – 3 FF/EMT part time paid positions, 1 VDS shift

The median hourly rate for our part time hourly employees is figured at \$13.00/Hr.

Number of part time positions in a 24 hour shift	Hours per shift	Median hourly rate	Days in the year	Total
7	12	\$13.00	365	*\$398,580

*7 (number of part time paid positions per 24hrs) X 12 (hours per shift) X \$13.00 (median hourly rate) X 365 days = \$398,580.*

\*+1.75% for overtime and holiday pay (\$6,975). Total for \$405,555

The VDS program compensation is calculated on a points system. The points systems is budgeted at a rate of 121 points per shift. The budget for the VDS is calculated with a base value of \$1.01, per point.

Number of VDS shifts per day	Median point accumulation	Point value	Days in the year	Total
1	121	\$1.01	365	44,606.65

*1 (number of VDS shifts) X 121 (median point accumulation per shift) X \$1.01 (value of point) X 365 days = \$44,606.65.*

Volunteer members also earn points for responding to emergency incidents, to supplement the in-station staffing, while at home or while they are not assigned to a VDS shift. For example, a volunteer responds to a medical call from home because he is close to the incident and may be able to provide care before the in-station crew arrives. This volunteer earns 'points' for responding to the call. It should be noted that this is not the same points program as the in-station VDS. In this scenario, the volunteer would only earn the points allocated for this call, not the (121 points) illustrated for the VDS program.



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For the purposes of allocating funds for this program, the departments projects or estimates ~350 emergency calls the town in FY17. Just as the projection or estimation of calls is unknown, the response from volunteers from their homes is unknown as well. With this understanding, the department feels a conservative multiplier of 2.5 is a respective baseline projection for the program.

Number of calls per year	Median point accumulation	Point value	Multiplier	Total
350	8	\$1.01	2.5	\$7,070

350 (estimated number of calls per year) X 8 (median point accumulation) X \$1.01 (point value) X 2.5 (personnel multiplier) = Allocations for volunteer response program \$7,070

Additionally, included in the Salaries and Wages budget includes funding for the payroll processing and services. This service is contracted by an outside vendor and the cost associated with this expense is as follows:

- 1) Monthly cost to process payroll - ~\$3.63 per member
- 2) Year-end cost to process W2s - \$5.60

The department uses a percentage allocation for these expenses and generally records as follows:

The department membership is between 100-110 members. On a percentage basis, the department factors ~36 of these members, or ~1/3, towards the payroll expenses.

Number of members/employees	Cost per month to process	Months in year	Total
<b>36</b>	<b>\$3.63</b>	<b>12</b>	<b>\$1,568.16</b>

Number of members/employees	Cost per year to process W2	Total
<b>36</b>	<b>\$5.60</b>	<b>\$201.60</b>

#### Total Breakdown of Salaries and Wages (projections)

Program	Cost
Part time hourly	\$405,555
VDS (in-station)	\$44,606.65
Volunteer response	\$7,070
Payroll Processing	\$1,769.76
*~2% contingencies/administrative	\$9,999
<b>Total</b>	<b>\$469,000</b>

\*Contingencies' include administrative costs, shortfalls, increase in volunteer response or other direct personnel expenses.

On a percentage basis, the Salaries & Wages equate a monthly payroll trigger of \$39K, which is ~33-35% of the total monthly payroll expenses.



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**Uniforms \$4,500** – Based on projected uniform expenses and the percentage allocation method, the uniform budget is presented at \$4,500.

**Medical Supplies \$5,500** – The number of medical related emergencies continue to increase annually and projections illustrate this trend will continue. A direct expense for this line-item would include the replacement of medical equipment located on the apparatus at the Hemby Road station, such as an AED or Stethoscope for example. A shared or pro-rated expense would be applied to a bulk order of consumable supplies such as bandages, ice packs, or other related equipment.

**Office Equipment/Supplies \$1,800** – The expense related to this line-item are direct expenses related to the office equipment and supplies. Such items would include paper, pens, notebooks, computer software updates, printer ink and other related items.

**Firefighting Supplies/Public Education \$2,200** – This line-item primarily funds items related to our public education and fire prevention efforts within the community. In addition to public education, firefighting supplies generally includes those items that are not specific to equipment, PPE, or other line items. These expenses could include firefighting foam agents or other similar firefighting supplies.

**Small Equipment \$7,200** – The small equipment line-item funds equipment replacement and expansions to equipment that is located at the Hemby Road station. In the FY17 cycle, the department plans to purchase an additional Rapid Intervention equipment (RIT) for firefighter safety, as well as replace a few Self Contained Breathing Apparatus (SCBA) cylinders and look at the option of replacing some of the fire hose, if the budget allows.

The SCBA cylinders and fire hose are based on scheduled replacement dates and the RIT equipment will be an addition to the existing equipment.

**Misc. Expenses \$1,805** – The Misc. expenses line-item primarily funds OSHA related expenses for respiratory protection and compliance and employee services such as drug testing, background screening and other related items. In addition to the OSHA and employee services, misc. expenses would also capture items that are not specific to other line items.

**Travel and Training \$6,000** - Training is a major component in the efficiency of the organization and a priority item for the ongoing development of personnel. As illustrated in example 4, training expense could be direct or pro-rated, based upon the nature of the expense. The department continues to place a major emphasis on training and development of personnel, as this directly impacts our ability to serve the community. Training expenses include items such as the training records management program, supplies for internal training exercise and sending personnel to offsite specialty and certification training classes such as the North Carolina Breathing Air and Equipment School, South Eastern Extrication class and various local fire certification courses.

**Telephones/Pagers \$1,100** – The expense associated with this line-item is for the equipment and infrastructure to utilize mobile data terminals (MDT) in some of the department's vehicles at the Hemby Road station. The MDT units allow us to utilize information gathered from the dispatch center to illustrate routing, pre-incident plans, hydrant locations, and apparatus locations. Each unit requires a monthly service charge for the associated data plan, which is presented at ~\$42/month. This expense is also in-line with the departmental goal of technology and safety upgrades.





Station 43  
5025 Hemby Rd  
Weddington, NC 28104  
704-246-7317

Station 31  
8821 Newtown Rd  
Waxhaw, NC 28173  
704-843-0425

Station 26 - Headquarters  
315 Waxhaw Indian Trail Rd  
Waxhaw, NC 28173  
704-843-3367

**Utilities \$22,000** - The expenses associated with this line item are allocated to Cable/Internet, Gas & Electric, Telephone and Water utilities for the Hemby Rd. station. The budget is based on the limited historical expenses (6months) for the utility expenses recorded for this station. The expense reports illustrate the annual utilities expenses to be \$22,000, annually.

**Maintenance (Building and Grounds) \$10,500** – The expenditures associated with the building and grounds maintenance budget fund items such as all maintenance contracts, building supplies, general maintenance and other related expenses that are not included in the provisions under the lease contract.

**Maintenance (Small Equipment) \$3,000** – The small equipment maintenance budget is allocated to the annual expenses of servicing the small equipment for the equipment located at the Hemby Road station. These items could include Chain Saws, Hydraulic Equipment (Jaws of Life), Gas motors, 4 gas detection monitors and other related items located at the Hemby Road station.

**Fuel \$17,000** – Based on consumption and YTD expenses, \$17,000 is allocated for fuel expenses for the Hemby Road apparatus and gas powered equipment.

**Maintenance (Vehicles) \$20,500** – The vehicle maintenance budget is specific to the apparatus that is located at the Hemby Road station. This budget allocation funds items such as preventive maintenance, which includes annual services on the apparatus, as well as non-scheduled repairs, maintenance and other related expenses.

**Advertising \$500** – The annual budget for advertising is a percentage allocation towards the annual projected cost of the 'Customer Service Survey' program presented and discussed at the budget retreat. As presented at the budget retreat, the department has been able to capture wonderful data from this program and plans to continue the program for many more years.

**Legal and Professional Fees \$5,000** – The expenses for this line-item are appropriated to fund items such as legal opinions and services rendered, HR management and consulting fees, CPA fees and other related professional services.

**Insurance \$20,000** – Expenses associated with insurance are both shared and direct. Direct insurance expenses are related to the premiums for the structures and apparatus located at the Hemby Road station, while personnel insurance premiums such as Workers Compensation and Accident and Sickness policies are funded on a percentage basis.

**Dues and Subscriptions \$2,500** – Expenses associated with the Dues and Subscriptions are allocated for the shared annual expense of dues for the State Firemen's Association, National Volunteer Fire Council and other related local and national associations the department participates in annually. Because these subscriptions are not singular to one station and applied to all members and employees, this becomes a shared expense to fund the total expenditures. For this basis, the department applies the appropriate percentage, based on a breakdown of personnel, to fund the subscriptions and dues annually.

**Taxes \$30,000** – The expenses associated with the taxes line-item are payroll taxes for FICA, Medicare, SUTA and FUTA. Taxes are projected at ~7% of the Salaries and Wages allocations.



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**PPE \$14,600** – Personal Protective Equipment (PPE) is considered a shared expense due to the nature of the category. As with uniforms, members and employees wear this PPE while working for the corporation. The PPE is not assigned to a particular station, but rather issued and assigned to each individual person. The PPE budget is based on allocating a dollar figure to the total projected costs of PPE replacement annually. On average, the department replaces dated PPE and purchases new or replacement PPE on a ~20 set rotation annually. At a cost of ~\$2,220 per set, this allows the town's budget to 'share' ~1/3 of the total program cost.

**Capital Reserve \$67,000** – As discussed and presented at the budget retreat, the department's budget proposal is a total budget, which includes allocation for capital projects and debt service. In previous years, the town has allocated ~\$100K annually towards capital projects for the previous contracted fire department. This adds an additional expense to the town's emergency services allocations, above the operating budget. As presented, the town does not need to budget additional funding for the fire department because the capital allocations are inclusive to the total budget request.

As illustrated in the department's mission driven goals, capital allocations are directly related to many of these goals. (1 Improve safety through training and equipment; 2) Implement technology upgrades to improve the efficiency of both administrative operations and response times and to improve the effectiveness of firefighting and emergency management operations; 3) Improve management of apparatus lifecycle and replacement scheduling. The department understands and recognizes that fire apparatus and other large expense replacement items are on the horizon and the department is proactively planning for those expenses now. With proper planning, the department is able to create a capital account, specific to capital projects for the town, and create a financial environment that allows these projects to be funded from this account.

The department feels this is a very fiscally responsible plan and provides an environment that should eliminate the concerns or fears that the department will come asking for additional funding in future years, outside of funds allocated in the budget process, for replacement of capital equipment. The department is working on a comprehensive CIP plan that will be designed around the available funding levels and projections in future years. In doing so, the CIP projections will be prioritized in a fashion that puts the most critical items first, with consideration to the funds available to execute these projects.



**TOWN OF WEDDINGTON  
RESOLUTION ADOPTING THE  
TOWN OF WEDDINGTON EMPLOYEE HANDBOOK  
R-2016-02**

**WHEREAS**, the Town of Weddington wishes to provide a set of basic procedures and policies to each employee from which to meet the expectations of the Town; and

**WHEREAS**, the Town of Weddington expects its employees to work in a safe and productive work climate; and

**WHEREAS**, the Town of Weddington will use the Employee Handbook to define the standards that each employee is expected to demonstrate when representing the Town.

**NOW, THEREFORE, BE IT RESOLVED** that the Weddington Town Council does hereby establish the Employee Handbook to be used by all full-time and part-time employees in the Town's service.

Adopted this 9<sup>th</sup> day of May, 2016.

---

Bill Deter, Mayor

Attest:

---

Peggy S. Piontek, Town Clerk

# TOWN OF WEDDINGTON

## Employee Handbook

*Adopted October 8, 2007*

*Amended and Adopted by Resolution January 14, 2008*

*Amended with the Adoption of The MAPS Group Recommendations on 7/13/09*

*Amended and Adopted by Resolution May 9, 2016*

### **IMPORTANT NOTICE/EMPLOYEE ACKNOWLEDGMENT**

I ACKNOWLEDGE THAT I HAVE RECEIVED AND REVIEWED A COPY OF THE TOWN OF WEDDINGTON'S ("THE TOWN") EMPLOYEE HANDBOOK. I UNDERSTAND THAT THE POLICIES CONTAINED IN THIS EMPLOYEE HANDBOOK SUPERSEDE AND REPLACE ANY AND ALL PRIOR POLICIES OR PRACTICES OF THE TOWN. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND COMPLY WITH THE PROVISIONS OF THE EMPLOYEE HANDBOOK.

I ACKNOWLEDGE THAT I HAVE REVIEWED THE TOWN'S ANTI-HARASSMENT POLICY. I FURTHER ACKNOWLEDGE THAT THE POLICY HAS BEEN EXPLAINED TO ME, THAT I HAVE BEEN GIVEN AN OPPORTUNITY TO ASK ANY QUESTIONS I MAY HAVE, AND THAT I UNDERSTAND ITS TERMS AND PROVISIONS.

I ACKNOWLEDGE THAT THIS EMPLOYEE HANDBOOK IS MERELY A STATEMENT OF POLICIES AND DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT, EXPRESS OR IMPLIED, BETWEEN ME AND THE TOWN. I UNDERSTAND THAT NOTHING CONTAINED IN THE HANDBOOK MAY BE CONSTRUED AS CREATING A PROMISE OF FUTURE BENEFITS OR A BINDING CONTRACT WITH THE TOWN FOR BENEFITS OR FOR ANY OTHER PURPOSE. I UNDERSTAND THAT THE TOWN IS AN "AT-WILL" EMPLOYER AND AS SUCH, EMPLOYMENT WITH THE TOWN IS NOT FOR A FIXED TERM OR DEFINITE PERIOD AND EITHER I OR THE TOWN CAN TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON NOT PROHIBITED BY LAW, WITH OR WITHOUT PRIOR NOTICE. NO SUPERVISOR OR OTHER REPRESENTATIVE OF THE TOWN HAS THE AUTHORITY TO ENTER INTO ANY AGREEMENT FOR EMPLOYMENT FOR ANY SPECIFIED PERIOD, OR TO MAKE ANY AGREEMENT CONTRARY TO THE ABOVE, UNLESS EXPRESSED IN WRITING, WITH THE UNDERSTANDING SPECIFICALLY SET FORTH AND SIGNED BY MYSELF AND THE TOWN COUNCIL.

I AGREE THAT IF THERE IS ANY POLICY OR PROVISION IN THE HANDBOOK THAT I DO NOT UNDERSTAND, I WILL SEEK CLARIFICATION FROM MY SUPERVISOR OR THE TOWN ADMINISTRATOR. I UNDERSTAND THAT THIS HANDBOOK IS A GENERAL GUIDE TO THE TOWN'S POLICIES AND PRACTICES. I ALSO UNDERSTAND THAT THESE POLICIES AND PROCEDURES MAY BE EVALUATED, AND THAT THE TOWN RESERVES THE RIGHT TO INTERPRET, AMEND, MODIFY OR TERMINATE THEM AT ANY TIME, WITH OR WITHOUT NOTICE.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
EMPLOYEE NAME (PRINTED)

\_\_\_\_\_  
EMPLOYEE SIGNATURE

# TOWN OF WEDDINGTON

## Employee Handbook

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## **Purpose**

The purpose of this Handbook is to give each employee basic procedures and policies from which to meet the expectations of the Town, its vendors, residents, customers, co-workers, and guests. This Handbook contains the basic rules that the Town expects its employees to abide by in order to create a safe, productive work climate. Finally, this Handbook will define the standards each employee will be expected to demonstrate when representing the Town.

## **I. GENERAL POLICIES**

### **Open Door Policy**

Policies, rules and procedures are designed with the benefit of both the employee and the Town in mind. Employees who believe they have been treated unfairly or in a manner inconsistent with established policies are encouraged to communicate this to their supervisor, the Town Administrator, the Town Mayor or the Town Council.

Management will protect each employee's right to discuss a problem or concern without fear of reprisal on any issue related to pay, hours, working conditions, working relationships, and Town policy and procedure.

### **Supervision/Management**

Each employee reports to a direct supervisor or his or her designee in the absence of the supervisor's absence.

As part of each employee's job duties, he or she is expected to carry out all directives set forth by his or her unless such directives would compromise the safety of the employee, representative, co-workers or others and/or may violate federal, state or local laws or regulations. Failure to cooperate with or follow said directives will result in disciplinary action up to and including termination of employment.

