

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 8, 2011 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA**

Prayer – Pastor Bill Fogarty (First Baptist Church of Weddington)

1. Call to Order
2. Pledge of Allegiance
3. Determination of Quorum/Additions or Deletions to the Agenda
4. Town Council Rules of Procedure
 - A. Review and Discussion of Rules of Procedure #12 – Presiding Officer when the Mayor is in Active Debate – Mayor Pro Tem Daniel Barry
 - B. Consideration of Directing Legal, Mayor Pro Tem Daniel Barry and Councilmember Jerry McKee to Review Current Town Council Rules of Procedure for Possible Amendments
5. Public Hearing
 - A. Public Hearing to Review and Consider – Union County Water Tower Conditional Zoning Application
6. Approval of Minutes
 - A. July 11, 2011 Special Town Council Meeting
 - B. July 20, 2011 Special Town Council Meeting
7. Public Comment - *Speakers are limited to three (3) minutes or less and Large Groups are Encouraged to Designate a Spokesperson*
8. Consent Agenda
 - A. Call for Public Hearing to Review and Consider Emergency Gate and Entrance Gate Text Amendment (Public Hearing to be held September 12, 2011 at 7:00 p.m. at the Weddington Town Hall)
 - B. Call for Public Hearing to Review and Consider Conditional Use Permit (CUP) to Conditional Zoning (CZ) Changes in the Weddington Code of Ordinances (Public Hearing to be held September 12, 2011 at 7:00 p.m. at the Weddington Town Hall)
 - C. Consideration of Proposal for Professional Engineering Services for Proposed Street Improvements for Stratford Hall, Bonner Oaks and The Meadows Subdivisions
9. Consideration of Public Hearing
 - A. Consideration of Union County Water Tower Conditional Zoning Application
10. Old Business

A. Update on 2011 Weddstock Festival

11. New Business

- A. Update on Merger Discussions Between Wesley Chapel VFD and Providence VFD – Providence VFD Vice President Ken Evans
- B. Presentation on Estimates for Modular Buildings with Sprinkler System for Providence VFD – Providence VFD Board Vice President Ken Evans
- C. Discussion of Scheduling a Worksession to Discuss Options for Future Fire Service in the Town – Mayor Nancy Anderson
- D. Consideration of Bid Proposals for Landscaping Maintenance of Medians and Shoulders on Highway 84, Highway 16 and Rea Road – Councilmember Jerry McKee
- E. Consideration of Authorizing The Moser Group, Inc. to Proceed to Task 2 - Site Acquisition and Development Services

12. Update from Town Planner

13. Update from Town Administrator/Clerk

14. Public Safety Report

15. Update from Finance Officer and Tax Collector

16. Transportation Report

17. Council Comments

18. Adjournment

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

**WEDDINGTON
TOWN COUNCIL**

**RULES
OF
PROCEDURES**

UPDATED JANUARY 14, 2010

RULES OF PROCEDURES

TOWN OF WEDDINGTON, NORTH CAROLINA

RULE 1. APPLICABILITY OF RULES

These rules apply to all meetings of the Town Council of Weddington, North Carolina at which the Town Council is empowered to exercise any of the executive, quasi-judicial, administrative, or legislative powers conferred on it by law.

COMMENT: On the whole, rules of procedure of a Council are intended to govern formal meetings of the board to exercise any of its executive and legislative powers conferred by law. These rules fulfill that purpose and also are designed to ensure compliance with the open meetings law, G.S. 143-318.9 through 143-318.18, which applies to any gathering of a majority of the board to discuss public business. The rules also apply to regular informal work sessions or committee meetings where public business is discussed but no official action taken.

RULE 2. REGULAR MEETINGS

The Council shall hold a regular meeting on the second Monday of each month, except that if a regular meeting day is a legal holiday, the meeting shall be rescheduled at the Town Council's discretion. The meeting shall be held at the Weddington Town Hall and shall begin at 7:00 p.m. A copy of the Council's current meeting schedule shall be filed with the Town Clerk.

COMMENT: G.S. 160A-71 allows the Council to fix a time and place for regular meetings. If the council does not do so, it is required to meet at least once a month at 10:00 a.m. on the first Monday. Although the general law permits a council to fix a regular meeting time that is less frequent than once a month, many town charters require the council to meet at least monthly. G.S. 143-318.12 (a) {part of the open meetings law} requires the Council's schedule of regular meetings to be kept on file with the Town Clerk.

RULE 3. SPECIAL, EMERGENCY, AND RECESSED MEETINGS

(a) Special Meetings

The mayor, the mayor pro tempore, or any two members of the council may at any time call a special council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. At least 48 hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (1) delivered to the mayor and each council member or left at his or her usual dwelling place; (2) posted on the council's principal bulletin board, or if none, at the door of the Council's usual meeting room; and (3) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the Town Clerk. Only those items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or have signed a written waiver of notice.

A special meeting may also be called or scheduled by vote of the Council in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least 48 hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (1) posted on the council's principal bulletin board, or if none, at the door of the Council's usual meeting room; and (2) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the Town Clerk. Such notice shall also be mailed to deliver at least 48 hours before the meeting to each Council member not present at the meeting at which the special meeting was called or scheduled, and to the mayor if he or she was not present at that meeting.

COMMENT: The first paragraph of the "Special Meetings" section of this rule combines the special meeting notice requirements of the open meetings law found in G.S. (143-318.12 (b) with the notice requirements for special meetings called by the mayor, the mayor pro tempore, or any two council members under G.S. 160A-71 (b)(1). While G.S. 160A-71 (b)(1) only requires that the mayor and council members receive six hours notice of special meetings called by the mayor, the mayor pro tempore, or two council members, this rule increases the advance notice requirement for the mayor and council members to 48 hours. This change recognizes that the council will want to be notified of special meetings called by a few of their number at least as far ahead of time (48 hours) as are members of the news media and other persons on the Town's "sunshine list". A discussion of procedures and possible fees for inclusion on the "sunshine list" can be found in G.S. 160A-71 (b)(2). In accordance with the requirements of G.S. 160A-71 (b)(1), only those items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or have signed a written waiver of notice.

The second paragraph of the "Special Meetings" section deals with special meetings called during another duly called meeting, as permitted by G.S. 160A-71 (b)(3). Under the open meetings law, 48 hours advance notice of the time, place, and purpose of special meetings called in this manner must be mailed to the news media and other persons on the Town's "sunshine list", just as is required with any other special meeting. Note that G.S. 160A-71 (b)(3) requires no special notice to council members of a special meeting called during another meeting, since they presumably were present or had the opportunity to be present at the meeting where the special meeting was called or scheduled. An optional provision of this rule allows the council to go a bit beyond what the law requires by providing notice to members who were absent from the meeting where the scheduling took place.

Note that G.S. 160A-71 (b)(3) and this rule do not restrict the subjects that may be considered at a special meeting that is called during another meeting. Similarly, while the open meetings law requires that the "purpose" of a special meeting be stated in the meeting notice, it contains no restrictions that would prevent the Council from taking up unannounced subjects at a special meeting called during another meeting, if the Council did so in good faith.

(b) Emergency Meetings

One of the following two (2) procedures must be followed to call an emergency meeting of the Council.

- (1) The mayor, the mayor pro tempore, or any two members of the Council may at any time call an emergency Council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and

each council member or left at his or her usual dwelling place at least six hours before the meeting.

- (2) An emergency meeting may be held at any time when the mayor and all members of the council are present and consent thereto, or when those not present have signed a written waiver of notice, but only in either case if the council complies with the notice provisions of the next paragraph.

Notice of the meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency meeting notice request, which includes the newspaper's, wire service's, or station's telephone number, with the Town Clerk. This notice shall be given either by telephone or by the same method used to notify the mayor and the Councilmembers, and shall be given at the expense of the party notified.

Emergency meetings shall only be called because of generally unexpected circumstances that require immediate consideration by the Town Council. Only business connected with the emergency may be considered at an emergency meeting.

COMMENT: Rule 2(b) states the requirements of the open meetings law concerning emergency meetings [G.S. 143-318.12(b)(3)]. It adds to these requirements the two possible ways that emergency meetings might be called under G.S. 160A-71(b). The Town Council procedural statutes do not mention emergency meetings, so they must be considered a type of special meeting. The first method, described in G.S. 160A-71(b)(1), requires six hours' minimum notice to council members and the mayor. The second method, specified in G.S. 160A-71(b)(2), allows a meeting to be held whenever the entire council can be assembled or written waivers can be obtained from those not present, as long as the emergency meeting notice requirements are satisfied.

The third method for calling special council meetings, see G.S. 160A-71(b)(3), is not allowed for emergency meetings. Because emergency meetings are by their nature unexpected, it is assumed that they will not be called during the course of another meeting, but will be scheduled when needed using one of the other two methods.

(c) Adjourned or Recessed Meetings

A properly called regular, special, or emergency meeting may be adjourned or recessed by a procedural motion made and adopted as provided hereafter in Rule 21 in open session during the regular, special or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of an adjourned or recessed session of a properly called regular, special, or emergency meeting.

COMMENT: Note that a motion to adjourn (or recess) a meeting to a time and place certain must comply with the requirements of Rule 21 concerning procedural motions. It must be made in open session, since under the open meetings law the making of such a motion is not listed as an action that is permitted during an closed session (see Rule 28 concerning closed sessions). As explained in the Comment to Rule 21, Motion 1, the terms "adjourn to a time and place certain" and recess to a time and place certain" are both forms of the motion to adjourn, and are used interchangeably in these rules and in North Carolina law and practice.

The provisions of Rule 27 that concern notice of meetings to consider the budget should also be considered in conjunction with this rule.

(d) Work Sessions and Committee Meetings

The Town Council may schedule work sessions, committee meetings, or other informal meetings of the board or of a majority of its members at such times and concerning such subjects as may be established by resolution or order of the Council. A schedule of any such meetings held regularly shall be held in the same place and manner as the schedule of regular meetings. Work sessions and other informal official meetings not held regularly are subject to the same notice requirements as special Council meetings.

COMMENT: The open meetings law requires that any “official meeting” where a majority of the Town Council deliberates on public business must be open to the public and notice must be given. The last sentence of this rule embodies that principle. The rule goes beyond the open meetings law in requiring a published schedule of work sessions or committee meetings held regularly.

G.S. 143-318.13 (a) provides that if the Town Council holds any regular, special, emergency, or other official meeting by conference telephone or other electronic means, the clerk shall provide a location and method whereby the public may listen to the meeting and notice of the meeting shall specify that location.

(e) Sunshine List

Any individual and any newspaper, wire service, radio station, and television station may file a written request with the Town Clerk for notice of all special meetings of the board. Requests by individuals must be renewed by the last day of each calendar quarter and are subject to a \$10.00 nonrefundable annual fee; requests by news organizations must be renewed annually by January 1, of each year and are not subject to any fee.

COMMENT: See G.S. 143-318.12 (b)(2).

RULE 4. MEETINGS TO BE OPEN

- (a) The public policy of North Carolina and of the Town of Weddington is that the hearings, deliberations, and actions of the Town Council and its committees be conducted openly.
- (b) Except as otherwise provided in these rules and in accordance with applicable law, each official meeting of the Weddington Town Council shall be open to the public, and any person may attend.

COMMENT: See G.S. 143-318.10 (a)

- (c) For the purposes of the provisions of these rules concerning open meetings, an official meeting of the Town Council is defined as any gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of board members for the purpose of conducting hearings, participating in

deliberations, or voting upon or otherwise transacting public business within the jurisdiction, real or apparent, of the Town Council.

COMMENT: See G.S. 143-318.10 (d). The open meetings law provides that a social meeting or other informal gathering of the members of the Town Council does not constitute an official meeting unless it is “called or held to evade the spirit and purposes” of the laws requiring meetings to be open.

RULE 5. BROADCASTING AND RECORDING OF MINUTES

- (a) Except as provided in this rule, any radio or television station may broadcast all or any part of an official board meeting required to be open to the public. Any person may photograph, film, tape record, or otherwise reproduce any part of a meeting required to be open.
- (b) A radio or television station wishing to broadcast any portion of an official board meeting shall notify the Town Clerk no later than seventy-two hours before the meeting. If the number of requests or the quantity and size of the necessary equipment is such that the meeting cannot be accommodated in the designated meeting room and no suitable alternative site in the Town Hall is available, the Town Clerk may require the news media to either pool equipment and personnel or to secure and pay the costs of an alternative meeting site mutually agreeable to the board and the media representatives.

COMMENT: See G.S. 143.318.14. Notwithstanding the proposed rule, the council probably could not exclude broadcasters simply because they failed to give the suggested seventy-two hour notice.

RULE 6. ORGANIZATIONAL MEETING.

On the date and at the time of the first regular meeting in December following a general election in which council members are elected, or at an earlier date, if any, set by the incumbent Council, the newly elected members shall take and subscribe the oath of office as the first order of business. As the second order of business, the Council shall elect a mayor pro tempore. This organizational meeting shall not be held before the municipal election results are officially determined, certified, and published in accordance with Sub-chapter IX of Chapter 163 of the North Carolina General Statutes.

COMMENT: This rule states the requirements of G.S. 160A-68 (a) and (b). The oath of office used is the one set forth in Article VI, Section 7, of the North Carolina Constitution (see also G.S. 11-7 and 11-7.1). G.S. 160A-68 (b) further provides that the organizational meeting shall take place notwithstanding the absence, death, refusal to serve, failure to qualify, or non-election or one or more members, provided a quorum is present.

Who presides at the organizational meeting until the new mayor is sworn in is a question best resolved by local custom. In some cities the town clerk, manager, or attorney presides, and in others the retiring mayor presides until the new mayor is sworn in.

RULE 7. AGENDA

(a) **Proposed Agenda.** The Town Clerk shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any council member may, by a timely request, have an item placed on the proposed agenda. A copy of all proposed ordinances shall be attached to the proposed agenda. An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each council member shall receive a copy of the proposed agenda and the agenda package and they shall be available for public inspection and distribution or copying when they are distributed to the council members.

The Council may by unanimous consent of the Mayor and all council members in attendance vote to add items to or subtract items from the proposed agenda, except that (a) the council may not subtract items from the proposed agenda stated in the notice of a special meeting called by the mayor, mayor pro tempore, or two council members, unless those calling the meeting consent to the deletion, (b) the council may not add items to the proposed agenda stated in the notice of a special meeting called by the mayor, mayor pro tempore, or two council members, unless all members are present, or those who are absent sign a written waiver of notice, and (c) only business connected with the emergency may be considered at an emergency meeting. The council may add items to the proposed agenda of a special meeting only if it determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

The Council may designate certain agenda items "for discussion and possible action." Such designation means that the council intends to discuss the general subject area of that agenda item before making any motion concerning that item.

COMMENT: Because of the volume and complexity of the matters they must consider, most councils use an agenda for their meetings. This rule describes the typical agenda preparation procedure for regular and some special council meetings. Councils should adapt it to accommodate the special circumstances that accompany emergency and many special meetings.

Two uses of agendas are common. Some councils use an agenda only to organize the materials they must consider and to give them an opportunity to study the issues before they meet. These councils generally allow last-minute additions to the agenda by general consent. This rule allows such additions only with the unanimous consent of the Mayor and all council members in attendance. Note, however, that G.S. 160A-71 (b)(1) requires that all council members be present or consent in writing before additions can be made to the subjects listed on the notice of a special meeting called by the mayor, mayor pro tempore, or two council members. Also, since the agenda of such a special meeting is set by those calling it, this rule requires those persons' consent before items may be deleted from that agenda. Note also that G.S. 143-318.12 (b)(3) limits the agenda of emergency meetings to business connected with the emergency.

Other councils use their agenda to control the length of their meetings. In that case the council will often hold an agenda meeting or a work session before the regular meeting to ask questions and thoroughly explore the proposals that must be voted on at the regular meeting. Note that such an agenda meeting or work session is considered a meeting of the council for purposes of G.S. 160A-71 and the open meetings law and is subject to the regular or special meeting requirements in these rules. Generally, these councils take a stricter approach and do not allow late additions to regular meeting agendas unless an unexpected and pressing matter arises.

As noted above, at special meetings called by the mayor, mayor pro tempore, or two council members, additions may only be made to the agendas of special meetings if all members are present or those not present sign a waiver of notice. These rules also impose an additional requirement for the agendas of all special meetings, regardless of how they are called, because of open meetings law concerns. Under this approach, an item may be added to the agenda of a special meeting only if all members are present and the board determines in good faith that it is essential to discuss or act on the item immediately. This restriction avoids surprises and is consistent with the spirit of the open meetings law, although neither requirement is actually part of the law. See the statement of public policy underlying the law in G.S. 143-318.9. For further discussion of adding items to special meeting agendas, see the Comment to Rule 3(a).

Rule 7(a) requires that longer or more complex proposals be in writing and attached to the agenda, so that council members will have a clear idea of the issues with which they will be dealing. The council may choose what sorts of proposed orders, policies, regulations, resolutions, or other items it wishes to make subject to this requirement. The council may also require that copies of relevant documents be provided to all council members when additions to the agenda are proposed at the meeting.

Town councils frequently desire to discuss an issue informally, attempting to reach a group consensus, before a formal motion is proposed. While standard parliamentary practice requires that a motion be made before any discussion can occur, conducting discussion first can be very useful to a small board such as a council. Such discussion may be especially important if the council does not hold agenda meetings or work sessions at which the members can discuss issues among themselves, before the more formal meetings at which the council generally takes action. This rule authorizes the practice of "discussion before moving" by permitting the council to designate particular agenda items "for discussion and possible action." If a motion is later made, discussion on the motion is then in order.

The Town Clerk or Chief Administrative Officer may find it convenient to maintain a mailing list of interested parties who wish to receive a copy of the proposed agenda and/or agenda package regularly. Since the background materials included with the proposed agenda in the agenda package may be quite voluminous, the council may wish to charge those receiving the full agenda package for the cost of reproduction. At the very least, the council should make provision for the public to inspect and copy the agenda package in the town offices, since the agenda package is generally a matter of public record open to public inspection.

(b) **Consent Agenda.** The council may designate a part of the agenda as the "consent agenda." Items shall be placed on the consent agenda by those preparing the proposed agenda if they are judged to be non-controversial and routine. Any member 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.

COMMENT: Many councils use a consent agenda as a device to handle routine business more quickly. The persons preparing the proposed agenda group together on the agenda those items that they think will be non-controversial, routine, and unopposed. As a general rule, ordinances, controversial items, matters in which citizens may be interested, and matters of great substance should probably not be included on the consent agenda.

The council reviews the "consent agenda" as part of its review of the proposed agenda at the beginning of the meeting. Each member is free to remove items from the consent agenda to the regular agenda. A member may wish to do so if, for example, he or she would like to debate the proposal or vote against the item.

Those items remaining on the consent agenda are all handled with a single motion and vote, which is legally a motion and vote on each one of them. In keeping with this understanding, the minutes should reflect separate motions and votes on each of the consent items.

RULE 8. PUBLIC ADDRESS TO THE COUNCIL

Any individual or group who wishes to address the council may do so at the time designated for public comment at each regularly scheduled meeting.

The council reserves the right to limit each person wishing to make a comment to three minutes should it appear that there are a large number of persons desiring to make public comments.

COMMENT: The council may decide as a matter of general policy to set aside part of each meeting for individuals or groups to address the council.

RULE 9. ORDER OF BUSINESS

Items shall be placed on the agenda according to order of business. The order of business for each regular meeting shall be as follows:

- Public Hearings
- Open regularly scheduled meeting
- Approval of the Minutes
- Public Comment
- Old Business
- New Business
- Comments from the Council Members
- Adjournment

By general consent of the council, items may be considered out of order.

RULE 10. OFFICE OF MAYOR

The mayor shall preside at all meetings of the council but shall have the right to vote only when there is a tie. In order to address the council, a member must be recognized by the mayor. The mayor shall have the following powers:

- (a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- (b) To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
- (c) To entertain and answer questions of parliamentary law or procedure;

- (d) To call a brief recess at any time;
- (e) To adjourn in an emergency.

COMMENT: G.S. 160A-69 provides that the mayor shall have the right to vote only in cases of a tie among council members, unless the mayor is elected by the council from among its membership and the town charter is silent on the matter. In that case, the mayor has the right to vote on all matters. Many cities have charter provisions dealing with the mayor's voting rights; a special charter rule on mayoral voting takes precedence over the general rule in G.S. 160A-69.

The procedural powers given to the mayor in this rule are intended to replace the question of order and appeal in Robert's Rules of Order (RRO). This rule increases the mayor's authority in that his or her decisions regarding decorum in debate and rules of parliamentary procedure are final and cannot be appealed to the membership. Also, according to "RRO", a recess can be taken only on a motion and vote by the members. This rule authorizes the mayor to call a brief recess when necessary to "clear the air" and thus reduce friction among the members.

RULE 11. OFFICE OF MAYOR PRO TEMPORE

At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the Council's pleasure. A council member who serves as mayor pro tempore shall be entitled to vote on all matters and shall be considered a council member for all purposes, including the determination of whether a quorum is present. In the mayor's absence, the mayor pro tempore shall assume all of the mayor's powers and duties. If the mayor should become physically or mentally unable to perform the duties of his or her office, the council may by unanimous vote declare that the mayor is incapacitated and confer any of the mayor's powers and duties on the mayor pro tempore. When a mayor declares that he or she is no longer incapacitated, and a majority of the council concurs, the mayor shall resume the exercise of his or her powers and duties. If both the mayor and the mayor pro tempore are absent from a meeting, the council may elect from among its members a temporary chairman to preside at the meeting.

COMMENT: This is G.S. 160A-70 paraphrased.

RULE 12. PRESIDING OFFICER WHEN THE MAYOR IS IN ACTIVE DEBATE

The mayor shall preside at meetings of the council unless he or she becomes actively engaged in debate on a particular proposal, in which case he or she may designate another council member to preside over the debate. The mayor shall resume presiding as soon as action on the matter is concluded.

COMMENT: Good leadership depends, to a certain extent, on not taking sides during a debate. On a small board this may not always be feasible or desirable; yet an unfair advantage accrues to the side that advocate controls access to the floor. This rule is designed to insure even-handed treatment to both sides during a heated debate. Ordinarily the mayor should ask the mayor pro tempore to preside in this situation, but if he or she is also engaged in the debate, the mayor should feel free to call on some other council member in order to achieve the purpose of this rule.

RULE 13. ACTION BY THE COUNCIL

The council shall proceed by motion, except as otherwise provided for in Rule 7 and in Rule 33. Any member may make a motion.

COMMENT: Traditionally, if the mayor wishes to have a motion made, instead of making it personally, he or she states, “The Chair will entertain a motion that...” This custom is sound if the mayor may vote only in the case of a tie; if the mayor may vote in all cases, he or she may make a motion as any other member would.

RULE 14. SECOND NOT REQUIRED

A motion shall not require a second.

COMMENT: The philosophy underlying the requirement of a second is that if a proposal is not supported by at least two members, it is not worth the time necessary to consider it. This concept is not applicable to small boards on which consideration of a proposal that initially has the support of only one member would not seriously impair efficient use of the board’s time. If the council has seven or more members, the requirement of a second may be desirable.

RULE 15. ONE MOTION AT A TIME

A member may make only one motion at a time.

RULE 16. SUBSTANTIVE MOTIONS

A substantive motion is out of order while another substantive motion is pending.

COMMENT: This rule sets forth the basic principle of parliamentary procedure that distinct issues will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.

“RRO” does not refer to substantive motions as such; instead it uses such adjectives as main or principal. The term substantive motion is used here to underscore the distinction between the type of motion and the various procedural motions listed in Rule 21. Basically, a substantive motion is any motion other than the procedural motions listed in Rule 21. The possible subject matter of a substantive motion is coextensive with the council’s legal powers, duties, and responsibilities. Indeed, since Rule 13 provides that the council shall proceed by motion, the substantive motion is the only way the council can act. The procedural motions detailed in Rule 21 set forth various options the council has in dealing with substantive motions.

RULE 17. ADOPTION BY MAJORITY VOTE

A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by these rules or the laws of North Carolina.

COMMENT: See Rule 26 concerning the number of votes necessary to adopt an ordinance or approve a contract. Other extraordinary voting requirements imposed by particular statutes are not specified in these rules; the town attorney should be consulted as questions arise.

RULE 18. VOTING BY WRITTEN BALLOT

No vote may be taken by secret ballot. The Council may decide by majority vote to use written ballots in voting on a motion. Members shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for public inspection until the minutes of that meeting have been approved, when they may be destroyed.

COMMENT: See G.S. 143-318.13 (b).

RULE 19. DEBATE

The mayor shall state the motion and then open the floor to debate on it.

The mayor shall preside over the debate according to the following general principles:

- (a) The maker of the motion is entitled to speak first;
- (b) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- (c) To the extent possible, the debate shall alternate between opponents and proponents of the measure.

RULE 20. RATIFICATION OF ACTIONS

To the extent permitted by law, the council may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

COMMENT: Ratification of actions taken on the council's behalf but without its prior approval is permitted under these rules, to the extent that such "after-the-fact" approval of actions is legally allowed. The principle behind the motion to ratify is that an assembly may subsequently approve that which it could have authorized. Unlike "RRO", these rules treat the motion to ratify as a substantive proposal rather than as a procedural motion, since a ratification is in effect an after-the-fact substantive action by the council concerning something that was done without council approval when advance authorization should have been obtained.

RULE 21. PROCEDURAL MOTIONS

In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

COMMENT: This rule is a substantial departure from "RRO". The following enumeration of procedural motions is exhaustive; if a procedural option is not on the list, then it is not available. See, however, Rule 20 concerning the motion to ratify an action. The motion to ratify is a procedural motion under "RRO"; it is treated as substantive rather than procedural under these rules.

