

## Agenda

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# *Town of Fairview*



### **Agenda**

Town Council Meeting

**July 10, 2017**

7:00 pm

*(Meeting to be held at the Old Fairview School)*

**1. Call the meeting to order: ---Mayor Thomas**

Invocation  
Pledge of Allegiance

- a. Agenda Changes
- b. Approval of Agenda

**2. Public Comments\*\* / Presentations:**

**3. Consent Agenda:**

- a) Financial and Tax Reports--- *Report Accepted as Information (including Pending Bills documentation provided at meeting)*
- b) Land Use Report---*Report Accepted as Information*
- c) CRTPO --- *Report Accepted as Information*
- d) Monroe/Union County Economic Development Committee Report--- *No Report*
- e) Approve Council Minutes for June 12, 2017

# Agenda

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## 4. Items of Business:

**Item 1: Amend** decision to give land to Fairview Fire & Rescue: “to add a deed restriction indicating the property given would revert to the Town of Fairview if not used for fire department purposes”

**Item 2: Request** from Piedmont High School Band Boosters for \$5,000.00 for funds to help with instrument repair/replacement, transportation costs, contract labor and help cover band fees for students that cannot pay.

**Item 3: Discuss** amendment to noise ordinance. --- *Joe McCollum*

**Item 4: Festival Update** --- *Gary Wilfong*

a) **Discuss** electrical needs at the park

**Item 5: Park Update** --- *Jerry Clontz*

a) **Appoint** 2 members for Park & Rec Committee

b) **Review** Park maintenance contract

## 5. Council Comments:

## 6. Adjournment

AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS

**\*\* Public Comments are limited to 3 minutes**

# Consent Agenda

A consent agenda is an effective means of managing the length of a meeting. It is normally made up of routine items that are not controversial in nature and upon which no further discussion is anticipated. Action on the consent agenda usually occurs early in the meeting with all items listed being approved by one motion and vote.

If any member of the governing body feels the need to discuss one or more of the items more fully, the item may be removed from the consent agenda and placed on the regular agenda.

Town of Fairview  
Balance Sheet  
As of June 30, 2017

	Jun 30, 17
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
American Community Bank	436,035.15
Total Checking/Savings	436,035.15
Other Current Assets	
Accounts Receivable - State Gov	897.83
Due From Fairview VFD	13,533.39
Franchise Tax Receivable	34,697.37
Investments	
Investments NCCMT	970.36
Total Investments	970.36
Prepaid assets	1,124.00
Sales Tax Receivable	4,083.70
Taxes receivable	2,535.62
Total Other Current Assets	57,842.27
Total Current Assets	493,877.42
Fixed Assets	
Accumulated Depreciation	-9,717.68
Computer Equipment	12,643.66
Furniture and Equipment	1,698.00
Land	202,216.33
Land improvements	10,145.00
Leasehold improvements	2,500.00
Total Fixed Assets	219,485.31
Other Assets	
Park development costs	56,201.15
Total Other Assets	56,201.15
<b>TOTAL ASSETS</b>	<b>769,563.88</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	10,536.34
Total Accounts Payable	10,536.34
Other Current Liabilities	
Accrued payroll	3,533.01
Payroll Liabilities	796.00
Total Other Current Liabilities	4,329.01
Total Current Liabilities	14,865.35
Total Liabilities	14,865.35
Equity	
Equity	
Fixed assets	276,948.81
Total Fund Balance	1,359,212.89
Total Equity	1,636,161.70