### **Equal Employment Opportunity**

The Town is committed to the principles and spirit of equal employment opportunity. Our employment policy and practice is to recruit and employ the most qualified applicants available and to give equal employment opportunity to all qualified persons without regard to race, color, religion, sex, national origin, age, disability, veteran status, or any other characteristic protected by law. The Town actively seeks and to employ qualified persons in all job classes and administers all personnel actions affecting employees without discrimination that is unlawful under applicable federal and state laws.

This policy of equal employment opportunity extends to all aspects of employment, including, but not limited to, recruitment, hiring, training, promotion, transfer, reassignment, demotion, discipline, discharge, performance evaluation, compensation and benefits. In addition, it is the policy of the Town to provide a work environment that is free from unlawful harassment and discrimination. Employees with questions or concerns regarding any type of discrimination or

unfair treatment in the workplace have a responsibility to bring these issues to the attention of their supervisor, Town Administrator, Town Mayor or Town Council, regardless of whether the employee or someone else is the subject of the discrimination. Employees of the Town may raise concerns and make reports of discrimination without fear of reprisal. The Town Administrator will promptly investigate all claims of discrimination. The confidentiality of all such inquiries and reports will be respected to the fullest extent possible. No employee will be penalized or otherwise disciplined for appropriately raising a claim of discrimination in the workplace. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment

### **Anti-Harassment**

It is the Town's policy to provide an environment that is free from unlawful harassment. Therefore, all forms of behavior that is harassing, intimidating, coercive or disruptive, demeaning or belittling related to an employee's race, color, religion, sex, national origin, age, disability, veteran status, or any other characteristic protected by law constitute violations of this policy. In furtherance of this policy, the Town will not tolerate the use of racial, religious, sexual, ethnic, gender-related, age-related, or disability-related epithets, innuendoes, slurs, jokes, written materials, symbols, paraphernalia, clothing or other verbal or physical conduct within its facilities that promote unlawful harassment. In addition, all forms of verbal and physical harassment based on the above categories are prohibited and will not be tolerated.

With regard to sexual harassment in particular, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature are considered instances of sexual harassment when:

- Submission to and/or tolerance of the unwelcome conduct is explicitly or implicitly made a term or condition of a person's employment;
- An employee's submission to, tolerance of, and/or rejection of such unwelcome conduct is used as the basis of employment decisions that affect the employee; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile or offensive work environment.

It is important to remember that behavior which one individual considers innocent or harmless may be regarded as unlawful harassment by another person. Beyond being in violation of the Town's policy, harassment of a sexual nature or based on some other protected characteristic is against the law, and the Town will not tolerate such harassment of its employees by anyone, including officials of the Town, other employees or individuals conducting business with the Town. Any employee who violates this harassment policy or the Town's commitment to equal employment opportunity will be subject to disciplinary action, up to and including termination of employment.

It is the responsibility of every employee to report every instance of harassment, regardless of whether the employee or someone else is the subject of the harassment. The employee should

write down what happened, including the date, time, location of the incident, names of persons involved, any witnesses, and what he or she did to discourage the harassing behavior. The employee can discuss the incident without fear of reprisal with his Supervisor, the Town Administrator, Town Mayor or Town Council. The confidentiality of all such inquiries and reports will be respected to the fullest extent possible. Retaliation against employees who make complaints under this policy is expressly prohibited. No employee will be penalized in any way for appropriately voicing a problem, concern, or complaint.

### **Introductory Period**

~~The initial introductory period of employment is for a period of ninety (90) days. During this period and at any time thereafter, the Town reserves the right to terminate the employment relationship for any reason or no reason. Any benefits to which the employee may be entitled will begin accruing the first full month of employment. Unsatisfactory attendance, conduct, and/or performance during this period and at any time thereafter may result in immediate termination. The initial introductory period does not alter the "at will" employment relationship.~~

**Comment [A1]:** In North Carolina, employees can be terminated at will beginning immediately after hire. The provision of an Introductory period implies that employees may be eligible for some additional protection during that period. To avoid any confusion, I recommend removing.

### **Immigration Law Compliance**

The Town is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 or participate in the E-Verify program and present documentation establishing identify and employment eligibility.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Town Administrator. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **Employee Activities**

Nothing in this Handbook, or in any of the Town's policies or protocols, is intended to preclude or dissuade employees from engaging in activities protected by state or federal law. Such protected activities include discussing wages, benefits or terms and conditions of employment; forming, joining or supporting labor unions; bargaining collectively through representatives of their choosing; raising complaints about working conditions for their and their fellow employees' mutual aid or protection; or other legally required activities. This statement applies to all of the Town's policies and practices.

### **Employment Status**

All employment with the Town is "at will." This means that either the employee or the Town can terminate the employment relationship at any time, with or without notice, and for any

reasons not prohibited by law. The following employment status terms are defined for the purpose of benefits:

-*Full-time* - at least 32 hours per week on a regular and consistent basis.

-*Part-time* - less than 32 hours per week on a regular and consistent basis.

-*Seasonal* - employed for a temporary, non-regular, limited period of time.

**Comment [A2]:** Is the 32 hour threshold consistent with other municipalities the same size as Weddington? Per the FLSA, employees are usually not considered full-time until they hit the 40 hour per week threshold. If there are any concerns with the productivity of employees, or if this is out of line with the practice of comparable municipalities, I recommend increasing the threshold for full-time employment to at least 36 hours per week.

## **II. COMPENSATION AND PAYROLL PRACTICES**

### **Work Hours and Overtime Pay**

Work hours and break times will be scheduled based on the employee's assignment, and by the supervisor responsible for the schedule. Employees will be scheduled to work between 12-40 hours per week, more or less as needed. Due to changing business conditions, start times and days of the employee's normal work schedule must remain flexible.

When operating requirements or other business needs cannot be met during scheduled working hours, employees may be required to work overtime hours. When possible, advance notification of these mandatory assignments may be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to employees qualified to perform the work required. Non-exempt employees are eligible for overtime pay in accordance with applicable federal and state laws at a rate of one and one-half times their regular rate of pay for all hours worked over 40 hours in any given workweek. Overtime pay is based on hours actually worked. Vacation, sick leave, funeral leave, military leave, and paid holidays are not considered "hours worked" in the computation of overtime.

Non-exempt employees must obtain approval from their supervisors in advance of working overtime. Failure to work scheduled overtime, or working over 40 hours a week without obtaining approval from their supervisor will be subject to disciplinary action, up to and including termination of employment.

Other than meal breaks, which are unpaid, each employee may take two 15 minute paid breaks per day – one in the morning and one in the afternoon.

Employees will either be paid twice a month or once a month depending on their job classification. Employees will be informed of their specific pay date(s) when hired. The Town reserves the right to change specific pay dates with proper notice. At the employee's consent, pay checks may be distributed by direct deposit to the employee's chosen account, in which case paystubs will be available from the Town Administrator. Negotiable live checks will not be released to anyone other than the employee without the employee's written consent and proper identification presented by the authorized party.



If the employee requests to have his check mailed, it will be sent via U.S. Postal Service. A lost or stolen check will be investigated before a new check is authorized. If the check was lost or stolen after release to the employee, the employee may be responsible for any fees associated with replacing the check - i.e. stop payment fees.

Employees are classified and paid in accordance with the Fair Labor Standards Act ("FLSA"). The terms "exempt" and "non-exempt" identify whether or not jobs are subject to the FLSA's overtime and minimum wage requirements. The exempt or non-exempt status of a job is determined by the Town Administrator in accordance with FLSA regulations and standards. The status is determined on the basis of legal criteria which include, for example, the employee's job duties and the level and form of compensation that the employee receives.

1. Exempt Employees

Exempt positions are not governed by the minimum wage and overtime requirements of the FLSA and, thus, are not entitled to overtime pay.

2. Non-Exempt Employees

Employees in non-exempt positions are subject to the minimum wage and overtime requirements of the FLSA and, thus, are entitled to receive overtime pay for work performed beyond forty (40) hours per week. Non-exempt employees must record all of the hours they actually work, and may secure a time sheet for this purpose from the Town Administrator. Hours of work should be reported according to the procedures explained at the time of hire.

~~Where appropriate, exempt employees who are absent from work will receive deductions from their salary in no less than full day increments. For example, if an exempt employee is absent from work for one and one-half days and has no paid leave available, the Town will only deduct for the one full day absence.~~ If the Town makes an improper deduction from an exempt employee's paycheck and such error is brought to the attention of the Town's Finance Officer or Town Administrator, the Town will immediately reimburse the employee for such improper deduction.

**Comment [A3]:** It is unnecessary to include this language and may be misleading without further context. I recommend removing.

## **Time Keeping Procedures**

The Town Administrator will validate each time record per pay period. It is each employee's responsibility to ensure that the employee's time records are reported accurately and completely and free of fraud and misrepresentation. Any misrepresentation of time records could result in disciplinary action up to and including termination of employment and/or criminal prosecution.

Should the employee feel there is an error in the employee's pay, the employee must report the discrepancy within five (5) business days. All discrepancies will be investigated and if necessary, changes will be reflected in the next scheduled pay check.

Accurately recording time worked is the responsibility of every employee. NO employee shall ever fill out another employee's time record. Failure to comply with this requirement may result in disciplinary action up to and including the termination of employment and/or criminal prosecution.

## Change of Personal Data

Each employee is responsible for ensuring his personal information is current and correct. Employees who change their personal data, including but not limited to, address, phone number, marital status, dependents, etc., should notify the Town in writing within two (2) weeks of any such change.

Failure to notify the Town of any change in the employee's personal data may result in the employee's failure to receive information which may affect the employee's pay, benefits or employment status. It is always in the employee's best interest to keep the Town aware of all changes in status or to his personal data.

## III. ON THE JOB

### Performance Evaluations

Feedback and evaluations of performance, attendance, teamwork, and general attitude will be on-going throughout employment. A formal, written evaluation may be conducted following the completion of an initial 90-day period and the Town may consider an increase of up to 5% in the employee's pay. The Town will endeavor to conduct a formal, written annual evaluation of each employee's previous year's performance at or near the end of the 1<sup>st</sup> quarter of each calendar year.

Any changes in compensation, including both an increase or decrease in same, may be made when business conditions merit such a change, may not coincide with a formal, written evaluation.

### Absences and Tardiness

Attendance should be dependable, reliable and in accordance with set schedules. Any non-compliance with an assigned work schedule disrupts the efficient operation of the Town, poses a hardship on coworkers, and could result in disciplinary action up to and including termination of employment.

Should an employee fail to report to a scheduled work assignment without prior notice to his supervisor ("no-call/no-show") or incur an 'unexcused' absence in which he did not speak directly with his immediate supervisor, the employee may receive disciplinary action up to and including immediate termination of employment. Employees who are absent for three (3) consecutive scheduled work days and fail to notify their immediate supervisor or the Town Administrator will be terminated from employment and classified as having resigned without notice.

**Comment [A4]:** What constitutes an unexcused absence? Is it merely not informing one's supervisor in advance of one's absence? If there is truly no distinction between excused and unexcused, I recommend removing this reference.

An employee who is sick is expected to contact his supervisor each morning and advise him of the condition and status of returning to work. Doctor's statements may be required.

The responsibility for determining whether an absence is excused or unexcused rests with the employee's supervisor.

**Comment [A5]:** If it is important to maintain a distinction between excused and unexcused, the Town should be consistent in the definition and application of those terms. To the extent possible, the Town should minimize the use of discretion in the application of any policy to employees, as employees can frequently use discretion to support claims of pretext.

Rarely is tardiness excusable. If the employee will be late/tardy, they should make every effort to phone and advise their supervisor in advance of the shift. Repeated tardiness is grounds for disciplinary action up to and including termination of employment.

### **Rules of Conduct**

All employees of the Town are expected to act with good common sense and in a completely professional manner. To ensure orderly operations and provide the safest possible work environment, the Town expects all employees to abide by certain rules of conduct.

While it is not possible to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of conduct which may result in disciplinary action in the sole and exclusive discretion of the Town, up to and including termination of employment:

1. theft or concealment of Town property;
2. damage or abuse of Town property;
3. cash shortages or overages;
4. "no shows/no-calls";
5. insubordination;
6. fighting;
7. 'outrageous behavior';
8. violation of confidentiality;
9. violation of safety policies and procedures, which cause hazardous or dangerous situations, or failing to report, and where appropriate, correct such situations;
10. use of obscene language;
11. threatening a co-worker, supervisor, vendor, customer or guest;
12. harassment of any kind towards employees, vendors, visitors or anyone during the course of employment;
13. discrimination towards employees, vendors, visitors or anyone during the course of employment on the basis of race, color, religion, sex, national origin, age, disability, veteran status, or any other characteristic protected by law;
14. imposing deliberate stoppage or slowing of productivity or quality within the work place;
15. solicitation and/or distribution on work-site premises during any time without written authorization;
16. use, possession, or distribution of alcohol or illegal drugs while on duty or on Town property;
17. being intoxicated or under the influence of alcohol or illegal substances while on duty;

18. falsification of time on any Town records or recording the time of an employee other than yourself;
19. violation of the Town's Gifts and Favors policy;
20. violation of the Town's Conflict of Interest policy;
21. gambling or conducting illegal activities on Town property or using Town equipment to do so;
22. unauthorized use, damaging, tampering, or negligent use of Town equipment;
23. smoking or using smokeless tobacco while operating any Town vehicle;
24. unauthorized carrying of concealed weapons or other violation of any criminal law;
25. sleeping while on duty;
26. conviction of a crime; and
27. forced or unauthorized access into locked areas or restricted Town property or equipment.
28. ~~failure to sign a Corrective Action Form regarding attendance, conduct or performance concerns.~~

These acts of misconduct are by no means complete, but are intended to serve as a general framework for employee conduct. The Town reserves the right, in its sole and absolute discretion, to add or delete offenses and to take such disciplinary actions, up to and including immediate termination of employment, as are necessitated by the particular circumstances of a given case.

**Comment [A6]:** I recommend removing this and the language at the end of the Corrective Action Procedure. Employees are not required under any federal or state laws to sign corrective action forms. It is their right to refuse to sign this type of document and should they choose to exercise that right, the witness or issuing Town official should simply write "Employee refused to sign." Disciplining an employee for choosing to exercise his or her right not to sign the document may be perceived as chilling and would most likely be viewed as pretext for some other inappropriate motive.

### Corrective Action Procedure

The Town may impose discipline up to and including termination of employment for various infractions of expected standards of behavior or performance at whatever level it deems appropriate, in its sole discretion. If management counsels with an employee regarding his attendance, performance or conduct, it may be documented on a Corrective Action form. The employee and the supervisor issuing the Corrective Action should sign the form. The signature of the employee does not indicate his or her agreement with the action, but merely acknowledges that the discussion took place. The employee may offer information to attach to the Corrective Action document. This document will become a part of the employee's personnel file.

~~Should the employee refuse to sign the Corrective Action form upon request, he risks disciplinary action up to and including termination.~~

**Comment [A7]:** See preceding comment.

### Dress Policy

All employees are required to present themselves professionally at all times. Attention to neatness, cleanliness, and personal hygiene is encouraged in order to promote professionalism and ensure confidence in an employee's ability to perform the assignment.

Attire during Monday, Wednesday and Friday business hours at Town Hall shall be professional attire. Acceptable professional attire includes: slacks, dresses, skirts, suits, blouses, and sweaters, but does not include: short shorts, cut-off shorts/jeans, bicycling shorts, athletic attire, halter tops, tube tops, spandex, hip huggers, any suggestive or revealing attire, any clothing with offensive language or slogans.

Attire during Tuesday and Thursday business hours at Town Hall shall be casual. Acceptable casual attire does not include: short shorts, cut-off shorts/jeans, bicycling shorts, halter tops, tube tops, spandex, hip huggers, any suggestive or revealing attire, any clothing with offensive language or slogans.

### **Personnel Records**

Personnel records will be maintained by the Town Administrator. The Town shall maintain in personnel records only information that is necessary and relevant to accomplishing legitimate personnel administration needs or as otherwise required by law.

The following information on each employee is a matter of public record:

- name;
- age;
- date of original employment or appointment to service;
- current position title;
- current salary;
- date and amount of the most recent increase or decrease in salary;
- date of the most recent promotion, transfer, suspension, separation, or other change in position classification;
- office to which the employee is currently assigned.

As required by N.C.G.S. Section 160A-168, any person may have access to the information listed above for the purpose of inspection, examination and copying during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Town Council may have adopted.

All information contained in an employee's personnel file, other than the information listed above, will be maintained as confidential in accordance with the requirement of N.C.G.S. Section 160A-168 and shall be open to public inspection only in accordance with the exceptions provided in N.C.G.S. Section 160A-168(A) thru (F).