While a substantive motion is out of order if another substantive motion is pending, under both “RRO” and these rules several procedural motions can be entertained in succession without necessarily disposing of the immediately pending procedural motion. The order of priority establishes which procedural motion yields to which – that is, which procedural motion may be made and considered while another one is pending.

Some of the main features of the procedural motions set out in this rule are summarized in table form in the appendix to these Rules. Note that the appended table is intended only to provide a quick reference guide to the motions; this rule and its comments should be consulted for a discussion of how each procedural motion is used.

In order of priority (if applicable), the procedural motions are:

- (1) **To adjourn.** The motion may be made only at the conclusion of action on a pending substantive matter; it cannot interrupt deliberation of a pending matter. A motion to adjourn to a time and place certain shall also comply with the requirements of Rule 3.

COMMENT: This motion differs from the RONR motion to adjourn in several respects. The RONR motion to adjourn is not debatable or amendable and can be made at any time, thus interrupting substantive deliberations. Here, however, since the number of members is small and procedures are available to limit debate, Motion 1 allows both debate and amendment, but specifies that the motion is in order only when consideration of a pending matter has concluded.

If the councils wants to adjourn before completing final action on a matter, it must, prior to adjourning, first temporarily conclude its consideration of that matter. This is done with one of three motions: to defer consideration of the matter, to postpone the matter to a certain time or day, or to refer the matter to a committee. Only as a last resort should the council use a motion to suspend the rules, in order to allow the motion to adjourn to interrupt deliberation on the matter.

Another adjournment option is to recess the meeting to reconvene at a specified time and place, in accord with Rule 3. The motion to recess or adjourn to a time and place certain is a form of the motion to adjourn. As explained in the Comment to Rule 3, various North Carolina General Statutes and North Carolina practice refer both to the terminology "recess to a time and place certain" and the phrase "adjourn to a time and place certain," [see, for example, G.S. 160A-71(b1) and 143-318.12(b)(1)]. Thus both "recess" and "adjourn" are provided here as options. The motion has the same meaning regardless of the option chosen.

- (2) **To take a Brief Recess.**

COMMENT: This motion is similar to the motion to recess under “RRO”. To avoid confusing this motion with the motion “to recess to a time and place certain”, which is a form of the motion to adjourn under these rules and in North Carolina practice (see Rule 21, Motion 1 above); this motion is called a motion “to take a brief recess” rather than a motion “to recess”. “RRO” does not allow debate on motions to recess, but since the number of council members is small, and procedures are available to limit debate, debate is allowed on the motion described here. As is the case with the motion to recess in “RRO”, a motion to take a brief recess is in order at any time. Under these rules, the mayor also has the power to call a brief recess (see Rule 10).

- (3) **Call to Follow the Agenda.** The motion must be made at the first reasonable opportunity, or the right to make it is waived for the out-of-order in question.

COMMENT: This motion is patterned on the call for the orders of the day in “RRO”. It differs in that it may be debated; also, unless the motion is made at the time an item of business that deviates from the agenda is proposed, the right to insist on following the agenda is waived for that item.

- (4) **To Suspend the Rules.** The motion requires for adoption a vote equal to two-thirds of the actual membership of the council, excluding the mayor, unless he or she may vote in all cases, and vacant seats. The council may not suspend provisions of the rules that state requirements imposed by law on the council.

COMMENT: This motion is generally the same as the motion in “RRO” to suspend the rules, except that it is debatable and amendable. It is in order when the council wishes to do something that it may legally do but cannot accomplish without violating its own rules.

A motion to suspend the rules requires approval by two-thirds of the actual membership of the council to pass. Note that the mayor is counted for purposes of determining two-thirds of the council only if he or she has the right to vote on all questions, and that vacant seats are excluded in making the two-thirds determination.

- (5) **To Go into Closed Session.** The Council may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318.11(a). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. 143-318.11 (a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318 (a)(3) shall identify the parties in each existing lawsuit concerning which the council expects to receive advise during the closed session, if in fact such advise is to be received.

COMMENT: The requirements for this motion are found in G.S. 143-318.11 (c). They include extra requirements for motions based on G.S. 143-318.11 (a)(1), and for those motions based on G.S. 143-318.11 (a)(3) that concern a closed session where the council expects to receive advice about an existing lawsuit or lawsuits. G.S. 143-318.11 (a)(1), cited in the rule, allows closed sessions "to prevent the disclosure of information that is privileged or confidential pursuant to the law of North Carolina or the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes." Part of G.S. 143-318.11 (a)(3), also cited, allows the council in closed session to "consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure."

- (6) **To Leave Closed Session.**

COMMENT: This motion provides a procedural mechanism for returning from closed session to an open meeting. Under the open meetings law, public bodies probably must return to open session once they have concluded their closed session business, even if they have no other business to transact except adjourning the meeting.

- (7) **To Divide a Complex Motion and Consider It by Paragraph.**

The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

COMMENT: This motion is identical to the motion of the same name in “RRO” except that it is debatable.

(8) **To Defer Consideration.** The Council may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending. A member who wishes to revisit the matter during that time must take action to revive consideration of the original motion, or else move to suspend the rules.

COMMENT: This motion replaces the motion to lay on the table in “RRO” and was renamed in order to avoid confusion. It allows the council temporarily to defer consideration of a proposal. It differs from the “RRO” motion in that it may be debated and amended. It also differs from the provision in “RRO” in that a motion that has been deferred dies if it is not taken up by the council (via motion to revive consideration; see Rule 21, Motion 13) within a specified number of days of the vote to defer consideration, whereas in “RRO” a motion that has been laid on the table dies at the end of the session in which it was introduced.

This motion should also be distinguished from the motion to postpone to a certain time or day (Rule 21, Motion 10). A matter that has been postponed to a certain time or day is brought up again automatically when that time arrives. Affirmative action (a motion to revive consideration) is required, however, before the council may again consider a substantive motion the consideration of which has been deferred. If a deferred motion expires, its subject matter may be brought forward again by a new motion.

(9) **Call of the Previous Question.** The motion is not in order until there have been at least five minutes of debate, and every member that desires to do so has had an opportunity to speak once.

COMMENT: This motion differs from the motion of the same name in “RRO”. The “RRO” motion is always in order, is not debatable or amendable, and requires a two-thirds vote for adoption. Thus, it may be used to compel an immediate vote on a proposal without any debate on the issue. Such a device may be necessary to preserve efficiency in a large assembly. With a small board, however, a minimum period of debate on every proposal that comes before it strikes a better balance between efficiency and effective representative by all council members. Since every member will have an opportunity to speak, the debate may be ended by a majority vote.

(10) **To Postpone to a Certain Time or Day.**

If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A member who wishes to revisit the matter must either wait until the specified time, or move to suspend the rules. (Rule 21, Motion 4).

COMMENT: This motion allows the council to postpone consideration to a specified time or day and is appropriate when more information is needed, or the deliberations are likely to be lengthy. It should be distinguished from the motion to defer consideration (see Comment to Rule 21, Motion 8).

(11) **To Refer a Motion to a Committee.** Sixty days or more after a motion had been referred to a committee, the introducer of the motion may compel consideration of the measure by the entire council, whether or not the committee has reported the matter to the council.

COMMENT: This motion is similar to the motion of the same name in “RRO”, except that the right of the introducer to compel consideration by the full council after a specified period of time prevents using the motion as a mechanism to defeat a proposal by referring it to a committee that is willing to “sit” on it. If the council does not use committees, this motion is unnecessary.

(12) **To Amend.**

(a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the amended motion has the same effect as rejection of the original motion.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(c) Any amendment to a proposed ordinance shall be reduced to writing before the vote on the amendment.

COMMENT: This motion is similar to the motion to amend in “RRO”. The restriction on amendments stated in the second sentence should be read narrowly; it is intended only to prevent an amendment that merely negates the provisions of the original motion. The intent of such an amendment can be achieved in a simpler and more straightforward manner by the defeat of the original proposal. Pertinent amendments that make major substantive changes in the original motion are quite proper under this rule.

The second paragraph of the rule limits the number of proposed amendments that may be pending at one time to two. Amendments are voted on in reverse order, that is, the last-offered amendment is voted on first. Once the last-offered of two pending amendments is disposed of, an additional amendment may be offered.

The motion does impose an additional requirement for amendments to proposed ordinances. Amendments to ordinances, like the ordinances themselves, should be in written form before they are voted on, both because of the importance of ordinances and to make it easier to maintain the required ordinance book (see G.S. 160A-78) accurately.

(13) **To Revive Consideration.** The motion is in order at any time within the 100 days after the date of a vote to defer consideration. A substantive motion on which consideration has been deferred expires after 100 days have elapsed following the deferral unless a motion to revive consideration is adopted.

COMMENT: This motion replaced the motion "to take up from the table" in “RRO” and was renamed in order to avoid confusion. This motion may be debated and amended, whereas the motion

in “RRO” may not. If the motion to revive consideration is not successful within the specified number of days after the date on which consideration was deferred, the substantive motion expires. Its subject matter may be brought forward again by a new motion. Ninety days is merely a suggested period of time; the number of days specified here should be the same as in Rule 21, Motion 8.

(14) **To Reconsider.** The motion must be made by a member who voted with the prevailing side, and only at the meeting during which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.

COMMENT: According to “RRO”, the motion may be made at the same meeting as the vote or on the next legal day and may interrupt deliberation on another matter. To avoid placing a measure in limbo, these rules restrict the availability of the motion to the same meeting as the original vote, including any continuation of that meeting if it is adjourned or recessed to a time and place certain pursuant to Rule 3 and Rule 21, Motion 1. Also, the motion is permitted under these rules only when action on a pending matter concludes.

(15) **To Rescind or Repeal.** The council may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

COMMENT: This motion is in order only for those measures adopted by the council that can legally be repealed or rescinded; it is not intended to suggest that the council can unilaterally rescind a binding contract, or may repeal an action where a person's rights have already vested.

(16) **To Prevent Reconsideration for Six Months.** The motion is in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to two-thirds of the actual membership of the council, excluding the mayor, unless he or she may vote in all cases, and vacant seats. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organizational meeting of the council, whichever occurs first.

COMMENT: This is a “clincher” motion designed to prevent the same motion from being continually introduced when the subject has been thoroughly considered. There is no comparable motion in “RRO”, although the objection to consideration of a question accomplishes much the same purpose. Because this motion curtails a member’s right to bring a matter before the council, the required vote is two-thirds of the actual membership of the council, excluding the mayor, unless he or she is entitled to vote on all matters, and excluding vacant seats. As with most other motions, a clincher motion may be, in effect, dissolved by a motion to suspend the rules. The motion is not effective beyond the next organizational meeting of the council, in order to give a new council a clean slate.

RULE 22. RENEWAL OF MOTION.

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

RULE 23. WITHDRAWAL OF MOTION.

A motion may be withdrawn by the introducer at any time before it is amended or before it is put to a vote.

COMMENT: “RRO” provides that once a motion has been stated by the chair for debate, it cannot be withdrawn with the assembly’s consent. Such a procedure is unnecessary for a small board.

RULE 24. DUTY TO VOTE.

Every member must vote unless excused by the remaining members according to law. A member who wishes to be excused from voting shall so inform the mayor, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters involving the consideration of his or her own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present in the council chambers, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

COMMENT: This rule contains most of the requirements of the first paragraph of G.S. 160A-75.

RULE 25. INTRODUCTION OF ORDINANCES.

A proposed ordinance shall be deemed to be introduced on the date the subject matter is first voted on by the council.

COMMENT: G.S. 160A-75 provides that an ordinance may not be finally adopted at the meeting at which it is introduced except by a two-thirds vote of all the actual membership of the council, excluding vacant seats and not including the mayor unless he or she has the right to vote on all questions before the council. The statute specifies that an ordinance is deemed to be introduced “on the date the subject matter is first voted on by the council”. A “vote on the subject matter” is not defined; some authorities think that a vote on the ordinance itself is required, while others think that any vote pertaining to the ordinance’s subject matter (for example, a vote to refer the subject of an ordinance to a committee for further study) is sufficient to satisfy the definition. The town attorney should be consulted for guidance on this matter.

RULE 26. ADOPTION OF ORDINANCES AND APPROVAL OF CONTRACTS

(a) Generally an affirmative vote equal to a majority of all the members of the council not excused from voting on the question in issue (including the mayor’s vote in case of an equal division) shall be required to adopt an ordinance, to take any action that has the effect of an ordinance, or to make, ratify, or authorize any contract on behalf of the town. In addition, no ordinance or action that has the effect of an ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two-thirds of all the actual membership of the council, excluding vacant seats, and not including the mayor unless he or she has the right to vote on all questions before the council. No ordinance shall be adopted unless it has been reduced to writing before a vote on adoption is taken.

COMMENT: This rule paraphrases the special voting requirements in the second paragraph of G.S. 160A-75 for adoption of ordinances and approval of contracts. Special voting rules for authorizing or committing the expenditure of public funds are also found in this paragraph. In most cases, however, these latter requirements are superseded by the more specific provisions of G.S. 159-17 detailed in Rule 27. See Rule 25 and the accompanying Comment for the definition of “introduction” of an ordinance.

Although it may seem obvious that ordinances should be in writing before they are voted on (see, for example, the requirements of Rule 7 concerning copies of proposed ordinances), an explicit provision is included in the rules so that there can be no doubt on the matter. See also Procedural Motion 12 in Rule 21 concerning amendment of ordinances, and G.S. 160A-76(a) for requirements for franchises.

(b) **Zoning Protest Petitions.** An affirmative vote equal to three-fourths of all the members of the Town Council shall be required for an ordinance making a change in a zoning regulation, restriction, or boundary to become effective, if a valid protest petition is received in accordance with the requirements set out in G.S. 160A-385 (a) and G.S. 160A-386. This rule shall not apply in those cases excepted by G.S. 160A-385 (a).

COMMENT: This paragraph states the three-fourths vote requirement of G.S. 160A-385(a), which applies when neighboring property owners, as defined in the statute, protest a proposed rezoning and file a proper petition with the town clerk in a timely manner under G.S. 160A-386. Some zoning changes such as initial zonings of property added to the ordinance's coverage, and certain amendments to adopted special or conditional use districts, are not covered by the three-fourths vote requirement. These exceptions are specified in G.S. 160A-385 (a). The three-fourths rule applies to zoning ordinances only.

RULE 27. ADOPTION OF THE BUDGET ORDINANCE

Notwithstanding the provisions of any town charter, general law, or local act:

- (a) Any action with respect to the adoption or amendment of the budget ordinance may be taken at any regular or special meeting of the council by a simple majority of those present and voting, a quorum being present.
- (b) No action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the council; and
- (c) The adoption and amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any town charter or local act concerning initiative or referendum.

During the period beginning with the submission of the budget to the council and ending with the adoption of the budget ordinance, the council may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the open meetings law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as (a) each member of the board has actual notice of each special meeting called for the purpose of considering the budget, and (b) no business other than consideration of the budget is taken up. This rule does not allow, and may

not be construed to allow, the holding of closed meetings or closed sessions by the council if it is otherwise prohibited by law from holding such a meeting or session.

COMMENT: This rule is G.S. 159-17 with minor modifications. G.S. 159-17 also provides that no general law, town charter, or local act that is enacted or takes effect after July 11, 1973, may be construed to modify, amend, or repeal any portion of this law unless it expressly so provides by specific reference to it. Since the notice requirements of the open meetings law continue to apply to meetings held to work on the budget ordinance, the only practical effect of the second paragraph of this rule is to eliminate the need for any special notification of council members that might otherwise be required concerning such meetings. See G.S. 159-8 to 159-13 for other procedures that must be followed in adopting the budget ordinance.

RULE 28. CLOSED SESSIONS

The Council may hold closed sessions as provided by law. The council shall only commence a closed session after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.11 (a)(1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11 (a)(3) (consultation with attorney; handling or settling of claims, judicial actions, or administrative procedure); it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The motion to go into closed session must be approved by the vote of a majority of those present and voting. The Council shall terminate the Closed Session by a majority vote.

Only those actions authorized by statutes may be taken in Closed Session. A motion to adjourn or recess shall not be in order during a Closed Session.

COMMENT: This rule states some of the requirements of G.S. 143-318.11 (c) for calling closed sessions. In particular, note the special requirements for motions to call closed sessions that are based on G.S. 143-318.11 (a)(1) or, in some cases, on G.S. 143-318.11 (a)(3). No attempt is made here to set forth all of the provisions of the open meetings law concerning the purposes for which closed sessions may be held and the actions that may be taken in closed session; specific information can be found in G.S. 143-318.11 (a). Note, however, that adjournment is not an action authorized by statute to be taken during a closed session. Minutes and general accounts of closed sessions are discussed in Rule 32.

RULE 29. QUORUM

A majority of the actual membership of the council plus the mayor, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

COMMENT: This is G.S. 160A-74. Note that the mayor is counted for quorum purposes regardless of whether he or she had the right to vote on all questions.

RULE 30. PUBLIC HEARINGS

Public Hearings required by law or deemed advisable by the council shall be organized by a special order, adopted by a majority vote, that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time for each speaker, and other pertinent matters. The rules may include, but are not limited, to rules

- (a) fixing the maximum time allotted to each speaker;
- (b) providing for the designation of spokespersons for groups of persons supporting or opposing the same positions;
- (c) 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 hall; and
- (d) Providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirements of the open meetings law applicable to council meetings shall also apply to public hearings at which a majority of the council is present. A public hearing for which any notices required by the open meetings law or other provisions of law have been given may be continued to a time and place certain without further advertisement. The requirements of Rule 3 (c) shall be followed in continuing a hearing at which a majority of the council is present.

At the time appointed for the hearing, the mayor or his or her designee shall call the hearing to order and then preside over it. When the allotted time expires or when no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.

COMMENT: G.S. 160A-81 provides that public hearings may be held at any place within the town or within the county where the town is located. It also gives the council the authority to adopt reasonable rules governing the conduct of the hearing (specifically including the type of rules listed here) and to continue public hearings without further advertisement.

Public hearings, like other council meetings, are also subject to the notice, continuation, and other requirements of the open meetings law, if a majority of the council is present at the hearing. Those requirements are reflected in this rule.

RULE 31. QUORUM AT PUBLIC HEARINGS

A quorum of the council shall be required at all public hearings required by state law. If a quorum is not present at such hearing, the hearing shall be continued until the next regular council meeting without further advertisement.

COMMENT: G.S. 160A-81 implies that a quorum of council members is necessary for a public hearing by providing that a hearing shall be deferred to the next regular meeting if a quorum is not present at the originally scheduled time. If, however, the council decided to hold a public hearing that was not required by state law to gather a consensus of public opinion on an issue, it could hold the hearing at several sites, with a few members in attendance at each place. Such a hearing would not be subject to the quorum requirement of G.S. 160A-81. Note also that if a majority of the council were not present at such a hearing, it would not be subject to the notice, continuation, and other requirements of the open meetings law.

RULE 32. MINUTES

Full and accurate minutes of the council proceedings, including closed sessions, shall be kept. The board shall also keep a general account of any closed session so that a person not in attendance would have a reasonable understanding of what transpired. These minutes and general accounts shall be open to inspection of the public, except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the council, the "ayes" and "nos" upon any question shall be taken. Members' and other persons' comments may be included in the minutes if the council approves.

Minutes and general accounts of closed sessions may be sealed by action of the council. Such sealed minutes and general accounts may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session.

COMMENT: G.S. 160A-72 requires that full and accurate council minutes be maintained, and G.S. 143-318.10(e) requires that full and accurate minutes be kept of all official meetings of all public bodies, including closed sessions [G.S. 143-318.11(a)]. The minutes are the official legal record of council actions and are a matter of public record. To be "full and accurate," they must include all actions taken by the council and must note the existence of conditions needed to take action, such as the existence of a quorum. However, the minutes need not record the council's discussion. Particular comments by members or other persons may be included in the minutes if the council so desires. Since the council usually takes action by motion (Rule 13), all motions that are made must be included in the minutes, along with a record of the motions' disposition. G.S. 160A-72 also allows any member to request that the minutes included a record of how each member voted (the "ayes and noes").

Under the open meetings law, the council must also keep a "general account" of what transpires in closed sessions, so that a person not in attendance would have a reasonable understanding of what transpired. This wording probably requires that a somewhat more detailed account of these sessions be kept than would typically be found in the minutes, especially if the minutes record only actions and conditions needed to take action. The council should consult the town attorney and the bulletins mentioned in the next paragraph concerning what general accounts of closed sessions should include.

Finally, the rule includes the permission granted in G.S. 143-318.11(e) to withhold minutes and general accounts of closed sessions from public inspection for as long as necessary to avoid frustrating the purpose of the closed session. All closed session minutes are sealed unless stated otherwise. The Town Clerk will review closed session minutes quarterly and recommend to the Town Council that they be unsealed when the closed session's purpose would no longer be frustrated by making these records public. For a discussion of the legal requirements for minutes and general accounts of closed sessions, see the following publications by David M. Lawrence: "1997 Changes to the Open Meetings and Public Records Laws," *Local Government Law Bulletin* 80 (August 1997) and "The Court of Appeals Addresses Closed Sessions for Attorney-Client Discussions," *Local Government Law Bulletin* 93 (March 2000).

RULE 33. APPOINTMENTS

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

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

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

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

RULE 34. COMMITTEES AND BOARDS

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

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

COMMENT: The town council is authorized by G.S. 160A-145 to “create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies of the town government...” subject to certain limitations. It is also customary in many communities for the mayor to appoint various committees to aid the council in its work. Specific statutes govern some of these committees and boards; G.S. 160A-388 (a), for example, regulates establishment of and appointments to boards of adjustment. The general requirements of Rule 33 for appointments by the council should also be kept in mind.

The open meetings law applies to all committees and board established by the council, G.S. 143-318.10 (b)(2)(iv), and to all committees and boards comprised of council members, however established. The latter rule is set out in the last sentence of G.S. 143-318.10 (b).

RULE 35. REFERENCE TO ROBERT’S RULES OF ORDER

To the extent not provided for in these rules and to the extent that it does not conflict with North Carolina law or with the spirit of these rules, the council shall refer to *Robert’s Rules of Order, Revised*, to answer unresolved procedural questions.

APPENDIX

MOTION	VOTE REQUIRED	SPECIAL REQUIREMENTS
(1) To adjourn	Majority	May not interrupt deliberation of pending substantive matter. Motion to adjourn to a time and place certain must also comply with Rule 3 (c).
(2) To take a Brief Recess	Majority	None
(3) Call to Follow the Agenda	Majority	Must be made at the first reasonable opportunity, or the right to make it is waived for the out-of-order item in question.
(4) To Suspend the Rules	Two-Thirds	The council may not suspend provisions of the rules that state requirements imposed by law on the council.
(5) To Go into Closed Session	Majority	Motion must cite one or more of the permissible purposes for closed sessions listed in G.S. 143-318.11(a) and must be adopted at an open meeting. A motion based on G.S. 143-318.11(a)(1) must also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318.11(a)(3) must identify the parties in each existing lawsuit concerning which the council expects to receive advise during the closed session, if in fact such advise is to be received.
(6) To Leave Closed Session	Majority	
(7) To Divide a Complex Motion and Consider It by Paragraph	Majority	None
(8) To Defer Consideration	Majority	A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration (Motion 13) is adopted. While a deferred motion remains pending, a new motion with the same effect cannot be introduced.
(9) Call of the Previous Question	Majority	Not in order until there have been at least five minutes of debate and every member has had an opportunity to speak once.
(10) To Postpone to a Certain Time or Day	Majority	None. While a postponed motion remains pending, a new motion with the same effect cannot be introduced.
(11) To Refer a Motion to a Committee	Majority	Sixty days or more after a motion is referred to a committee, the introducer may compel consideration of the measure by the council, regardless of whether the committee had reported the matter to the council.

(12) To Amend	Majority	(a) Amendments must be pertinent to the subject matter of the motion being amended. An amendment is improper if adoption of the motion with that amendment added has the same effect as rejection of the original motion. A proposal to substitute a different motion shall be treated as a motion to amend. (b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote. (c) Any amendment to a proposed ordinance must be reduced to writing before the vote on the amendment.
(13) To Revive Consideration	Majority	In order at any time within 100 days after the day of a vote to defer consideration (Motion 8). Failure to adopt Motion 13 within the 100-day period results in expiration of the deferred substantive motion.
(14) To Reconsider	Majority	Must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the "nos" prevail). May only be made at the meeting at which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. Cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.
(15) To Rescind or Repeal	Majority	Not in order if rescission or repeal of an action is forbidden by law.
(16) To Prevent Reconsideration for Six Months	Two-Thirds	In order immediately following defeat of a substantive motion and at no other time. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organizational meeting of the council, whichever occurs first.

NOTES:

1. Under these rules all procedural motions are debatable, and none requires a second. All may be amended, subject to the state limitations on motions to amend (Motion 12). Except where indicated otherwise, procedural motions may interrupt deliberations on a pending substantive matter.

2. The required vote for adoption of a procedural motion is generally a majority of the votes cast, a quorum being present. In a few cases, the required vote is a vote equal to two-thirds of the actual membership of the council, excluding the mayor, unless he or she may vote in all cases, and vacant seats.

**Town of Weddington
Conditional Zoning Application**

Application Number: C7 03- 11 Application Date: 5/27/11
Applicant's Name: Cynthia Coto
Applicant's Phone: 704-296-4211
Union Co.
Applicant's Address: 500 N. Main St, Ste 918 Monroe, NC 28112
Property Owner's Name: Union County
Property Owner's Phone: 704-296-4210

If applicant is different from the property owner, please provided a notarized authorization from the property owner.