**Town of Fairview**  
**Profit & Loss Budget vs. Actual**  
**July 2016 through June 2017**

	Jul '16 - Jun 17	Budget	\$ Over Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
Ad Valorem taxes	72,780.05	70,500.00	2,280.05
Alcoholic beverage	16,242.66	16,240.00	2.66
Cable TV franchise taxes	3,615.20	3,600.00	15.20
Fund balance appropriated	0.00	811,188.00	-811,188.00
Interest on delinquent taxes	359.66		
Investment income	1,866.10	1,750.00	116.10
Motor vehicle taxes	10,563.44	7,600.00	2,963.44
Park rental income	550.00		
PARTF grant	288,818.25	317,550.00	-28,731.75
PARTF Grant reimbursement	0.00	0.00	0.00
Sales and use tax	24,990.87	24,000.00	990.87
Sales and use tax refund	92.93		
Special appro from Gen Assembly	185,000.00	185,000.00	0.00
Utility Franchise taxes	149,563.96	140,000.00	9,563.96
Zoning fees	6,870.00	6,500.00	370.00
<b>Total Income</b>	<b>761,313.12</b>	<b>1,583,928.00</b>	<b>-822,614.88</b>
<b>Expense</b>			
Advertising and Promotion	746.24	1,000.00	-253.76
Audit fees	7,050.00	7,050.00	0.00
Bank Service Charges	127.76	150.00	-22.24
Capital outlay	1,283,886.96	1,366,309.00	-82,422.04
Computer, internet and website	5,737.00	6,000.00	-263.00
Dues and Subscriptions	5,391.00	5,500.00	-109.00
Elections expense	0.00	0.00	0.00
Festival expense	2,134.81	5,000.00	-2,865.19
Fire Dept Allocation	9,999.96	10,000.00	-0.04
Fire Dept Truck Payment	52,569.24	52,569.00	0.24
Grants	0.00	0.00	0.00
Insurance Expense	5,157.60	5,500.00	-342.40
Legal fees	5,979.54	6,500.00	-520.46
Maintenance/Renovations	0.00	0.00	0.00
Meals and Entertainment	0.00		
Miscellaneous Expense	261.08	1,000.00	-738.92
Office Supplies	4,903.45	5,000.00	-96.55
Park Maintenance	7,567.98	7,500.00	67.98
Park start-up and nonreimburse	0.00	0.00	0.00
Park Utilities	0.00	0.00	0.00
Payroll Expenses	33,796.38	33,800.00	-3.62
Payroll taxes	5,671.23	6,000.00	-328.77
Planning and zoning	39,479.54	40,000.00	-520.46
Professional Fees	7,474.70	7,500.00	-25.30
Rent Expense	3,000.00	3,000.00	0.00
Repairs and Maintenance	0.00	1,000.00	-1,000.00
Solid Waste Manage cost share	8,000.00	8,000.00	0.00
Tax collection fees	1,264.82	1,300.00	-35.18
Telephone Expense	3,011.71	3,250.00	-238.29
Training fees	125.00	250.00	-125.00
Travel Expense	438.63	500.00	-61.37
Utilities	264.78	250.00	14.78
Zoning administration	0.00	0.00	0.00
<b>Total Expense</b>	<b>1,494,039.41</b>	<b>1,583,928.00</b>	<b>-89,888.59</b>
<b>Net Ordinary Income</b>	<b>-732,726.29</b>	<b>0.00</b>	<b>-732,726.29</b>
<b>Net Income</b>	<b>-732,726.29</b>	<b>0.00</b>	<b>-732,726.29</b>