Even if considered part of an employee's personnel file, as provided by N.C.G.S. Section 160A-168, certain information may not be disclosed to an employee nor to any other person.

### **Destruction of Records**

No employee may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with N.C.G.S. 121-5(b).

### **Town Property**

Particular job responsibilities may require Town issued items such as keys, laptops, etc. Upon acceptance of these items, the employee will be personally responsible for them and are expected to return them within 24 hours if his employment with the Town is terminated, voluntarily or involuntarily.

All property, including but not limited to, desks, telephones, computers and other items issued to or used by employees shall remain the property of the Town and shall be subject to inspection at any time.

### **Gifts and Favors**

No employee of the Town shall accept any gift or favor, whether in the form of service, loan, thing, or promise from any person who, to the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the Town. The following serve as exceptions, but employees should consult with the Town Administrator when in doubt as to the propriety:

- A. Advertising items or souvenirs of nominal value;
- B. Meals furnished at banquets;
- C. Honorariums for participating in meetings; and
- D. Consumable gifts offered to an entire work group where rejection would damage the spirit in which the gifts were offered.

No employee shall accept any gift, or thing of value worth more than fifty dollars (\$50.00) that may tend to influence that employee in the discharge of duties. No employee shall grant in the discharge of their duties any improper favor, service, or thing of value.

Any violation of this section shall subject the employee to disciplinary action up to and including immediate termination of employment.

### **Conflict of Interest**

Employees of the public are held to higher standards and their actions shall not impact the Town negatively. No employee shall use information, confidential or otherwise, acquired during their employment with the Town for their personal gain.

An employee cannot work in a job outside of his or her Town job if that job either (a) is in conflict with the Town job, or (b) appears to be in conflict with the Town job, or (c) has a negative effect on the Town job.

Violations of this policy may result in disciplinary action, up to and including immediate termination of employment.

## Political Activity

Every employee of the Town has a civic responsibility to support good government by every available means and in every appropriate manner. Any employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, and may advocate and support the principles or policies of civic or political organizations in accordance with the constitution and the laws of the State of North Carolina and the constitution and the laws of the United States of America. However, while on duty, no employee of the Town shall:

1. Engage in any political or partisan activity;
2. Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
3. Be required as a duty or a condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes;
4. Coerce or compel contributions for political or partisan purposes by another employee of the Town; or
5. Use funds, supplies, or equipment of the Town for political or partisan purposes.

Violations of this policy may result in disciplinary action, up to and including immediate termination of employment.

## IV. EMPLOYEE BENEFITS

### Vacation

<u>Minimum Hours/Work Week Threshold Average Work Week Based On Previous Year</u>	<u>Hours Paid for Vacation Leave/Equivalent Business Day (Business Days)</u>
12 – 19 Hours	4 hours <u>= 1 Business Day</u>
20 – 31 Hours	6 hours <u>= 1 Business Day</u>
32 + Hours	8 hours <u>= 1 Business Day</u>

**Comment [A8]:** Is the previous year average consistently applied? Meaning, is an employee who did not work an average minimum of 12 hours per week the previous year, denied vacation, holiday and sick leave pay if that employee consistently exceeds that minimum threshold in this calendar year? What do you do about the employee who did not begin work until the second week of December? Are you able to accurately measure the previous year's average? If employees are not required to work a minimum of 12 months before being eligible for vacation leave, keeping up with and consistently applying the previous year's average can be tricky. I recommend basing all vacation, holiday and sick leave pay off of the current year's work and requiring a minimum of a certain number of hours per week to be eligible for this benefit, and per my comment above, possibly increasing each threshold by a few hours per week.

Employees who work a minimum of twelve (12) hours per week may accrue vacation leave based on their years of service to the Town. Vacation days accrue at the end of each month based on an employee's years of service and employees are expected to manage their vacation leave allotment and use only the amount of time which they have already accrued. Employees should not carry a negative balance of vacation leave. Employees may carry a maximum balance of 25 days of vacation leave at any given time in a calendar year. Once an employee has accrued 25 days of vacation in a calendar year, any amount accrued over the 25 days will rollover to sick leave. **The minimum hours worked threshold levels set forth above to be eligible for payment of vacation leave will be based on hours actually worked and use of accrued vacation sick leave or holiday pay will not be counted for this purpose.** The Town will pay

employees who are separated from employment (whether voluntary or involuntary) the balance of any accrued but unused vacation leave.

### Years of Service and Vacation Accrual

**Comment [A9]:** This chart is confusing. If the intention is for employees to accrue vacation leave based on their hours worked (seemingly to provide greater reward to those employees who work more), then accrual should be measured in hours alone, particularly if employees are able to use their vacation leave in hour increments as opposed to whole days. If the intent is to reward employees based on years of service, accrual should be measured in business days alone. It is superfluous to have both. I recommend streamlining the system to be measured in days, based on years of service. However, if the Town and its employees are already in the habit of measuring leave in hours as opposed to days, that can be the method used, but not both. Thus it also won't matter how many hours a given employee may work in a workweek. The same applies for the sick leave accrual below.

Years of Service	Average Work Week	Amount of Vacation Per Year and Vacation Hours Accrued Per Month
0 to 2 Years	12-19 hours	10 Business Days (3.33 a month)
	20-31 hours	10 Business Days (5.0 a month)
	32+ hours	10 Business Days (6.67 a month)
3 to 4 Years	12-19 hours	12 Business Days (4.0 a month)
	20-31 hours	12 Business Days (6.0 a month)
	32+ hours	12 Business Days (8 a month)
5 to 9 Years	12-19 hours	14 Business Days (4.67 a month)
	20-31 hours	14 Business Days (7 a month)
	32+ hours	14 Business Days (9.33 a month)
10 to 14 Years	12-19 hours	18 Business Days (6.0 a month)
	20-31 hours	18 Business Days (9.0 a month)
	32+ hours	18 Business Days (12.0 a month)
15+ Years	12-19 hours	20 Business Days (6.67 a month)
	20-31 hours	20 Business Days (10.0 a month)
	32+ hours	20 Business Days (13.33 a month)

### Holidays

Employees who work a minimum of twelve (12) hours a week are paid for recognized holidays. The paid holidays are determined based on Union County's Holiday Schedule. See the Town Administrator for a list of paid holidays. **The minimum hours worked threshold levels set forth below to be eligible for payment of holiday pay will be based on hours actually worked and use of accrued vacation sick leave or holiday pay will not be counted for this purpose.** Pay for the holiday is determined by the following table:

Average Employee Work Week Based on Previous Year	Hours Paid for Holiday Pay/Equivalent (Business Days)
12 – 19 Hours	4 hours <del>= 1 Business Day</del>
20 – 31 Hours	6 hours <del>= 1 Business Day</del>
32 + Hours	8 hours <del>= 1 Business Day</del>

**Comment [A10]:** See comment 9 above.



## Sick Time Policy

Regardless of the number of years of service to the Town, employees scheduled to work a minimum of 12 hours per week shall accrue up to 12 business days of sick leave per calendar year. Sick days accrue at the end of each month. **The minimum hours worked threshold levels set forth below to be eligible for payment of sick leave will be based on hours actually worked and use of accrued vacation sick leave or holiday pay will not be counted for this purpose.** Pay for the sick leave is determined by the following table:

Average Work Week Based on Previous Year	Hours Paid for Sick Leave/ <u>Equivalent Business-(Business Days)</u>
12 – 19 Hours	4 hours <u>= 1 Business Day</u>
20 – 31 Hours	6 hours <u>= 1 Business Day</u>
32 + Hours	8 hours <u>= 1 Business Day</u>

A doctor's excuse will be required for employees missing 3 or more consecutive scheduled work days. Sick leave is provided to allow employees the opportunity to recover from illness, return to work and productively contribute to the work environment. However, sick leave shall not be abused, nor should it be used in lieu of or in the absence of accrued and available vacation leave. Sick leave will be cumulative and may be used towards retirement consistent with the provisions of the North Carolina Local Government Employees' Retirement System. Except when used to bridge retirement, all unused sick leave accumulated by an employee shall end and terminate without compensation when the employee resigns or is separated from the Town. The Town may accept sick leave transfers when hiring employees directly from other North Carolina governmental entities.

**Comment [A11]:** As written, employees are eligible to accrue unlimited sick leave. This is an extremely rich benefit. The council should consider putting some limits on the maximum amount employees can accrue.

## Sick Leave Accrual

Average Work Week Based on Previous Year	Amount of Sick Leave Per Year <del>and Sick Hours Accrued Per Month</del>
12-19 hours	12 Business Days <del>(4.0 a month)</del>
20-31 hours	12 Business Days <del>(6.0 a month)</del>
32+ hours	12 Business Days <del>(8.0 a month)</del>

## Leaves of Absence

The Town recognizes the five (5) leaves of absence as defined below. All leaves of absences must be approved in advance. If the need for a leave of absence arises, the employee is expected to submit a written request for leave to his or her supervisor containing a specified start and projected end date for the leave prior to beginning the leave. While on a leave of absence, employees may continue to accrue vacation time, sick time and holiday time unless otherwise contrary to applicable law.

**I. Leave for Jury Duty/Compliance with a Subpoena.** The Town recognizes the responsibility placed on citizens to serve in the judicial system. If an employee is summoned for jury duty or subpoenaed as a witness, the employee will be granted leave to attend. Upon receipt of jury notification or subpoena, the employee is required to advise his or her supervisor, in writing, with a copy of the summons or subpoena.

If released from Jury Duty before the end of the normal work day, the employee is expected to call his or her supervisor immediately. If the employee's supervisor informs him that he is needed to return to work, the employee will be expected to do so. The Town will pay employees up to 40 hours per week, but no more than their normally scheduled hours for the week, at their normal base rate of pay for the time the employee is absent from work due to jury duty or to comply with a subpoena, minus the amount of any jury duty pay received. The Town will pay employees up to a maximum of 10 paid days for jury duty service or to comply with a subpoena each calendar year. Employees will not be paid for attendance at jury duty on regularly scheduled days off. An employee required to serve on jury duty when the Town is closed for a holiday will be paid his or her regular pay for the holiday (up to eight hours at base pay), but no alternate time off will be granted.

**Comment [A12]:** If there is not already a cap for jury duty service, I suggest adding one. You may pay more or less than the recommended 10 days (which is equivalent to two weeks).

**II. Bereavement/Funeral Leave.** The Town may grant employees up to three (3) days off with pay to attend a funeral, to arrange funeral services, or attend to family business as it relates to the loss of a member of an employee's immediate family. Immediate family is defined as the employee's spouse, child, step-child, parent, step-parent, parent-in-law, sibling, grandparent, or grandchild. Additional time may be granted without pay by an employee's supervisor upon request of the employee.

**III. Military Leaves Of Absence.** Military leaves of absence are granted to eligible employees in accordance with applicable laws.

**IV. Parental Leave.** Under North Carolina law, an employee who is a parent, guardian, or person standing *in loco parentis* of a school-aged child will be granted four (4) hours of unpaid leave per year to attend or otherwise be involved in that child's school. Leave is subject to the following conditions:

1. the Town and the employee must mutually agree upon the time for the leave;
2. the Town may require a written request for the leave at least 48 hours prior to the leave; and
3. the Town may require written verification from the school that the employee attended or was otherwise involved at that school during the time of the leave.

**V. Leave for Birth of Child or Adoption/Foster Placement.** Employees are entitled to a leave of absence without pay, not to exceed 12 weeks, for the birth of a natural child or the adoption or placement of a foster child younger than 3 years old. This period begins with the date of birth or the first day the adoptive or foster child is formally placed in the home and expires 12 weeks later. The employee must submit proof of adoption or placement of a foster child. Employees must use any available accrued vacation leave as part of this leave. Employees requiring this leave who are also eligible for and have accrued sick leave must use any accrued

sick leave as part of this leave. Employees working 30 hours or more per week who take leave for the birth of a child may be eligible for short term disability in accordance with applicable plan documents.

**Comment [A13]:** Confirm that 30 hours is the minimum per week threshold required to be eligible for STD leave.

### **Health Insurance**

Employees may be eligible for group health insurance in accordance with applicable plan documents. See the Town Administrator for more information.

### **Short Term Disability**

Employees working 30 hours or more per week may be eligible for short term disability in accordance with applicable plan documents. See the Town Administrator for more information.

## **V. EMPLOYEE HEALTH, SAFETY AND SECURITY**

### **Drug/Alcohol Policy**

#### **Our policy is zero tolerance.**

##### **A. Drug-Free Workplace**

The town is committed to having a safe workplace. Substance abuse undermines that safety, causing health, morale and security problems of the most severe kind. The Town has developed this policy in order to establish and maintain a work environment that is free from the adverse effects of drug and alcohol abuse.

Employees who are under the influence of alcohol, illegal or illicit drugs, or controlled substances to the degree that his or her judgment, performance, or behavior is impaired while on Town premises or on Town time, shall be subject to disciplinary action, up to and including termination of employment. Employees in possession of or taking prescription over-the-counter drugs in the workplace must be able to provide the appropriate documentation which identifies the drug, dosage, and in the case of prescription drugs, the prescription, its date, and authorizing physician. Employees must be fully aware of and comply with any work restrictions that should be observed while taking such a drug. If use of such a drug may affect an employee's ability to perform his or her job, the employee must notify his or her supervisor prior to reporting to work after using such drug. This information will be kept confidential. Any disclosure about the possible impact of prescribed medication on work performance will be handled with discretion. Failure to report the use of such drugs, including use of prescribed medical marijuana, to the Town Administrator may result in disciplinary action, up to and including termination, if an employee is impaired while performing work for the Town.

Unlawful manufacturing, distribution, dispensation, possession, or use of alcohol, illegal or illicit drugs or controlled substances on Town time, on Town property, while operating a vehicle that is owned or leased by the Town, or while attending a Town function or event shall subject the employee to termination of employment. For purposes of this policy, a drug will be considered an "illicit or illegal drug" if its use or possession is prohibited by law and an employee uses or

possesses the drug, regardless of whether the employee is criminally prosecuted and/or convicted for such conduct. Because federal law prohibits the use of marijuana, marijuana is included here as an illegal substance. even in those jurisdictions where recreational or medical use has been authorized under state law.

Employees found to be involved with alcohol, illegal or illicit drugs, or controlled substances on their own time may be subject to disciplinary action, up to and including termination of employment, depending on the circumstances, job relevance or other Town/business considerations.

#### B. Drug and Alcohol Testing

If a supervisor has reasonable suspicion to believe an employee is acting in an impaired or unsafe manner which may or may not result in an accident, the following actions may be taken:

1. The supervisor shall remove the individual promptly from work, regardless of whether the cause for the behavior is known to the supervisor.
2. The employee shall be referred and accompanied to a medical facility for examination and determination of the cause of the problem. This may include a mandatory drug or alcohol screen as determined by the proper authority.
3. The designated medical facility shall determine if the employee may return to work, be sent home, or submit to treatment. If substance abuse is identified, the employee may be referred for mandatory counseling and/or rehabilitation.
4. If the employee returns to work following a period of drug abuse rehabilitation, he/she shall be required to submit to mandatory, unannounced drug screens.

Employees will be required to sign a consent form authorizing drug and/or alcohol tests to be done and allowing the release of the tests to the Town.

Employees who refuse to sign the consent form or refuse to be tested shall be subject to immediate termination of employment.

Any employee whose test results are confirmed positive shall be subject to disciplinary action up to and including termination of employment.

The Town will follow the North Carolina Controlled Substance Examination Regulation Act with regard to all drug and alcohol testing.

#### C. Employee Assistance Program

The Town provides employees with an Employee Assistance Program (EAP), which offers employees and their families confidential counseling for drug and alcohol dependencies, financial difficulties, as well as a variety of other personal and professional problems. Employees should contact the Town Administrator for further information.

**Comment [A14]:** If the town does not offer this benefit, we'll remove, but if it does offer it, you'll want to reference it here. And if the Town does not offer it, you may want to consider getting it. Its an extremely valuable resource for employees.

**All employees shall be subject to unannounced random drug and alcohol testing.**

### **Smoking/Tobacco Policy**

Smoking and the use of Tobacco Products are prohibited in any Town building, Town vehicle, and on Town property pursuant to Town Ordinance No. [REDACTED].