Property Location: S. Providence Rd apprx. 1000-FT south of Rea Rd.
Parcel Number: 06153013D Deed Book and Page: 410-378
06153013C 0380-033
06153117A 0264-323
Total Acreage of Site: 8.255 acre Existing Zoning: R40
Application Fee: \$1,500 Check Number: 00411372

All applications must include a site plan, drawn to scale, and supporting text that, as approved, will become a part of the Ordinance amendment. The site plan, drawn by an architect, landscape architect, or engineer licensed to practice in North Carolina, shall include any supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions in addition to all predetermined Ordinance requirements, will govern the development and use of the property. The applicant acknowledges that he/she will reimburse the Town for all engineering and consulting services associated with the review of the conditional zoning request prior to any zoning permits being issued by the Town for such project. The applicant shall, at a minimum, include as part of the application, each of the items listed below.

Please include the following:

- ✓ A boundary survey showing the total acreage, present zoning classifications, date and north arrow.
- ✓ The owner's names, addresses and the tax parcel numbers of all adjoining properties.

- ✓ All existing easements, reservations, and right-of-way on the property(ies) in question.
- ✓ Proposed principal uses: A general summary of the uses that will take place, with reference made to the list of uses found in section 5.9.1 of the Weddington Zoning Ordinance.
- ✓ Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets including typical parking space dimensions and locations (for all shared parking facilities) along with typical street cross-sections.
- ✓ General information on the number, height, size and location of structures.
- ✓ All proposed setbacks, buffers, screening and landscaping required by these regulations or otherwise proposed by the petitioner.
- ✓ All existing and proposed points of access to public streets.
- ✓ Proposed phasing of the project.
- ✓ Proposed number, location, type and size of all commercial signs.
- ✓ Exterior treatments of all principal structures.
- ✓ Delineation of all marginal lands including areas within the regulatory floodplain as shown on official Flood Hazard Boundary Maps for Union County.
- ✓ Existing and proposed topography at five-foot contour intervals or less.
- ✓ Scale and physical relationship of buildings relative to abutting properties.
- ✓ Public Involvement Meeting Labels.

Please Note: The Zoning Administrator requires the petitioner to submit more than one copy of the petition and site plan in order to have enough copies available to circulate to other government agencies for review and comment. The number of copies required shall be determined on a case-by-case basis by the Zoning Administrator.

Zoning Administrator Approval

The Zoning Administrator shall have up to thirty (30) days following any revision of the application to make comments. If the Administrator forwards no comments to the applicant by the end of any such thirty-day period, the application shall be submitted to the Planning Board for their review without any further comment.

Planning Board Review

The applicant shall submit at least ten (10) copies of the application to the Zoning Administrator for transmittal to the Planning Board and other appropriate agencies. The Zoning Administrator shall present any properly completed application to the members of the Planning Board at least fifteen (15) days prior to their next regularly scheduled meeting. The Planning Board by majority vote may shorten or waive the time provided for receipt for a completed application. The Planning Board shall have up to thirty-one (31) days from the date at which they first met to review the application to take action. If such period expires without action taken by the Planning Board, the application shall then be transferred to the Town Council for final action.

Action by Town Council

Conditional Zoning District decisions are a legislative process subject to judicial review using the same procedures and standards of review as apply to general use district zoning decisions. Conditional Zoning District decisions shall be made in consideration of identified relevant adopted Land Use Plans for the area and other adopted land use policy documents and/or ordinances.

Public Hearing Required

Prior to making a decision on rezoning a piece of property to a Conditional Zoning District, the Town Council shall have held a public hearing. Notice of such public hearing shall have been given as prescribed in section 12.1.7 of the Zoning Ordinance. Once the public hearing has been held, the Town Council shall take action on the petition.

The Town Council shall have the authority to:

- a. Approve the application as submitted.
- b. Deny approval of the application
- c. Approve application with modifications that are agreed to by the applicant.
- d. Submit the application to the Planning Board for further study. The Planning Board shall have up to thirty-one (31) days from the date of such submission to make a report to the Town Council. If no report is issued, the Town Council can take final action on the petition. The Town Council reserves the right to schedule and advertise a new public hearing based on the Planning Board's report.

To the best of my knowledge, all information herein submitted is accurate and complete.

 Signature of Property Owner

 Signature of Applicant

 Date

5-27-11

 Date

May 25, 2011

Jordan Cook, Zoning Administrator/Town Planner
Weddington Town Hall
1924 Weddington Road
Weddington, NC 28104

Re: Union County Weddington Water Storage Tank Conditional Zoning Permit Application

The Owner(s) hereby certify that the Applicant, Union County, North Carolina, has the authorization to apply for a Conditional Zoning Permit to design and construct a water storage tank on Parcels 06-153-013D, 06-153-013C and 06-153-013A, located along South Providence Road, Weddington, North Carolina respectively and the Applicant is the authorized agent for the purpose of filing the Conditional Zoning Permit Application.

<u>Signature of Owner(s)</u>	<u>Date</u>
Margaret H. Hemby by Kenneth H. Hemby AIC	5-25-11
Kenneth H. Hemby	5-25-11
Laura H. Heffner	5-25-11

STATE OF NORTH CAROLINA

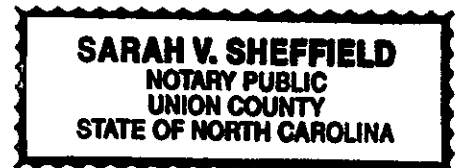
COUNTY OF UNION

I, Sarah V. Sheffield, A Notary Public for said County and State, do hereby certify that Margaret H. Hemby (by Kenneth H. Hemby), Kenneth H. Hemby, & Laura H. Heffner personally appeared before me this day and acknowledged the due execution of the foregoing Owner's Certification for Applicant to Apply for Conditional Zoning Permit Application.

WITNESS my hand and notarial seal, this the 25th day of May, 2011.

Sarah V. Sheffield
Notary Public

My Commission Expires: 12 Feb 2012



Narrative for Conditional Zoning Permit Application

Union County, the project applicant, is proposing to construct approximately 198 foot tall, 1.5 million gallon elevated water storage tank in the Town of Weddington. The tank style will be spheroid with approximately 52 foot diameter base and 86 foot diameter bowl. The proposed project site is 8.25 acre group of parcels located on Providence Road, approximately 1000-feet south of Rea Road and Providence Road intersection. The parcel ID numbers of the sites are 06-153-007A, 06-153-013C and 06-153-013D. Parcels 06-153-013C and 06-153-013D will be purchased by the Union County in their entirety whereas only 0.735 acre of Parcel 06-153-007A will be purchased. The parcels are currently zoned as R-40 district and RCD. The approval of the site plan and construction of a water storage tank will require a conditional zoning permit which will change the zoning to R-40CZ and RCD-CZ. The proposed use is classified as an Essential Service, Class II, water storage, under the Town of Weddington's ordinance.

Parcel ID	Total Acreage	Acreage Purchased
06-153-007A	7.923 ac	0.735 ac
06-153-013C	5.34 ac	5.34 ac
06-153-013D	2.18 ac	2.18 ac

The proposed water storage tank will be strategically located on the west part of the property in order to decrease the visibility of the tank from the surrounding roads and adjacent properties. The tank will be approximately 600 feet from Providence Road. Currently, half of the site is wooded. With the exception of the access road and parking area around the tank and the area needed to facilitate the erection of the tank, stormwater pond and the drainage structure, the proposed project will be constructed with minimal clearing to maintain a natural tree buffer around the tank perimeter.

In addition to the water storage tank, the proposed development will include a 20 foot wide access road for use by Union County personnel. The area along the fence parallel to the Providence Road will be landscaped to decrease the visibility of the tank site. The chain link fence will also be located approximately 460 feet from the road. Other structures on site include a tank drainage/overflow vault and stormwater pond. The tank drainage structure will be a 12 foot x 12 foot precast or cast-in-place concrete structure with riprap area around it to dissipate flow and energy during routine maintenance and tank overflow.

The need for the proposed Weddington Tank Elevated Water Storage Tank was identified in the County's 2005 Water Master Plan Update. Siting a tank at the proposed project site provides numerous benefits to the Town of Weddington and surrounding community including:

- Provides a more reliable water supply by coupling the operation of the existing Waxhaw-Marvin Pumping Station solely to the proposed Weddington Tank.
- Improved capability to meet existing and future domestic water demands in the Marvin-Weddington area.
- Increased static and dynamic water pressures in the Marvin-Weddington area and in particular for those areas situated at higher elevations where current water pressures are sometime marginal.
- The proposed tank will provide increased fire flow capability which is critical to protecting property and life in the area influenced by the proposed tank.

The proposed project site facilitates these benefits for several reasons. The site allows for the construction of a tank high enough to meet the County's hydraulic grade requirements to provide improved fire flow and pressure, has sufficient size to allow construction of the tank while providing

additional buffer area, is adjacent to the County's 24-inch transmission main which facilitates distribution of the finished water to the service area, and provides positive drainage away from the site as needed when the tank is drained for maintenance purposes.

Constructing the proposed Weddington Elevated Water Storage tank as planned at this location will not materially endanger the public health and safety and will provide numerous benefits including improved protection of public property and life through improved fire flow, improved water pressure in higher elevation areas where water pressure is marginal and minimizing the possibility of low or negative water pressures which can result in cross connection contamination.

The proposed project is required to provide adequate water supply to the existing customer base, as well as provide for future anticipated growth in the water service area and, therefore, is as a public necessity.

The proposed project will be in harmony with the surrounding developed area.

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

MEMORANDUM

TO: Nancy Anderson, Mayor
Town Council

CC: Amy McCollum, Town Clerk

FROM: Jordan Cook, Zoning Administrator/Planner

DATE: August 8, 2011

SUBJECT: Conditional Zoning Permit –Elevated Water Storage Tank

Union County requests a Conditional Zoning Permit (CZ) for a 198 foot, 1.5 million gallon elevated water storage tank. The tank will be located at 247 Providence Road South.

Application Information:

Date of Application: May 27, 2011
Applicant Name: Cynthia Coto (Union County-County Manager)
Owner Name: Margaret H. Hemby, Kenneth H. Hemby and Laura H. Heffner
Parcel ID#: 06-153-013C, 06-153-013D and 06-153-007A
Property Location: 247 Providence Road South (western side of Providence Road just south of Rea Road)
Existing Zoning: R-40 and RCD
Proposed Zoning: R-40(CZ) and RCD(CZ)
Existing Land Use: Traditional Residential and Residential Conservation (no change proposed)
Existing Use: Vacant
Proposed Use: Elevated Water Storage Tank, Class II Essential Service
Parcel Size: 8.255 Acres (comprised of three separate parcels that will be combined)

General Information:

- A Conditional Zoning Permit is required for a Class II Essential Service in the R-40 and RCD zoning districts. Water Storage is included as a Class II Essential Service in the *Town of Weddington Zoning Ordinance*.
- The applicant is proposing a 198 foot tall, 1.5 million gallon elevated water storage tank within a fenced in area along Providence Road. The fenced area will encompass 2.53 acres.
- The proposed spheroid type water tank will have a 52 foot concrete diameter base and 86 foot diameter bowl.

- The proposed facility will be accessed by a 20 foot wide gravel access road from Providence Road. A decorative entrance gate will be placed 20 feet from the property line while an access gate at the facility entrance will be placed approximately 400 feet from the property line to reduce visibility of the facility from Providence Road. The actual water tower will be located over 550 feet from Providence Road.
- In addition to the water storage tank, the site will include a drainage structure with a rip rap apron and a detention pond and spillway near the rear of the property.
- There is an existing stream on site but the property is not within any FEMA regulated flood zones.

Minimum Standards for a Class II Essential Service in R-40 and RCD Zoning Districts:

Minimum Lot Area- 40,000 square feet—Combined lots are 8.255 Acres

Minimum Front Yard Setback- 75 feet—proposed setback is greater than 550 feet

Minimum Lot Width- 120 feet as measured at the front yard setback—proposed width is approximately 350 feet

Minimum Side Yard Setbacks- 15 feet—proposed left and right side yard setbacks are 180 feet and 100 feet respectively

Minimum Rear Yard Setback- 40 feet—proposed setback is greater than 350 feet

- The proposed water storage tank complies with all minimum yard regulations and front, side and rear yard setbacks for a Class II Essential Service in the R-40 and RCD zoning districts as set forth in the *Town of Weddington Zoning Ordinance*.
- The applicant has submitted a lot line revision plat that is currently under review. This lot line revision plat includes parcels 06-153-013C, 06-153-013D and 06-153-007A. All of parcels 06-153-013C and 06-153-013D will be included on the water tank site while only 0.735 acres of parcel 06-153-007A will be included. Parcel 06-153-007A is 7.923 acres in its entirety.

Additional Information:

- Screening and landscaping will be provided using new vegetation and existing, mature vegetation currently on site.
- A 40 foot landscape buffer is required around the proposed water tank. Landscaping will be added to the front and southern perimeters of the property to meet these buffer requirements. A natural/exiting tree buffer will surround the rear and northern perimeters of the property.
- Clearing will only occur where the access road will be installed and within the tank construction limits. All proposed landscaping complies with the *Town of Weddington Zoning Ordinance*.
- Outdoor lighting will be minimal. Lighting on top of the tank will comply with Federal Aviation Administration requirements.
- The water tank does not have any pumps or other moving parts, therefore noise should not be a factor.
- The applicant has provided a map and pictures of the proposed water tank from various locations surrounding the water tank.

- The proposed water tank is exempt from the Town’s maximum height restrictions per *Section 58-15* of the *Town of Weddington Zoning Ordinance*.
- All property owners have provided authorization to Union County to apply for the CZ Permit.
- Two Public Involvement Meetings (PIM) were held in accordance with *Section 58-271* of the *Town of Weddington Zoning Ordinance*.
 - The first PIM was held on-site at 247 Providence Road South on June 16, 2011 from 2:00-4:00pm. There were approximately 15 attendees at that meeting.
 - The second PIM was held at Weddington Town Hall on June 20, 2011 from 5:30-7:30pm. There were approximately 25 attendees at that meeting.
 - Most attendees were from the Stratford on Providence subdivision and were not in support of the proposed water tank.
- The Planning Board gave this project a favorable recommendation at a 5-1 vote and added condition number four below.
- The Town Council held a Special Meeting workshop on Wednesday, July 20th. Union County Public Works Director Ed Goscicki discussed the potential of building ground storage tank(s) as opposed to the currently proposed elevated water tower. Mr. Goscicki stated that ground tanks would cost \$1.6 million more than the elevated tower.

Conclusion and Conditions of Approval:

Staff has reviewed the application and submitted documents and finds the Conditional Zoning Application is in compliance with the *Town of Weddington Zoning Ordinance* with the following conditions:

1. All engineers (USI-Bonnie Fisher) comments must be addressed and completed prior to any construction;
2. Applicant must apply for NCDOT Driveway Permit for proposed driveway along Providence Road;
3. Lot line revision plat must be approved and recorded by the Union County Register of Deeds prior to any construction;
4. Applicant must consider additional screening/buffering/landscaping closer to Providence Road to reduce the visibility of the water tank from the road (Applicant has included a revised landscape plan showing vegetation along Providence Road).

Water Storage Tank



This map is prepared for the inventory of real property found within Union County, NC and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. Union County and the mapping companies assume no legal responsibilities for the information contained on this map.

Grid based on the North Carolina State Plane Coordinate System
All dimensions in feet



GoMAPS - Union County NC Public Access



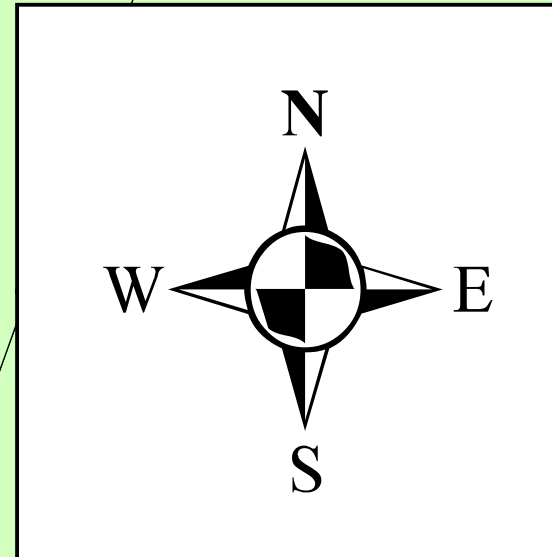
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N

 Monday,
 May 23
 2011

Grid based on the North Carolina State Plane Coordinate System
 All dimensions in feet





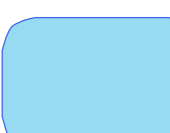

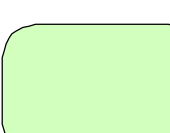
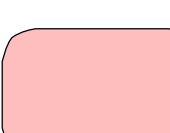
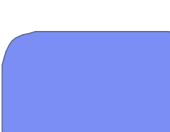
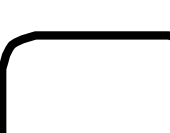
**TOWN OF WEDDINGTON
ZONING MAP
MARCH 31, 2008**



**Proposed Union
County Water
Storage Tank Site**

Legend

Weddington Zoning

	B-1(CD)
	B-2(CD)
	R-40
	R-40D
	R-60
	R-80
	RCD
	RE
	ED
	Weddington Town Limits

MAP LAST UPDATED APRIL 11, 2011

Weddington Future Land Use Map

Adopted 3/11/02

- | | |
|--|---|
|  Weddington Town Limits | Municipalities |
|  Study Area Boundary |  Indian Trail |
|  Business |  Marvin |
|  Residential Conservation |  Stallings |
|  Traditional Residential |  Wesley Chapel |
|  County Line | |

4000 0 4000 8000 Feet

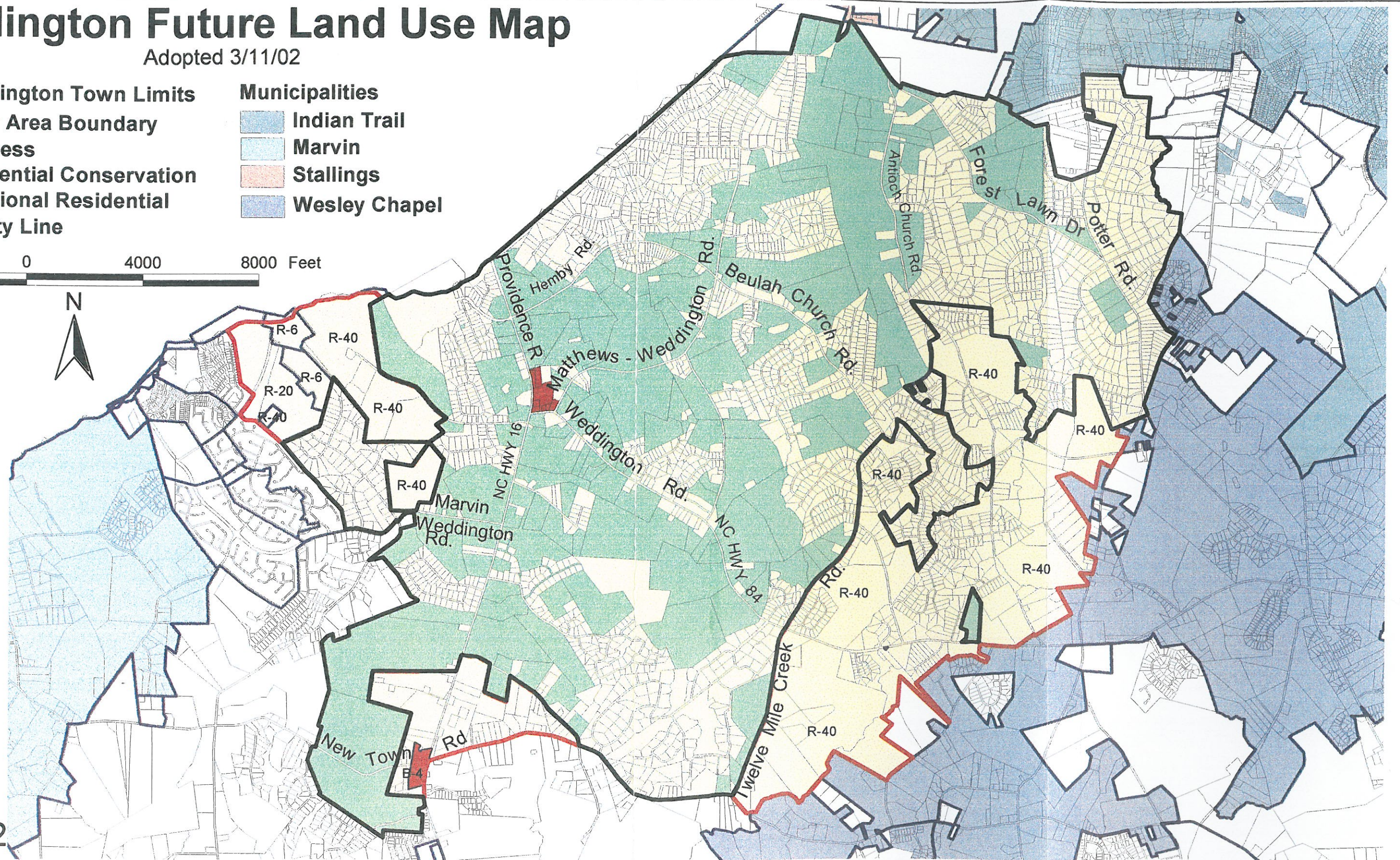
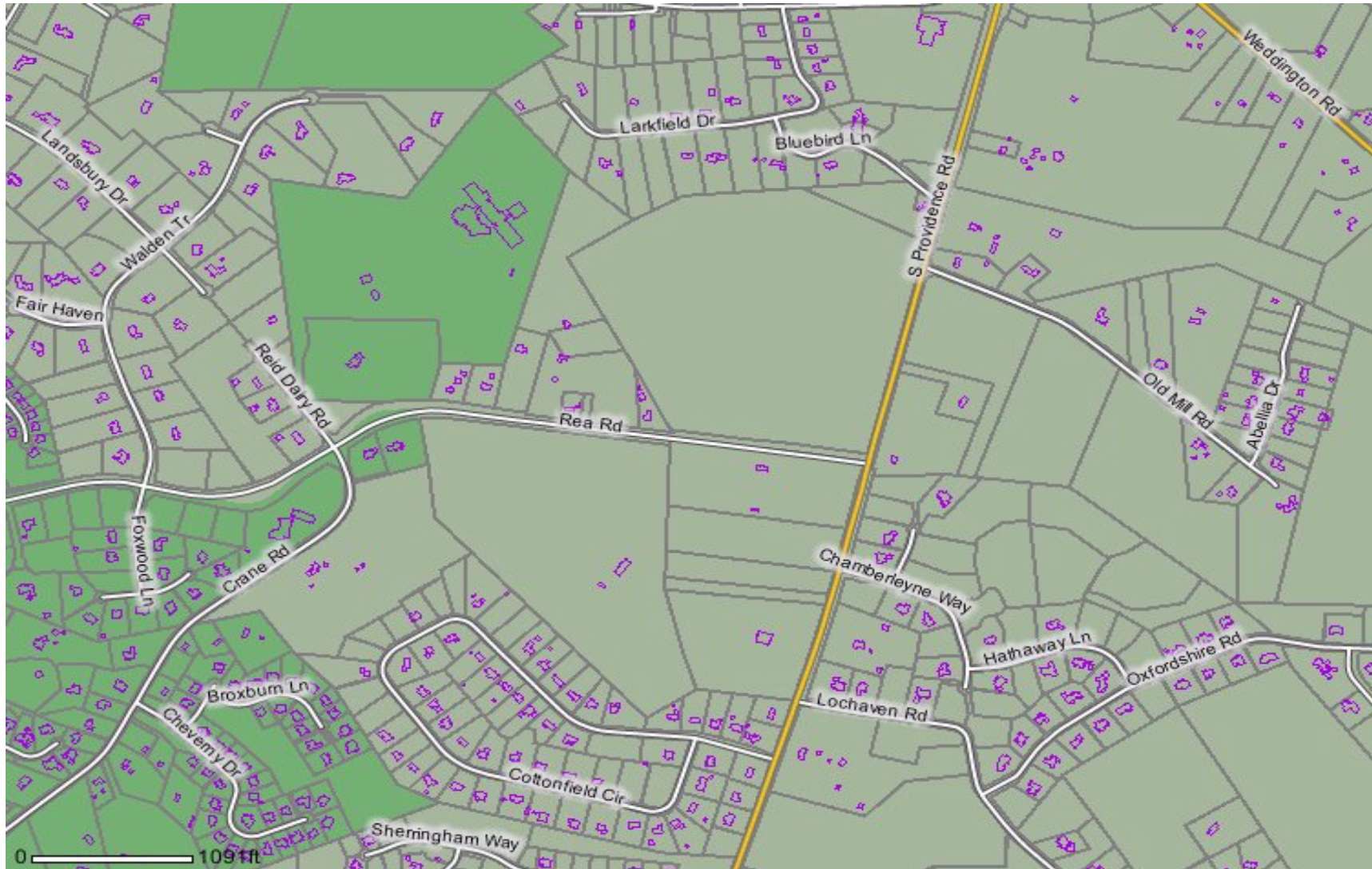