### Town of Fairview Transactions by Account

As of June 30, 2017

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
<b>American Community Bank</b>								
Deposit	06/08/2017				Deposit	163,387.35		297,507.49
Bill Pmt -Check	06/09/2017	101919		Clark, Griffin and McCollum	Retainer and legal exp		437.50	460,894.84
Bill Pmt -Check	06/09/2017	101920		CompuNetwork	Server and email hosting		260.00	460,197.34
Bill Pmt -Check	06/09/2017	101921		Darrell H. Baucom	expense reimbursement		85.15	460,112.19
Bill Pmt -Check	06/09/2017	101922		Duke Energy	Electric bill for park		32.92	460,079.27
Bill Pmt -Check	06/09/2017	101923		Eagle Wood, Inc.	Final payment to Eagle Wood		57,312.39	402,766.88
Bill Pmt -Check	06/09/2017	101924		Ed Humphries	Reimbursement of office and par ...		289.48	402,477.40
Bill Pmt -Check	06/09/2017	101925		Fairview VFD and Rescue			1,083.33	401,394.07
Bill Pmt -Check	06/09/2017	101926		Great American Financial S...	Copier lease		110.02	401,284.05
Bill Pmt -Check	06/09/2017	101927		RCS, Inc.	Park Grand opening		400.00	400,884.05
Bill Pmt -Check	06/09/2017	101928		Refined Outdoors	Maintenance for May		2,068.75	398,815.30
Bill Pmt -Check	06/09/2017	101929		Union County Public Works	water for park		54.81	398,760.49
Deposit	06/09/2017				Deposit	0.00		398,760.49
Deposit	06/09/2017				Deposit	125.00		398,885.49
Paycheck	06/12/2017	101931		Darrell H. Baucom			834.47	398,051.02
Paycheck	06/12/2017	101943		Teresa Gregorius			1,194.48	396,856.54
Paycheck	06/12/2017	101930		Bradley W Purser			138.53	396,718.01
Paycheck	06/12/2017	101932		Doug Buchanan			46.18	396,671.83
Paycheck	06/12/2017	101933		Edward D Humphries			1,997.12	394,674.71
Paycheck	06/12/2017	101934		Gary H Wilfong			138.53	394,536.18
Paycheck	06/12/2017	101935		Greg Morgan			46.17	394,490.01
Paycheck	06/12/2017	101936		Jerry C. Clontz			161.61	394,328.40
Paycheck	06/12/2017	101937		John A Biggers, Jr.			138.53	394,189.87
Paycheck	06/12/2017	101938		John H. Crowell			46.18	394,143.69
Paycheck	06/12/2017	101939		Nancy H Randall			46.17	394,097.52
Paycheck	06/12/2017	101940		Patricia H. Kindley			46.18	394,051.34
Paycheck	06/12/2017	101941		Phillip C Thomas			184.70	393,866.64
Paycheck	06/12/2017	101942		Richard E Pigg			46.17	393,820.47
Paycheck	06/12/2017	101944		Tony FD Helms			46.18	393,774.29
Liability Check	06/12/2017	To Print		IRS	55-0789092		1,961.30	391,812.99
Check	06/12/2017	101945		Jerry C. Clontz	park supplies		45.99	391,767.00
Deposit	06/12/2017				Deposit	560.55		392,327.55
Deposit	06/12/2017				Deposit	40,421.55		432,749.10
Deposit	06/12/2017				Deposit	2,324.14		435,073.24
Deposit	06/19/2017				Deposit	816.71		435,889.95
Deposit	06/23/2017				Deposit	175.00		436,064.95
Deposit	06/23/2017				Deposit	100.00		436,164.95
Check	06/26/2017			Frontier Telephone			195.31	435,969.64
Deposit	06/30/2017				Interest	99.88		436,069.52
Check	06/30/2017			Duke Energy	Park utility bill		34.37	436,035.15
Total American Community Bank						208,010.18	69,482.52	436,035.15
<b>TOTAL</b>						<b>208,010.18</b>	<b>69,482.52</b>	<b>436,035.15</b>

# Permits for June 2017

7

6-Jun	1802	H-17-043	Home	\$75	Matt Tucker	9023 Unionville Brief Rd	08147004D
13-Jun	2700	BFF-17-044	Farm	\$50	Pat Furgerson	212 W Old Dutch	8213019
22-Jun	1209	A-17-045	Accessory	\$50	Holeman Builders	1416 Brief Rd East	8114011
27-Jun	15677	C-17-046	Compliance	\$100	Pinnacle Homes	1809 West Highway 218	08252001F
29-Jun	1078	A-17-047	Addition	\$50	Jeff Dulin	9319 Heritage Lane	8213019
Totals		5		\$325			

## Ed Humphries

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**From:** Burke, Neil [nburke@ci.charlotte.nc.us]  
**Sent:** Thursday, June 22, 2017 8:11 AM  
**Subject:** June MPO Meeting Results and Request for July 6 TCC Agenda Items

### July TCC Meeting

The next TCC meeting is scheduled for Thursday, July 6 in Room 267 on the second floor of the Charlotte-Mecklenburg Government Center. This will be a combined meeting with the Joint Use Task Force.