### **Weapon-Free Workplace Policy**

To ensure that the Town maintains a workplace safe and free of violence for all employees, the Town prohibits the possession or use of weapons of any type on Town property. A license to carry the weapon on Town property does not supersede Town policy. Any employee in violation of this policy will be subject to prompt disciplinary action, up to and including termination of employment. All Town employees are subject to this provision, including contract and temporary employees, visitors and customers on Town property (with the exception of law enforcement officers). Only the Town Mayor or Town Council can grant permission for an employee to have a weapon on Town property, and such permission must be in writing. Notwithstanding the above, nothing contained herein shall prohibit a law enforcement officer from carrying a weapon on Town property.

In addition, the Town will not tolerate violence or abuse by any employee or visitor which in any way suggests, threatens or creates harm to any individual. Any occurrence of violence perpetrated on an employee or member of the public by another employee or visitor may be considered grounds for immediate termination of employment in addition to appropriate legal action.

"Town property" is defined as all Town-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the Town's ownership or control. This policy applies to all Town-owned or leased vehicles and all vehicles that come onto Town property.

"Dangerous weapons" include, but are not limited to, firearms of any make or model (registered and illegal), explosives, knives with fixed positions or blades in excess of four (4) inches long, and other instrument that could be used for fighting or defense or weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item in their possession is not prohibited by this policy.

The Town reserves the right at any time and at its discretion to search all Town-owned or leased property, vehicles and all personal belongings, including vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures, and persons entering its property, for the purpose of determining whether any weapon has been brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination of employment.

The Town will take all reasonable steps to provide a safe working environment for its employees; however, as team members, employees are expected to take ownership of their own safety and are required to report immediately to their supervisor, the Town Administrator or Town Mayor

any potential danger or violent situation an employee observes or suspects. Some recommendations for reasonable precautions that the employee may take include, but are not limited to, being aware and defensive of his surroundings in parking lots and unprotected areas, removing himself immediately from the presence of excessively explosive and volatile individuals, and not residing in an unlocked office suite alone. Call 911 immediately if a supervisory official is unavailable or if the employee at any time feels his safety is in immediate danger.

A. Safety Hazards and Other Workplace Dangers

Similarly, employees should report any condition perceived to be dangerous or potentially creating a safety hazard to their supervisor or the Town Manager as soon as possible.

B. Accidents or Injury

No matter how insignificant an accident or on-the-job injury may seem when it occurs, it is imperative that employees notify their supervisors and the Town Administrator immediately so that the appropriate documentation regarding each such accident or injury can be completed in a timely manner.

C. Fires, Bomb Threats, Earthquakes and Other Emergencies

Employees should follow the emergency procedures of the Town in the event of fires, bomb threats, natural disasters, or other emergencies. Employees should make themselves familiar with the location of exits, fire extinguishers, and first-aid kits in and near their offices. Exits and areas around the fire extinguishers must be kept clear of obstacles and hazards at all times.

In case of emergency, all employees are authorized to dial 911 or otherwise contact the local police department, fire department, or other local emergency personnel as appropriate.

Employees are expected to cooperate with fire drills and other exercises intended to ensure the effectiveness of emergency procedures.

### **Inclement Weather**

It is the intent of the Town to remain open whenever possible. However, the Town does not encourage employees to travel to work when hazardous weather conditions exist. In the event of such conditions, employees will be notified by their supervisor of a cancellation or schedule change. The Town typically closes if Union County Government closes. If the Town closes, employees will be compensated for missed time. If the Town is not closed and an employee misses work, the employee will not be paid; however, employees may elect to use vacation time for any missed work due to inclement weather. In this event, the employee must notify his or her supervisor immediately of his or her intent to use vacation leave.

### **Travel Policy**

Employees traveling on Town business will receive an allowance of up to \$50.00 per day for meals. Receipts for travel-related expenses are required for reimbursement. Mileage for travel

will be reimbursed at the IRS rate. Where possible, employees are encouraged to stay at hotels allowing the use of government rates. Consult the Town Administrator for any questions to this policy.

## **Credit Card Policy**

### General

Town credit cards are intended to be used primarily for the purchase of general office supplies for the Town as well as to facilitate travel arrangements. Where possible, expenditures for office supplies should continue to be made under purchase order agreements which grant the Town discounts (i.e. Office Depot). Town credit cards are not intended to be used for the purchase of capital expenditures. Issuance of Town credit cards to employees shall require authorization by both the Finance Officer and either the Mayor or a Councilmember with check signing authority. Physical custody of Town credit cards will be maintained by the Town Administrator and will be given to employees on a need-only basis. Town credit cards may be cancelled or revoked at any time. Lost or stolen credit cards should be reported immediately to the Town Administrator. Employees receiving Town credit cards should sign a copy of the credit card policy to indicate their awareness and understanding of the policy.

### Authorized Expenditures

Credit cards are to be used for Town business expenditures only. In addition, only expenditures approved in the Town's current year budget appropriations shall be placed on the Town credit card. No automated recurring payments should be made on the Town credit card. No personal expenditures of any kind are authorized on the Town credit card. Single purchases greater than \$100 shall require advance approval from the Finance Officer. Total purchases which will exceed \$2500 also require advance approval from the Finance Officer and such approval shall be in the form of specific written authorization. Credit limits shall be set at the Finance Officer's discretion. The maximum credit limit to be placed on a Town credit card shall not exceed \$5000.

### Payment

Credit card statements will be mailed directly to the Town of Weddington. Employees must submit in a timely manner all receipts for Town credit card purchases to the Town Administrator. These receipts will be matched to the monthly credit card statements to validate the expenditures incurred. The Finance Officer will review and approve the credit card statements and related receipts prior to payment. Employees may be required to reimburse the Town for any unauthorized expenditures or any expenditures incurred which do not have a receipt.

If an employee fails to provide timely receipts to facilitate the payment process or incurs unauthorized expenditures, the Town may revoke the employee's privilege to use a Town credit card. Use of the Town credit card for any personal expenditure will result in automatic removal of the employee as an authorized signer.

Violations of this policy may result in disciplinary action, up to and including immediate termination of employment.

## **VI. ELECTRONIC MAIL AND COMMUNICATIONS POLICIES**

### **Telephone Policy**

The Town recognizes that employees must occasionally place or receive personal calls on Town telephones. However, the telephone system is intended primarily to serve the needs of the business, and it is essential that personal use not interfere with that primary purpose. While at work, employees are expected to exercise the same discretion in using personal cell phones as is expected for the use of Town phones.

Excessive personal calls during the workday, regardless of whether the phone used is personal or Town property, can interfere with employee productivity and can be distracting to others. The Town encourages employees to limit personal calls to break times for non-emergency phone calls. Employees are therefore asked to make any non-emergency personal calls during non-work time and in non-work areas where possible, and to ensure that friends and family members are aware of the Town's policy. Flexibility may be provided in circumstances demanding immediate attention.

The Town reserves the right to restrict telephone (personal cell phone or Town phone) use that may interfere with its operations or an employee's job performance in any manner. Any violation of this policy may result in disciplinary action, up to and including termination of employment.

The Town will not be liable for the loss of personal cellular phones brought into the workplace.

### **E-mail, Internet, Computer, and Voice Mail Communications**

The computer and other electronic communications and information systems of the Town, including voice mail, electronic mail and access to the Internet, are property of the Town and should be used for business purposes only. Although employees have passwords that restrict access to their voice mail and computers, the Town may access any files, voice mail, or e-mail messages stored on or deleted from the computer system or voice mail system. The Town reserves the right to access such information and to monitor on-line activities for business purposes and employees should have no expectation of privacy..

Employees are strictly prohibited from accessing another employee's personal voice mail or e-mail messages without the latter's express permission. In addition, Internet, voice mail and e-mail systems are not to be used in a way that may be disruptive, offensive to others, or harmful to morale. For example, the Town prohibits the display or transmission of sexually explicit images, messages, or cartoons, or any transmission or use of voice mail, e-mail or Internet communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, color, religion, sex, national origin, age, disability, veteran status, or any other characteristic protected by law. Nor may employees use the Internet, voice mail or e-mail system to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

**Comment [A15]:** I understand that employees regularly share passwords to their workstations, emails, or other systems for quicker sharing of documents in the event document custodians are unavailable. This conduct compromises the security of the Town's systems. Passwords should never be shared. I recommend discussing the possibility of other practices to avoid the sharing of passwords.



Employees are responsible for maintaining the confidentiality of material on the Town's systems. Employees may not remove from the premises any hardware, software, files or data without written permission from their supervisor, the Mayor or Town Council. Copyrights and restrictions that pertain to outside materials and trade secrets shall be respected, and employees are prohibited from the unauthorized downloading of music, software or other copyright materials.

Employees are prohibited from installing any software, program, or other executable file not included in the Town approved software list. If any user has a need for a program not included in the approved software list, that employee is required to gain approval from the Town Administrator prior to installing the software, program, or other executable file. X-rated uses of any Town property, e-mail, internet, computer, and/or voice mail communications are strictly prohibited.

Failure to adhere to these rules may result in discipline, up to and including termination of employment.

### **Social Media/Networking Guidelines**

The Town understands that social media is frequently used to share life events and opinions with friends, family, co-workers and the general public. However, use of social media presents certain risks and carries with it certain responsibilities. The Town values its established brand reputation and good will relationships. These are important assets. Most social media sites are public and anyone, including Town residents, customers, his supervisor and fellow employees, can read what the employee writes. Some readers may view the employee as a de facto spokesperson for the Town. Consequently, the employee should always use his best judgment and consider his audience before posting content.

To assist employees with making responsible decisions about the use of social media, the Town has established these guidelines. This policy applies to all Town employees and use of social media when on or off duty, or while using the Town's or personal electronic resources.

#### **A. General Guidelines**

- Make it clear to readers that the views expressed in any posting are yours alone and do not reflect the views of the Town. The employee should not speak on behalf of the Town without prior written authorization from the Town Administrator or Town Mayor. All media inquiries related to the Town should be directed to the Town Administrator.
- Do not post inappropriate comments or materials, including discriminatory or harassing remarks, bullying tactics, threats of violence, or similar abusive, malicious or unlawful conduct. Remember that any abusive or inappropriate communications that are prohibited by the Town's Equal Employment Opportunity and Anti-Harassment policies are equally prohibited in cyberspace.

- The Employee is legally responsible for his social media postings and can be held liable if his comments or actions violate applicable laws, such as anti-discrimination laws or laws governing defamation.
- No employee shall friend any Town residents or customers on the employee's personal page unless asked by the resident or customer to do so. By the same token, the employee may also reject, without fear of retaliation, any "friend", "connection" or similar request from any Town resident, business-owner or other Town employee.
- The Employee is prohibited from disclosing any proprietary or confidential information about the Town. This includes but is not limited to information about Town residents or customers, or non-public financial information.
- All requests for references or recommendations received through social media activity must be forwarded to the town Administrator for proper handling.
- It is critical that the employee show proper respect for the laws governing fair use of copyrighted material owned by others, trademarks and other intellectual property, including, the Town's own copyrights, trademarks and brands. The employee must comply with the rules governing such use, including, not replicating such intellectual property without proper authorization.
- Social media should not be used to arrange business meetings, communicate with Town residents or customers, or to search for information about current or prospective employees without prior Town approval.
- The employee is prohibited from using social media during working time or while using Town-provided equipment unless it is work-related. Do not use Town email addresses to register on social networks, blogs or other online tools utilized for personal use.

#### B. Conflict Resolution

Employees are more likely to resolve complaints about work by speaking directly with their coworkers, managers/supervisors, or other management-level personnel than by posting complaints on the Internet. Employees should consider using available internal resources, rather than social media, to resolve these types of concerns.

#### C. Guidelines Applicable to Social Media Activity on Town-Sponsored Sites

The Town encourages employees to visit, and participate in, Town-sponsored social sites, such as the Town's Facebook page or Twitter account, and to post on them. These sites provide a great opportunity to interact with our residents and customers and to provide useful information to them about the Town's products and services.

The following guidelines, in addition to the guidelines stated above, apply to employee participation in any Town-sponsored site:

**Comment [A16]:** Section C can be deleted if there is no Town-sponsored social media page.

- *Employee's Identity:* The employee is responsible for everything that he posts on Town-sponsored sites and should always identify himself when posting in those specific sites. Anonymous posting or use of pseudonyms are not allowed on Town-sponsored sites.
- *Be Respectful:* The words and images that employees post on Town-sponsored sites will be read and viewed by our residents and customers in the same way that residents and customers hear what employees say to them on the telephone and/or in other personal interactions. Please treat residents and business-owners that visit Town-sponsored sites with the same respect that the employee is provided on the phone and/or in person. Before completing a post, review it carefully, make sure it is grammatically correct and that the message cannot be misconstrued in a negative way.
- *Use Good Judgment:* The Town-sponsored sites provide an opportunity to tell our residents and customers about the Town's products and services. The employee is reminded to please keep this opportunity in mind when posting to any Town-sponsored site.
- *Add Value:* The Employee is encouraged to add value by posting on topics that he knows well. However, the employee is discouraged from speaking as a subject matter expert on our services or products. These tough questions and inquiries are to be handled by approved Town representatives.
- *No Solicitation:* The employee may not use Town-sponsored sites to solicit for or promote personal businesses or any organization, including but not limited to outside business ventures, charities, political campaigns, religious groups, or other membership organizations. Use of Town-sponsored sites to solicit for or promote Town-approved activities requires the prior approval of the Town Administrator.
- *On The Employee's Own Time:* Unless specifically authorized to engage in social media activity on the Town's behalf; visiting and participating in any Town-sponsored site is purely voluntary. While the employee is encouraged to enjoy Town-sponsored sites, the employee should only do so during non-working hours.
- *Monitoring Town-Sponsored Sites:* The Town monitors Town-sponsored sites as necessary to enforce Town policies. Town employees with appropriate authorization may remove or modify any posting that violates Town policies.
- *Complaints About Misuse:* The Employee is expected to notify management to the extent he believes anyone is misusing a Town-sponsored site. Concerns of this nature should be as specific as possible and submitted in writing to the Town Administrator.

Failure to abide by the above guidelines could result in the following: disciplinary action up to and including termination; getting the Town in legal trouble with residents or customers; losing residents or customers; legal action and/or criminal prosecution. The Town reserves the right to report suspected unlawful conduct to appropriate law enforcement authorities. Nothing contained in this policy should be interpreted to prohibit or restrict the rights of employees to engage in protected, concerted activity as permitted by law.

## Personal Information Destruction Policy

**Comment [A17]:** This policy does not need to be included in the Handbook. As long as the Town Administrator maintains it elsewhere and complies with it, it can be removed.

The Town shall comply with the provisions of the North Carolina Identity Theft Protection Act, N.C.G.S. 75-60 *et seq.*

### Definition of Personal Information

Personal Information is defined as a person's first name or first initial and last name in combination with any of the following identifying information:

- Social security or employer taxpayer identification numbers
- Driver's license, State identification card, or passport numbers
- Checking account numbers
- Savings account numbers
- Credit card numbers
- Debit card numbers
- Personal Identification Number (PIN) Code
- Electronic identification numbers, electronic mail names or addresses, Internet account numbers, or Internet identification names
- Digital signatures
- Any other numbers or information that can be used to access a person's financial resources
- Biometric data
- Fingerprints
- Passwords
- Parent's legal surname prior to marriage

Personal Information may be obtained from an employee, supplier, customer, or any person or entity doing business with the Town.

### Destruction of Personal Information Records

The Town has adopted the following standards for destruction of Personal Information. The standards are designed to prevent unauthorized access to or use of personal information in connection with its disposal. The responsibility for managing the standards shall be delegated to the Town Administrator or a Policy Administrator appointed by the Town Council. The Town Administrator shall be responsible for auditing and assuring compliance with these standards, and for interpreting any portions of the standards as they may apply to specific situations.

The Town Administrator shall be responsible for providing employees with written copies of the most current version of this policy and circulating reminders to employees regarding compliance with the policy if deemed necessary by the Town Administrator. Employees shall abide and comply with the terms of the policy, and all questions regarding the policy and its application shall be submitted to the Town Administrator for review and guidance. Employees must promptly report any possible violations or deviations from the policy to the Town Administrator.

When paper records containing personal information are disposed of, they must be shredded so that the information cannot practicably be read or reconstructed.

When electronic information containing personal information is disposed of, it must be destroyed or erased so that the information cannot practicably be read or reconstructed. Simply deleting the files is not sufficient. The Town must ensure that all the information on the hard drive, computer disks and any other memory systems cannot be retrieved.

The Town Administrator shall be responsible for supervising the process of document destruction that occurs under this policy and for monitoring compliance. No employee may destroy any personal information records (paper or electronic) without prior approval from the Town Administrator.