Exhibit 2



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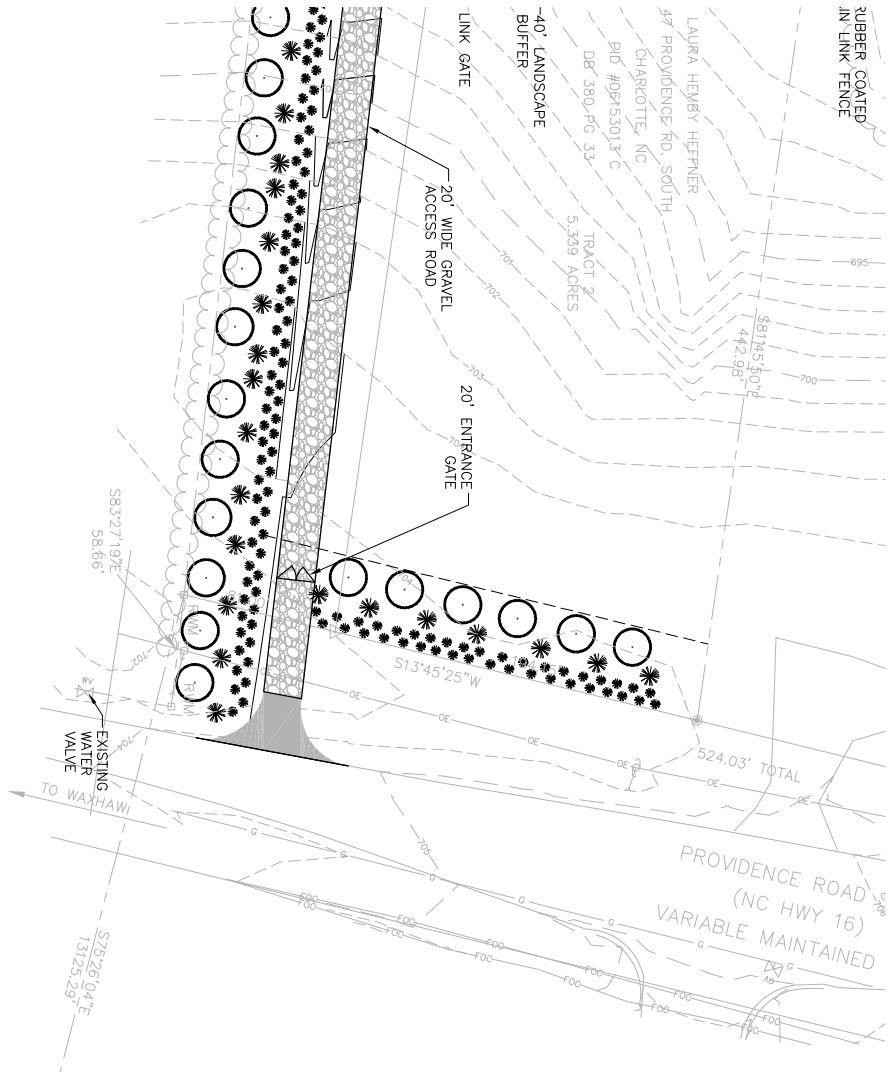
Grid based on the North Carolina State Plane Coordinate System
All dimensions in feet











Union County Public Works
Weddington Elevated Storage Tank



- (e) *Planning board review.* The applicant shall submit at least ten copies of the application to the zoning administrator for transmittal to the planning board and other appropriate agencies. The zoning administrator shall present any properly completed application to the planning board at its next regularly scheduled meeting occurring at least 15 days after the application has been deemed complete and ready for submission to the planning board in accordance with subsection 58-271(c)(4) of this section. The planning board may, by majority vote, shorten or waive the 15-day time period provided in this section for receipt of a completed application. The planning board shall have 30 days from the date that the application is presented to it to review the application and to take action. If such period expires without action taken by the planning board, the application shall then be transferred to the town council without a planning board recommendation.
- (1) A planning board member shall not vote on any conditional zoning amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
 - (2) Upon making a recommendation, the planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and with any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the town council that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the town council.
- (f) *Action by town council.* Conditional zoning district decisions are a legislative process subject to judicial review using the same procedures and standards of review as apply to general use district zoning decisions. Conditional zoning district decisions shall take into account applicable adopted land use plans for the area and other adopted land use policy documents and/or ordinances. Prior to making a decision on rezoning a piece of property to a conditional zoning district, the town council shall hold a public hearing. Notice of such public hearing shall be given as prescribed in subsection 58-270(g).
- (1) A statement analyzing the reasonableness of the proposed rezoning shall be prepared for each application for a rezoning to a conditional district.
 - (2) Once the public hearing has been held, the town council shall take action on the application. The town council shall have the authority to:
 - a. Approve the application as submitted;
 - b. Deny approval of the application;
 - c. Approve the application with modifications that are agreed to by the applicant; or
 - d. Submit the application to the planning board for further study. The application may be resubmitted to the planning board with any modifications that are agreed to by the applicant. The planning board shall have up to 30 days from the date of such submission to make a report to the town council. Once the planning board issues its report, or if no report is issued within that time period, the town council can take action on the application in accordance with this subsection.
 - (3) In the town council's sole discretion, it may hold additional public hearings on an application at any time before it takes a final vote to approve or deny that application.
 - (4) A town council member shall not vote on any conditional zoning amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial and readily identifiable financial impact on the member.
- (g) *Conditions to approval of application.* In approving an application for the reclassification of a piece of property to a conditional zoning district, the planning board may recommend, and the town council may request that reasonable and appropriate conditions be attached to approval of the application. Any such conditions may relate to the relationship of the proposed use to the surrounding property, to proposed support facilities (e.g., parking areas, pedestrian circulation systems), to screening and landscaping, to the timing of development, to street and right-of-way improvements, to water and sewer improvements, to provision of open space, or to any other matters that the planning board or town council may find appropriate or the applicant may propose. Such conditions to approval may include dedication of right-of-way or easements for streets and/or utilities to serve the development. The applicant shall have a reasonable opportunity to consider and respond to any such proposed conditions prior to final action by the town council.
- (h) *Review of plans and construction documents.*

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
MONDAY, JULY 11, 2011 - 5:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on July 11, 2011, at 5:00 p.m. with Mayor Nancy D. Anderson presiding.

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

Absent: None

Visitors: Walker Davidson, Genny Reid, Ken Evans, Steven R. Carow, Heather Perryman, Judy Johnston, Robert Lockerman, Chris Block, Patrick Block, Brian Carlton, Andrew Moore, Jerry Fitzgerald, Duane Baker, Ruth Bodycombe, Richard Gloor, Charles S. Denny, Robert Roth, Jessica Elliott and Jeff Perryman

Item No. 1. Open the Meeting. Mayor Nancy D. Anderson opened the July 11, 2011 Special Town Council Meeting at 5:00 p.m. There was a quorum.

Item No. 2. Work Session with the Providence VFD Board of Directors to Discuss the Progress of the Merger, Other Options for Fire Service and the Financial Needs of the Fire Department. Mayor Pro Tem Daniel Barry discussed the purpose of the meeting was to get both parties back in the same room to discuss the progress of the merger and other options for fire service.

Councilmember Werner Thomisser discussed that he had toured Monroe Fire Station #4 which is a modular facility that has separate buildings for their fire engines.

Mr. Brian Pethel with the Providence VFD explained that he works at that facility and explained that the modular facility and the building housing the fire engines were not connected. He stated, "That facility was done under the old code. This was done for a temporary facility for a maximum of four to five years until we could build the airport station. The money budgeted got pulled because of a financial situation. This is not intended to be a long-term fix. This temporary facility started in 2001."

Councilmember Jerry McKee advised that he had made a proposal to the Fire Department to buy the property next door to the station, purchase a modular unit, pay for a sprinkler system for the unit and would lease it back to the station for \$1.00 a year but the response was that the firefighters would get wet running from one building to the next.

There was a discussion of why the firefighters could not store their turnout gear in the same area as their sleeping quarters. Firefighters advised that you cannot have your turnout gear in the living quarters because of contamination.

Mr. Scott Robinson – It seems like the Town Council is willing to work on a solution. We need to rationally compare the alternatives. If the band aid solution versus a safer solution is \$50,000 difference, I would hope that would be an easy decision for the committee.

Mayor Pro Tem Barry - There was only one request and that was \$450,000 to do the renovations to the fire station. My goal was to get everyone back to the table to discuss other options to pursue. Councilmember McKee had called me about the lot. The goal is to find out what the solution needs to be. Everyone has been driving around in a Cadillac and does not want to drive a Pontiac. We are going to have to look at other options. Everyone is going to have to give. Is it the Providence VFD Board's opinion there is no other option on the table except the renovation that you are willing to work with?

Mr. Jack Parks – I told Councilmember McKee that if we put in a modular building we may have some setback issues. We would rather see what our upgrades are going to cost so we can compare the two options.

Mayor Anderson - This is "D" Day. The Fire Marshal has said you will be cited.

Councilmember McKee - We can tell the Fire Marshal that we are working with the fire department.

Mayor Anderson - Do you think it would satisfy the Fire Marshal's requirements if we put \$450,000 in the CIP Budget as we work through this process of a temporary housing issue. Do you think that would satisfy him?

Mr. Parks – Yes.

Mayor Anderson - My question to the Council is are you willing to earmark \$450,000 as we find a solution whether it be a manufactured facility versus brick and mortar?

Councilmember McKee - There are other alternatives also such as a merger and moving the fire lines. To me they come before building a modular or upgrading this fire department. If the merger is not going to work, there should be an effort to redraw the lines. I personally would support 110% the merger and redrawing of the lines. The number one thing was to merge and we do not know where they are at on that issue. I understand that is dead. Why do we not pursue moving the fire lines and tell Mr. Speer that we are working on that and see if he would grant us some time.

Mayor Anderson - The problem is the timing. We are out of code. We are obligated to do something about it. The \$450,000 in the CIP budget would demonstrate to the Fire Marshal and Code Inspector that we are trying to work with them.

Mr. Robinson - The challenge before the board, community and Council is there is one station in Western Union County that currently has 24/7 on premise firefighters and it happens to be Providence. We are in a situation that people staying there are at risk and we as a board cannot support that. If we do not have some plan, then Western Union County will lose its only station that has 24/7 coverage. I worry about the service to the community.

Mayor Anderson - I asked the question during the budget meeting if we had explored the possibility of using Station #31. It is already set up for overnight stay and they are clearly in code.

Mr. Parks - That station is over five miles from the Providence Station. To keep the ISO 6 rating the limit is five miles.

Councilmember Thomisser – We are talking 12 midnight to 6 in the morning. You are averaging 2.85 fire calls and one EMS call per month during that time frame. We invited the EMS Director for Union County to discuss this matter during our Regular Council Meeting. Every life is important – this sense of urgency is way overblown because we do have a system to back it up.

Mr. Parks – Our schedule is 6 to 6 and you are trying to change the way that the fire department operates when you suggest 12 midnight to 6 a.m. During the last quarter, we had 15 calls. During that time seven of them were in the month of May. You cannot plan on averages.

Councilmember Thomisser discussed how long it took for him to drive from the Wesley Chapel Station to the Town. He stated, “A crew of two for the ambulance stays in that station in case of a medical emergency. In case of a structure fire, you have two fire companies addressing that.”

Mayor Anderson – You seem to have a change of heart here.

Councilmember Thomisser – I object. I am merely presenting statistics. I have supported this fire department. We will continue to support the fire department. In December of last year, I wrote a check out of my personal account for this fire department and I did the same thing the year before. I have not had a change of heart. I am trying to solve a problem.

Mayor Anderson – I went back and looked at the record since 2003. You have come before this Council as a citizen and now as a Council person more than a dozen times specifically talking about response times and why it is so important. You were a huge advocate for getting the ambulance. You are known as “Mr. Public Safety”. I am trying to understand.

Councilmember Thomisser – You are misreading my efforts.

Mayor Anderson – Clearly I am.

Mr. Parks – I live in that purple area. As a citizen I would rather have my service provided by a staffed fire department right there on Hemby Road than to worry about that ambulance getting to my house if it takes them five minutes to get here and then to get to my house. I am not satisfied with that. If that ambulance is involved in another call, it could be offline for three hours. I want the best coverage that I can get.

Councilmember Thomisser – I live in the purple area also.

Mr. Robinson - Would the Council support an earmark for an agreed amount of funds while we investigate other alternatives including the modular unit? That is what we need to collectively look at and understand. The Fire Marshal wants a path forward to address the safety issue of the firefighters. This Board will support any solution that is in the best interest of the community and the safety of the firefighters that is financially prudent and fiscally responsible.

Councilmember McKee – Mr. Parks, how long have you lived in Willow Oaks?

Mr. Parks – 22 years.

Councilmember McKee – How long has there been overnight coverage at the Providence VFD?

Mr. Parks – Since December 2009.

Councilmember McKee – During the last 15 years or so, you have not advocated overnight coverage? Have you ever brought it to this Council prior to Chief Banick?

Mr. Parks – I did not know how the fire department operated until last year. That is true of many of the residents around here. Once I did become a member of the board and understood how it operates and saw how the staffing was and now see that it may change - that disturbs me. I just assumed when I dialed 911 that the most expedient help would come to me and I would be safe. What I am learning now is there are a lot of variables in that and some of them I am not comfortable with.

Councilmember Thomisser – There is a lot of hysteria running around the last 30 days. That is one of the reasons we invited the Director of EMS to address us at the next meeting. He will be able to help clear some of this up.

Mayor Anderson – EMS is good at medical response but they are not equipped to respond to structure fires.

Councilmember Thomisser – We are dealing with two different issues – house fires and medical calls.

Mr. Evans – An EMS ambulance is not the first responder.

Councilmember McKee – We know that.

Attorney Fox – The purpose of the meeting is to meet with the Board of Directors to discuss the merger and talk about other options for fire service and the secondary purpose is to talk about the financial needs of the fire department. What I heard is there is a willingness of this board to talk about and look at a host of options that would service and meet the needs of the Board of Directors for the fire department. What can we display as an indication of this Council's willingness to show that commitment to move forward and try to resolve the issues that you are facing? One of the things discussed was a dedication or earmark of funding to show the commitment of this Council to look at the various options up to and including the renovation of the fire facility. Some of the board members are concerned about limiting the review to just that option and are there other things short of that that can still meet the needs all the way down to the installation and relocation of a modular facility on the premises. The question in my mind is what is necessary to satisfy the Fire Marshal's concern and what can we do as a Council to show that we are willing to look at options whether or not it requires the earmarking of \$450,000 or if something less is sufficient to show that we are moving and advancing this ball forward.

Mayor Pro Tem Barry – Tomorrow we could authorize \$500,000 to renovate the fire station. It does not fix your problem. Your immediate problem is you have an unsafe environment for overnight housing. You have a much more dramatic problem that is more than \$500,000 because that is 18 months of your operating shortages. One of the greatest challenges that we have had in this discussion is none of us would invest our own money in a failing enterprise and at the end another organization is going to take you over and charge us a 5 cents tax rate (not true amount) and they have the wherewithal to borrow it and fund it. Then why are we dragging the rest of the Weddington taxpayers into the discussion in renovating the building? Will you address the revenue side and what your plans are?

Mr. Parks – The VFD Board does not have a lot of authority over how it is funded. All we can do is go to the County, which we did this year. We met with the County Manager and explained our needs to him to try to get some funding from there. They did agree to increase our fire fee to \$100 which is the current maximum. Obviously the only way that we can increase our funding opportunity is to go to a fire tax and get away from a fire fee. That needs to happen whether Wesley Chapel VFD or Providence VFD merges or not. You have to authorize that. What the tax would be would have to be determined. If we look at raw plain numbers we are talking about 8 cents. That would be offset by sales tax revenues that would come to the department as well as other revenues that could lower that number. Given the area that we serve right now, that is the basis for the fire tax to support our operational needs presently.

Councilmember Thomisser- Has any member of your board gone and appeared before the Union County Fire Commission or Union County Board of County Commissioners and discussed this problem and if not why?

Mr. Parks – We have not. With respect to the merger, we are working with Wesley Chapel to find some common ground that we could consider merging the two departments on and until we come to a point that we are both comfortable with that there is not a need in us going and making any recommendations to the Fire Commission or the Union County Commissioners. We are still working toward that with a proper solution. As far as moving the district lines, that is not our responsibility. We have come to you to tell you what our needs are. You are the politicians. You are the ones that have the authority to talk with people about moving district lines. We have no authority in that.

Mayor Anderson – At least five years now, Chief Carow has talked to us about the budget and what was coming down the road. We have been in a holding pattern waiting for the County's Fire Commission study to come out and it is really not that helpful to us.

Councilmember Thomisser- Councilmember McKee and I did go down to the Fire Commission Meeting and discuss the problem with them. I even gave them a map that I drew. It was based on response times and mileage. Jonathan Thomas chairs that Commission and after we presented he advised that they understood the problem and would get back to us in 30 days. We are still waiting. You could help this Town Council if you would go down and speak to the Union County Commissioners and the Fire Commission.

Mr. Robinson - The County Fire Marshal has attended our Board meetings. Mr. Thomas was invited to our last board meeting. He was unable to come so the Chairman of the County Commission came. We have interaction with those people. We appreciate the support of the Town Council. How much more meaning would that meeting have had if we had known about it and could have gone down together? I think we need to learn how to work together more effectively and collaboratively because there is power in the voice of the community working together.

Councilmember McKee – Right now I am not in favor of earmarking any money. I am willing to listen when you get actual costs of the renovation to discuss it further. At that time I am wide open to consider once the figures are in. We will write the Fire Marshal a letter signed by the Town Council and Mayor that we are working with you but we need to see what the costs are. I think it is irresponsible for us to do anything with taxpayer money until we know exactly what it is going to be.

Mr. Robinson - This board has encumbered funds in terms of commitment. The suggestion of the Council was to agree to support the idea of the renovation if the Providence VFD authorized the expenditure of the funds to commission the architectural review which was up to \$45,000. We have done that. It has been started. We have committed 10% out of our reserves. That is cash and we are moving forward. The results will be in soon hopefully.

Councilmember Thomisser – Not a single member of this Council promised \$450,000.

Councilmember McKee – I have been against it since I heard \$450,000 at our retreat.

Councilmember Thomisser- Can we not move forward without earmarking money?

Attorney Fox – It really depends on what progress does the Fire Marshal need to see in order to not start citing Providence VFD for possible violations. It is something that he is going to have to answer.

Earmarking is a symbolic gesture of good faith. The reality is that this Town has a fund balance and it can move money out of the fund balance sufficient to address a renovation of \$450,000 if it gets to the point and collectively agrees that is the approach that has the most merit. You can do that with a Special Meeting.

Mayor Anderson – It is not just the Fire Marshal that we have to satisfy, it is the board members of our fire department. I am not feeling a lot of cooperation or willingness on behalf of this body to support that effort. They have to make the decision on whether or not they will continue to provide overnight coverage. We keep talking about what the fire department needs. The fire department does not need anything. What does the Town of Weddington and the citizens need? The fire department can lock the doors and turn off the lights and go home to their families. We need them. I would like to remind you that the Town's money that we are talking about belongs to the people and this is a service to the people. We do want to be good stewards of the taxpayers' money. I do not understand the resistance of putting money in the CIP in exactly the same way that we did for the Library. We also put money aside for transportation.

Mr. Parks – Could I get you to write that letter to the Fire Marshal that you are working with us on a solution to this?

The Council answered yes.

Mayor Pro Tem Barry - The frustration is that we do not know the solution.

Mr. Parks – I told Mr. Speer that we are looking for some sign that there may be some funds available so that we can make the necessary changes so that our people can stay there at night. He said as long as you are proceeding down that way you will not have any problem.

Councilmember Thomisser – The Town Council is well intended to find a solution. The first thing out of the box was renovation of the fire station. It always seems to come back to that and we cannot look at other alternatives. Why can we not move forward to a solution without setting parameters? Let's expand the parameters and pursue this.

Mayor Pro Tem Barry – I just spoke with Mr. Speer and all he needs is a letter from us that says we are working with you on a solution. It gives broad enough opportunity to put everything on the table. I want the revenue side on the table as well.

Councilmember McKee – I want in the letter that we are working with the Providence VFD to work out the solution which could include a merger, redrawing the lines, or renovating the building. Those are the options out there. I want all of the options out there that we are willing to work with.

Mr. Parks – We have been in multiple meetings with our architect, the Fire Marshal and the Building Inspector. We have evaluated every opportunity including renovating our ladder shed in the back. We have looked at everything. We have told you that our optimal solution is to renovate the building. The others can work but there are some negatives with them that we are faced with.

Council asked that Town Attorney Fox, Mayor Pro Tem Barry and Town Clerk McCollum draft a letter to Mr. Speer and have it ready to put on the agenda for the 7:00 Regular Meeting for consideration.

Town Attorney Fox - I would suggest that the options that you are looking at also include the modular unit option.

Councilmember Thomisser - I would ask the people in the audience to take their energy against the Fire Commission and Union County Board of County Commissioners to help this board to achieve some type of solution.

Item No. 3. Adjournment. Mayor Pro Tem Barry moved to adjourn the July 11, 2011 Special Town Council Meeting. All were in favor, with votes recorded as follows:

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

The meeting adjourned at 6:20 p.m.

Nancy D. Anderson, Mayor

Attest:

Amy S. McCollum, Town Clerk

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
WEDNESDAY, JULY 20, 2011 - 5:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on July 20, 2011, with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser and Jerry McKee, Town Attorney Anthony Fox and Town Planner Jordan Cook

Absent: Councilmember Robert Gilmartin

Visitors: Barbara Harrison and Judy Johnston

Item No. 1. Open the Meeting. Mayor Nancy D. Anderson called the July 20, 2011 Special Town Council Meeting to order at 5:01 p.m. There was a quorum.

Item No. 2. Work Session with Union County Public Works Officials Regarding the Proposed Water Tower in Weddington. Mayor Anderson – I asked Public Works Director Ed Goscicki to come and discuss with us some other options with the water tower. Union County Public Works has put in an application for a water tower on Providence Road past Rea Road where the staging area for NCDOT was when they were working on Providence Road. Two public meetings have been held and the Planning Board has reviewed the application and we have called for the public hearing. The application that was put in was for a tower. After hearing input from the citizens about the aesthetics of the tower, I wanted to discuss with UCPW what a ground tank with pumps would look like. I need to get a sense from the Town Council if the ground tank would be something that they would be interested in.

Mr. Goscicki – We have submitted twice now for zoning approval for an elevated water tank within the Weddington area. A year ago, we were requesting permission for the site across the street from here. That was not approved by this board. We have now come back with an alternate site which the Mayor discussed. In the previous discussions when we were before this board, the issue of a ground storage tank alternative was raised. We did a very preliminary analysis with our consultants at that time to look at what would be the feasibility of a ground storage tank on the site and they came up with an alternative from an engineering perspective that they did not recommend, staff had concerns and ultimately the Board of Commissioners did not authorize us to go forward. That alternative was a million plus more in construction dollars than the elevated storage tank. Based on discussions that we heard, we have looked at what it would take if we put a ground storage tank in this area on Providence Road. That has not gone before the Board of County Commissioners, it has not gone before the County Manager and I am not authorized in any way to suggest that we would be willing to move forward with that as a consideration but we did look at it. The challenge with the ground storage tank is it changes the way that we operate the system. The way the water distribution system operates now is we pump from various pump stations throughout our system up into these tanks. From these tanks, we feed by gravity into the distribution system that serves our customers. The elevation that we pump to and hold into this tank and floats in that tank creates the pressure that is in your homes. We have five different pressure zones in the County running off these various elevated storage tanks.

Mayor Pro Tem Daniel Barry – There was an elevation that you had to have at ground level. The tank height is going to change based on sea level.

Mr. Goscicki – We need to be 807 feet above sea level. That was part of the challenge when it moved from the previous site to the Providence Road site. The height of the tank increased to maintain that same pressure. If you change to a ground storage scenario, it reverses the way that you operate the system. Instead of pumping into the tank to maintain pressure, the tank is nothing more than storage. It is a reservoir on your system and your pressure is created by pumping out of that tank and keeping your tank pressurized. The operation changes dramatically from one filling a tank and trying to keep that level full and only running the pumps based upon the level of the tank versus putting pressure sensors in the system and keeping those pumps running on a continuous basis to keep the pressure in the system. The pumps run intermittently to keep the tank full. As the tank drains down the pumps will come on to keep it full. We have an operating range that it operates in. With a ground storage tank, the pumps run continuously because you constantly have to pressure the system. In doing that we also have to isolate that pressure zone that we are operating off of from that ground storage tank because we are now operating at a different pressure than the rest of the elevated storage systems. To make this work we would have to isolate a piece of the system. (Mr. Goscicki referred to a map of the area.) If we put a ground storage tank here, we would essentially isolate this part of the county which is a good chunk of Weddington and a little bit of Stallings. There would be a pressure reducing valve that we would have to put where that connects in. The most significant part of doing this is all these pipe lines become internal to this and cannot be used in our major distribution system. This line is a big part of our major distribution system so we would have to build a new pipe across here to connect water coming in this way. We would have to put a \$2 million pipeline in the ground to make this work. That is where the big expense comes in. I have to build a pump station that I was not going to build and I have to build 1 ½ miles of pipeline.

Mayor Pro Tem Barry - Aren't they planning to put a pipeline in there anyway?

Mr. Goscicki – We are not. The developer would need to run some kind of service line to develop that area. It would need to be a 24 inch pipe line. If we put a ground storage tank, we would create this as a new pressure zone isolated from this area to make it work. Our estimate shows us that alternative is about \$1.5 million more than the proposal that is before you. It includes an additional \$200,000 in operating and maintenance costs for the power of having the pump. Anything else is too difficult to estimate now. Most of the additional cost is the additional piping.

Councilmember Werner Thomisser – Is there any other place in Union County where you have ground storage tanks?

Mr. Goscicki – The only ground tanks we have are on Sims Road which is the water that comes in from the Catawba Water Treatment Plant. All of our water comes in from Catawba Treatment Plant, goes to those ground storage tanks that act as our reservoir and then from there we pump everything and pressurize it. There are three tanks on that site.

Mayor Anderson – He has not had any authority to go before the County to talk about this. I did not want him to do that until we talk about this among ourselves to see if the Town Council would be interested in that concept.

Councilmember McKee - Interested in from what standpoint? I am interested in him doing it.