**If you would like to have an item placed on the agenda, the following information must be e-mailed to me no later than close of business on Wednesday, June 28:**

- The name of the item as it should appear on the agenda
- A brief description of the topic
- Presenter's name
- Estimated presentation length

### June 21 MPO Meeting Results

2017 STBG-DA Recommended Project List: The MPO approved the STBG-DA project list as presented.



**Neil Burke, AICP PTP | Planning Coordinator**  
Charlotte Regional Transportation Planning Organization  
704-353-0198 | [nburke@charlottenc.gov](mailto:nburke@charlottenc.gov)





**Town of Fairview  
Regular Meeting  
June 12, 2017**

The following Council members were present: Mayor Phil Thomas, Jerry Clontz, Bradley Purser, and Gary Wilfong.

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

**Agenda Changes**

Mayor Thomas stated that he would like to add the Park Capital Project Final Ordinance Amendment 3 to Item #4.

**Approval of Agenda**

Jerry Clontz made a motion to approve the agenda as amended. Gary Wilfong seconded the motion. Councilmen Clontz, Purser, and Wilfong voted yes (3-0).

**Public Comments**

Terry Lindley expressed interest in what information was available regarding plans for the Buddhist temple on Highway 218 near Mill Grove Road.

**Consent Agenda**

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept Monroe/Union County Economic Development Committee Report as Information
- d) Accept Resolution for Post Traumatic Stress Disorder (PTSD) Awareness Month
- e) Approve Council Regular Minutes for May 8, 2017

Jerry Clontz made a motion to approve the consent agenda. Bradley Purser seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

### **Items of Business**

#### **Item 1: Conduct Public Hearing** on proposed 2017-18 Town Budget

Darrell Baucom presented the 2016-17 budget.

Mayor Thomas to open Public Hearing

No Public Comments

Mayor Thomas closed the Public Hearing

#### **Item 2: Discuss** proposed budget for 2017-2018

Council members discussed the proposed budget.

#### **Item 3: Adopt** the Town of Fairview Budget Ordinance for fiscal year 2017-2018

Bradley Purser made a motion to approve the 2017-2018 budget. Gary Wilfong seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

#### **Item 4: Discuss** and approve budget amendments for the 2016-2017 Budget

Gary Wilfong made a motion to approve the budget amendment #1 for the 2016-2017 budget. Jerry Clontz seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

##### a. Park Capital Project Final Ordinance –Amendment #3

Jerry Clontz made a motion to approve the Park Capital Project Final Ordinance – Amendment #3. Gary Wilfong seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

#### **Item 5: Approve** contract for new auditor, J.B. Watson & Co., P.L.L.C.

Bradley Purser made a motion to approve the contract for J.B Watson & Co., P.L.L.C. Jerry Clontz seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

#### **Item 6: Conduct Public Hearing** on proposed Text Change TC # 17-029 in the Land Use Ordinance to require new easements to be recorded; all easements to be 30 ft. wide and a maintenance agreement on all new easements

Ed Humphries to explain Text Change TC # 17-029

Mayor to open Public Hearing

Carol Gordon commented on the need for a 30 foot wide easement.

Mayor to close Public Hearing

**Item 7: Discuss** and approve Text Change TC # 17-029

Council discussed the text change and decided to make the easement 20 foot wide.

Bradley Purser made a motion to approve Text Change TC # 17-029 in the Land Use Ordinance to require new easements to be recorded; all easements to be 20 ft. wide and a maintenance agreement on all new easements. To include the zoning statement: The proposed zoning amendment under consideration is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan(Revised August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Gary Wilfong seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

**Item 8: Amend approval** of property given to the Fairview Fire & Rescue

Ed Humphries noted that based on a conceptual site plan by Alfred Benesch showing .71 acres, at the May meeting the Council approved giving .71 acres to the fire department. Griffin Surveying Services, PA has now completed the final survey and the acreage needed is 1.384. Council discussed the additional acreage.