#### Outside Disposal Services

No third party service provider shall be retained to provide document destruction or erasure of documents or other media potentially containing personal information unless the Town has conducted and documented due diligence review of such contractor's disposal procedures. Due diligence shall include one or more of the following:

- (a) Review of an independent audit of the disposal contractor's business operations;
- (b) Obtaining information about the disposal contractor from several references or other credible sources;
- (c) Requesting that the disposal contractor be certified by a recognized trade organization or other third party; or
- (d) Reviewing and evaluating the disposal contractor's security policies, competency and integrity.

#### Exceptions to Policy

The Town Administrator shall suspend the application of the policy with respect to the destruction of any records or documents in the following scenarios if litigation or a government investigation is foreseeable or imminent or if the Town's actions come under any type of outside scrutiny, including scrutiny in the press. Upon the occurrence of one of the above-referenced events, as determined by Town Council with the advice of legal counsel, the Town Administrator shall promptly notify employees via written communication of the suspension of the policy until further notice.

If any North Carolina statute requires the mandatory disclosure of information that statute shall take precedent over the terms of this policy.

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

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## MEMORANDUM

**TO:** Mayor Deter; Town Council

**FROM:** Julian Burton, Zoning Administrator/Planner

**DATE:** May 9th, 2016

**SUBJECT:** The Falls at Weddington Amenity Center Construction Documents

---

Falls at Weddington, LLC, submits the construction documents for the Amenity Site associated with the approved major subdivision, The Falls at Weddington. Community recreational centers are permitted as conditional uses subject to the requirements listed in Section 58-271. The Conditional Rezoning was approved on September 14<sup>th</sup>, 2015 by the Town Council, contingent on Construction Document approval.

### **Application Information:**

Property Location: Antioch Church Rd.  
Existing Zoning: R-CD  
Proposed Zoning: R-CD (Conservation Subdivision through the Conditional Zoning process)  
Existing Land Use: Residential Conservation  
Proposed Land Use: Residential Conservation (CZ)  
Existing Use: Vacant Land  
Parcel Size: 4 acres

### **Project Information:**

The Falls at Weddington Subdivision is an approved 185 lot subdivision on 234.49 acres. The amenity center will be located on 4 acres and will include a pool and a clubhouse. The plan includes the required 26 foot landscaped buffer at the border of the site, and existing vegetation will exceed the minimum number of trees and shrubs required. The amenity site did fall under the Town's revised Stormwater Management Ordinance and US Infrastructure's approval included review of the stormwater management facilities. USI's final approval letter is included in the packet.

### **Traffic Impact Analysis:**

Although the amenity center rezoning constitutes a new application and triggers the need for a revised TIA, staff confirmed with the Town's traffic engineer that the improvements already

proposed for Antioch Church Road are sufficient given the size of the subdivision, and eliminate the need for further study and analysis.

**Recommended Conditions of Approval:**

1. Final Plat including the amenity center site and access must be recorded prior to start of construction.
2. All lighting must adhere to Town of Weddington Lighting Ordinance

**Planning Board Action:**

Recommended approval with conditions (unanimous)

**Town Council Action:**

Approve/Approve with Conditions/Deny

---

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2. All lighting must adhere to Town of Weddington Lighting Ordinance

**Planning Board Action:**

Recommended approval with conditions (unanimous)

**Town Council Action:**

Approve/Approve with Conditions/Deny



# US INFRASTRUCTURE OF CAROLINA, INC.

## CONSULTING ENGINEERS

April 25, 2016

Mr. Julian Burton, Zoning Administrator/Town Planner  
Town of Weddington  
1924 Weddington Road  
Weddington, NC 28104

SUBJECT: The Falls Amenity Center -- Final Plan Review  
USI Project No. 140209 - 26

Dear Julian:

Final revisions have been made and review comments have been satisfactorily addressed for The Falls Amenity site. Therefore, the plans sealed by the designer with latest date April 20, 2016 are recommended for acceptance.

An as-built survey and engineer's certification for the detention pond should be submitted to the Town upon completion of the work.

If you have any questions, please contact us at 704-342-3007.

Sincerely,

**US Infrastructure of Carolina, Inc.**

Bonnie A. Fisher, P.E.  
Senior Engineer

cc: Robb Klauk, LandDesign

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

---

## MEMORANDUM

**TO:** Mayor Deter; Town Council

**FROM:** Julian Burton, Zoning Administrator/Planner

**DATE:** May 9<sup>th</sup>, 2016

**SUBJECT:** The Falls At Weddington RCD Conservation Subdivision Conditional Zoning Final Plat Phase I Map I

---

Falls at Weddington, LLC, submits a subdivision final plat application for 1 lot of the approved Residential Conservation Subdivision, The Falls at Weddington, located off Antioch Church Rd. The final plat includes the amenity center and access to the amenity center from Antioch Church Road. The plat itself will be provided to the Planning Board at the meeting on April 25<sup>th</sup>.

### **Project Information:**

The Falls at Weddington Subdivision preliminary plat consists of 185 lots and was approved on December 8<sup>th</sup>, 2014. The subdivision is located on both sides of Antioch Church Rd and is being developed by Falls at Weddington, LLC, as an RCD conservation subdivision.

### **Construction Documents**

US Infrastructure has partially approved the construction documents associated with the Falls at Weddington Preliminary Plat. The Town is awaiting the finalization of the floodplain development permit for the west side of the development. However, Construction Documents for the plat under review, Phase 1 Map 1, have been approved by USI.

### **Recommended Conditions of Approval:**

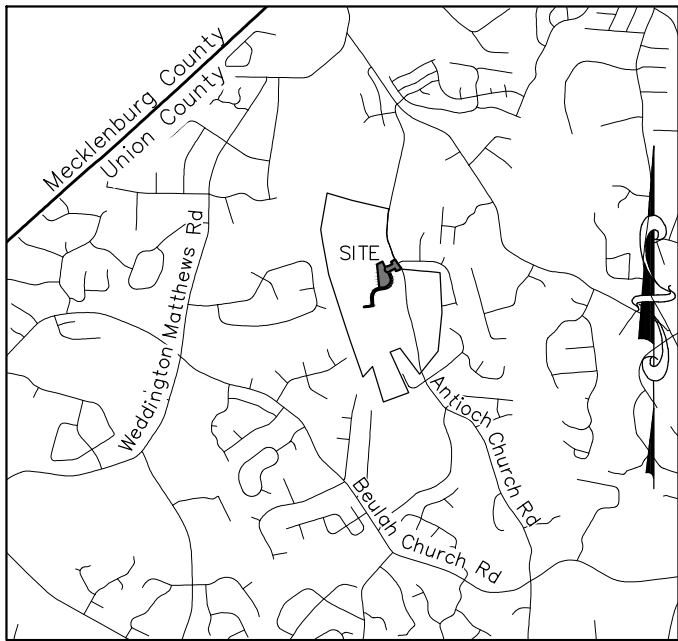
1. Bond estimates to be approved by the Town's engineering consultant
2. Bond instruments to be reviewed and approved by the Town Attorney, and the final bond instruments must be submitted to the Town prior to recording of the final plat.

### **Planning Board Action:**

Recommended Approval with Conditions (unanimous)

### **Town Council Action:**

Approve/Approve with Conditions/Deny



Vicinity Map - Not to Scale

- Legend
- EIP Existing Iron Pin
  - IPS Iron Pin Set (#5 Rebar)
  - CM Concrete Monument
  - PT Calculated Point
  - DB Deed Book
  - PG Page
  - Cab Cabinet
  - SSE Sanitary Sewer Easement
  - SDE Storm Drain Easement
  - TCE Temporary Construction Easement
  - UE Utility Easement
  - ST Sight Triangle
  - COS Common Open Space
  - R/W Right-of-Way
  - N/F Now or Formerly
  - CGF Combined Grid Factor
  - xxx Address
  - FHE 10' Fire Hydrant Easement
  - STE Site Triangle Easement
  - EOP Edge of Pavement Width
  - C/L Centerline

Notes:

- Deed Reference(s) - DB 6418, PG 744
- Tax Parcel ID - 06093007
- Current Owner - The Falls at Weddington, LLC
- All bearings are NC Grid bearings.
- All distances are shown horizontal.
- Grid distance = Horizontal distance x Combined Grid Factor (0.99984616)
- Area - R/W: ±0.940 Acres  
COS: ±0.682 Acres  
Total: ±5.898 Acres  
Lots (1): ±4.067 Acres  
Dedicated R/W: ±0.209 Acres  
Utility Easement: ±1.568 Acres  
Total lots Map 3, Sheet 1: 1
- Building Setbacks - Front Yard: 20'  
Side Yard: 5' (30' Aggregate)  
Rear Yard: 30'
- Iron pins (#5 Rebar) or other monumentation (as shown) found or set at all property corners.
- Zoning - R-CD
- This property is located in a special Flood Hazard Area as determined by FEMA and the State of North Carolina. Reference Community Panel Number: 3710448700J Dated: 10/16/2008
- The North Carolina Grid Coordinates shown on this map were derived by real-time kinematic GPS observations using Trimble R8 Receivers and processed using North Carolina Geodetic Survey Virtual Reference System.
- All Common Open Space will be maintained by the Weddington Falls Subdivision HOA.

LINE	BEARING	DISTANCE
L1	S63°41'09"W	50.00'
L2	N63°41'09"E	50.00'
L3	N54°16'37"E	8.32'
L4	N60°11'54"E	30.00'
L5	S60°28'45"W	30.00'
L6	N35°39'45"W	11.75'
L7	S54°16'37"W	5.97'
L8	S60°28'45"W	32.44'
L9	N23°05'35"W	75.38'

Certification of Ownership and Dedication

I hereby certify that I am the owner of the property described hereon, which is located in the Corporate Limits of the Town of Weddington and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate all streets, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby dedicate all infrastructure being the whole system of improvements required for the use of the subdivision that allow it to be used for its intended subdivided purpose. This includes but is not limited to public streets, street curb and gutter, sidewalks, public sewer, public water, storm water detention, drainage features, traffic control devices, street lighting, street signs, and landscaping to the appropriate agency.

Date \_\_\_\_\_ The Falls at Weddington, LLC by RRJ Land, LLC

Date \_\_\_\_\_ Centennial Bank

Certificate of approval of the design and installation of streets, utilities, and other required improvements.

I hereby certify that all streets and other required improvements have been installed in an acceptable manner and according to N.C. Department of Transportation and/or Town of Weddington specifications and standards in the Weddington Falls Subdivision or that guarantees of the installation of the required improvements in an amount and manner satisfactory to the Town of Weddington have been given and received.

Mayor of the Town of Weddington, NC \_\_\_\_\_ Date \_\_\_\_\_

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Weddington, North Carolina, and that this plat has been approved by the Weddington town council for recording in the Office of the Register of Deeds of Union County, North Carolina. This \_\_\_\_\_ day of March, 2016.

Mayor of the Town of Weddington, NC \_\_\_\_\_ Date \_\_\_\_\_

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	35.00'	34.47'	33.09'	S01°53'58"W
C2	73.50'	144.77'	122.48'	S26°18'51"E
C3	35.00'	34.47'	33.09'	S54°31'40"E
C4	35.00'	21.78'	21.43'	S08°29'16"E
C5	35.00'	12.69'	12.62'	S19°43'33"W
C6	73.50'	11.45'	11.44'	S25°39'06"W
C7	35.00'	25.96'	25.37'	S42°26'17"W
C8	545.00'	89.50'	89.40'	S58°58'53"W
C9	50.00'	78.59'	70.75'	N80°41'34"W
C10	801.48'	59.85'	59.83'	N31°39'36"W
C11	831.48'	62.58'	62.57'	N31°40'37"W
C12	1065.00'	108.94'	108.89'	N32°43'55"W
C13	1095.00'	44.89'	44.89'	S30°58'34"E
C14	50.00'	75.42'	68.47'	N11°03'48"E
C15	455.00'	74.72'	74.63'	N58°58'53"E
C16	35.00'	25.96'	25.37'	N84°56'02"E
C17	73.50'	11.45'	11.44'	S78°16'48"E
C18	35.00'	12.69'	12.62'	S72°21'15"E
C19	35.00'	21.78'	21.43'	S44°08'26"E
C20	1195.00'	75.89'	75.87'	N31°37'15"W
C21	831.48'	11.68'	11.68'	S29°07'06"E
C22	1095.00'	67.12'	67.11'	S33°54'24"E

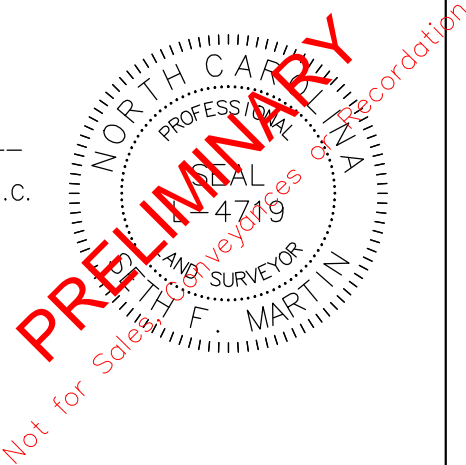
NC GRID NAD'83

06093007  
The Falls at Weddington, LLC  
DB 6418 PG 744

I, Seth F. Martin, certify that this plat was drawn under my supervision from an actual survey made under my supervision; that the boundaries not surveyed are clearly indicated as drawn from information found in Book 6418, Page 714; that the ratio of precision as calculated is 1: 10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended; that this plat creates a subdivision of land within a county or municipality that has an ordinance that regulates parcels of land.

Witness my original signature, registration number and seal this 20th day of April, A.D. (2016).

Registration No.: L-4719 N.C.



Surveyor

LDSI, Inc.  
508 W. Fifth St.  
(704) 337-8329  
David B. Boyles-PLS  
Seth F. Martin-PLS

Owner

The Falls at Weddington, LLC  
by RRJ Land, LLC.  
Robert Stiegele, Manager  
811 Coral Ridge Drive  
Coral Springs, FL 33071  
954-324-1711

Engineer

LandDesign, Inc.  
223 N. Graham St.  
(704) 333-0325  
Dale Stewart-PE  
Mark Kime-LA

Lender

M. Blaise Adams  
Market President  
Centennial Bank  
2200 Airport Boulevard  
Pensacola, FL 32502  
Ph: 850-501-36141

State of North Carolina  
County of Union

I, \_\_\_\_\_ Review Officer of Union  
County certify that the map of plat to which this certification  
is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_

Department of Transportation  
Division of Highways

Proposed Subdivision Road Construction Standards Certification

Approved \_\_\_\_\_ District Engineer \_\_\_\_\_ Date \_\_\_\_\_

Only North Carolina Department of Transportation approved  
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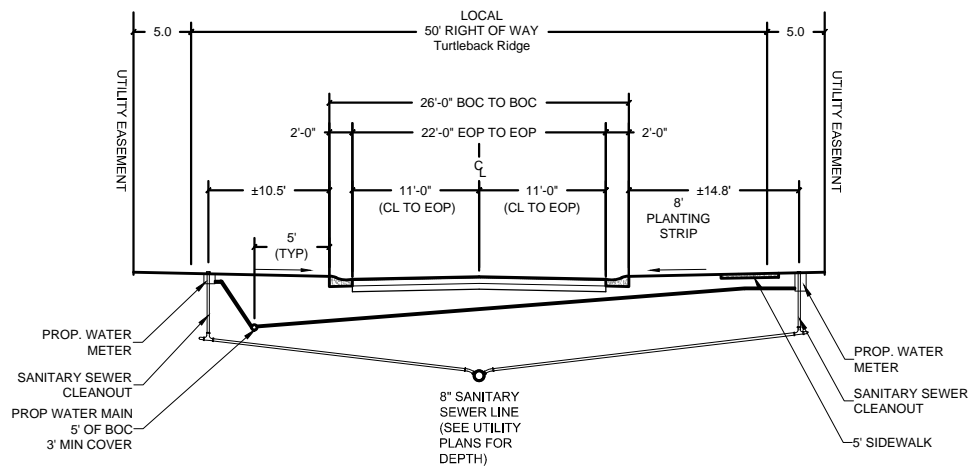
Final Plat  
The Falls at Weddington  
Phase 1 Map 1  
for  
The Falls at Weddington, LLC  
Antioch Church Road,  
Town of Weddington,  
Sandy Ridge Township,  
Union County,  
North Carolina