Mayor Anderson – The standard tower is what we are being offered on that site. We got a lot of feedback from people who live close by there. Everyone agreed that they wanted water and needed water but very few people wanted to see it out of their back yard. When these discussions first started, I was looking for places on the farm that you could put it but residents from Highgate were very upset. Then it was going on Cox Road – people in that area did not want it. Then it was going at the school site at Rea View and

people at Walden at Providence did not want it. No one wants to be in the shadow of the tank. We are looking at alternatives. What can we do to provide the service but also to mitigate what people perceive as a negative on their property values? In the long run not having water is far more negative than having to look at a water tower.

Mr. Goscicki – This affects the pressure - not quantity. But if you are less than 30 lbs. of pressure you are in violation of State regulations and if you have nominal pressure in your system your fire departments are not that happy in their ability to fight fires.

Mayor Pro Tem Barry - I have a water hose in my backyard and I open that up wide open and I have a sprinkler on it and it works fine but if you use those couplings where you put two sprinklers on it then you have half as much volume. Same amount of volume but it is not coming out at the same pressure level. We are not adding capacity to the system we are just showing that there is less pressure coming out. Ultimately you do want to include distribution as you have another neighborhood come on.

Councilmember McKee – The County allocates the gallons that are pumped. The neighborhood cannot get water until the County approves them for water.

Mayor Pro Tem Barry - If you do not have capacity- you cannot push the water down the system in the first place.

Mr. Goscicki – The pressure is not in the system. The pressure may be at your house. On the higher ridge that runs all along the northern boundary of the Town of Weddington and running into Stallings are some of the highest elevations in the County and those residents and neighbors are complaining to us about pressure problems. What we have shown you in the previous meetings is if we do not do something, that water pressure problem will get larger and larger in scope.

Councilmember Thomisser – We have approximately 71 subdivisions in Weddington and only 11 of them have water.

Mr. Goscicki – About 33% of your population is on County water and over 1,000 customers are on our water system today.

Mayor Anderson – The County cannot approve water for subdivisions if we do not have water tanks or a tower to maintain the pressure. It is not about the amount of the water but it is about the pressure of getting it there.

Councilmember McKee – What is the problem of adding more pumps?

Mr. Goscicki – The way the system operates now is all of our water that serves the area gets pumped through the tank that we have in Stallings and back feeds from Stallings to here. You are losing pressure going there and then you are losing pressure going back. The closest storage tank to this area is Stallings. The next closest one is Indian Trail.

Councilmember Thomisser - Do we have a water problem or a pressure problem?

Mr. Goscicki – You have a pressure problem right now in this area. We know where the problems are. They are in the high elevations right now. The problem is not universal right now. The problem will get worse. The Rosehill Subdivision is the poster child. We are on a first name basis with people in Rosehill.

Councilmember McKee – During the last public hearing, we had one person speak to low water pressure.

Mr. Goscicki – If this Council wants to wait until you get 100 people in here complaining about water pressure five years from now - that is not the way I run a utility. I am paid to look into the future and make sure that the facilities are in place and to make sure those citizens do not show up.

Mayor Pro Tem Barry - If we approved everything that you wanted to have approved, there is a build out time. How long does it take to have these engineered and constructed and on line?

Mr. Goscicki – It is probably nine months to one year. The engineering is 75% done. Each time around costs me about \$75,000 in engineering and permit and review fees to get to this point. We are ready to go.

Mayor Pro Tem Barry – Mayor, your question is whether we want the Union County version of the water tower or for us to pay the difference for the storage tanks.

Mayor Anderson – It seems to me that was going to be my discussion. It seems to me that two people at this table are not convinced that we need a water tower.

Councilmember McKee – I am just asking questions. How can you read my conclusion? Don't come to a conclusion that you know how I feel about any issue until it comes time to vote.

Councilmember Thomisser – I have not made any statement regarding how I feel. You are assuming that and that is incorrect.

Mayor Anderson – I am going to adjourn this work session. Clearly the people here do not want to participate in maintaining decorum. We have another meeting that we need to go to.

Mayor Pro Tem Barry – The amount you are asking is \$1.6 million?

Mr. Goscicki - These are planning level figures for this level of discussion. There is no design that has been done for ground level storage tanks.

Mayor Pro Tem Barry - If we get this done - is that it for Weddington? Is Union County going to come back on the other side of Weddington near Wesley Chapel 20 years from now?

Mr. Goscicki - There is additional storage that would be needed in the system. We know over the 20 year planning horizon that we are going to need to allocate additional storage throughout the system. We have not gotten to the point to identify where that storage needs to be. I cannot promise that we will not be back again in the next 20 years.

Councilmember Thomisser – Is the water pressure something you can correct with a pump station for the subdivisions that have issues?

Mr. Goscicki - There are band aid solutions. We would tell the neighbors that they would have to put individual pumps at each individual lot. We could put a mini pump station that would serve an individual community. This problem will continue to grow. We need to move beyond the band aid solutions. The challenge here is that as this community grows and as this county grows you can't just keep putting more and more booster pump stations.

Councilmember Thomisser - How high is the ground level storage tank? When you go to the proposed site for the water tower, it will be 600 feet from Providence Road. There is a line of trees. Is the proposed location of the water tower in front of the trees or behind the trees?

Mr. Goscicki – You are probably looking at a 40 foot tall structure. It is right at the tree line. We have to cut in and take some trees to site the water tank and the tank will sit at the tree line. The challenge on that site is that it slopes away. It slopes down as you go away from the road. We originally thought we would put it further back on the site but there is a stream that runs off of the farmer's pond that is up on the adjacent parcel and it creates a little wetland.

Councilmember Thomisser – The ground level storage tank would be placed where the tank is going to be or behind the tree line.

Mr. Goscicki – It would be closer to the road. It would be more visible from the road. I am not sure if the County Commissioners would approve going to a ground storage tank.

Mayor Anderson – If you want to go to a ground storage tank, then I believe the Town of Weddington would be required to pay the difference. If we want an upgrade, the County would not approve that unless we agreed to pay the difference.

Mr. Goscicki – I could not say that the County would require that. That would be a Board of County Commissioner decision as to whether they are going to say that we are going to something different for this community because this community wants it and does not want an elevated tank and if there is an additional cost you pay for the additional cost. I would take that to them.

Councilmember Thomisser – I thought that UCPW was a separate entity.

Mr. Goscicki – Public Works is a department within Union County government. I answer to the County Manager who answers to the Commissioners. Water and wastewater is funded as a separate enterprise fund so County taxes do not in any way support the public works operations. Those are 100% funded through the water and sewer fees that we charge. The County is a holding company and public works is a separately funded company within that holding company. They do have complete authority over the department but the money gets funded through user fees. Monies that we bring in through enterprise funds cannot be used for other activities. It can only be used for water and sewer. We do not use any tax supported revenue to supplement the water and sewer. We issue our own debt through revenue bonds pledged by the revenue that we are going to generate through customers versus general obligation bonds.

Councilmember McKee – Would either of these scenarios cause the water fees to go up?

Mr. Goscicki – It would probably not cause me to up the water and sewer rates. We are in the middle of doing a rate study right now.

Councilmember McKee - Do you need anything from us to go to the County regarding the ground storage tanks?

Mr. Goscicki – Right now we have an action before this board and hope that you will prefer our petition. I prefer the option that is in front of you for the public hearing on August 8.

Councilmember McKee – What would happen if this is not approved on August 8? Would you go back to a ground storage tank?

Town Planner Jordan Cook - They would have to wait 12 months to reapply. The prohibition is 12 months unless there is a substantial difference between a new application.

Attorney Fox - The County is saying before you is what they are recommending.

Mr. Goscicki - Another option is another design. If this board were to tell us tonight the flavor of the board leans towards a ground storage tank – I could not come to you next month with a plan. That is a whole new process that we would need to go with.

Councilmember McKee – I think the Council should look at the lesser of two evils. How do we get him to the County Commissioners to see if they will approve it?

Attorney Fox - That decision is on the County. They could withdraw their application. This is a legislative process.

Mr. Goscicki - I am not walking out of here tonight with any confidence if I came back with a ground storage tank that it would be approved. We have a petition in front of you. The challenge for someone on this side of this table is to read this board.

Item No. 3. Adjournment. Mayor Pro Tem Barry moved to adjourn the July 20, 2011 Special Town Council Meeting. All were in favor, with votes recorded as follows:

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

The meeting adjourned at 5:48 p.m.

Nancy D. Anderson, Mayor

Attest:

Amy S. McCollum, Town Clerk

Sec. 46-76. Road standards and buffering along thoroughfares.

(g) *Culs-de-sac*. Permanent dead-end streets shall not exceed 600 feet in length in conventional subdivisions unless necessitated by topography or property accessibility and if the town council grants a modification per section 46-15. In conservation subdivisions, culs-de-sac may be greater than 600 feet in length in order to prevent the degradation and development of primary and secondary lands within the subdivision, thereby conserving the integrity of the conservation subdivision by preserving open space in an unaltered state. Culs-de-sac in conservation subdivisions shall not inhibit emergency vehicular access. The planning board shall review the sketch plan and existing resource and site analysis plan for a conservation subdivision that proposes culs-de-sac greater than 600 feet in length. Measurement shall be from the point where the centerline of the dead-end street intersects with the center of a through street to the center of the turnaround of the cul-de-sac. The distance from the edge of pavement on the vehicular turnaround to the right-of-way line shall not be less than the distance from the edge of pavement to right-of-way line on the street approaching the turnaround. Culs-de-sac must be terminated with a circular right-of-way not less than 90 feet in diameter for curb and gutter section with not less than 37 feet of pavement from center to face of curb, and not less than 100 feet in diameter for shoulder section with not less than 40 feet of pavement from center to outer edge of pavement. Cul-de-sac designs other than the "Bulb" end design with a circular right-of-way will be subject to the approval of the Division Engineer of the Division of Highways, North Carolina Department of Transportation and the town council after review on an individual basis. Culs-de-sac in conventional subdivisions shall not be allowed where connection with an existing street is possible.

In certain cases where connectivity is either not possible or not recommended, the Town may require the installation of one or more emergency access gates. The homeowner's association is responsible for the maintenance, testing and repairs of all functions of emergency access gates. An annual inspection and test of the gate shall be performed and the results submitted to Town Hall. Any homeowner's association that is found to be in violation shall be required to maintain a service agreement with a qualified contractor to ensure year round maintenance and to submit a copy of the service agreement to Town Hall.

Sec. 58-23. Planned residential developments.

(6) The maintenance and upkeep of any guardhouses or entry structures, and subdivision walls, fences or berms located at the external periphery of the PRD, as well as the maintenance and upkeep of any private streets in the PRD, shall be the sole responsibility of the developer and/or any duly incorporated and active homeowners' association. Accordingly, any bond accepted by the town per subsection 46-49(b) for a PRD subdivision shall be calculated using the construction costs of all such facilities (in addition to the cost of streets as provided in subsection 46-49(b)) and shall remain in place until the town council is satisfied (in its own exclusive discretion) that the homeowners' association is controlled by individual lot owners other than the developer (which generally the town council shall not deem to have occurred until one year, at a minimum, after a homeowners' association is incorporated and active) and has made necessary assessments for, and has otherwise taken over the full responsibility of, maintaining and repairing such streets and facilities. The decision to release such bonds shall rest entirely within the town council's discretion and shall be made based upon the homeowners' association's financial ability to properly maintain and repair these streets and facilities. After the bond is released by the town council, the homeowners' association shall be required to submit to the town, by January 15 of each calendar year, the names, addresses and telephone numbers of all duly elected members of its board of directors as well as a copy of its annual financial statements showing, at a minimum, the amount of funds budgeted to maintain such streets and facilities. In the event the town council, in its discretion, believes the homeowners' association is not adequately maintaining or repairing the streets or facilities or is not making assessments necessary to cover the cost of said maintenance or repairs, it may, after holding a hearing, require the homeowners' association to provide a bond as required in subsection 46-49(b). The hearing described above, shall be duly noticed by publication as provided in this chapter and by mailing notice of the hearing to at least one officer (according to the most recent list of officers the town has received) of the homeowners' association or to the homeowners' association's registered agent at least ten days before the hearing. The homeowners' association's bond may be eliminated, modified, or reinstated at the discretion of the town council after a hearing notice as described above.

(7) Subdivisions which have an entrance gate are subject to the following regulations: The homeowner's association will provide the access code to the gate and an emergency contact number to the fire department, the Union County Sheriff and other emergency services and will be responsible for maintenance, testing and repairs of all functions of the gate. An annual inspection and test of the gate system shall be performed and the results submitted to Town Hall. Should there be a problem with the operation of the entrance gate, the gate shall remain open and accessible until the gate is repaired and tested. Any homeowner's association that is found to be in violation shall be required to

maintain a service agreement with a qualified contractor to ensure year round maintenance and to submit a copy of the service agreement to Town Hall.

Sec. 58-5. Zoning districts established.

In order to achieve the purpose of this chapter, the following districts, based on the concepts and proposals of the land development plan of the town, are hereby established. In addition to the primary uses which are permitted by right or through the issuance of a conditional zoning permit, other uses, including accessory uses, off-street parking and signs, are permitted as listed in this chapter:

(1) *R residential districts.* These districts are established to encourage the retention of existing farms and low density residential areas, which are compatible with the land development plan concept of retaining the suburban, rural character of the community. Residential development must be restricted to a sufficiently low density since there is no public water supply and development is dependent upon septic tanks on individual lots for sewage disposal. In order to provide for a healthful, rural environment, residential development must continue in a large lot, low density fashion.

a. *R-80 single-family and agricultural.* This district allows for agricultural uses and single-family residential development. The minimum lot size is 80,000 square feet.

b. *R-60 single-family and agricultural.* This district allows for agricultural uses and single-family development. The minimum lot size is 60,000 square feet.

c. *R-40 single-family and agricultural.* This district allows for agricultural uses and single-family residential development. The minimum lot size is 40,000 square feet.

d. *R-40(D) two-family development.* This district allows duplexes on lots with a minimum size of 40,000 square feet. This district was established to regulate one specific geographical area in the town. Since the area has been developed recently and contains a number of duplexes, the town does not want to label the area with a nonconforming status. However, in adhering to the policies and goals contained in the land development plan, the town has no intention of creating any other duplex districts elsewhere in the town. The concern with this type of residential development is that the higher density is in conflict with the low density and single-family character of the town.

e. *R-CD residential conservation district.* The purpose of this district is to promote conservation subdivisions and encourage the preservation of open space and unique environmental features in the town, including, but not limited to, viewsheds, forestland, farmland, historic sites, steep slopes, rock formations and land

adjacent to parks. Incentives are included in the R-CD district to encourage conservation subdivisions in the future by allowing residential lot sizes smaller than those found in other zoning districts in the town.

f. *R-E residential district.* This district allows single-family residential development with a minimum lot size of 20,000 square feet. This district is established to regulate subdivisions that are annexed by the town and do not meet any existing zoning district. Since these lots are existing, the town does not want to label the area as nonconforming. However, in adhering to the policies and goals contained in the land development plan, the town has no intention of creating any other of these districts elsewhere in the town. The concern with this type of residential development is that the higher density is in conflict with the low density character of the town.

(2) *B business districts.* These districts were established before conditional zoning was available for use by municipalities. The town has no intention of creating any other of these districts elsewhere in the town. Conditional zoning districts are available for future retail, commercial and business.

a. *B-1 general business district.*

1. This district is established to provide an area for neighborhood business without undue conflict with, detriment to, or disruption from nearby land uses or zoning districts.

2. This district is designed primarily for retailing of merchandise such as groceries, drugs and household items for furnishing certain personal, business, and professional services for the convenience of residents of the town area. This district is located at an accessible location with respect to traffic circulation in order to conveniently serve the resident population. All permitted uses locating in the B-1 district shall have a maximum gross floor area of 3,000 square feet. Uses otherwise permitted within this zone which exceed a gross floor area of 3,000 square feet may be permitted on a conditional zoning basis only.

b. *B-2 local shopping center district.* This district is established to provide for the controlled development of more intense retail and service uses designed to serve the immediate town area. Certain uses will be permitted on an individual use basis only. The purposes of a planned local shopping center district is to provide for an orderly arrangement of convenience and comparison

shopping outlets and adequate off-street parking and other amenities. However, local shopping centers are allowed in this district only on a conditional use basis. This zone is not shown on the zoning map of the town at the time of the adoption of the ordinance from which this chapter is derived.

(3) *Conditional zoning district.*

a. The conditional zoning district process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. The development of these uses cannot be predetermined or controlled by general district standards. In order to accommodate these uses, this section establishes specific development standards for these uses that allows for flexibility in development while protecting existing nearby areas. The process for approval of a conditional zoning district is explained in section 58-271. The rezoning of any parcel of land to a conditional district should be a voluntary process initiated by the property owner. Any application to rezone an area to a conditional zoning district shall be reviewed in light of the goals, objectives and implementation strategies of the town land use plan and all other plans and regulations officially adopted by the town council. The review process established in this part provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions which ensure compatibility of the use with the use and enjoyment of neighboring properties and in accordance with the general plans of development of the town.

b. *B-1(CD) general business district.* The B-1(CD) general business district is hereby established as a conditional zoning district. The B-1(CD) district is intended to provide an area for a neighborhood business without undue conflict with, detriment to, or destruction from nearby land uses or zoning districts. These districts were established before conditional zoning was available for use by municipalities. The town has no intention of creating any other of these districts elsewhere in the town. Conditional zoning districts are available for future retail, commercial and business. Any development or redevelopment occurring after August 1, 2010, shall comply with MX development standards.

This district is designed primarily for retailing of merchandise such as groceries, drugs and household items for furnishing certain personal, business, and professional services for the convenience of residents of the town area. This district is located at an

accessible location with respect to traffic circulation in order to conveniently serve the resident population.

c. *B-2(CD) local shopping center district.* The B-2(CD) local shopping center district is hereby established to provide for the controlled development of more intense retail and service uses designed to serve the immediate town area. Certain uses will be permitted on an individual use basis. The purpose of a planned local shopping center district is to provide for an orderly arrangement of convenience and comparison shopping outlets and adequate off-street parking and other amenities. These districts were established before conditional zoning was available for use by municipalities. The town has no intention of creating any other of these districts elsewhere in the town. Conditional zoning districts are available for future retail, commercial and business. Any development or redevelopment occurring after August 1, 2010, shall comply with MX development standards.

d. *MX mixed-use district.* The MX mixed-use district is hereby established as a conditional zoning district. The MX mixed-use district is intended as a limited use district with a very high level of design control including both site and building features. It is designed to allow a variety of office, commercial and limited residential uses only in carefully considered locations requiring a high level of design control by the town. Each site proposed for MX mixed-use district zoning must be evaluated by the town council as to its appropriateness for such designated use. Factors to be taken into consideration include, but are not limited to, accessibility, surrounding uses, site design including building arrangement, aesthetics, signage, height, size and elevation design, traffic impact within the proposed development and the surrounding service area including vehicular and pedestrian circulation and parking area design and location, setbacks, buffer effectiveness and stormwater management. It is the intent of the district to encourage high quality design and innovative arrangement of buildings, parking and open space. Because of the nature of all the factors listed, the approval of a location for the MX mixed-use district is at the sole discretion of the town council and in no way implies that any other site will be found acceptable for similar designation.

(4) *E-D educational district.* This district is established to provide for the specific circumstances and needs of the educational institutions, (limited to elementary, middle and high school) within the town's jurisdiction. The uses permitted within this district shall be limited to those of an educational nature for the necessary operation of the educational

institutions. Requirements specific to this district are listed in article II, section 58-61 of this Code. Discontinuation of any school shall result in the loss of the educational district zoning and will initiate a rezoning back to the original zoning district. Additionally, discontinuation of any school after five years will require the property owner to remove the buildings.

(Ord. No. 87-04-08, § 3.1, 4-8-1987; Ord. No. O-2006-04, 1-9-2006; Ord. No. O-2006-18, 9-11-2006; Ord. No. O-2006-20, § 3.1, 11-13-2006; Ord. No. O-2008-06, 4-14-2008; Ord. No. O-2010-09, 6-14-2010)

Sec. 58-295. - Compliance with federal standards.

The town recognizes that a tower cannot be prohibited, nor can a conditional zoning permit be denied on the basis of environmental or health concerns relating to radio emissions if the tower complies with the Federal Radio Frequency Emission Standards. The town requires that the applicant must provide documentation proving that the proposed tower complies with the Federal Radio Frequency Emission Standards.

(Ord. No. 87-04-08, § 13.5, 4-8-1987)

Sec. 58-301. - Increasing tower height.

Normal maintenance and repair of the structure can be completed without the issuance of a conditional zoning permit. Co-location of additional providers to an existing tower or an upgrade of the equipment on an existing tower requires review and approval by the zoning officer to ensure the tower will continue to satisfy this ordinance and other applicable requirements. Notwithstanding any other language in this section, any change to an existing tower that will increase the tower's height, alter the tower's lighting, or alter the painting or exterior appearance of the tower requires the issuance of a new conditional zoning permit for the tower.

(Ord. No. 87-04-08, § 13.11, 4-8-1987; Ord. No. O-2006-10, 6-12-2006)

Sec. 58-302. - Freestanding signs.

Freestanding signs are prohibited. Wall signs, limited to identification area, shall be allowed on equipment structures or fences surrounding the telecommunication tower, provided it does not exceed nine square feet in size. Any signage must be specifically addressed in the conditional zoning application and permit.

(Ord. No. 87-04-08, § 13.12, 4-8-1987)

Sec. 58-303. - Proof of insurance.

The provider must show proof of adequate insurance coverage for any potential damage caused by or to the tower prior to the issuance of a conditional zoning permit. Once approved, documentation of adequate insurance must be provided to the town every 12 months.

Sec. 58-305. - Conditional zoning permit application requirements.

All applications for a conditional zoning permit for a telecommunication tower must include the following information, in addition to any other applicable information contained in this chapter:

- (1)
Identification of intended provider;
- (2)
Radiated signal strength and direction of signal;
- (3)
Documentation by a registered engineer that the tower has sufficient structural integrity to accommodate more than one user;
- (4)
A statement from the provider indicating intent to allow shared use of the tower and how others will be accommodated;
- (5)
Evidence that the property owners of residentially zoned property within 300 feet of the site, in addition to adjacent property owners, have been notified by the applicant within 14 days of the public hearing. This notification should include the date and time of the public hearing, as well as the proposed tower height and design;
- (6)
Documentation that the telecommunication tower complies with the Federal Radio Frequency Emission Standards;
- (7)
Screening, if applicable, must be shown on the site plan detailing the type, amount of plantings and location;
- (8)
Documentation of collapse area; and
- (9)
Documentation that the provider has explored all means for stealth tower locations and co-location opportunities, which must accompany requests for new towers.

(Ord. No. 87-04-08, § 13.15, 4-8-1987)

Sec. 58-147. - General requirements.

(a)

Any lighted sign or lighting device shall be so oriented as not to cast light upon a public right-of-way so as to cause glare, intensity or reflection that may constitute a traffic hazard or a nuisance, or cast light upon adjacent property that may constitute a nuisance.

(b)

Lighted signs shall employ only devices emitting a light of constant intensity, and no signs shall be illuminated by a flashing, intermittent, rotating or moving light.

(c)

No electric sign shall be so located with relation to pedestrian traffic as to permit such sign to be easily reached by any person. The bottom of such sign shall be located a minimum of ten feet above the grade immediately under said sign, if the sign is within 15 feet of the edge of the street right-of-way.

(d)

The area of a sign shall be measured by measuring one face of the entire sign including any border or trim and all of the elements of the matter displayed, but not including the base or apron, supports or other structural members. The area of a double face sign shall be the area of one face of the sign.

(e)

Nonconforming signs shall be subject to the provisions contained in section 58-112

(f)

Fencing, scoreboards, and structures in the athletic fields may be utilized for customary signs, and all such signs shall be directed solely towards users of the facility. Such individual signs, whether temporary or permanent, shall not exceed 32 square feet in size and shall be permitted by the zoning administrator in the manner of other permanent, attached (on-structure) signs under section 58-148, or temporary signs under section 58-151, without amendment to the conditional use permit or conditional zoning permit so long as compliance with all standards in this chapter are met.

(Ord. No. 87-04-08, § 8.4, 4-8-1987; Ord. No. O-2006-05, 1-9-2006)

ARTICLE III. ZONING VESTED RIGHTS

Sec. 38-61. Purpose.

The purpose of this article is to implement the provisions of G. S. 160A-385.1, pursuant to which a statutory zoning vested right is established upon the approval of a site specific development plan.

(Ord. of 10-14-1991, § 1)

Sec. 38-62. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approval authority means the town council or other board or official designated by ordinance or this article as being authorized to grant the specific zoning or land use permit or approval that constitutes a site specific development plan.

Site specific development plan means a plan of land development submitted to the town for purposes of obtaining one of the following zoning or land use permits or approvals:

- (1) Conditional use permit (article III, pertaining to conditional uses, of chapter 58, zoning).
- (2) Subdivision as defined in chapter 46, pertaining to subdivisions.
- (3) Land developed through the conditional zoning process, see Section 58-271.

Notwithstanding the foregoing, neither a variance, a sketch plan nor any other document that fails to describe with reasonable certainty the type and intensity of use for a specified parcel or parcels of property shall constitute a site specific development plan.

Zoning vested right means a right pursuant to G. S. 160A-385.1 to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan.

(Ord. of 10-14-1991, § 2)

Section 58-270

(g)

The zoning administrator shall transmit any decision of the planning board to the town council. Once action has been taken by the planning board or the time for action by the planning board has expired, the town council shall, no later than their next regularly scheduled meeting, consider calling for a public hearing or a requested conditional use permit, conditional zoning permit, zoning change, or other matter providing for public hearing under this chapter. Notification of the public hearing shall be made in the following manner:

(1)

A notice shall be published in the newspaper having general circulation in the area once a week for two successive weeks, the first notice to be published not less than ten days, nor more than 25 days prior to the date established for the hearing. In computing such time the date of publication is not to be included but the date of the hearing shall be included.