Gary Wilfong made a motion to approve giving Fairview Fire & Rescue the acreage noted on the survey from Griffin Surveying Services, PA, authorize Attorney Joe McCollum to prepare the deed and authorize the Mayor to sign the deed. Bradley Purser seconded the motion. Councilmen Purser and Wilfong voted yes, Clontz abstained (3-0).

**Item 9: Approve FINAL** pay application # 12 for Eagle Wood for the completion of the Fairview Park

Jerry Clontz made a motion to approve the twelfth (\$57,312.39) Application and Certificate for Payment to Eagle Wood Inc. Gary Wilfong seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

**Item 10: Approve** resolution "town credit card"

Bradley Purser made a motion to approve a resolution for a town credit card and authorize the Mayor to sign the proper application to acquire a town credit card with a credit line of \$1,500.00. Gary Wilfong seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

**Item 11: Festival Update**

Gary Wilfong reported that the festival will be October 7, 2017 from 10 AM to 5 PM. The Committee has formed their subcommittees and is currently working on food and craft vendors to participate.

**Item 12: Park Update**

- a) **Approve** lighting plan for park

Council reviewed and discussed the options presented for lighting. Gary Wilfong made a motion to approve Option 3 (5 decorative poles and 7 fixtures total \$62.11 per month plus onetime fee of \$14,224.72) and authorize Mayor Thomas to sign the contract after July 1, 2017. Bradley Purser seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

- b) **Accept** a donation from the American Legion for a flag pole for the park.

Gary Wilfong made a motion to purchase and erect three flag poles, three flags (American, state, town flags), accept a \$1,000.00 donation from the American Legion to put toward the purchase and authorize Mayor Thomas to initiate the purchase after July 1, 2017. Bradley Purser seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

- c) **Appoint** 2 members to the Park & Rec Committee

Committee members Leon Whitley and Stan Smith terms are up for consideration of reappointment. Mr. Whitley has expressed that he would like to be reappointed. Due to Mr. Smith’s business work load he does not want to be reappointed. Jerry Clontz requested that the Council reappoint Mr. Whitley. Mr. Clontz stated that he has just learned that another member of the Committee, Rachel Outen, will be moving out of Fairview and her position will be open. Mr. Clontz will bring applications to the Council at a later meeting for these 2 positions.

Bradley Purser made a motion to reappoint Leon Whitely to the Park & Rec Committee for a three year and postpone the other vacancies to the next meeting. Gary Wilfong seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

**Council Comments**

Jerry Clontz thanked the Council for approving the lights for the park.

Bradley Purser questioned the attorney where he was in the noise ordinance process. Mr. McCollum stated he forwarded a jake brake ordinance the Town of Midland has for the sheriff’s attorney to review and has not heard back from the sheriff’s department.

Jerry Clontz made a motion to adjourn. Bradley Purser seconded the motion. Councilmen Clontz, Purser and Wilfong voted yes (3-0).

Respectfully submitted,

\_\_\_\_\_  
Teresa Gregorius  
Town Clerk

\_\_\_\_\_  
Phil Thomas  
Mayor

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017

# Amend Decision Regarding Land Given to Fire Department

# Request from Piedmont HS



**TOWN OF FAIRVIEW**

**APPLICATION FOR OUTSIDE AGENCY / NON-PROFITS  
REQUESTING FUNDS FROM TOWN OF FAIRVIEW**

**FISCAL YEAR 2017-2018**

**Please provide six (6) copies and return the original to:  
Town of Fairview  
Attn: Town Clerk  
7400 Concord Highway  
Monroe, NC 28110-6927**