**LDSI**  
Phone: (704) 337-8329  
Fax: (866) 561-1277  
508 W. 5th St., Suite 125  
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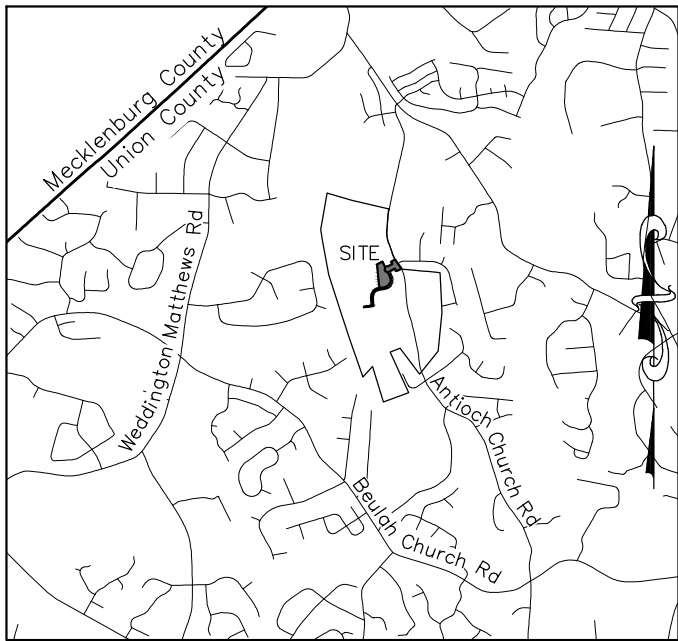
Scale: 1" = 60'

Date: April 20, 2016  
Project Number: 4114029  
Sheet 1

Owner: The Falls at  
Weddington, LLC  
811 Coral Ridge Drive  
Coral Springs,  
Florida, 33071







Vicinity Map — Not to Scale

Legend

- EIP Existing Iron Pin
- IPS Iron Pin Set (#5 Rebar)
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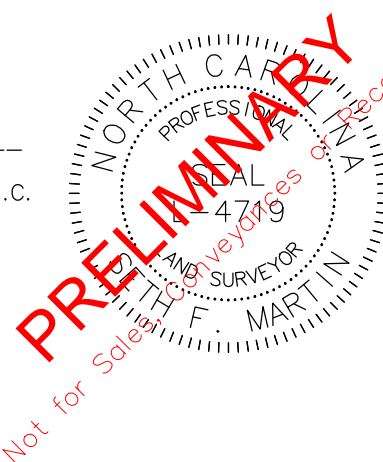
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N/F  
06093006  
George Albert Walter  
& Nelda R. Walter  
MB E—496

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State of North Carolina  
County of Union

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Proposed Subdivision Road Construction Standards Certification

Approved District Engineer Date

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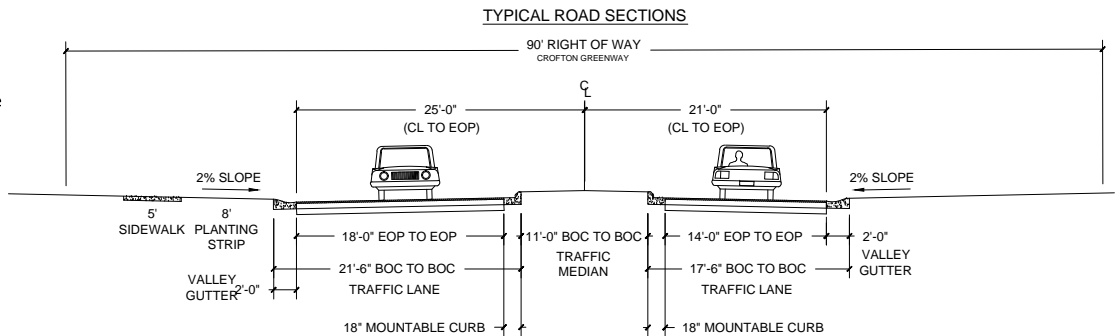
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**The Falls at Weddington**  
**Phase 1 Map 1**  
**for**  
**The Falls at Weddington, LLC**  
**Antioch Church Road,**  
**Town of Weddington,**  
**Sandy Ridge Township,**  
**Union County,**  
**North Carolina**

**LDSI** Phone: (704) 337-8329  
Fax: (866) 561-1277  
508 W. 5th St., Suite 125  
Charlotte, NC 28202  
License No.: C-1925

Scale: 1"= 60'

Date: April 20, 2016  
Project Number: 4114029  
Sheet 2

Owner: The Falls at  
Weddington, LLC  
811 Coral Ridge Drive  
Coral Springs,  
Florida, 33071



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

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## MEMORANDUM

**TO:** Mayor Deter; Town Council

**FROM:** Julian Burton, Zoning Administrator/Planner

**DATE:** May 9<sup>th</sup>, 2016

**SUBJECT:** The Falls At Weddington Conservation Easement

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Falls at Weddington, LLC, submits a subdivision final plat application for 48 lots of the approved Residential Conservation Subdivision, The Falls at Weddington, located on both sides of Antioch Church Rd.

### **Project Information:**

The Falls at Weddington Subdivision preliminary plat consists of 185 lots and was approved on December 8<sup>th</sup>, 2014. The subdivision is located on both sides of Antioch Church Rd and is being developed by Falls at Weddington, LLC, as an RCD conservation subdivision.

### **Conservation Easement:**

*Section 58-58 (4) of the Weddington Zoning Ordinance* stipulates that a minimum of 50% of the gross acreage must be retained as conservation land. Conservation lands must remain conservation lands in perpetuity. This is often done by requiring conservation easements and/or review and approval of neighborhood CCR's. The applicant has provided a separate conservation easement for approval that includes the entire subdivision and the CCRs reference the conservation easement in its entirety.

### **Planning Board Action:**

Recommended Approval (Unanimous)

### **Town Council Action:**

Approve/Approve with Conditions/Deny

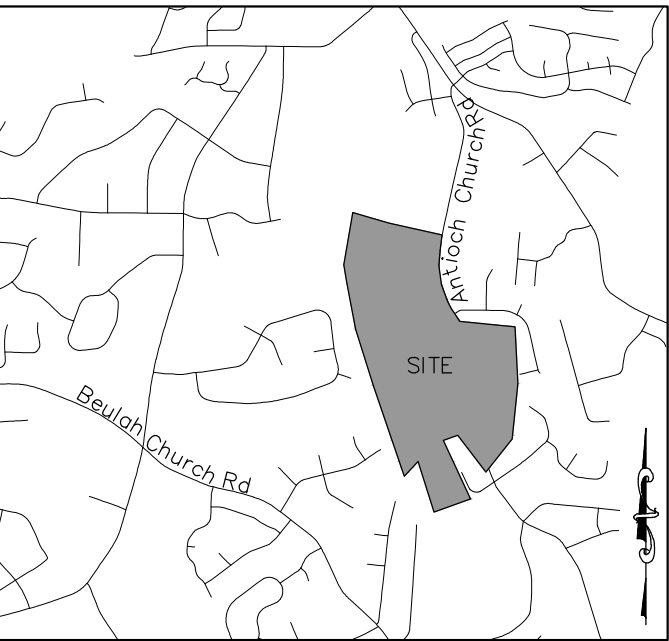


Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property described hereon, which is located in the subdivision jurisdiction Town of Weddington and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate all streets, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby dedicate all infrastructure being the whole system of improvements required for the use of the subdivision that allow it to be used for its intended subdivided purpose. This includes but is not limited to public streets, street curb and gutter, sidewalks, public sewer, public water, storm water detention, drainage features, traffic control devices, street lighting, street signs, and landscaping to the appropriate agency.

Owner:

Date:



Vicinity Map - Not to Scale

- Legend
- EIP Existing Iron Pin
  - IPS Iron Pin Set (#5 Rebar)
  - CM Concrete Monument
  - PT Calculated Point
  - R/W Right-of-Way
  - N/F Now or Formerly
  - CGF Combined Grid Factor
  - Proposed Easement
  - Conservation Area

LINE	BEARING	DISTANCE
L1	S86°15'29"W	27.99'
L2	N86°15'29"E	27.99'
L3	S33°10'48"E	30.99'
L4	S19°54'12"E	65.22'
L5	S64°54'06"E	7.07'
L6	S19°54'06"E	74.80'
L7	N16°29'23"E	71.88'
L8	N77°37'24"E	100.14'
L9	S21°50'43"E	34.11'
L10	S77°37'24"W	100.01'
L11	N13°33'29"W	59.85'
L12	S17°36'56"E	82.36'
L13	N77°37'24"E	100.13'
L14	N77°37'24"E	8.10'
L15	N60°17'30"E	50.97'
L16	N73°49'13"E	96.14'
L17	N05°50'07"E	40.29'
L18	S73°49'13"W	106.14'
L19	N16°10'47"W	63.95'
L20	N04°51'13"W	63.53'
L21	S84°30'43"E	47.78'
L22	S00°51'33"W	83.96'
L23	S08°57'09"E	99.08'
L24	S28°37'52"W	106.29'
L25	S13°21'52"E	43.34'
L26	S77°37'24"W	100.01'
L27	S03°44'31"E	25.26'
L28	S03°44'31"E	14.63'
L29	N75°05'25"E	28.69'
L30	N85°51'42"E	1.00'

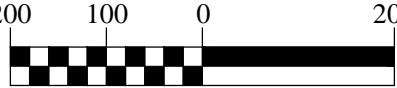
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2894.76'	299.55'	299.42'	S07°08'08"W
C2	940.00'	389.48'	386.70'	S07°41'38"E
C3	1095.00'	195.66'	195.40'	S24°40'58"E
C4	1195.00'	213.52'	213.24'	N24°40'58"W
C5	25.00'	39.27'	35.36'	S41°15'29"W
C6	225.00'	132.15'	130.26'	N76°54'58"W
C7	275.00'	150.01'	148.16'	N75°43'02"W
C8	234.29'	50.34'	50.24'	N40°14'35"W
C9	51.00'	144.73'	100.83'	N03°28'42"W
C10	35.00'	40.75'	38.49'	N61°25'15"W
C11	25.00'	39.27'	35.36'	N26°56'07"E
C12	225.00'	188.39'	182.94'	S84°04'39"E
C13	275.00'	161.52'	159.20'	S76°54'58"E
C14	25.00'	39.27'	35.36'	S48°44'31"E
C15	1165.00'	227.15'	226.79'	S09°19'40"E
C16	255.00'	176.83'	173.31'	S80°09'31"E
C17	4107.52'	100.30'	100.30'	S10°14'43"E
C18	4207.52'	147.19'	147.18'	S08°23'58"E
C19	936.78'	257.31'	256.50'	S13°55'45"E
C20	50.00'	78.54'	70.71'	N59°54'48"W
C21	4207.52'	60.19'	60.19'	S13°33'27"E
C22	50.00'	78.54'	70.71'	N30°05'56"E
C23	50.00'	78.71'	70.83'	N48°50'23"W
C24	50.00'	78.51'	70.69'	N41°14'25"E
C25	798.36'	81.44'	81.41'	S02°36'35"E
C26	1854.20'	267.14'	266.91'	S13°25'12"E
C27	4267.52'	64.18'	64.18'	N13°31'39"W
C28	2780.00'	238.84'	238.77'	N15°09'15"W
C29	1794.04'	409.83'	408.94'	N11°00'09"W
C30	861.48'	413.36'	409.41'	N13°37'42"W
C31	876.79'	240.72'	239.96'	N13°56'18"W
C32	4267.52'	150.30'	150.29'	N08°23'39"W
C33	4367.52'	100.08'	100.08'	N10°07'40"W
C34	255.00'	27.32'	27.30'	N74°33'16"E
C35	164.00'	32.04'	31.99'	N65°53'19"E
C36	961.48'	195.93'	195.59'	S05°57'16"E
C37	255.00'	138.47'	136.78'	N11°25'06"E
C38	1047.92'	120.36'	120.30'	N00°52'22"E

Conservation Easement Plat for  
(Owner) The Falls at Weddington, LLC  
Antioch Church Road,  
Town of Weddington,  
Union County,  
North Carolina

**LDSI**

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License No.: C-1925

Scale: 1"= 200'



Date: March 3, 2016  
Project Number: 4114029

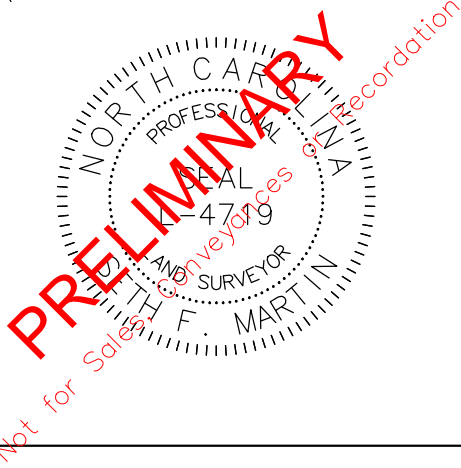
Sheet 1 of 2

Owner: The Falls at  
Weddington, LLC  
811 Coral Ridge Drive  
Coral Springs,  
Florida, 33071

'I, Seth F. Martin, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book \_\_\_ Page see map); that the boundaries not surveyed are clearly indicated as drawn from information found in Book \_\_\_, Page see map; that the ratio of precision as calculated is 1: 10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended that the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision.

Witness my original signature, registration number and seal this 3rd day of March, 2016.

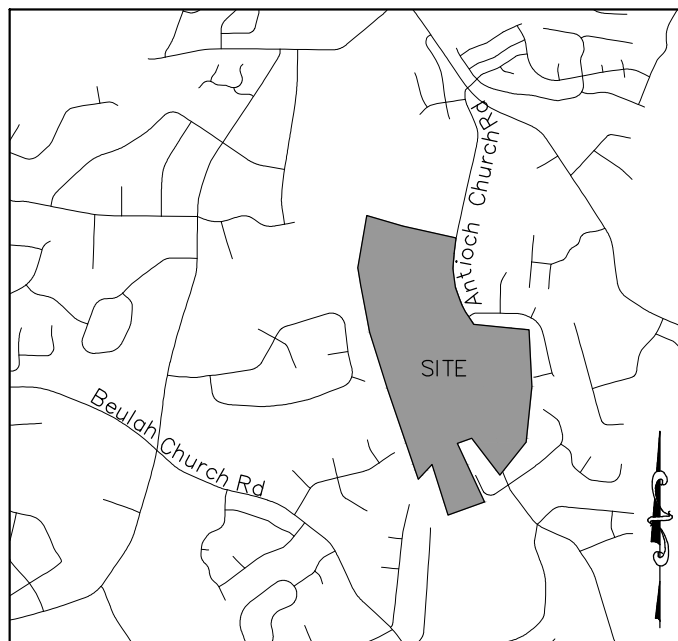
Registration No.: L-4719 N.C.



Notes:

- Deed Reference(s) - Deed Book 6418, Page 744
- Tax Parcel ID - 06093007
- Current Owner - The Falls at Weddington, LLC
- All bearings are NC Grid bearings.
- All distances are shown horizontal.
- Grid distance = Horizontal distance x Combined Grid Factor (0.99984616)
- Total Conservation Easement Area: ±138.187 Acres  
(Conservation Area within utility easements: ±10.52 Acres x 50% = ±5.26 Acres)
- Areas have been determined by coordinate computation.
- Iron pins (#5 Rebar) or other monumentation (as shown) found or set at all property corners.
- Zoning - R-CD
- This property is located in a special Flood Hazard Area as determined by FEMA and the State of North Carolina. Reference Community Panel Number: 3710448700J Dated: 10/16/2008
- The North Carolina Grid Coordinates shown on this map were derived by real-time kinematic GPS observations using Trimble R8 Receivers and processed using North Carolina Geodetic Survey Virtual Reference System.