(2)

A notice shall be conspicuously placed in the town hall not less than ten days nor more than 25 days before the date established for the public hearing. However, failure to post a notice as provided by this section shall not invalidate any action taken with regard to the application.

(3)

A notice shall be prominently posted on the subject property or on an adjacent public street or highway right-of-way. When an application concerns multiple parcels, a posting on each individual parcel is not required, but sufficient notices shall be posted to provide reasonable notice to interested persons.

(4)

A notice shall be sent by first class mail to all owners of parcels of land abutting the subject property. The owners shall be identified by county tax listings and the notice shall be sent to the last address listed for each owner on the county tax abstracts. The notice shall be deposited in the mail at least ten, but not more than 25, days before the date of the public hearing. In computing notice periods under this section, the date of mailing is not to be included, but the date of the hearing shall be included.

(5)

A notice shall be sent by first class mail to the owner of the subject property. The owner shall be identified by county tax listings and the notice shall be sent to the last address listed for the owner on the county tax abstracts. This notice shall be deposited in the mail at least ten, but not more than 25, days before the date of the public hearing. In computing notice periods under this section, the date of mailing is not to be included, but the date of the hearing shall be included.

(6)

The zoning administrator shall certify that the requirements of subsections (g)(1)—(g)(4) of this section have been met. The town shall charge the applicant a separate fee to cover costs incurred.



US INFRASTRUCTURE OF CAROLINA, INC.

CONSULTING ENGINEERS

June 30, 2011

Ms. Amy McCollum
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Subject: Proposal for Professional Engineering Services
Proposed Street Improvements - Stratford Hall, Bonner Oaks, and The Meadows
Subdivisions

Dear Amy:

US Infrastructure of Carolina, Inc. (USI) is pleased to submit our proposal to the Town of Weddington (Town) for providing engineering services for the proposed street improvements. It is our understanding that the developers for the subject subdivisions have defaulted leaving some of the street construction incomplete. The Town will make the necessary street improvements to bring the subdivisions to standard by utilizing the developers' performance bonds. A preliminary inspection of the subdivisions showed that, as a minimum, both The Meadows and Stratford Hall require the final layer of asphalt pavement, and erosion control items need to be removed at Bonner Oaks.

Below is a description of our proposed scope of work, schedule and fees.

SCOPE OF WORK

Task #1 - Field Inspection and Bid Package

USI will physically inspect each subdivision to identify and measure needed improvements to bring each street up to standard. The proposed improvements will be based upon the approved construction plans (on file with USI) and the NCDOT "Subdivision Roads Minimum Construction Standards". Improvements may include pothole and other pavement repair, asphalt paving, removal of erosion control items, etc. USI will provide a construction estimate based upon the proposed improvements.

USI will develop specifications and bid documents in sufficient form and detail for the Town to bid a construction contract for the proposed improvements. Specifications will be in conformance with the NCDOT Standard Specifications for Subdivision Roads and NCDOT Standard Details. Review comments from Town staff will be incorporated into the final bid package.

Task #2 -- Construction Administration and Inspection

USI will furnish bid documents to plan rooms and printers and notify prospective bidders of the work. We propose to use Duncan Parnell Printers for all copies and bid package distribution. USI will solicit informal bids from qualified contractors, provide bid tabulation of all bids to the Town, and make recommendation of award of contract based upon bid results.

USI will hold a preconstruction meeting with the contractor and Town staff before the project begins. We will provide detailed construction inspection by a responsible representative of USI for the purpose of checking the construction work and conferring with the Town and the Contractor on construction progress and problems that may arise during the progress of the construction work.

USI will check shop drawings and other equipment drawings furnished by manufacturers that are to supply material and equipment to be incorporated into the project, and will check laboratory tests of construction materials and equipment that are to be incorporated into the work. We will also check various materials that have been delivered to the job site regarding their conformance to the Contract Specifications.

USI will furnish engineering advice and consulting services during the construction period by correspondence, telephone, and visits to the location of the work. We will also review pay requests submitted by the Contractor and make recommendation of approval to the Town.

This proposal is based upon an assumed construction period of 14 days, during which full time construction inspection is assumed for three days for 10 hours during each visit. We have recommended full time inspection while the asphalt paving of streets is being completed. Attached is a copy of an Excel spreadsheet showing the assumptions made preparing the fee proposal (Attachment 1). The hours shown are based upon the typical level of efforts required to administer contract and inspection services.

Allowance for Reimbursable Expenses

An allowance shall be established for reimbursable expenses incurred by the Engineer during performance of this agreement. Reimbursable expenses shall be compensated at cost unless otherwise noted. Reimbursable expenses shall be limited to the actual expenditures made by the Engineer during the performance of the work with respect to travel, postage, courier expenses, copies, printing, plots, photographs, maps, or other miscellaneous project expenses.

FEE

USI will perform the services described above on a time and materials basis with a not-to-exceed fee, in accordance with our on-call contract with the Town dated November 17, 2008 and our current schedule of fees as shown by Attachment 2 of this letter proposal. Expenses such as



copies, plots, mileage, postage, etc. will be billed at cost. A summary of the not-to-exceed fees is as follows:

<u>TASK</u>	<u>FEE</u>
Task #1 – Field Inspection and Bid Package	\$ 6,115.00
Task #2 – Construction Administration and Inspection	\$ 8,650.00
Expenses Allowance	\$ <u>250.00</u>
TOTAL NOT-TO-EXCEED FEE	\$15,015.00

SCHEDULE

USI proposes to complete the field inspection and bid package services within 30 calendar days of a Notice-to-Proceed. Construction administration services may be provided immediately after completion of the bid package and a notice from the Town to begin advertising the project.

We appreciate the opportunity to work with you on the project and be of service to the Town. If this proposal is acceptable, please have an authorized agent of the Town sign and date the enclosed agreement and return one copy to USI. Please contact us if you have any questions on the proposal or require additional information.

Sincerely,

US Infrastructure of Carolina, Inc.



Bonnie A. Fisher, P.E.
Project Manager

Attachments

APPROVED
TOWN OF WEDDINGTON (AUTHORIZED AGENT)

DATE



TOWN OF WEDDINGTON STREET IMPROVEMENTS
 STRATFORD HALL, BONNER OAKS, THE MEADOWS

ENGINEERING FEE ESTIMATE (06/30/11)
 Prepared by: USInfrastructure

Hourly Basis Fee	General Manager	Senior Engineer	Construction Inspector	Station Technician	Subcontractor	USI Total	Task Total
TASK #1 - Field Inspection, Construction Estimate, & Bid Package							
- Prepare maps and inspection forms	2	2	8			\$260	\$260
- Site inspection	1	8				\$1,890	\$1,890
- Develop Construction quantities and estimate	4	16		2		\$1,185	\$1,185
- Prepare bid documents, special provisions, etc.						\$2,780	\$2,780
TASK TOTALS	7	34	8	2		\$6,115	\$6,115
Task #2 - Construction Administration and Inspection							
- Distribute bid docs to Plan Rooms and Bidders	1	4		4		\$760	\$760
- Solicit bids from contractors; answer bidders questions	3	3				\$535	\$535
- Bid Tabulation and recommendation of award	4	4		4		\$760	\$760
- Notice of award, prepare contracts	4	4		4		\$760	\$760
- Notice to Proceed, Pre construction meeting & minutes	2	6	4			\$1,060	\$1,060
- Construction inspection	1	2	30			\$2,910	\$2,910
- Pay requests from Contractor (assume 1)		2				\$260	\$260
- Project closeout		8	6			\$1,605	\$1,605
TASK TOTALS	4	35	40	12		\$8,650	\$8,650
7⁰⁰ Expenses						\$250	\$250
TOTALS	11	69	48	14		\$15,015	\$15,015
Billing Rate:	\$160	\$145	\$70	\$60			
	\$1,595	\$8,970	\$3,360	\$840			15,015.0

Notes:
 Mileage
 Expenses
 Subconsultants
 IRS Rate
 At Cost
 Cost + 10%

US INFRASTRUCTURE OF CAROLINA, INC. CONSULTING ENGINEERS

SCHEDULE OF FEES 2011

<u>CLASSIFICATION</u>	<u>BILLING RATE</u>
Principal	\$160.00/hour
Senior Project Manager	\$145.00/hour
Project Manager/Senior Engineer	\$130.00/hour
Project Engineer	\$105.00/hour
Design Engineer	\$87.00/hour
Senior Engineering Technician	\$87.00/hour
Engineering Technician	\$77.00/hour
Construction Inspector	\$70.00/hour
Engineering Co-op	\$60.00/hour
Clerical	\$60.00/hour
Mileage	at current IRS rate
Expenses	at cost
Subconsultants	at cost plus 10 percent

WEDDSTOCK UPDATE

This year it will be an all day music fun festival with lots to do for everyone! The day kicks off at 7 a.m. with a 1 mile fun run, 5k and 50 yard Durango “boot” Dash. Followed by the Cowboy Breakfast on the farm along with horse shoe games, cow call contest, learn how to lasso and more!

The main stage kicks off at 10am with a wide variety of rock, country, and fantastic bands. Bring your chairs and blanket to spend the day.

The Kids Corral includes the bungee jump, climbing wall, wide array of crafts, and tons of fun! Hop on the free wagon rides to take you to more fun. Kids can catch a fish in the pond, meet new friends at the petting zoo, ride a pony and learn how to milk a cow in the milking barn! Later that day The Teen Stage will run from 7pm till 11pm with music, DJ, photo booth and water gun battle.

You can stop by the vintage car and tractor show, or try your aim in the paint ball area!

There will be lots of food choices at the chuck wagon food circle and beverages at the “Pistol Saloon” proudly named after the resident goat!

We have sponsorship through 4 radio stations – The End 106.5, Lite 102.9, The Beat 96.1 and Kat Kountry 96.9 providing on-air and on-site promotion. Other promotional options include Twitter and Facebook. Sponsors have many opportunities to participate including on-site booths, banners, print ads and even have your logo painted on a real cow!

Have a wonderful day with your family and help local needy families too. All proceeds benefit Kids First of the Carolinas!

Many local charities and the local schools will also benefit from the event:

The R2R, race to resurface the high school track will benefit the Cross Country Team.

The Paintball Club run by Office Louie Rodriguez, the High School Resource Officer is doing the entire paint ball experience and his club will benefit.

The Middle School Cheerleaders will perform and sell snow cones and ice pops to benefit their squads.

The “droplets” group from Elevation Church, which is youth group, will do all the parking and most of the proceeds will go to help them build a well in Africa.

Threads of Hope will sell their bracelets made overseas.

Local Girl Scout troops and a French Club will benefit from the pancake breakfast.

Offers to participate have been extended to every business in Weddington Corners.

ONE DAY OF MUSIC, FOOD, FAMILY 'N FUN

WEDDSTOCK

SAT. AUGUST 20

10AM - 11PM

**AT THE HUNTER FARM 13624 PROVIDENCE RD.
WEDDINGTON**

5K RUN
1-MILE FUN RUN
COWBOY BOOT DASH

**BRING A
CHAIR**

**PAINTBALL AREA HAPPENING ALL DAY
ANTIQUA TRACTOR & MOTORCYCLE SHOW
PLAY REAL BINGO (COW BINGO TOO!)
LOCAL PERFORMERS AND ARTISTS**

COWBOY BREAKFAST  CHUCKWAGON FOOD CIRCLE

"THE GOAT ROOM" - TEEN AREA
7 PM TO 11 PM · PHOTO BOOTH, DJ, WATER GUN FUN

KIDS FUN ★ GAMES 'N CRAFTS ★ CLIMBING WALL ★ PETTING ZOO ★ BUNGEE
JUMP ★ FISHING HOLE ★ MILK A COW ★ PONY RIDES ★ WAGON RIDES

LIVE BANDS ALL DAY ON MAIN STAGE

**VISIT THE
PISTOL SALOON
TO WET YOUR WHISTLE**

FREE ADMISSION

*The
Electric
COW
comes to
Wedstock*




Town Of
Weddington

(sponsor logo space) *Sponsor A Cow Pie!*



PROCEEDS BENEFIT KIDS FIRST OF THE CAROLINAS

WEDDSTOCK 

COWBOY BREAKFAST

★ AUGUST 20TH 8:30-10:30 AM ★
★ ★ ★ ★ ★ ★ ★ ★ ★ ★


AT HUNTER FARMS
13624 PROVIDENCE RD., WEDDINGTON

	JR. RANCHER \$3.50 KIDS UNDER 10	/	ADULT \$7.00	
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Checks Payable to Weddstock, Note Cowboy Breakfast

Benefits Weddington Schools

Hosted by Girl Scout Troop 3053 and Waddell Language Academy Students

July 20, 2011

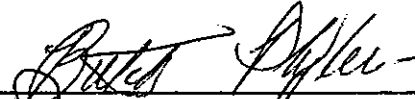
To: Nancy Anderson, Mayor
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Re: Merger of Providence Volunteer Fire Department and Wesley Chapel Volunteer Fire Department

The Steering Committees for Providence Volunteer Fire Department and Wesley Chapel Volunteer Fire Department have decided, based on recent actions by the Town Council of Weddington and a movement by Weddington citizens to consider alternative options for Providence Volunteer Fire Department, that all merger discussions will be indefinitely suspended.



Jack Parks, President
Providence Volunteer Fire Department



Butch Plyler, President
Wesley Chapel Volunteer Fire Department



Award Winning Space Solutions

BUDGETARY PROPOSAL/QUOTE

Confidential-Do Not Distribute

July 20, 2011

Steve Earnheart (704) 823-0877
(800) 448-6772
Fax (866) 399-8270

Attn: Ken Evans
T: 704 846 2087

**Weddington VFD
NEW (28'x64') Modular Building with Sprinkler System**

Purchase Price Base Building ~\$85,000.00

(*Installation Charges Below are not included above, neither Sales/Property/Use Taxes)

- *Delivery to Weddington, NC ~\$4,000.00
- *Set-Up (Standard Block, Level, Anchor, Seam and Seal Building) ~\$4,700.00
- *Poured Concrete Footings & Surewall Piers ~\$5,000.00
- *Vinyl Skirting/Underpinning ~\$1,500.00
- *A.D.A. Landing and Ramp not to exceed 30' with Steps ~\$5,500.00

Additional Associated Project Costs:

- Permitting/Drawings ~\$1,500.00
- Electrical Connections/Tie-Ins ~\$5,500.00
- Plumbing/Sewage Connections/Tie-Ins ~\$9,000.00
- Fire Suppression System ~\$12,000.00

Tax \$ 133.700

(Please read:)

Quoted on level, flat, accessible dirt surface (3,000 psf), not to exceed 6" slope within 100'.
 Set-Up is proposed as: Standard single dry stack CMU piers 8' on center and anchors in dry soil
 If anchors different than dirt anchors needed, additional charges accordingly.
 All buildings are quoted to Seismic C Zone, unless otherwise stated.
 If digging footings, no removal of dirt is quoted above. It will be left under the building.
 Buildings sold off-lease and/or any used buildings are considered "as is-where is", no warranties expressed or implied.
 Customer to provide "temporary restroom facilities/porta-potty" if required.
 "Set-Up" is based on our standard start to finish time. If local codes require special inspection, additional travel charges apply.
 Customer is responsible for locating **any and all** underground utilities before work begins.
 Plastic/Poly/Vapor Barrier ground coverings are not included in above pricing
 If building can not be properly spotted on-site with standard truck, **spotting fees will be incurred.**
 Wood and aluminum decking available for purchase or lease.
 All quotes are contingent upon Vanguard Corporate Offices approvals. (Quote has not been submitted).
 Dismantle and return charges are quoted at time building is returned.
 Pricing does not include and sales, property, or use taxes.
 Pricing is valid for 15 days.
 All terms are pending credit approvals from Vanguard Modular Building Systems.
Permits, utility connections, infrastructure, and any site work to be done by others, unless agreed upon.



Charlotte
 5545 Racine Ave
 Charlotte, NC 28269
 PH: (704) 900-3035
 FAX: (704) 900-3044

Purchase Agreement No: SFQ-063384
 Purchase Agreement Date: 07-25-2011
 Purchase Agreement Expires: 30 days
 Sales Rep: Tony Canzonieri
 Email: tcanzonieri@pacvan.com

Billing Information

PROVFD
 Providence VFD
 Ken Evans
 5025 Hemby Rd.
 Weddington, NC 28104
 Ph: (704) 846-2087

Shipping Information

Providence VFD
 5025 Hemby Rd.
 Weddington, NC
 Ken Evans
 (704) 846-2087

Charges	Quantity	Unit Price	Total Sale Price
Pac-Van 24'x56' Sleeping Quarters (NEW)	1	\$76,700.00	\$76,700.00
Delivery	1	\$2,700.00	\$2,700.00
Code Set-Up (on level soil)	1	\$4,500.00	\$4,500.00
Anchor In Soil	1	\$1,300.00	\$1,300.00
Footer Foundation	1	\$2,800.00	\$2,800.00
Surewall Piers	1	\$1,200.00	\$1,200.00
Hardi-Panel Skirting	1	\$2,700.00	\$2,700.00
Total:			\$91,900.00

Notes:

All utility connections by others. Sprinkler connection and testing by others. Handicap ramp and steps by others. Phone and data lines by others. Permits by others. A "level" site refers to the site being no more than 8" difference in grade from one end of the building to the other.

SPECIAL OFFER:

Need Storage?

Please ask us about our special pricing on all Storage Containers with your order.

Included With Your Pac-Van Agreement:
 Superior Customer Service
 Nationwide Service From a Local Company
 Your One Stop for Mobile & Ground-Level Offices, Modular Buildings, and Storage Equipment

This agreement is made between Pac-Van, Inc., herein called the Seller, and Providence VFD herein called the Purchaser, and is subject to the Purchase Agreement Terms and Conditions attached hereto.

The purchaser is responsible for securing any and all applicable building permits, licenses, or approvals necessary for the purchased equipment. This Purchase Agreement is based on a level, compact, and accessible site. Unless specified, this Purchase Agreement excludes taxes and other services. Seller does not warrant in any way that the equipment meets any local, state, federal or other code unless specified. This Purchase Agreement is contingent on final acceptance by Seller and credit approval by Seller.

→ **Sign**
 Signature: _____
 Printed: _____ 85
 Title: _____

Signature: _____
 Printed: Tony Canzonieri
 Title: Sales Representative
 Date: _____



Clarifications

- Permits by Others
- Zoning by Others
- Utility and data connections by Others
- Grading by Others
- Handicap ramps by Others
- Site to be level and accessible
- Sidewalks & landscaping by Others
- Offer Subject to Credit Approval
- Quote may be withdrawn by Pac-Van if not accepted within 60 days

Ken Evans

From: "Tony Canzonieri" <tcanzonieri@pacvan.com>
Date: Monday, July 25, 2011 3:18 PM
To: "Ken Evans" <kenevans@windstream.net>
Attach: Providence VFD Specifications.docx
Subject: RE: Providence VFD Modular

Ken,

It includes the sprinkler pipes and heads. It would be the responsibility of others to connect and test the sprinkler system. I attached the specifications for the building.

**TOWN OF WEDDINGTON
BIDS FOR LANDSCAPING MAINTENANCE OF
SHOULDERS AND MEDIANS
(Highway 84, Highway 16 and Rea Road)**

A to Z Farms	\$21,450.00
Twin Sparrows	\$20,400.00
Daryl's Lawn Care	\$31,056.00

One additional quote will be presented at the meeting on Monday.

EXHIBIT A

1. Cut grass along shoulders 10' – 15' behind sidewalks and medians as marked on attached map. Grass will be cut as needed or as deemed necessary to maintain a high degree of curb appeal. Grass will be cut bi-weekly during the accepted normal growth period except when weather dictates otherwise.
2. Edge all curbs, sidewalks, and medians as needed during the growing season. Normally, once monthly edging will suffice to maintain a manicured appearance.
3. Weedeating around tree beds, signs, and along banks will be done after each mowing.
4. Clean all grass and debris from walkways, curbs, driveways, and/or streets after mowing and edging operations.
5. Police grounds to remove trash, limbs, litter prior to mowing. (There will be an extra charge for labor time of any excessive littering.)
6. Weeds in joints of concrete and beds around trees will be treated with herbicides.
7. Maintenance of Mulched beds, trees and shrubs are NOT included in this contract.
8. During the fall season, leaves will be blown from the grassed areas and removed from the maintained ground area.
9. During winter months, grounds will be policed periodically for trash and debris. Paved areas will also be blown clear.
10. Remove all dead plants and trees under 6" in diameter within the primary maintenance area. All contract tree removal will occur between November 1 and March 30, unless otherwise jointly agreed.
11. Perform work in a professional manner and minimize the inconvenience to management and/or resident.
12. Provide adequate supervision of employees to insure complete and satisfactory performance.
13. Groundskeeper will have periodic communications with management and/or resident to maintain satisfactory for both parties.



THE MOSER GROUP, INC.

COMMERCIAL REAL ESTATE

April 29, 2011

Nancy D. Anderson
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Re: Contract to assist town in locating, evaluating and putting under contract potential sites for a library and park.

Dear Mayor Anderson:

Attached is the Proposal presented to the Town Council on April 11, 2011 and approved. This document serves as a contract and permission to proceed with the tasks as defined in the Proposal.

Please sign both copies and return to The Moser Group, Inc. Both copies will be signed by The Moser Group, Inc. with one retained by The Moser Group, Inc. and one returned to the Town for their records.

The Moser Group, Inc.

Town of Weddington

Dennis W. Moser, MAI

Nancy D. Anderson, Mayor

Date: 4-27-11

Date: Nancy D. Anderson

Attested by:

Amy McCollum



THE MOSER GROUP, INC.
COMMERCIAL REAL ESTATE

April 11, 2011

Honorable Mayor Anderson and Weddington Town Council
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

RE: Proposal for Site Acquisition and Development Services --
Town of Weddington

Honorable Mayor Anderson and Weddington Town Council;

Thank you for taking the time to meet with us to discuss your understanding of the Town's vision for a regional library and park. Through our individual meetings with you, we gained greater clarity on the project. As residents of the Town of Weddington and the surrounding area, we commend you for your vision and your commitment for making Weddington a unique and charming place to live and visit.

The Moser Group, Inc. and Eagle Engineering, Inc. (Team) are pleased to present this proposal to provide site acquisition recommendations for the Town of Weddington (Town). Based on our recent conversations, it is our understanding that the Town desires to define a group of properties that could be used as a regional library site and public park. It is our understanding that the Town's desire to assess all reasonable property groupings that meet certain defined parameters; identify the best available property and create a conceptual site plan that is unique to the Town's character and charm.

In order to meet the goals of defining, evaluating and identifying the best available site for the Town's vision, the Team proposes the following Scope of Work and Schedule of Fees. The five basic tasks we have identified include: 1) defining and securing contracts for potential sites; 2) evaluating each site grouping to determine its feasibility for the vision; 3) presenting the findings and recommendations to the Town; 4) developing a conceptual site plan that mirrors the Town's vision; and 5) assisting the Town in developing an RFP package for prospective developers. These tasks will be performed sequentially and the Team will only proceed with each subsequent task upon written authorization from the Town. The Moser Group, Inc. and Eagle Engineering, Inc. appreciate the opportunity to offer our services under this contract and look forward to working with the Town on this exciting project for our community.

Scope of Work

TASK 1 – Define and Secure Contracts for Potential Sites

Based on initial discussions with the Town of Weddington staff, the Team will further define potential development sites/parcels for the project and secure, to the extent possible, contracts on selected parcels. This process will include the following activities:

- Define Range of Acreage Required to Meet Town Goals for Municipal and Recreational Development
- Identify All Potential Parcels
 - Include all Potential Parcels Prior to Public Awareness/ Announcement of Project
 - Maintain Strict Confidentiality Throughout Procurement Process
- Secure Purchase Contracts
 - Establish “First-Cut” and Benchmark of Owner Interest
 - Contract to Survive Project Assessment, Selection Process and Assignment with Potential Developer

Task 1 Schedule: 12 weeks from authorization

Task 1 Budget: \$10,000

TASK 2 – Technical Evaluation of Site Groupings

Upon completion of Task 1 and written authorization to proceed from the Town, the Team will begin a technical evaluation of the site groupings to provide the Town with an objective review and recommendation of the best site available for the defined development. During this phase of the project the Team will:

- Review Surrounding Land Use
 - Residential Proximity
 - Future Land Use Plan
 - Zoning
- Investigate Physical Site Attributes
 - Existing Structures and Orientation
 - Topographic Conditions
 - Flood Plain/Flood Way
 - Soils Mapping
 - Potential Earthwork
 - Vehicular and Pedestrian Traffic
 - Availability/Capacity of Utilities

- Water: Domestic and Fire Protection
- Sanitary Sewer

- Evaluate Off-Site Considerations
 - Ingress and Egress
 - Potential Roadway Improvements
 - Traffic Signalization
 - Speed Limits
 - Lighting Impacts
 - Screening/Buffering

- Investigate Environmental Considerations
 - National Wetlands Inventory
 - Stream/Watercourse Impacts
 - Phase I Assessment

Task 2 Schedule: 12 weeks from completion of Task 1 and authorization by Town

Task 2 Budget: \$10,000 for the first site group
\$8,500 for each additional site grouping

TASK 3 – Presentation of Findings and Recommendations

Once the Technical Evaluation has been completed and the Team has received written authorization to proceed from the Town, the Team will review all findings and prepare a report outlining the finding and recommendations. The Team will also meet with the Town to present the findings and discuss the results of the study. The following items will be included in this phase of the work:

- Develop a Comparative Matrix of All Identified Parcels and Groupings
- Define Advantages of Each Parcel as an Individual Parcel and as a Component of a Site Grouping
- Prepare and Present Recommendations for the Town

Task 3 Schedule: 4 weeks from completion of Task 2 and authorization by Town

Task 3 Budget: \$11,000

TASK 4 – Develop a Conceptual Site Plan for the Selected Property

Based on the findings in Task 3 and a meeting with the Town, the Team will – upon written authorization to proceed - develop a Conceptual Site Plan for the selected properties. This Site plan will include:

- Utilizing Readily Available Base Mapping and Topographic and Physical Characteristics Data
- Defining Site Infrastructure Components and Net Developable Areas for Potential Developer
- Define Site to be Utilized for Potential Park and Regional Library

This will be an iterative process with the Town's involvement to ensure Weddington's vision of a unique and charming development is met.