**Request Submitted by:**  
Piedmont Band Boosters

**Agency Name**  
Piedmont High School

**Address**  
3006 Sikes Mill Rd. Monroe, North Carolina, 28110

**Funding Received from Town of Fairview – previous years** N/A

**Amount of Funding requested, FY 2017-2018** \$ 5000.00

**By:** Piedmont Band Boosters \ \ Shelley Holt 704-807-3156  
**Name Telephone**

Fundraising Chairperson June 28th, 2017  
**Title / Position Date**

**Date Request submitted to Town of Fairview** June 29th, 2017

**Date Request received by Town of Fairview** \_\_\_\_\_

**Date and action taken by Town of Fairview** \_\_\_\_\_

**Please include a breakdown of how the funds requested will be used to help accomplish your goals.**

- Number of persons to be served by the requested funds  
150
- Other funding sources and amounts of funding provided (or requested)  
cookie dough fundraiser every year, band fees , donations  
krispy kreme fundraiser, resturant nights (once a month)
- Is any in-kind assistance being requested, and is so, what kind  
no
- Any additional information you may want to share that may assist the Town of Fairview Board of Council make an informed decision  
The funds provded will be used to help with instrument repair/replacement, transportation costs, contract labor and to help cover band fees of students that can not pay.

please see attached budget

**Attach to this application:**

- List of the Board of Directors, permanent staff members, and volunteers
- Copy of the tax status determination letter from the IRS. If one is not available, include a brief explanation as to why.
- One (1) copy of the most recent independent audit of the agency/non-profit organization  
If an audit is not available, one (1) copy of the most recent financial statement and budget

**PLEASE NOTE: Incomplete applications may not be considered for funding.**

**Please answer all the following questions (attach additional sheets, if necessary):**

1. Please give a brief description of the mission and programs of the agency or non-profit organization.

Our mission as educators and parents is to support our students in the music and art programs. There are very gifted, talented and hard working students in the marching and symphonic bands here at Piedmont and they deserve to be provided with resources to help them as they grow.

2. What community needs of the citizens and the Town of Fairview is being addressed in this request?

The Town of Fairview will be providing much needed resources to the students of this community that are part of the Piedmont Marching Panthers.

please see attached document



Signature of Requesting Agency's Authorized Official

June 28th , 2017

Date

Dear Mayor Thomas, Commissioners, and all Community Leaders,

I'm writing to you on behalf of the Piedmont Band Boosters of Piedmont High School and also as a band parent of a rising freshman and rising senior. As you all may know, music education is a very important part of our school's curriculum. Statistically, students who participate in music programs perform better on standardized tests; but more importantly, it improves work ethic, supports success in society, and reduces the risk of drug and alcohol abuse. Unfortunately, band programs suffer the greatest budget cuts. Fundraisers and donations are crucial for our success. We do require students to pay band fees to offset costs of instrument repair/replacement, transportation costs, contract labor, and music copyright fees; however, there are some families that simply cannot pay. The program directors Amy Vitulli (middle school) and Jody Lukac (high school) do not turn any student away that really wants to play even if they can't pay the band fees.

As you can see on the attached budget document, some monies are allocated for that purpose. This year we will have the largest marching band that Piedmont has ever had (150), which means it will take more funds than ever. Here at Piedmont we have outstanding students that are willing to work, two very dedicated educators, and numerous parent volunteers that sacrifice many hours to ensure our success. The directors encourage students to participate in serving the community in many ways. The high school students have canned food drives to fill our school's food pantry; they also participate in the Union County and Unionville Christmas parades. They proudly represent our school at all home football games as they play our National Anthem and keep school spirit up throughout the game. The students travel to surrounding counties in the fall and participate in marching band competitions, taking home several Grand Champion and many first place trophies per season. It is truly a pleasure to see their hard work pay off at times like those.

With that being said, would you all consider partnering with us as we go into the 2017/2018 school year? Would you be willing to invest in our program by donating \$5000 or more to the aforementioned costs that incur every band season?

Thank you for your consideration and time and many thanks to all who serve in our community!