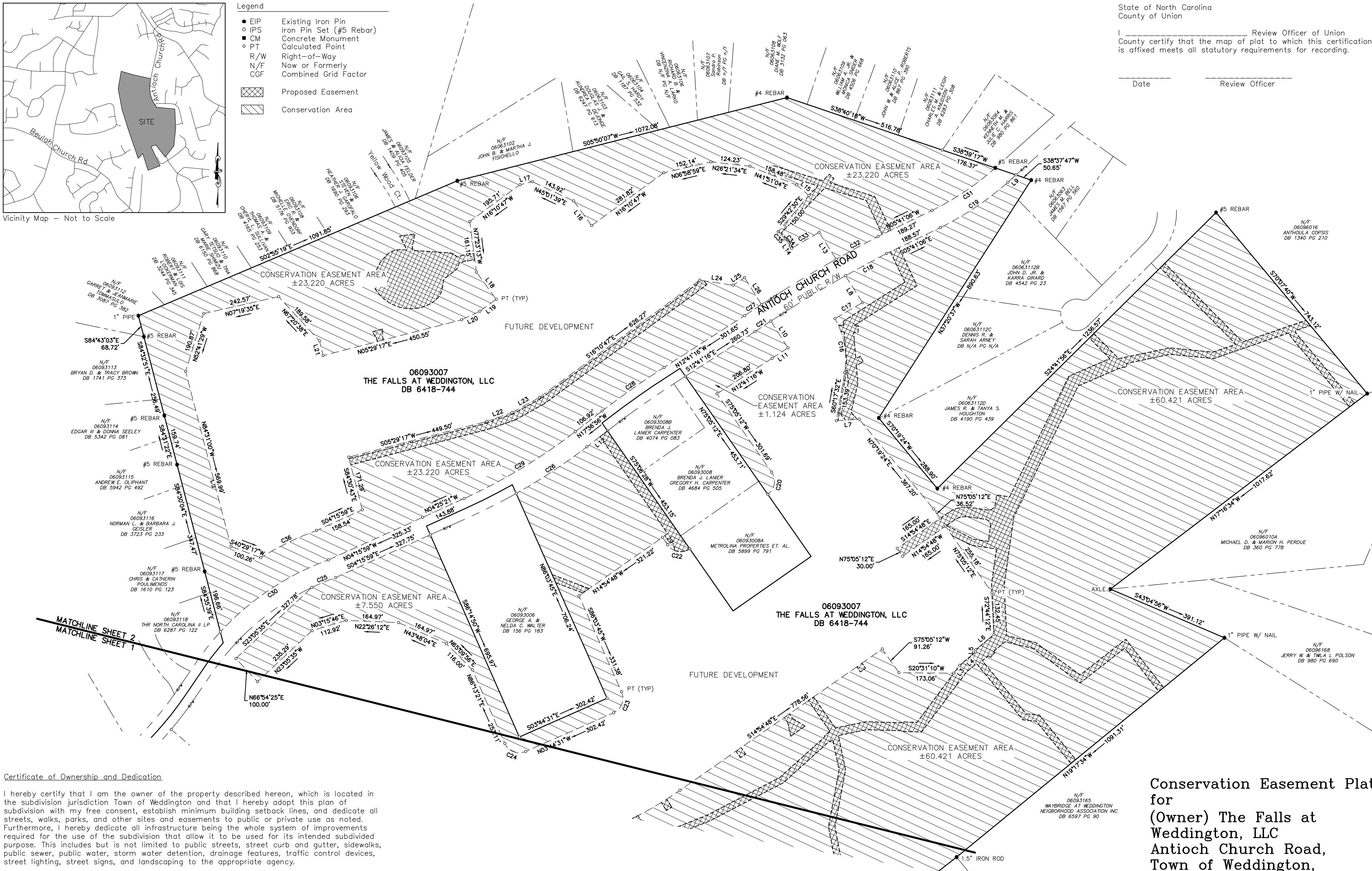
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  - Proposed Easement
  - Conservation Area

State of North Carolina  
County of Union

I, \_\_\_\_\_ Review Officer of Union  
County certify that the map of plat to which this certification  
is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_



#### Certificate of Ownership and Dedication

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Owner \_\_\_\_\_ Date \_\_\_\_\_

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Witness my original signature, registration number and seal this 3rd day of March, 2016.

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#### Notes:

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Conservation Easement Plat  
for  
(Owner) The Falls at  
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Antioch Church Road,  
Town of Weddington,  
Union County,  
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**LDSI**

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Date: March 3, 2016  
Project Number: 4114029

Owner: The Falls at  
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Sheet 2 of 2



## COMMUNITY GROWTH

**Population Growth.** Weddington is part of the Charlotte Metropolitan Statistical Area. Over the past two decades, the Charlotte area has been growing at a rapid rate and is one of the fastest growing regions in North Carolina and the Southeast. Leading the growth in the Charlotte area has been Union County. Between 2000 and 2010, Census figures show that the population of Mecklenburg County (which includes Charlotte) has grown by 32.2%. Union County has grown at an even faster pace, 62.8%, during this time period. The Town of Weddington has increased its population 41% since 2000.

The estimated population at the time of incorporation (1983) was approximately 970. According to the 2000 Census, the Town's population was 6,696. The 2010 Census indicates that the population is 9,459. According to the 2010 Census, 89% of Town residents live in family households. These percentages are significantly higher than the rest of Mecklenburg and Union Counties. The average household size is 3.02 people, which is also larger than household sizes in Mecklenburg and Union Counties, which are 2.5 and 2.92 persons respectively. According to the 2010 Census 11.9% of the population is aged 0-9, 20.2% of the population is aged 10-19, 5.2% is aged 20-29, 7.1% is aged 30-39, 20.8% is aged 40-49, 19.2% of the population is aged 50-59 and 24.4% is aged 60 or older. The 2010 Census population for Weddington and surrounding areas are presented on **Exhibit 4**.

#### Exhibit 4: Population Comparisons

Jurisdiction	2010 Population	Percent Increase, 2000-2010
Weddington	9,459	41%
Union County	201,292	63%
Indian Trail	33,518	182%
Marvin	5,579	437%
Mineral Springs	2,639	93%
Stallings	13,831	334%
Waxhaw	9,859	276%
Wesley Chapel	7,463	193%
Mecklenburg County	919,628	32%
Charlotte	731,424	35%
Matthews	27,198	23%

Source: 2010 Census

The consistent pattern of recent growth in the Charlotte region indicates continuing strong growth in the Weddington area for the foreseeable future. This is primarily due to its location, south of Charlotte and close to the region's "Outerbelt," I-485. In addition, southern Mecklenburg and northwestern Union Counties are scheduled for a number of road improvements that will further improve accessibility to and from Weddington, the most significant one being Rea Road Extension. Rea Road Extension, scheduled ~~for completion in 2017~~for construction in 2019, will give Weddington area motorists a second direct means of accessing I-485.

**Projected Population.** Small areas such as towns or neighborhoods provide the most difficulty for projecting populations. This is because there are many external factors that affect population changes and these are difficult to predict. Some of these factors include variable impacts of the regional or larger United States economy, fluctuations in housing costs or mortgage interest rates, or other factors that affect the desirability of one county or town versus another. Weddington's population is growing mainly due to the healthy regional economy, the town's favorable quality of life and Weddington's proximity to Charlotte. If any of these factors changes in the future, the rate of population growth in Weddington could also change.

The Town's basic infrastructure policies should require that transportation, water, wastewater and drainage system improvements be constructed concurrent with new development and are adequate to meet demands from existing and new users. While the Town does not currently provide utilities for the entire service area, it does require that adequate utilities be provided for all new development. Connection to public water is currently mandated for new developments based on the proposed size of the development and its proximity to existing public water lines.

**Transportation.** The transportation system is the circulation network of the community. It brings people and products into an area and enables them to move freely from one activity to another. Land use planning and transportation go hand-in-hand. The location and type of future land use will have an effect on traffic flow and volume. By the same token, the road network affects how land will be used in the future.

Transportation system components exert substantial and lasting influence and impacts on the configuration and characteristics of land use and development within the area they serve. They can enhance pedestrian safety, land values, community or neighborhood character and quality of life.

Weddington is a member of the Charlotte Regional Transportation Planning Organization (CRTPO), a regional transportation planning body. CRTPO currently consists of all municipalities in Mecklenburg County as well as Weddington, Indian Trail, Waxhaw, Wesley Chapel, Wingate, Monroe and Stallings in Union County. CRTPO's decision-making body consists entirely of elected officials from its member local governments. Recommendations as to which transportation projects should be funded are made by CRTPO (as part of the region's Thoroughfare Plan or "TIP") and forwarded to NCDOT. Actual funding and construction decisions are made by NCDOT.

The Town of Weddington has an adopted thoroughfare plan. This plan is known as the Local Area Regional Transportation Plan or LARTP. It was created and approved as a Western Union County Transportation Plan along with Marvin, Wesley Chapel and Waxhaw. All proposed road improvements on the LARTP will be placed on NCDOT's Comprehensive Transportation Plan or CTP.

The Town of Weddington does not maintain any public roads. Thus, most public roads in Weddington are maintained by NCDOT. There are some privately maintained roads as well. State law forbids counties from owning and maintaining roads. Weddington's subdivision regulations require that roads be built to NCDOT standards. Most new roads

in Weddington are public roads. Privately maintained roads are allowed provided they are constructed and maintained to NCDOT standards.

The main roads that presently lead into Weddington are NC 16, NC 84, Rea Road and Weddington-Matthews Road. NC 16 runs north to Charlotte and south to Waxhaw and runs through the western portion of Weddington. NC 84 runs east-west and connects Weddington to Monroe. NC 84 terminates at NC 16. Weddington's Town Center is located at this intersection. Weddington-Matthews Road is between the Towns of Weddington and Stallings. The Town will not become involved with road maintenance; however, road conditions and needed improvements are to remain a high priority. Major and minor thoroughfares for Weddington are as depicted on the currently adopted CRTPO Thoroughfare Plan.

The road project with the greatest impact on Weddington has been the completion of the southern portion of the Outer Belt, I-485. The intersection of I-485 at NC 16 is approximately two miles from the northern boundary of the town. This road greatly enhances Weddington's accessibility to Mecklenburg County and points beyond.

A section of NC 16, which runs from Rea Road to I-485 (NCDOT Project U-2510A), was recently widened. Another project that will affect Weddington, making it more accessible to Charlotte-Mecklenburg and bringing more traffic through the town, is the Rea Road Extension (NCDOT Project U-~~2506~~3467). Right-of-way acquisition is expected to start in 2017 and construction is expected to start in 2019. Completion is anticipated in 2019. There are also plans for an interchange at Weddington Road and I-485 in Stallings and a roundabout at the Weddington Road/Weddington-Matthews Road Intersection.

In summary, road projects that are scheduled for the near future will make Weddington more accessible to and from the north and northwest. This area represents the southern part of Charlotte metropolitan areas, which contains a large number of residents and is growing at a fast rate. These road projects should help to shorten driving times from Weddington to south Charlotte and to the southern part of Mecklenburg County. The proposed Rea Road Extension should alleviate some of the traffic currently being experienced on NC 16, especially during the morning and afternoon rush hour periods. The proposed Amanda Drive Extension and Northern Connector Road (connecting Providence Road and Weddington-Matthews Road) should also alleviate traffic volumes along major thoroughfares and intersections and will provide vital east-west connections throughout Town.

square feet per lot, respectively) zoning regulations. Since 2008, the Town has issued an average of 53 new home zoning permits per year. According to the 2010 census, the average household size in Weddington is 3.02 persons. This results in a growth of approximately 160 people per year. However, over the past ten years the Town has issued 858 new home zoning permits. From 2002 to 2007 an average of 99 new home permits per year.

Almost all of structures within the Town of Weddington are single-family units. In 2013, 11 duplex units and 30 mobile homes were located in the Town. There are no multi-family dwellings in Weddington. However, Weddington is not a typical town; it is a distinctive residential community whose land use regulations call for low-density single-family homes. As compared with most communities, lot sizes are somewhat greater than the norm. Older homes are scattered throughout the Town, while the newer homes are primarily found in subdivisions. Allowing alternative smaller lots in future growth will contribute to community diversity.

**Commercial Development.** As indicated previously, the Town has very limited commercial activity, and all existing commercial development is located within the designated Town Center. The Town Center is located at the intersection of NC 16 and NC 84 and further defined by the Downtown Overlay District, discussed below. In the future, in order to preserve the Town's rural character, new commercial development is restricted to the Town Center, despite potential commercial development pressure along proposed thoroughfare improvement projects such as the Rea Road Extension and the continued widening of Highway 16. ~~The only commercial area in Weddington is located at the intersection of NC 16 and NC 84.~~ The existing commercial development is zoned for mixed uses, business, retail, and office uses. Uses are limited in nature and size; setback requirements are significant. Tenants in the shopping center include a grocery store, fitness center, three restaurants, a mail delivery center, a hair salon, nail salon, pet salon, drycleaners, and an animal hospital. Adjacent to the shopping center is a small professional office complex that contains a dentist office, orthodontic office, chiropractic office, two medical health office, an insurance company, a real estate agency, a law firm, clothing alteration and an interior design office. A convenience store and bank are located along NC 16. Adjacent to the shopping center is an indoor gymnasium facility. A 15,000 square foot office building was recently approved. Weddington's Town Hall lies adjacent to this shopping/office complex. All land that is currently zoned for commercial purposes in Weddington is found in the vicinity of the Town Center.

In May of 2015, the Town Council adopted a Downtown Overlay District to provide additional regulations for the above-mentioned 34 acres already designated future

Conventional subdivisions. Even in unincorporated portions of Union County, lot sizes as low as 20,000 square feet are allowed (with even smaller lot sizes allowed in clustered developments).

**Site Design.** Site design plays a significant role in assuring land use compatibility. Factors include transitioning between land use types, intensities, and densities using buffers and floor area ratios, conserving environmental assets using standards to preserve open space and limit impervious surfaces, providing adequate vehicular and pedestrian traffic circulation and connectivity, mitigating potential nuisances, such as signage, excessive noise, smoke, heat, light, vibration or odors detectable to human senses off the premise, and designing for public safety. In November of 2014, the Town Council increased the thoroughfare buffer requirements in response to increased residential development, in order to better preserve the viewshed and maintain the rural feel. The Town Council should also utilize the tiers of priority when reviewing conditional zoning applications for conservation subdivisions, to ensure that each unique site plan adequately reflects the priorities listed in the zoning ordinance, and more generally preserves Weddington's scenic views and rural character.

#### **GROWTH MANAGEMENT AND RESOURCE CONSERVATION**

Growth is anticipated to occur throughout the Planning Area, limited primarily by infrastructure and land availability. The Town, however, continues to have little influence on how land located in unincorporated areas is developed. The Town, however, currently regulates development pursuant to its zoning ordinance and subdivision regulations within its municipal limits. Infrastructure availability is a key growth management tool. The Town can, in the future, focus on ensuring that development does not exceed its site carrying capacity, based on environmental conditions, water and sewer availability and capacity and natural resources protection, its accessibility, via an adequate transportation network, and is consistent with locally-accepted design standards. Capacity constraints can be used to determine the development potential of a property for specific densities or intensities; development potential can be correlated to a preferred level of service (LOS) and available capacity. The Town will need to evaluate inclusion of these growth management tools in its regulations. To better manage the impact of growth on existing residents and the natural environment, the Town Council adopted a new stormwater ordinance in November of 2014 to control runoff caused by new development.

**Annexation.** Annexation is the legal process whereby the corporate limits of a town or municipality are extended to encompass additional urbanized land and population. In North Carolina, annexation is the public process by which cities may extend municipal

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

**TO:** Mayor and Town Council

**FROM:** Peggy Piontek Town Administrator

**DATE:** May 9, 2016

**SUBJECT:** Discussion and Consideration of Rea Road Extension

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Mayor Pro Tem Titherington requested this agenda item for discussion.

PSP

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

## MEMORANDUM

**TO:** Bill Deter, Mayor; Town Council  
**FROM:** Julian Burton; Town Planner/Zoning Administrator  
**DATE:** May 9<sup>th</sup>, 2016  
**SUBJECT:** Update from the Town Planner

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### SUBDIVISIONS

- Graham Allen
  - Submitted construction documents and the preliminary plat application
  - Staff is waiting for resubmittal
- Sugar Magnolia
  - Submitted their stormwater concept plan and the preliminary plat
- Staff received a TIA scoping package for a new 132 lot subdivision located off Providence Road. An additional 49 lots are expected to be submitted for review within Union County's jurisdiction.

### Conditional Rezoning

- Threshold Church has submitted a conditional rezoning application for Phase II of the church's development plan. They are working through the TIA process and staff is waiting for the SketchTIA and revised Conditional Zoning application packet.

### Text Amendments

- Staff has drafted an amendment to the zoning ordinance to require notifications to the Town regarding any planned blasting during the construction of new subdivisions. The Planning Board discussed the ordinance at the April meeting, and staff will provide a revised amendment for the May meeting.