Task 4 Schedule: 6 weeks from completion of Task 3 and authorization by Town

Task 4 Budget: \$16,500

TASK 5 – Assist the Town of Weddington with Preparation of an RFP Package for the Development

Once all parties have agreed on a specific site and a conceptual plan has been developed that meets the Town's goals and written authorization to proceed from the Town, the Team will assist Weddington in the development of a Request for Proposal (RFP) package that will be made available to developers to implement the plan. The following items are included in this phase of the work.

- Identify and Prequalify Potential Teaming Partners
- Define Scope of Services for Competitive Bids from Potential Teaming Partners/Developers
 - Include the requirement that the chosen developer must reimburse the Town for all costs incurred within this scope of services in exchange for full disclosure and release of information obtained in these tasks, should the project be implemented.
- Develop Bid Alternates for the Town's Consideration
- Assist the Town With Procurement/Closing Documents for Selected Parcels
- Provide Assignment of Land Purchase Contracts to the Selected Development Partner

Task 5 Schedule: 8 Weeks

Task 5 Budget: \$11,000

Summary of Fees and Schedule

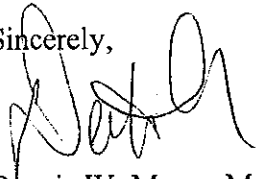
The following is a summary of the fees and schedule for the completion of Tasks 1-5 base on the number of site groupings to be evaluated:

Number of Site Groupings	Fee
1 Site	\$58,500
2 Sites	\$67,000
3 Sites	\$75,500
4 Sites	\$84,000

Attached is a Preliminary Project Schedule defining each task and the anticipated time frame to complete each phase. This schedule assumes a two week period between each task for the Town to review findings and provide written authorization to proceed with the next task.

We trust this proposal addresses your needs for this project. If you have any questions or require additional information, please feel free to call at your convenience.

Sincerely,



Dennis W. Moser, MAI
The Moser Group, Inc.

John H. Ross, P.E.
Eagle Engineering, Inc.



TOWN OF WEDDINGTON MEMORANDUM

DATE: 8/8/2011
TO: NANCY ANDERSON, MAYOR
TOWN COUNCIL
CC: AMY MCCOLLUM, TOWN CLERK
FROM: JORDAN COOK, ZONING ADMINISTRATOR/PLANNER
RE: UPDATE FROM PLANNING/ZONING OFFICE

- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road.

Installation of the traffic signals has begun. NCDOT will begin roadwork this week and will complete all work by the end of August 2011.

- Work on the NC 84 Weddington-Matthews Road Dual Lane Roundabout has begun. NCDOT will have engineers, surveyors, geologists, and others gathering data for the next several months.
- The Town Council will hold a Public Hearing on September 12th to consider text for Emergency Gates and Entrance Gates.
- The Town Council will also hold a Public Hearing on September 12th to consider text to replace the term Conditional Use Permit (CUP) with Conditional Zoning (CZ) where applicable.
- The Planning Board approved the Weddstock Temporary Use Permit at their June 27th meeting. Weddstock is scheduled to take place on Saturday, August 20th from 8:00am to 11:00pm on The Hunter Farm.
- Staff has received an inquiry for a stand-alone or walk-up ATM machine in the Weddington Corners parking lot. This project may be on a future Planning Board agenda.
- Staff has received a land use amendment application from Jim Spittle at 6874 Weddington-Matthews Road. This application should be on the August 22nd Planning Board agenda.
- The following text amendments may be on the August 22nd Planning Board agenda for discussion:
 - Farmers Market definition and development standards-the Planning Board and Parks & Rec Committee will hold a joint meeting on August 22nd to discuss the farmers market concept and text.



TOWN OF WEDDINGTON MEMORANDUM

DATE: 8/5/11
TO: MAYOR AND TOWN COUNCIL
FROM: AMY S. MCCOLLUM, TOWN ADMINISTRATOR/CLERK
RE: UPDATE

A joint meeting with the Union County Board of County Commissioners is tentatively scheduled for October 10, 2011 at 4:30. Once I have confirmation from County Manager Cindy Coto we will start working on an agenda for that meeting. A light dinner will also be served that night.

Update on Streetscape Project

- § Ornamental Post & Panel is in the process of rebuilding the stone portion of the light poles. The street light at Town Hall has been redone.
- § The Downtown Core Committee has made a recommendation on the location of two of the monuments for the Downtown area. Those recommendations will be on your September agenda for consideration.
- § Buzz Bizzell is working on a banner concept for the upcoming Christmas/Holiday season.
- § Buzz Bizzell has also developed a Weddington Town Limits sign that is being considered by the Downtown Committee.
- § Mr. Bizzell has designed a new Weddington Town Hall sign which will be on the September Town Council agenda for review and consideration.

Once a contractor has been selected for the mowing of the medians and shoulders for Providence Road, Weddington Road and Rea Road, we will work with NCDOT on a Municipal Agreement for reimbursement for some of the mowing costs.

I have included Code Supplement No. 6 in your packet. Please update your Code of Ordinances or staff will assist you.

The following terms on Boards and Committees will expire in December:

- § Planning Board – Scott Buzzard and Jeff Perryman
- § Parks and Recreation Advisory Board – Scott Buzzard, Jeff Perryman and Robert Gilmartin
- § Downtown Core Committee – Scott Buzzard and Jerry McKee
- § Public Safety – Jerry McKee

The 2011 NCLM Annual Conference will be held October 22 through October 25 at the Raleigh Convention Center. Please let me know by September 12 if you are interested in attending.

New chairs have been ordered for the upstairs conference room and should be delivered next week.

Work on the next Town newsletter will begin in the next two weeks.

WCWAA – Attorney Fox will provide an update by memo on this issue.

IPADS – There was a question as to whether the purchase of the I pads should wait until November. Please let me know if you would like to proceed now or wait until November or December.

Upcoming Dates:

- August 10 - Auditors will be at Town Hall
- August 10 – 12 - Amy attending conference in New Bern
- August 22 - Parks and Recreation Advisory Board Meeting
- August 22 - Planning Board Meeting
- September 5 - Town Hall Closed for Labor Day



Union County Sheriff's Office
Events By Nature

Date of Report

8/2/2011
3:30:59PM

For the Month of: July 2011

<u>Event Type</u>	<u>Total</u>
911 HANG UP	23
911 MISDIAL	2
911 SILENT OPEN LINE	2
ACCIDENT EMD	1
ACCIDENT HITRUN PD LAW	1
ACCIDENT PD COUNTY NO EMD	8
ACCIDENT PD MUNICIPAL	2
ALARMS LAW	55
ANIMAL BITE REPORT LAW	4
ANIMAL COMP SERVICE CALL LAW	4
ANIMAL LOST STRAY UNWNTD LAW	5
ASSAULT SIMPLE LAW	2
ASSIST EMS OR FIRE	3
ATTEMPT TO LOCATE	3
BARKING DOG	1
BOLO	8
BURGLARY HOME OTHER NONBUSINESS	3
BURGLARY VEHICLE	1
BUSINESS CHECK	40
CALL BY PHONE	11
CARDIAC RESPIRTY ARREST EMD	3
DELIVER MESSAGE	2
DISCHARGE OF FIREARM	1
DISTURBANCE OR NUISANCE	3
DOMESTIC DISTURBANCE	1
ESCORT	3
FIREWORKS VIOLATION REPORT	5
FOLLOW UP INVESTIGATION	1

<u>Event Type</u>	<u>Total</u>
FRAUD DECEPTION FORGERY	4
FUNERAL ESCORT	1
HARASSMENT STALKING THREATS	1
IDENTITY THEFT	1
IMPROPERLY PARKED VEHICLE	3
INVESTIGATION	3
JUVENILE COMPLAINT	1
LARCENY THEFT	2
MEDICAL EXAMINER	1
MISCELLANEOUS CALL LAW	3
MISSING OR FOUND PERSON	1
MOTORIST ASSIST	1
NC DOT MISCELLANEOUS	4
NOISE COMPLAINT	1
PREVENTATIVE PATROL	63
PROP DAMAGE VANDALISM MISCHIEF	3
PROWLER REPORT	1
REPOSESSION OF PROPERTY	1
RESIDENTIAL CHECK	5
SERVE CRIMINAL SUMMONS	1
SERVE EVICTION NOTICE	3
SERVE WARRANT	9
STRUCTURE FIRE EFD	2
SUSP WANTED PERSON OR VEHICLE	1
SUSPICIOUS CIRCUMSTANCES	1
SUSPICIOUS PERSON	8
SUSPICIOUS VEHICLE	16
TEST PLEASE LIMIT THESE	2
TRAFFIC HAZARD	1
TRAFFIC STOP	20
TRESPASSING UNWANTED SUBJ	4
UNLOCK REQUEST	1

Event Type

Total

VEHICLE DISABLED

1

Total Calls for Month:

368

Weddington

7/2011

UCR Code	Description	Date of Report	Incident ID	
100				
100	KIDNAPPING	7/5/11	201104968	
			Total:	1
13B				
13B	SIMPLE ASSAULT	7/24/11	201105474	
			Total:	1
220				
220	BREAKING/ENTERING-FELONY	7/19/11	201105338	
			Total:	1
23F				
23F	BEL / THEFT FROM MOTOR VEHICLE	7/22/11	201105441	
			Total:	1
23H				
23H	LARCENY-FELONY	7/2/11	201104896	
23H	LARCENY OF DOG	7/3/11	201104924	
23H	LARCENY-MISDEMEANOR	7/22/11	201105435	
			Total:	3
26A				
26A	FINANCIAL CARD FRAUD	7/5/11	201104966	
26A	FINANCIAL CARD FRAUD	7/25/11	201105493	
			Total:	2
290				
290	INJURY TO REAL PROPERTY	7/1/11	201104878	
290	INJURY TO PERSONAL PROPERTY	7/11/11	201105130	
290	INJURY TO REAL PROPERTY	7/16/11	201105285	
290	INJURY TO PERSONAL PROPERTY	7/17/11	201105301	
			Total:	4
35A				
35A	POSSESS MARIJUANA MISD	7/26/11	201105517	
35A	SIMPLE POSSESS SCH VI CS (M)	7/28/11	201105585	
			Total:	2
35B				
35B	POSSESS DRUG PARAPHERNALIA	7/26/11	201105517	
			Total:	1
90J				
90J	TRESPASS - 2ND DEG	7/14/11	201105253	
			Total:	1

Weddington

7/2011

UCR Code	Description	Date of Report	Incident ID
999			
999	DEATH INVESTIGATION	7/3/11	201104917
999	DEATH INVESTIGATION	7/11/11	201105141
999	DEATH INVESTIGATION	7/14/11	201105229
999	ANIMAL CALL BITE	7/19/11	201105344
999	ANIMAL CALL BITE	7/20/11	201105381
			Total:
			5

Monthly Crime Total

22

Providence VFD – July 2011

Union Fire Calls	19
Union EMS Calls	5
Mecklenburg Fire Calls	3
Mecklenburg EMS	1
Total Calls:	28

Training Hours for the Month 105

Providence Volunteer Fire Department Income & Expense Budget Performance July 2011

	<u>Jul 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>Jul 11</u>	<u>YTD Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense						
Income						
110 - Subsidies						
111 - Mecklenburg Cty	11,860.84	5,416.74	6,444.10	11,860.84	5,416.74	6,444.10
112 - Union County	1,800.00	1,800.00	0.00	1,800.00	1,800.00	0.00
114 - Town of Weddington - Day Staff	0.00	17,166.74	-17,166.74	0.00	17,166.74	-17,166.74
115 - Town of Weddington - Night Staf	0.00	2,500.00	-2,500.00	0.00	2,500.00	-2,500.00
Total 110 - Subsidies	13,660.84	26,883.48	-13,222.64	13,660.84	26,883.48	-13,222.64
120 - Dues & Fees						
121 - Union County Fire Fees	2,248.91	10,000.00	-7,751.09	2,248.91	10,000.00	-7,751.09
Total 120 - Dues & Fees	2,248.91	10,000.00	-7,751.09	2,248.91	10,000.00	-7,751.09
130 - Vol Donations						
134 - Other	415.00	2,000.00	-1,585.00	415.00	2,000.00	-1,585.00
130 - Vol Donations - Other	0.00	500.00	-500.00	0.00	500.00	-500.00
Total 130 - Vol Donations	415.00	2,500.00	-2,085.00	415.00	2,500.00	-2,085.00
140 - Other Income						
142 - Fire Fighters' Relief Fund	0.00	5,000.00	-5,000.00	0.00	5,000.00	-5,000.00
143 - Fuel Tax Refund	0.00	1,000.00	-1,000.00	0.00	1,000.00	-1,000.00
144 - Sales Tax Refund	0.00	3,000.00	-3,000.00	0.00	3,000.00	-3,000.00
145 - Interest	0.00	2,000.00	-2,000.00	0.00	2,000.00	-2,000.00
147 - Medic-EMS Reimbursement	0.00	1,000.00	-1,000.00	0.00	1,000.00	-1,000.00
140 - Other Income - Other	136.68			136.68		
Total 140 - Other Income	136.68	12,000.00	-11,863.32	136.68	12,000.00	-11,863.32
Total Income	16,461.43	51,383.48	-34,922.05	16,461.43	51,383.48	-34,922.05
Expense						
200 - Administration						
202 - Legal Fees	137.50			137.50		
209 - Annual Dinner/Award	0.00	500.00	-500.00	0.00	500.00	-500.00
210 - Fire Chief Discretionary	83.59	166.74	-83.15	83.59	166.74	-83.15
211 - Bank Charges & Credit Card Fees	0.00	20.87	-20.87	0.00	20.87	-20.87
212 - Prof Fees	300.00	333.37	-33.37	300.00	333.37	-33.37
214 - Off Supplies	0.00	208.37	-208.37	0.00	208.37	-208.37
215 - Printing/Newsletter	0.00	166.74	-166.74	0.00	166.74	-166.74
216 - Postage	7.92	41.74	-33.82	7.92	41.74	-33.82
217 - Dues, Subscriptions, & Internet	0.00	41.74	-41.74	0.00	41.74	-41.74
218 - Fire Fighters' Association	0.00	41.74	-41.74	0.00	41.74	-41.74
219 - Miscellaneous	0.00	416.74	-416.74	0.00	416.74	-416.74
Total 200 - Administration	529.01	1,938.05	-1,409.04	529.01	1,938.05	-1,409.04
220 - Insurance						
223 - Vol. Fire Fighters' Workers Com	0.00	625.00	-625.00	0.00	625.00	-625.00
224 - Commercial Package	0.00	1,666.74	-1,666.74	0.00	1,666.74	-1,666.74
Total 220 - Insurance	0.00	2,291.74	-2,291.74	0.00	2,291.74	-2,291.74
225 - Drug Testing/Physical Exams	0.00	416.74	-416.74	0.00	416.74	-416.74
230 - Taxes						
231 - Sales Taxes						

Providence Volunteer Fire Department
Income & Expense Budget Performance
July 2011

	<u>Jul 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>Jul 11</u>	<u>YTD Budget</u>	<u>\$ Over Budget</u>
232 - Meck CO.	2.82	125.00	-122.18	2.82	125.00	-122.18
233 - Union County	25.98	125.00	-99.02	25.98	125.00	-99.02
239 - Electricity & Telecommunication	22.44			22.44		
Total 231 - Sales Taxes	<u>51.24</u>	<u>250.00</u>	<u>-198.76</u>	<u>51.24</u>	<u>250.00</u>	<u>-198.76</u>
236 - Property Tax	0.00	8.37	-8.37	0.00	8.37	-8.37
237 - Freight	0.00	8.37	-8.37	0.00	8.37	-8.37
Total 230 - Taxes	<u>51.24</u>	<u>266.74</u>	<u>-215.50</u>	<u>51.24</u>	<u>266.74</u>	<u>-215.50</u>
300 - Build Maintenance						
310 - Cleaning	125.00	41.74	83.26	125.00	41.74	83.26
320 - Landscaping & Lawn Care	175.00	208.37	-33.37	175.00	208.37	-33.37
330 - Trash and Landfill	117.97	41.74	76.23	117.97	41.74	76.23
340 - Pest Control	0.00	41.74	-41.74	0.00	41.74	-41.74
350 - Maintenance Supplies	184.33	333.37	-149.04	184.33	333.37	-149.04
351 - Furniture	0.00	166.74	-166.74	0.00	166.74	-166.74
360 - Repairs	34.19	1,000.00	-965.81	34.19	1,000.00	-965.81
Total 300 - Build Maintenance	<u>636.49</u>	<u>1,833.70</u>	<u>-1,197.21</u>	<u>636.49</u>	<u>1,833.70</u>	<u>-1,197.21</u>
400 - Utilities						
410 - Electric	748.07	750.00	-1.93	748.07	750.00	-1.93
420 - Natural Gas	22.89	291.74	-268.85	22.89	291.74	-268.85
430 - Telephone	458.41	416.74	41.67	458.41	416.74	41.67
440 - Water	29.01	41.74	-12.73	29.01	41.74	-12.73
Total 400 - Utilities	<u>1,258.38</u>	<u>1,500.22</u>	<u>-241.84</u>	<u>1,258.38</u>	<u>1,500.22</u>	<u>-241.84</u>
500 - Fire Fighters' Equip/Training						
510 - Clothing						
512 - Dress Uniforms	0.00	291.74	-291.74	0.00	291.74	-291.74
513 - Clothing - Other	0.00	291.74	-291.74	0.00	291.74	-291.74
Total 510 - Clothing	<u>0.00</u>	<u>583.48</u>	<u>-583.48</u>	<u>0.00</u>	<u>583.48</u>	<u>-583.48</u>
520 - Equipment						
521 - Radios\ Pagers - New	0.00	250.00	-250.00	0.00	250.00	-250.00
522 - Radios\ Pagers - Maintenance	0.00	83.37	-83.37	0.00	83.37	-83.37
523 - Equipment - New	0.00	750.00	-750.00	0.00	750.00	-750.00
524 - Equipment - Maintenance	0.00	416.74	-416.74	0.00	416.74	-416.74
525 - Firefighting Supplies	0.00	208.37	-208.37	0.00	208.37	-208.37
Total 520 - Equipment	<u>0.00</u>	<u>1,708.48</u>	<u>-1,708.48</u>	<u>0.00</u>	<u>1,708.48</u>	<u>-1,708.48</u>
526 - PPE (Personal Protective Equip)	0.00	2,083.37	-2,083.37	0.00	2,083.37	-2,083.37
530 - Medical						
532 - Supplies	78.79	208.37	-129.58	78.79	208.37	-129.58
533 - Waste	101.49	125.00	-23.51	101.49	125.00	-23.51
Total 530 - Medical	<u>180.28</u>	<u>333.37</u>	<u>-153.09</u>	<u>180.28</u>	<u>333.37</u>	<u>-153.09</u>
540 - Training						
541 - Seminars	0.00	208.37	-208.37	0.00	208.37	-208.37
542 - Books	0.00	166.74	-166.74	0.00	166.74	-166.74
543 - PR Literature	0.00	125.00	-125.00	0.00	125.00	-125.00
Total 540 - Training	<u>0.00</u>	<u>500.11</u>	<u>-500.11</u>	<u>0.00</u>	<u>500.11</u>	<u>-500.11</u>

Providence Volunteer Fire Department
Income & Expense Budget Performance
July 2011

	<u>Jul 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>Jul 11</u>	<u>YTD Budget</u>	<u>\$ Over Budget</u>
Total 500 - Fire Fighters' Equip/Training	180.28	5,208.81	-5,028.53	180.28	5,208.81	-5,028.53
600 - Fire Engines						
620 - '99 Southern Coach Eng #322	0.00	1,250.00	-1,250.00	0.00	1,250.00	-1,250.00
640 - '03 Red Diamond #324	0.00	500.00	-500.00	0.00	500.00	-500.00
650 - '02 Ford Quesco Brush #326	703.44	166.74	536.70	703.44	166.74	536.70
660 - '95 Intern\Hackney Squad #32	0.00	416.74	-416.74	0.00	416.74	-416.74
680 - '06 KME Pumper #321	0.00	1,333.37	-1,333.37	0.00	1,333.37	-1,333.37
681 - Diesel Fuel	1,176.41	1,000.00	176.41	1,176.41	1,000.00	176.41
682 - Gasoline	0.00	16.74	-16.74	0.00	16.74	-16.74
683 - Cleaning Supplies	0.00	83.37	-83.37	0.00	83.37	-83.37
684 - Miscellaneous Parts	129.99	83.37	46.62	129.99	83.37	46.62
685 - Fire Engines - Other	0.00	500.00	-500.00	0.00	500.00	-500.00
Total 600 - Fire Engines	<u>2,009.84</u>	<u>5,350.33</u>	<u>-3,340.49</u>	<u>2,009.84</u>	<u>5,350.33</u>	<u>-3,340.49</u>
800 - Firefighters Payroll						
801 - Payroll - Day Shift	16,150.25	15,333.37	816.88	16,150.25	15,333.37	816.88
802 - Payroll - Night Shift	2,580.00	7,000.00	-4,420.00	2,580.00	7,000.00	-4,420.00
808 - Payroll Expenses						
FICA	1,432.88	1,500.00	-67.12	1,432.88	1,500.00	-67.12
FUTA	0.00	83.37	-83.37	0.00	83.37	-83.37
SUTA	292.21	300.00	-7.79	292.21	300.00	-7.79
808 - Payroll Expenses - Other	67.25	250.00	-182.75	67.25	250.00	-182.75
Total 808 - Payroll Expenses	<u>1,792.34</u>	<u>2,133.37</u>	<u>-341.03</u>	<u>1,792.34</u>	<u>2,133.37</u>	<u>-341.03</u>
Total 800 - Firefighters Payroll	<u>20,522.59</u>	<u>24,466.74</u>	<u>-3,944.15</u>	<u>20,522.59</u>	<u>24,466.74</u>	<u>-3,944.15</u>
850 - Christmas Fundraising Expense	<u>0.00</u>			<u>0.00</u>		
Total Expense	<u>25,187.83</u>	<u>43,273.07</u>	<u>-18,085.24</u>	<u>25,187.83</u>	<u>43,273.07</u>	<u>-18,085.24</u>
Net Ordinary Income	<u>-8,726.40</u>	<u>8,110.41</u>	<u>-16,836.81</u>	<u>-8,726.40</u>	<u>8,110.41</u>	<u>-16,836.81</u>
Net Income	<u><u>-8,726.40</u></u>	<u><u>8,110.41</u></u>	<u><u>-16,836.81</u></u>	<u><u>-8,726.40</u></u>	<u><u>8,110.41</u></u>	<u><u>-16,836.81</u></u>

Providence Volunteer Fire Department
Income & Expense Budget Performance
July 2011

	<u>Annual Budget</u>
Ordinary Income/Expense	
Income	
110 - Subsidies	
111 - Mecklenburg Cty	65,000.00
112 - Union County	21,600.00
114 - Town of Weddington - Day Staff	206,000.00
115 - Town of Weddington - Night Staf	30,000.00
Total 110 - Subsidies	<u>322,600.00</u>
120 - Dues & Fees	
121 - Union County Fire Fees	120,000.00
Total 120 - Dues & Fees	<u>120,000.00</u>
130 - Vol Donations	
134 - Other	2,000.00
130 - Vol Donations - Other	500.00
Total 130 - Vol Donations	<u>2,500.00</u>
140 - Other Income	
142 - Fire Fighters' Relief Fund	5,000.00
143 - Fuel Tax Refund	1,000.00
144 - Sales Tax Refund	3,000.00
145 - Interest	2,000.00
147 - Medic-EMS Reimbursement	12,000.00
140 - Other Income - Other	
Total 140 - Other Income	<u>23,000.00</u>
Total Income	468,100.00
Expense	
200 - Administration	
202 - Legal Fees	
209 - Annual Dinner/Award	6,000.00
210 - Fire Chief Discretionary	2,000.00
211 - Bank Charges & Credit Card Fees	250.00
212 - Prof Fees	4,000.00
214 - Off Supplies	2,500.00
215 - Printing/Newsletter	2,000.00
216 - Postage	500.00
217 - Dues, Subscriptions, & Internet	500.00
218 - Fire Fighters' Association	500.00
219 - Miscellaneous	5,000.00
Total 200 - Administration	<u>23,250.00</u>
220 - Insurance	
223 - Vol. Fire Fighters' Workers Com	7,500.00
224 - Commercial Package	20,000.00
Total 220 - Insurance	<u>27,500.00</u>
225 - Drug Testing/Physical Exams	5,000.00
230 - Taxes	
231 - Sales Taxes	

Providence Volunteer Fire Department
Income & Expense Budget Performance
July 2011