Piedmont Band Boosters

**Jody Lukac: High School Band Director: [jody.lukac@ucps.k12.nc.us](mailto:jody.lukac@ucps.k12.nc.us)**

**Amy Vitulli: Middle School Band Director: [amy.vitulli@ucps.k12.nc.us](mailto:amy.vitulli@ucps.k12.nc.us)**

**PaigeAnn Miller : President of Piedmont Band Boosters**

**Susan Rackcliff: Vice President of Piedmont Band Boosters**

**Treasurer : Mary Blythe Chipman**

**Secretary : Monica Eubanks**

**Travel : Kristen Noonan**

**Fundraising : Shelley Holt: [shelley\\_holt@yahoo.com](mailto:shelley_holt@yahoo.com)**

**Pit Crew: Eric Sasser**

**Uniform: Colleen Dougher**

**Uniform Co-Chair: Lisa May**

**Hospitality: Lisa Brooks**

**Hospitality: Carrie Holloway**

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAR 27 2015**

PIEDMONT BAND BOOSTERS INC  
3006 SIKES MILL RD  
MONROE, NC 28110-9782

Employer Identification Number:  
94-3426935  
DLN:  
17053336301024  
Contact Person:  
ERIC KAYE ID# 31612  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
March 31  
Public Charity Status:  
509(a)(2)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
October 15, 2013  
Contribution Deductibility:  
Yes  
Addendum Applies:  
Yes

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,



Director, Exempt Organizations

Letter 947

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PIEDMONT BAND BOOSTERS INC

ADDENDUM

Based on the information submitted with your application, we approved your request for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as shown in the heading of this letter, is retroactive to the date of revocation.

**Piedmont Band Budget**

**2017-2018**

**Income**

2017 Show

Band/Guard Membership Dues

(based on 120 students)

\$54,000.00 (based on 135 paying students)

Fundraisers

(anticipating 150 students in band)

- Donations \$2,000.00
- Cookie Dough Profit \$16,000.00
- Doughnut Profit \$3,000.00

- T-shirt Income \$3,000.00
- Restaurant Nights \$1,200.00

- Donations
- Hoodies \$1,800.00
- Shoes \$900.00

Total Income

\$81,900.00

**Expenses**

**Fall Show**

**2017**

- Band Shoes \$2,400.00
- Color guard Expenses \$7,700.00
- Contract Labor** \$22,100.00
- Drill/Music (Artimus Concepts) \$9,000.00
- Hoodies \$2,500.00
- Music Copyright Fees \$1,200.00
- Supplies \$2,000.00
- T Shirts \$3,000.00
- Props \$6,150.00
- Contest Registration \$500.00
- Uniform needs \$1,500.00
- Leadership Team Training

Total Fall Show

\$58,050.00

**Contract Labor**

- WW (camp \$1200, fall \$400) \$1,600.00
- WW (camp \$1200, fall \$400) \$1,600.00
- WW (camp only) \$1,200.00
- Marching Tech (camp only) \$1,200.00
- Brass (camp \$1200, fall \$400) \$1,600.00
- Brass (camp \$1200, fall \$400) \$1,600.00
- Brass (1/2 of camp only) \$600.00
- Pit (camp only) \$1,200.00
- Drumline (spring, fall) \$3,400.00
- Drumline (camp only) \$1,600.00
- Guard Choreography \$2,500.00
- Guard Tech (spring, camp, fall) \$3,400.00

Band Choreography  
TOTAL STAFF 2017

\$600.00  
\$22,100.00

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New Instruments	
Instrument Supplies/Music (Middle and High)	\$1,000.00
Instrument Repairs (Middle and High)	\$4,500.00
Travel (Middle and High)	
NCMEA Convention / NAFME renewal	\$1,000.00 (includes membership, conference fee, room/board for 2)
Transportation Costs (Buses, Subs, Mileage, Uhaul, Trailer Fuel)	\$7,000.00
Drum Major Camp (2 DM's)	\$500.00
Awards	
Concert Band Registrations (MPA and Carowinds)	\$250.00
Website/Constant Contact/Charms	\$700.00
SmartMUSIC	\$800.00
Judges for MPA Preview Concerts	\$200.00 (2 concerts, 2 judges, \$50 each)
Guests conductors for class	\$200.00 (\$50 each)
Savings Account Deposits for new Uniforms	\$3,000.00
Hospitality (Contests, Rookie/Parent Nights, etc)	\$4,000.00 plus any money brought in by the banquet
Total Expenses	\$81,900.00