## **WEDDINGTON CODE ENFORCEMENT REPORT**

May 2, 2016

### **1. 404 Cottonfield Cir., James & Shannon Cox**

- Wrecked car and inoperative pickup truck parked in side yard and visible from both streets
- Hearing scheduled and held at Town Hall. Owner and wife attended. Vehicles removed/relocated. 2/5/15
- Stockade style fence has been extended to screen side yard from view from front of property; vehicles disposed or relocated?; will continue to monitor—3/15/15
- 6/3/15---- Received email from Julian and website address and advertisement Mr. Cox is running on internet advertising his motor rebuilding business. 8 vehicles and enclosed trailer parked in driveway at this property
- 7/6/15----Issued citation with fine effective 7/10/15
- 8/3/15----5 vehicles in driveway, garage door closed, gate closed.
- 9/3/15----Town attorney to issue a “Cease and desist” letter to Cox.
- 9/9/15----5 vehicles in drive, garage door closed; gate closed.
- 9/16/15-----Attorney (Odom) called on behalf of Cox. Informed him that property is in violation of Zoning Ordinance and must be brought in to compliance to avoid legal action by Town to obtain compliance.
- 10/15/15----Violation continues.. Legal action needed.
- 2/29/16---Legal enforcement needed.
- 4/1/16—No change. Legal action pending.
- 5/2/16—No Change. Legal action pending.

### **2. 2101 Eagle Pass Ct., Richard Mrugalski, Jr.**

- Electrical contractor business operating from home
- Owner is moving business to commercial space (first of Feb., 2016)
- 3/9/16—Notice of Violation and Citation issued with fines commencing 3/14/16.
- 3/15/16—Owner has moved business to commercial space in Indian Trail.
- 4/1/16—Will continue to monitor this one.
- 5/2/16—Continuing to monitor this one. Construction underway for large addition to residence and also a large building at rear of property for storage of vehicles.

### **3. Bradshaw property, Matthews-Weddington Rd.**

- Old/inoperative farm equipment stored on this property
- 1/26/16—tractors and most equipment has been removed.
- Will continue to monitor this one for removal of all old equipment
- 2/29/16----Resolved.

### **4. Highway 84 & Twelve Mile Creek Rd.**

- Large amount of stumps and demolition debris hauled in and dumped on this property. Contacting owner to have it removed.

### **5. “Illegal sign sweep”. 21 signs removed and disposed of.**

#### **6. 4005 Ambassador Ct., Inez B. McRae Trust**

- Corresponding with owner and his attorney, urging corrective action to prevent further deterioration of house.
- 4/4/16---No response to correspondence sent 3/1/16 to owner and attorney. Will continue to monitor this one.
- See below for detailed update on the code enforcement process regarding this property:

This house remains vacant and in a state of deterioration. The property is also over grown with grass, weeds, vines and similar vegetation. Investigation and eventual enforcement action authorized by Town Council started in early 2013 and continues today. Town Council approved an "In Rem Ordinance" in February of 2015. This ordinance authorized boarding and closing of the house to prevent entry by unauthorized persons. This included removal and replacement of garage door, replacement of broken window panes and installation of OSB panels over entry doors. A lien for the cost of these repairs was recorded with the Union County Register of Deeds.

The Weddington Minimum Housing Code requires all dwellings to comply with the standards as outlined in the Code. Houses found to have violations of the Housing Code which can be repaired for 50% or less of the value of the house are classified as "substandard, deteriorated". Houses found to have violations where the repair/corrections amount to more than 50% of the value of the house are classified as "substandard, dilapidated".

In accordance with the Weddington Minimum Housing Code, 4005 Ambassador Ct. was and still is classified as "substandard, deteriorated".

In cases where a house is classified and substandard, deteriorated, the owner has 3 options:

- 1) vacate and close the house; or
- 2) repair the house to comply with the Housing Code; or
- 3) demolish the house.

Houses found to have violations that amount to greater than 50% of the house value are classified as "substandard, dilapidated"; under this classification, the owner only has 2 options:

- 1) repair the house to comply with the Minimum Housing Code; or
- 2) demolish the house.

At this time, this house has significant deterioration of the roof shingles and active leaks to interior, fascia boards/trim, peeling/deteriorating paint; damage to interior drywall surfaces, probably beginning stages of rotting of wall studs, roof framing and floor damage from on-going roof leaks; torn/deteriorated screens on rear porch; rotted/deteriorated hand/guard rails at rear steps; vines over grown onto hand rails and porch; large amount of old deteriorated furniture, appliances, and similar personal items strewn inside of the house. The on-going roof leaking at

this house will eventually cause the house to be classified as substandard dilapidated. At that time, if the owner does not either repair it to Code or demolish it, the Town can cause it to be demolished by approval of an "In Rem Demolition" Ordinance.

The house continues to deteriorate, but it is still secure/closed. Under current ownership, demolition may be the only resolution, and more repairs would only prolong the time until the house is considered "substandard, dilapidated." Therefore, it may be best to continue to make sure that the house remains secure, and allow the house to continue to deteriorate until demolition can be seriously considered.

**TOWN OF WEDDINGTON**  
**REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT**

FY 2015-2016

04/01/2016 TO 04/30/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
<b>REVENUE:</b>				
10-3101-110 AD VALOREM TAX - CURRENT	10,051.76	975,607.45	944,000.00	-3
10-3102-110 AD VALOREM TAX - 1ST PRIOR	1,068.98	3,319.14	4,000.00	17
10-3103-110 AD VALOREM TAX - NEXT 8	620.72	6,298.08	1,500.00	-320
10-3110-121 AD VALOREM TAX - MOTOR	7,253.86	65,656.93	73,075.00	10
10-3115-180 TAX INTEREST	663.90	2,528.64	2,250.00	-12
10-3231-220 LOCAL OPTION SALES TAX REV	21,754.12	197,677.56	285,000.00	31
10-3322-220 BEER & WINE TAX	0.00	0.00	41,000.00	100
10-3324-220 UTILITY FRANCHISE TAX	0.00	407,529.16	425,000.00	4
10-3340-400 ZONING & PERMIT FEES	2,132.50	39,550.00	25,000.00	-58
10-3350-400 SUBDIVISION FEES	2,010.00	62,500.00	55,000.00	-14
10-3830-891 MISCELLANEOUS REVENUES	100.00	1,471.00	1,000.00	-47
10-3831-491 INVESTMENT INCOME	603.04	4,124.51	5,000.00	18
TOTAL REVENUE	46,258.88	1,766,262.47	1,861,825.00	5
<b>AFTER TRANSFERS</b>				
	46,258.88	1,766,262.47	1,861,825.00	
<b>4110 GENERAL GOVERNMENT</b>				
<b>EXPENDITURE:</b>				
10-4110-126 FIRE DEPT SUBSIDIES	58,288.75	586,437.18	709,895.00	17
10-4110-127 FIRE DEPARTMENT	0.00	3,642.15	3,800.00	4
10-4110-128 POLICE PROTECTION	61,764.00	247,577.44	248,677.00	0
10-4110-192 ATTORNEY FEES - GENERAL	0.00	59,241.05	95,000.00	38
10-4110-193 ATTORNEY FEES - LITIGATION	30,117.30	133,625.12	125,000.00	-7
10-4110-195 ELECTION EXPENSE	0.00	8,871.58	11,000.00	19
10-4110-340 PUBLICATIONS	2,833.25	3,621.20	2,000.00	-81
10-4110-341 WEDDINGTON FESTIVAL	0.00	-3,130.28	0.00	0
10-4110-342 HOLIDAY/TREE LIGHTING	0.00	4,284.62	6,500.00	34
10-4110-343 SPRING EVENT	370.75	479.92	750.00	36
10-4110-344 OTHER COMMUNITY EVENTS	0.00	236.53	250.00	5
TOTAL EXPENDITURE	153,374.05	1,044,886.51	1,202,872.00	13
<b>BEFORE TRANSFERS</b>				
	-153,374.05	-1,044,886.51	-1,202,872.00	
<b>AFTER TRANSFERS</b>				
	-153,374.05	-1,044,886.51	-1,202,872.00	
<b>4120 ADMINISTRATIVE</b>				
<b>EXPENDITURE:</b>				
10-4120-121 SALARIES - CLERK	5,966.66	59,499.94	71,000.00	16
10-4120-123 SALARIES - TAX COLLECTOR	3,244.43	33,840.58	46,315.00	27
10-4120-124 SALARIES - FINANCE OFFICER	1,241.56	10,504.28	13,840.00	24
10-4120-125 SALARIES - MAYOR & TOWN	2,100.00	21,000.00	25,200.00	17
10-4120-181 FICA EXPENSE	960.26	9,542.65	12,460.00	23
10-4120-182 EMPLOYEE RETIREMENT	1,358.67	13,686.24	18,885.00	28
10-4120-183 EMPLOYEE INSURANCE	2,088.00	19,838.13	25,000.00	21

**TOWN OF WEDDINGTON**  
**REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT**

FY 2015-2016

04/01/2016 TO 04/30/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4120-184 EMPLOYEE LIFE INSURANCE	30.24	283.08	400.00	29
10-4120-185 EMPLOYEE S-T DISABILITY	24.00	240.00	300.00	20
10-4120-191 AUDIT FEES	0.00	8,200.00	8,500.00	4
10-4120-193 CONTRACT LABOR	0.00	0.00	2,430.00	100
10-4120-200 OFFICE SUPPLIES - ADMIN	222.38	3,897.36	12,500.00	69
10-4120-210 PLANNING CONFERENCE	0.00	2,954.34	2,500.00	-18
10-4120-321 TELEPHONE - ADMIN	133.03	1,770.95	3,500.00	49
10-4120-325 POSTAGE - ADMIN	0.00	1,009.53	2,500.00	60
10-4120-331 UTILITIES - ADMIN	286.49	3,239.34	4,250.00	24
10-4120-351 REPAIRS & MAINTENANCE -	290.00	8,722.81	30,223.00	71
10-4120-352 REPAIRS & MAINTENANCE -	3,390.71	57,662.75	63,000.00	8
10-4120-354 REPAIRS & MAINTENANCE -	11,060.00	47,479.85	63,250.00	25
10-4120-355 REPAIRS & MAINTENANCE -	110.00	440.00	1,000.00	56
10-4120-356 REPAIRS & MAINTENANCE -	0.00	3,000.00	6,000.00	50
10-4120-370 ADVERTISING - ADMIN	35.70	629.41	1,000.00	37
10-4120-397 TAX LISTING & TAX	3.90	-302.97	1,000.00	130
10-4120-400 ADMINISTRATIVE:TRAINING	25.74	3,721.69	4,000.00	7
10-4120-410 ADMINISTRATIVE:TRAVEL	271.30	4,000.02	6,000.00	33
10-4120-450 INSURANCE	0.00	13,387.05	15,500.00	14
10-4120-491 DUES & SUBSCRIPTIONS	0.00	14,495.00	18,000.00	19
10-4120-498 GIFTS & AWARDS	0.00	2,020.84	3,500.00	42
10-4120-499 MISCELLANEOUS	239.50	3,998.17	5,000.00	20
TOTAL EXPENDITURE	33,082.57	348,761.04	467,053.00	25
BEFORE TRANSFERS	-33,082.57	-348,761.04	-467,053.00	
AFTER TRANSFERS	-33,082.57	-348,761.04	-467,053.00	

**4130 PLANNING & ZONING**

EXPENDITURE:

10-4130-121 SALARIES - ZONING	4,570.10	46,515.54	57,240.00	19
10-4130-122 SALARIES - ASST ZONING	92.82	1,089.18	2,250.00	52
10-4130-123 SALARIES - RECEPTIONIST	1,636.58	17,038.07	24,975.00	32
10-4130-124 SALARIES - PLANNING BOARD	425.00	3,900.00	5,200.00	25
10-4130-125 SALARIES - SIGN REMOVAL	302.29	2,629.15	4,000.00	34
10-4130-181 FICA EXPENSE - P&Z	537.56	5,448.63	7,770.00	30
10-4130-182 EMPLOYEE RETIREMENT - P&Z	915.47	9,208.48	13,015.00	29
10-4130-183 EMPLOYEE INSURANCE	2,088.00	20,880.00	27,000.00	23
10-4130-184 EMPLOYEE LIFE INSURANCE	20.44	204.40	300.00	32
10-4130-185 EMPLOYEE S-T DISABILITY	12.00	120.00	150.00	20
10-4130-193 CONSULTING	10,839.14	-4,869.36	4,000.00	222
10-4130-194 CONSULTING - COG	0.00	11,700.00	21,750.00	46
10-4130-200 OFFICE SUPPLIES - PLANNING	250.83	3,832.02	5,000.00	23
10-4130-201 ZONING SPECIFIC OFFICE	0.00	40.01	2,500.00	98
10-4130-215 HISTORIC PRESERVATION	0.00	0.00	2,500.00	100
10-4130-220 INFRASTRUCTURE	0.00	0.00	3,000.00	100

TOWN OF WEDDINGTON  
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

04/01/2016 TO 04/30/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4130-321 TELEPHONE - PLANNING &	133.04	1,771.05	3,500.00	49
10-4130-325 POSTAGE - PLANNING & ZONING	-79.90	739.95	2,500.00	70
10-4130-331 UTILITIES - PLANNING & ZONING	310.08	3,262.97	4,250.00	23
10-4130-370 ADVERTISING - PLANNING &	-23.96	327.89	1,000.00	67
TOTAL EXPENDITURE	<u>22,029.49</u>	<u>123,837.98</u>	<u>191,900.00</u>	<u>35</u>
 BEFORE TRANSFERS	<u>-22,029.49</u>	<u>-123,837.98</u>	<u>-191,900.00</u>	
 AFTER TRANSFERS	<u>-22,029.49</u>	<u>-123,837.98</u>	<u>-191,900.00</u>	
 GRAND TOTAL	<u><u>-162,227.23</u></u>	<u><u>248,776.94</u></u>	<u><u>0.00</u></u>	

TOWN OF WEDDINGTON  
BALANCE SHEET

FY 2015-2016

PERIOD ENDING: 04/30/2016

10

ASSETS

ASSETS

10-1120-000	TRINITY CHECKING ACCOUNT	974,427.02
10-1120-001	TRINITY MONEY MARKET	1,109,547.30
10-1170-000	NC CASH MGMT TRUST	530,895.50
10-1205-000	A/R OTHER	4.95
10-1211-001	A/R PROPERTY TAX	7,291.15
10-1212-001	A/R PROPERTY TAX - 1ST YEAR PRIOR	3,192.56
10-1212-002	A/R PROPERTY TAX - NEXT 8 PRIOR YRS	9,066.03
10-1232-000	SALES TAX RECEIVABLE	1,441.57
10-1610-001	FIXED ASSETS - LAND & BUILDINGS	1,753,018.11
10-1610-002	FIXED ASSETS - FURNITURE & FIXTURES	23,513.12
10-1610-003	FIXED ASSETS - EQUIPMENT	118,306.60
10-1610-004	FIXED ASSETS - INFRASTRUCTURE	26,851.01
TOTAL ASSETS		<u>4,557,554.92</u>

LIABILITIES & EQUITY

LIABILITIES

10-2120-000	BOND DEPOSIT PAYABLE	75,002.25
10-2605-000	DEFERRED REVENUES-CONV CHARGE	4.95
10-2620-000	DEFERRED REVENUE - DELQ TAXES	3,192.56
10-2625-000	DEFERRED REVENUE - CURR YR TAX	7,291.15
10-2630-000	DEFERRED REVENUE-NEXT 8	9,066.03
TOTAL LIABILITIES		<u>94,556.94</u>

EQUITY

10-2620-001	FUND BALANCE - UNASSIGNED	2,238,530.00
10-2620-003	FUND BALANCE-ASSIGNED	54,000.00
10-2620-004	FUND BALANCE-INVEST IN FIXED ASSETS	1,921,691.04
CURRENT FUND BALANCE - YTD NET REV		248,776.94
TOTAL EQUITY		<u>4,462,997.98</u>

TOTAL LIABILITIES & FUND EQUITY	<u>4,557,554.92</u>
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# TOWN OF WEDDINGTON

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## MEMORANDUM

**TO:** Mayor and Town Council

**FROM:** Kim Woods, Tax Collector

**DATE:** May 9, 2016

**SUBJECT:** Monthly Report –April 2016

<b>Transactions:</b>	
Adjustment under \$5.00	\$(17.36)
Balance Adjustment	\$(21.93)
Interest Charges	\$166.88
Penalty & Interest Payments	\$(691.47)
Overpayment	\$(.84)
<b>Taxes Collected:</b>	
2012	\$(468.62)
2013	\$(166.71)
2014	\$(1068.98)
2015	\$(10035.04)
<b>As of April 30, 2016; the following taxes remain Outstanding:</b>	
2005	\$252.74
2006	\$56.80
2007	\$93.78
2008	\$1039.45
2009	\$865.35
2010	\$729.72
2011	\$381.13
2012	\$2566.15
2013	\$3080.91
2014	\$3192.56
2015	\$7291.15
<b>Total Outstanding:</b>	<b>\$19549.74</b>