	<u>Annual Budget</u>
232 - Meck CO.	1,500.00
233 - Union County	1,500.00
239 - Electricity & Telecommunication	
Total 231 - Sales Taxes	<u>3,000.00</u>
236 - Property Tax	100.00
237 - Freight	100.00
Total 230 - Taxes	<u>3,200.00</u>
300 - Build Maintenance	
310 - Cleaning	500.00
320 - Landscaping & Lawn Care	2,500.00
330 - Trash and Landfill	500.00
340 - Pest Control	500.00
350 - Maintenance Supplies	4,000.00
351 - Furniture	2,000.00
360 - Repairs	12,000.00
Total 300 - Build Maintenance	<u>22,000.00</u>
400 - Utilities	
410 - Electric	9,000.00
420 - Natural Gas	3,500.00
430 - Telephone	5,000.00
440 - Water	500.00
Total 400 - Utilities	<u>18,000.00</u>
500 - Fire Fighters' Equip/Training	
510 - Clothing	
512 - Dress Uniforms	3,500.00
513 - Clothing - Other	3,500.00
Total 510 - Clothing	<u>7,000.00</u>
520 - Equipment	
521 - Radios\ Pagers - New	3,000.00
522 - Radios\ Pagers - Maintenance	1,000.00
523 - Equipment - New	9,000.00
524 - Equipment - Maintenance	5,000.00
525 - Firefighting Supplies	2,500.00
Total 520 - Equipment	<u>20,500.00</u>
526 - PPE (Personal Protective Equip)	25,000.00
530 - Medical	
532 - Supplies	2,500.00
533 - Waste	1,500.00
Total 530 - Medical	<u>4,000.00</u>
540 - Training	
541 - Seminars	2,500.00
542 - Books	2,000.00
543 - PR Literature	1,500.00
Total 540 - Training	<u>6,000.00</u>

Providence Volunteer Fire Department
Income & Expense Budget Performance
July 2011

	<u>Annual Budget</u>
Total 500 - Fire Fighters' Equip/Training	62,500.00
600 - Fire Engines	
620 - '99 Southern Coach Eng #322	15,000.00
640 - '03 Red Diamond #324	6,000.00
650 - '02 Ford Quesco Brush #326	2,000.00
660 - '95 Intern\Hackney Squad #32	5,000.00
680 - '06 KME Pumper #321	16,000.00
681 - Diesel Fuel	12,000.00
682 - Gasoline	200.00
683 - Cleaning Supplies	1,000.00
684 - Miscellaneous Parts	1,000.00
685 - Fire Engines - Other	6,000.00
Total 600 - Fire Engines	<u>64,200.00</u>
800 - Firefighters Payroll	
801 - Payroll - Day Shift	184,000.00
802 - Payroll - Night Shift	84,000.00
808 - Payroll Expenses	
FICA	18,000.00
FUTA	1,000.00
SUTA	3,600.00
808 - Payroll Expenses - Other	3,000.00
Total 808 - Payroll Expenses	<u>25,600.00</u>
Total 800 - Firefighters Payroll	293,600.00
850 - Christmas Fundraising Expense	<u>4,000.00</u>
Total Expense	<u>523,250.00</u>
Net Ordinary Income	<u>-55,150.00</u>
Net Income	<u><u>-55,150.00</u></u>

Providence Volunteer Fire Department
Balance Sheet
As of July 31, 2011

	Jul 31, 11
ASSETS	
Current Assets	
Checking/Savings	
Checking Accounts	
BB&T Checking-5119	112,207.01
BOA Bus Economy - 8095	2,684.93
BOA Payroll-7449	30,635.01
Total Checking Accounts	145,526.95
CD - BBT - 0108/0094 (10/10/11)	174,429.87
Firemen Relief-BOA-8254	29,338.34
Total Checking/Savings	349,295.16
Total Current Assets	349,295.16
Fixed Assets	
Air Packs	73,087.70
Bauer Vertecon Air Compressor	40,000.00
Commercial Protector System	2,112.50
Dexter T-400 Washer\Extractor	3,611.00
Fire Fighter Main Equipment	2,448.00
Groban Electric Generator	5,000.00
Ladder Truck Building	32,452.08
Total Fixed Assets	158,711.28
Other Assets	
1996 Internat'l #32	119,365.76
1999 SouthCo #322	274,231.58
2002 Ford #326	44,029.33
2003 Red Diamond #324	240,302.00
2006 KME Pumper #321	400,555.50
Building	346,812.09
Equip	27,615.37
Land	12,590.00
X Accum Depr	-914,663.00
Total Other Assets	550,838.63
TOTAL ASSETS	1,058,845.07
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2100 - Payroll Liabilities	4,967.34
Total Other Current Liabilities	4,967.34
Total Current Liabilities	4,967.34
Total Liabilities	4,967.34
Equity	
3900 - Retained Earnings	1,062,604.13
Net Income	-8,726.40
Total Equity	1,053,877.73
TOTAL LIABILITIES & EQUITY	1,058,845.07

**TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT**

FY 2011-2012

	07/01/2011 TO 07/31/2011			
	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REN</u>
REVENUE:				
10-3101-110 AD VALOREM TAX - CURRENT	0.00	0.00	550,000.00	10
10-3102-110 AD VALOREM TAX - 1ST PRIOR Y	98.54	98.54	5,000.00	9
10-3103-110 AD VALOREM TAX - NEXT 8 YRS	871.20	871.20	1,000.00	1
10-3110-121 AD VALOREM TAX - MOTOR VEH	0.00	0.00	30,000.00	10
10-3115-180 TAX INTEREST	72.37	72.37	1,750.00	9
10-3231-220 LOCAL OPTION SALES TAX REV -	0.00	0.00	120,000.00	10
10-3322-220 BEER & WINE TAX	0.00	0.00	48,750.00	10
10-3324-220 UTILITY FRANCHISE TAX	0.00	0.00	450,000.00	10
10-3340-400 ZONING & PERMIT FEES	1,950.00	1,950.00	10,000.00	8
10-3350-400 SUBDIVISION FEES	0.00	0.00	1,000.00	10
10-3830-891 MISCELLANEOUS REVENUES	-9,139.65	-9,139.65	1,500.00	70
10-3831-491 INVESTMENT INCOME	0.00	0.00	21,020.00	10
TOTAL REVENUE	-6,147.54	-6,147.54	1,240,020.00	10
	AFTER TRANSFERS	-6,147.54	1,240,020.00	
4110 GENERAL GOVERNMENT				
EXPENDITURE:				
10-4110-126 FIRE DEPT SUBSIDIES	0.00	0.00	236,520.00	10
10-4110-128 POLICE PROTECTION	54,152.25	54,152.25	220,000.00	7
10-4110-192 ATTORNEY FEES	0.00	0.00	110,000.00	10
10-4110-195 ELECTION EXPENSE	1,830.50	1,830.50	10,825.00	8
10-4110-340 EVENTS & PUBLICATIONS	0.00	0.00	27,750.00	10
10-4110-495 OUTSIDE AGENCY FUNDING	0.00	0.00	4,000.00	10
TOTAL EXPENDITURE	55,982.75	55,982.75	609,095.00	9
	BEFORE TRANSFERS	-55,982.75	-609,095.00	
	AFTER TRANSFERS	-55,982.75	-609,095.00	
4120 ADMINISTRATIVE				
EXPENDITURE:				
10-4120-121 SALARIES - CLERK	5,683.36	5,683.36	67,500.00	9
10-4120-123 SALARIES - TAX COLLECTOR	2,654.82	2,654.82	40,000.00	9
10-4120-124 SALARIES - FINANCE OFFICER	535.43	535.43	10,500.00	9
10-4120-125 SALARIES - MAYOR & TOWN COU	1,750.00	1,750.00	21,000.00	9
10-4120-181 FICA EXPENSE	799.25	799.25	10,400.00	9
10-4120-182 EMPLOYEE RETIREMENT	1,247.38	1,247.38	17,100.00	9
10-4120-183 EMPLOYEE INSURANCE	1,405.05	1,405.05	18,000.00	9
10-4120-184 EMPLOYEE LIFE INSURANCE	26.12	26.12	325.00	9
10-4120-185 EMPLOYEE S-T DISABILITY	22.80	22.80	300.00	9
10-4120-191 AUDIT FEES	0.00	0.00	8,100.00	10
10-4120-193 CONTRACT LABOR	0.00	0.00	5,000.00	10
10-4120-200 OFFICE SUPPLIES - ADMIN	644.08	644.08	20,500.00	9
10-4120-210 PLANNING CONFERENCE	0.00	0.00	2,500.00	10
10-4120-321 TELEPHONE - ADMIN	115.38	115.38	1,575.00	9
10-4120-325 POSTAGE - ADMIN	-30.36	-30.36	4,200.00	10
10-4120-331 UTILITIES - ADMIN	263.96	263.96	4,725.00	9
10-4120-351 REPAIRS & MAINTENANCE - BUIL	0.00	0.00	8,500.00	10
10-4120-352 REPAIRS & MAINTENANCE - EQU	708.65	708.65	20,000.00	9
10-4120-354 REPAIRS & MAINTENANCE - GRO	0.00	0.00	108,450.00	10
10-4120-355 REPAIRS & MAINTENANCE - PES	110.00	110.00	750.00	8

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**TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT**

FY 2011-2012

	07/01/2011 TO 07/31/2011			
	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REN</u>
10-4120-356 REPAIRS & MAINTENANCE - CUS	0.00	0.00	5,750.00	10
10-4120-370 ADVERTISING - ADMIN	3.00	3.00	1,000.00	10
10-4120-397 TAX LISTING & TAX COLLECTION	-35.76	-35.76	2,000.00	10
10-4120-400 ADMINISTRATIVE:TRAINING	255.00	255.00	4,100.00	9
10-4120-410 ADMINISTRATIVE:TRAVEL	249.42	249.42	6,500.00	9
10-4120-450 INSURANCE	1,681.45	1,681.45	24,000.00	9
10-4120-491 DUES & SUBSCRIPTIONS	12,184.00	12,184.00	18,000.00	3
10-4120-498 GIFTS & AWARDS	0.00	0.00	1,500.00	10
10-4120-499 MISCELLANEOUS	596.42	596.42	2,000.00	7
TOTAL EXPENDITURE	30,869.45	30,869.45	434,275.00	9
BEFORE TRANSFERS	-30,869.45	-30,869.45	-434,275.00	
AFTER TRANSFERS	-30,869.45	-30,869.45	-434,275.00	
4130 PLANNING & ZONING				
EXPENDITURE:				
10-4130-121 SALARIES - ZONING ADMINISTR	5,016.38	5,016.38	60,375.00	9
10-4130-122 SALARIES - ASST ZONING ADMIN	263.14	263.14	2,500.00	8
10-4130-123 SALARIES - RECEPTIONIST	1,680.21	1,680.21	22,575.00	9
10-4130-124 SALARIES - PLANNING BOARD	1,250.00	1,250.00	17,500.00	9
10-4130-125 SALARIES - SIGN REMOVAL	365.93	365.93	4,500.00	9
10-4130-181 FICA EXPENSE - P&Z	656.07	656.07	8,000.00	9
10-4130-182 EMPLOYEE RETIREMENT - P&Z	1,033.27	1,033.27	13,700.00	9
10-4130-183 EMPLOYEE INSURANCE	1,552.95	1,552.95	19,500.00	9
10-4130-184 EMPLOYEE LIFE INSURANCE	22.88	22.88	300.00	9
10-4130-185 EMPLOYEE S-T DISABILITY	13.20	13.20	200.00	9
10-4130-193 CONSULTING	360.00	360.00	15,000.00	9
10-4130-194 CONSULTING - COG	136.00	136.00	10,000.00	9
10-4130-200 OFFICE SUPPLIES - PLANNING &	13.13	13.13	5,000.00	10
10-4130-201 ZONING SPECIFIC OFFICE SUPPLI	0.00	0.00	2,500.00	10
10-4130-215 HISTORIC PRESERVATION	0.00	0.00	500.00	10
10-4130-220 TRANSPORTATION & IMPROVEM	-18,062.59	-18,062.59	3,000.00	70
10-4130-321 TELEPHONE - PLANNING & ZONI	115.39	115.39	1,575.00	9
10-4130-325 POSTAGE - PLANNING & ZONING	0.00	0.00	4,200.00	10
10-4130-331 UTILITIES - PLANNING & ZONING	263.98	263.98	4,725.00	9
10-4130-370 ADVERTISING - PLANNING & ZON	41.00	41.00	1,000.00	9
TOTAL EXPENDITURE	-5,279.06	-5,279.06	196,650.00	10
BEFORE TRANSFERS	5,279.06	5,279.06	-196,650.00	
AFTER TRANSFERS	5,279.06	5,279.06	-196,650.00	
GRAND TOTAL	-87,720.68	-87,720.68	0.00	

TOWN OF WEDDINGTON
BALANCE SHEET

FY 2011-2012

PERIOD ENDING: 07/31/201

10

ASSETS

ASSETS

10-1120-000 TRINITY CHECKING ACCOUNT	392,304.03
10-1120-001 TRINITY MONEY MARKET	806,537.35
10-1120-002 CITIZENS SOUTH CD'S	1,018,635.03
10-1170-000 NC CASH MGMT TRUST	529,504.95
10-1212-001 A/R PROPERTY TAX - 1ST YEAR PRIOR	14,391.99
10-1212-002 A/R PROPERTY TAX - NEXT 8 PRIOR YRS	8,755.41
10-1214-000 PREPAID ASSETS	9,078.00
10-1232-000 SALES TAX RECEIVABLE	726.58
10-1610-001 FIXED ASSETS - LAND & BUILDINGS	828,793.42
10-1610-002 FIXED ASSETS - FURNITURE & FIXTURES	14,022.92
10-1610-003 FIXED ASSETS - EQUIPMENT	134,876.46
TOTAL ASSETS	3,757,626.14

LIABILITIES & EQUITY

LIABILITIES

10-2120-000 BOND DEPOSIT PAYABLE	361,897.55
10-2151-000 FICA TAXES PAYABLE	0.10
10-2154-001 NC RETIREMENT PAYABLE	772.93
10-2155-000 HEALTH INSURANCE PAYABLE	29.50
10-2156-000 LIFE INSURANCE PAYABLE	-10.67
10-2157-000 401K PAYABLE	-3,262.26
10-2620-000 DEFERRED REVENUE - DELQ TAXES	14,391.99
10-2630-000 DEFERRED REVENUE-NEXT 8	8,755.41
TOTAL LIABILITIES	382,574.55

EQUITY

10-2620-001 FUND BALANCE - UNDESIGNATED	1,901,239.14
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TOWN OF WEDDINGTON
BALANCE SHEET

FY 2011-2012

PERIOD ENDING: 07/31/201

10

10-2620-003 FUND BALANCE-DESIG FOR CAP PROJECTS	569,629.30
10-2620-004 FUND BALANCE-INVEST IN FIXED ASSETS	977,692.80
10-2620-005 CURRENT YEAR EQUITY YTD	14,205.03
CURRENT FUND BALANCE - YTD NET REV	-87,720.68
TOTAL EQUITY	3,375,045.59
TOTAL LIABILITIES & FUND EQUITY	3,757,620.14

TOWN OF WEDDINGTON
BALANCE SHEET

FY 2011-2012

PERIOD ENDING: 07/31/201

10

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: August 8, 2011

SUBJECT: Monthly Report – July 2011

Transactions	
Pay Interest & Penalties	\$(108.13)
Adjust Under 5.00	\$(1.02)
Advertising Costs	\$503.50
Interest Charges	\$103.34
Taxes Collected:	
2010	\$(969.74)
As of July 31, 2011; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$291.65
2006	\$180.70
2007	\$308.39
2008	\$2945.33
2009	\$4591.57
2010	\$14391.99
Total Outstanding:	\$23147.40



211 N. Main Street
Suite C-1
Monroe, North Carolina
28111-3044
704-283-2525

July 11, 2011

Dear Business Friend:

As a local business owner or manager, you are already aware that Union County is one of the fastest growing counties in the nation. Are you also aware that Union County is home to one of the most up and coming Symphony Orchestras in the region? Indeed, Union Symphony Orchestra has become one of the most dynamic, non-profit programs in the area. As we announce our 2011-2012 season, there are new and exciting events we want to share with you as we work to provide inspiration and enjoyment to the residents of Union County.

It is with great pleasure that we announce the appointment of Maestro Richard Rosenberg to the position of Artistic Director. Maestro Rosenberg is internationally acclaimed as an orchestral conductor, composer, and recording artist. His work is known throughout the world and with this appointment the music world will come to know our area. Maestro Rosenberg brings an enviable knowledge of the orchestral repertoire and the creative energy required to build a program that will be the pride of Union County.

In addition to the *new* Union Symphony Orchestra and Maestro Rosenberg, there is an exciting season planned for Union Symphony Youth Orchestra, Union Symphony Youth Chamber Players, Junior Guild and Union Jazz. These programs place emphasis on getting instruments into the hands of our youth and enriching their lives through formal music instruction and public performance.

As we continue to hear from those from throughout the community, we are encouraged to further develop and strengthen our symphonic, youth and outreach programs: programs that make our community a more desirable place to live and work; programs that provide inspiration to residents, beautify shared public places, and strengthen the social fabric. They are supported by a combination of public and private support, both of which are critical. There are many ways in which you can support your Symphony Orchestra, we are grateful for your gifts of time, your talents, and your financial support. Enclosed you will find our "USSI Concert Season" brochure with detachable pledge form detailing the levels of investment.

When we increase our investment in the arts, we are not supporting a frill or a luxury—rather, *an industry that supports jobs, generates government revenue, is the cornerstone of tourism and economic development, and drives a creativity-based economy. The nonprofit arts, unlike most industries, leverage significant amounts of event-related spending by their audiences. Attendance at arts events generates related commerce for local businesses such as hotels, restaurants, and retail stores. The arts enrich our lives, but also inject cash to other businesses.*

We hope you will make the decision to *support your Union Symphony Orchestra* and our educational and outreach programs with your generous contribution. Our organization is an established 501 (c) 3, nonprofit, and all contributions less fair market value of goods received are tax-deductible.

unionsymphony.org

Hi Nancy,
I just wanted
to tell you that
we've accepted the
position as interim
Exec. Director for the
Union Symphony and
hope you'll join us
this year.
My best,
Martha S. Allen



211 N. Main Street
Suite C-1
Monroe, North Carolina
28111-3044
704-283-2525

To introduce ourselves to business leaders like yourself, *our Development Team will be calling on businesses throughout the community* to schedule a convenient time to meet and tell you more about our exciting programs. As always, you may also visit us online at unionsymphony.org.

As we endeavor to bring the very finest programming to Union County, we hope you will agree this is a project worthy of your support and that you will make the commitment to pledge this year. Thank you for your generous support of the Union Symphony Orchestra.

Sincerely,

David W. Nelms, Chair

SAVE THE DATE

USYO.ORG



September 5, 2011 at 2:00 PM
Union Symphony Youth Orchestra (USYO)
Opening Concert Following Orchestra Camp
*Marvin Ridge High School / Free Admission

October 23, 2011 at 4:00 PM
USCHAP Ensembles Lobby Performances For USO
Night and Dédé The Batte Center at Wingate University
*Section A \$25.00 Section B \$18.00/B-Seniors & Students \$15.00

October 14, 2011 and April 13, 2012 at 6:00 PM
USCHAP Ensembles Perform at Downtown Art Walk
The Loft 211 N. Main St. Monroe / Free Admission

November 04, 2011 at 7:30 PM
USCHAP Vivace Strings Lobby Performance for WU Opera
Rossini's Cinderella The Batte Center at Wingate University
*General Admission \$12.00

November 12, 2011 at 2:00-5:00 PM
USCHAP Ensembles Perform
USL Dream Home Tour
Homes TBA/Admission \$20.00

December 04, 2011 at 5:00 PM
USCHAP Allegro Strings Performances in Lobby
A Christmas Concert Central United Methodist Church
*Free Admission

January 22, 2012 at 4:00 PM
Union Symphony Youth Orchestra with USO
Portraits in Time Concert, Art Exhibit and Reception
Conductors Mekel Rogers & Richard Rosenberg
The Batte Center at Wingate University
*Section A \$25.00 Section B \$18.00/B-Seniors & Students \$15.00

February 11, 2012 at 6:00 PM
USCHAP Ensembles Perform
Up Close and Personal Valentine's Gala
Monroe Country Club Monroe, NC
Dinner & Concert Ticket By Reservation \$100.00

March 16, 2012 at 8:00 AM
Union County Public Schools Present
Fred Ingold Memorial Music Festival
Special Presentations by USCHAP Ensembles

April 01, 2012 at 4:00 PM
Union Symphony Youth Orchestra
Spring Concert UYSO Conductor Mekel Rogers
The Batte Center at Wingate University
*General Admission \$5.00

SAVE

UNIONSYPHONY.ORG

Sunday, October 23, 2011 at 4:00 PM

Union Symphony Orchestra

Featuring Pianist Joanna Reeder

Night and Dédé Conductor Richard Rosenberg

Pre-concert Lecture By Mekel Rogers at 3:15 PM

USL Reception Following Concert in the Rotunda

The Batte Center at Wingate University

*Section A \$25.00 Section B \$18.00/B-Seniors & Students \$15.00

Friday-Saturday, November 04-05, 2011 at 7:30 PM

Wingate University Student Opera With The Orchestra

Rossini's Cinderella Under the Direction of Dr. Jessie Wright Martin

The Batte Center at Wingate University

*General Admission \$12.00

Sunday, December 04, 2011 at 5:00 PM

Union Symphony Orchestra *with*

Central United Methodist Church of Monroe Festival Choir

And a Community Holiday Chorus

A Christmas Concert

Central United Methodist Church, Monroe, NC

*Free Admission

Sunday, January 22, 2012 at 4:00 PM

Union Symphony Orchestra *with*

Union Symphony Youth Orchestra

Portraits in Time USO Conductor Richard Rosenberg

And USYO Conductor Mekel Rogers

The Batte Center at Wingate University

*Section A \$25.00 Section B \$18.00/B-Seniors & Students \$15.00

Saturday, February 11, 2012 at 6:00 PM

Union Symphony Valentine's Gala

Up Close and Personal Romantic Concert, Dining & Dancing

Monroe Country Club, Monroe, NC

Gala Ticker \$100.00 *By Reservation*

Sunday, March 24, 2012 at 11:00 AM

Union Symphony Youth Instrumentalist Concerto Competition

The Batte Center at Wingate University (Recital Hall)

Applications Available at unionsymphony.org

\$25.00 Registration Fee

Sunday, May 6, 2012 at 4:00 PM

Union Symphony Orchestra *And* Special Guests

American Musings Conductor Richard Rosenberg

The Batte Center at Wingate University

*Section A \$25.00 Section B \$18.00/B-Seniors & Students \$15.00

**Season Ticket Events*

UNION SYMPHONY SOCIETY, INC.

Union County Extension Advisory Council
C/o NC Cooperative Extension Service
3230-D Presson Road
Monroe, NC 28112



Visit the Advisory Leadership System Web site at: <http://als.ces.ncsu.edu/>

TO: Business and Agribusiness Leaders

FROM: *Carrie Cameron* *Richard Melton*
Carrie Cameron Richard Melton
Farm City Chairman County Extension Director

DATE: July 11, 2011

RE: Farm-City Celebration

Our Farm-City Celebration is an opportunity to recognize the role agriculture plays in Union County and to increase understanding between the urban and farm communities. This year the Farm-City Committee has worked hard to create a little different environment for those things to occur. There will be several activities during the week that will help to add to the overall experience.

The celebration banquet will be held **Thursday, September 22nd at 6:30 p.m. at the Agricultural Services and Conference Center.** The entertainment will feature musical presentations by "Village Green". Doors will be open by 5:30 p.m. for you to enjoy displays, conversations, silent auction and great fun!

The Farm-City Committee is also sponsoring a local high school art contest. The art will be displayed during the banquet. Also, as part of this year's Farm-City Celebration the 4-H Youth Livestock Show will be held on the grounds of the Ag-Center. The poultry show will be held on Thursday evening as well. The heifer and lamb show will be Friday, September 23rd beginning at 6:00 p.m. and the goat show will be Saturday, September 24th beginning at 9:00 a.m.

On Saturday, September 24th the 2nd Annual "Union County 4-H Fall Festival" will be held. The Festival includes safety exhibitions, animals, games, entertainment and food. The Festival will be held from 11:00 a.m. to 4:00 p.m.

We will also be awarding our "Outstanding 4-H Club; Outstanding FFA Club; Outstanding Business & Industry; Farm Family of the Year; and Agricultural Hall of Fame Inductee."

As with any such event there are costs to cover all the happenings. The cost for the event is \$160.00 for "Gold" seating and \$120.00 for "Regular" seating. Table price includes food, entertainment and seating for 8 people. Checks should be made payable to:

Extension Advisory Council
3230-D Presson Road
Monroe, N.C. 28112

A representative from our Farm-City Committee will be contacting you soon to seek your support. We look forward to seeing you at the celebration.

MENU

Grilled (Carved) Beef Bistro Fillet with Mushroom Sauce, Roast Pork Loin sliced with gravy, Chicken (Bone-in) BBQ Spring Mix Salad, Oven Roasted New Potatoes, Green Beans, ~~2~~ Mix Grilled Sicilian Vegetables, Variety of Cakes and Fruit Cobblers

2011 FARM-CITY CELEBRATION

Thursday
September 22, 2011
6:30 p.m. – Celebration (food, entertainment)
Doors open at 5:30 p.m.

Union County Agricultural Services and Conference Center
3230 Presson Road
Monroe, NC 28112

YES _____ I would like to support the 2011 Farm City Celebration

PLEASE INVOICE ME FOR:

_____ Gold Table(s) at \$160.00 Each

_____ Regular Table(s) at \$120.00 Each

Or

_____ Regular (Individual) Seating Tickets at \$20.00 Each

NAME: _____

BUSINESS: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: (_____) _____

FAX: (_____) _____

Mail or Fax To:

Union County Center
c/o Extension Advisory Council
3230-D Presson Road
Monroe, NC 28112

FAX: 704-283-3734

THANK YOU FOR YOUR SUPPORT