**Discuss  
Amending  
Noise  
Ordinance**

# Current

## TOWN OF FAIRVIEW NOISE ORDINANCE

WHEREAS, pursuant to G.S. §160A-184, the Town of Fairview may by ordinance regulate, restrict, or prohibit the production or emission of noises or amplified speech, music, or other sounds that tend to annoy, disturb, or frighten its citizens; and

WHEREAS, pursuant to G.S. §160A-174, the Town of Fairview may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county; and may define and abate nuisances;

AND WHEREAS the Town of Fairview wishes to put limits on the times that certain noises may be emitted;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fairview as follows:

Section 1. It shall be unlawful and shall constitute a nuisance for any person or group of persons, regardless of number, to willfully make, continue, or cause to be made or continued any loud, raucous and disturbing noise, which term shall mean any sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within Union County. The term “loud, raucous and disturbing noise” shall be limited to loud, raucous and disturbing noises heard upon the public streets, in any public park, in any school or public building or upon the grounds thereof while in use, in any church or hospital or upon the grounds thereof while in use, upon any parking lot open to members of the public as invitees or licensees, or in any occupied residential unit which is not the source of the noise or upon the grounds thereof.

In determining whether a noise is unreasonably loud, raucous and disturbing, the following factors incident to such noise shall be considered: (i) time of day; (ii) proximity to residential structures; (iii) whether the noise is recurrent, intermittent or constant; (iv) the volume and intensity; (v) whether the noise has been enhanced in volume or range by any type of electronic or mechanical means; (vi) the character and zoning of the area; and (vii) whether the noise is subject to being controlled without unreasonable effort or expense to the creator thereof.

Section 2. The following acts are declared to be nuisances in violation of this Ordinance, but such enumeration shall not be deemed to be exclusive:

- (1) Horns and Signal Devices. The sounding of any horn, whistle or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal or as required by law, so as to create any unreasonable, loud or harsh sound, or the sounding of such device for an unnecessary and unreasonable period of time.
- (2) Radios, Stereos, and Sound Reproduction. The playing, use, or operation, either from a motor vehicle or by a pedestrian, of any radio, tape or CD player, or other sound amplification device emitting sound that is audible from a distance of fifty (50) or more feet from the source of the sound.
- (3) Pets. The keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person of ordinary sensibilities in the vicinity; provided, however, that this Ordinance shall not apply to a dog or dogs being used in a lawful hunt;

Section 3. The following shall be exempt from the application of this Ordinance:

- (1) Noise resulting from the normal and lawful operations of any (i) industrial enterprise, (ii) commercial enterprise, or (iii) governmental facility or function between the hours of 6:00 A.M. and 9:00 P.M. on weekdays and 7:00 A.M. and 11:00 P.M. on weekends. If a special event permit has been issued, then such hours that are stated in the special event permit, if any, shall be controlling.
- (2) Noise resulting from agricultural and horticultural operations conducted in a reasonable manner on property classified as a bona fide farm or ad valorem tax purposes from 6:00 A.M. until 10:00 P.M. If a special event permit has been issued, then such hours that are stated in the special event permit, if any, shall be controlling.
- (3) Noise resulting from any authorized emergency or public safety vehicle, when responding to an emergency call or acting in the time of an emergency.
- (4) Noise of safety signals, warning devices and emergency pressure relief valves.
- (5) Noise resulting from emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster, or to restore public utilities, or to protect persons or property from imminent danger.

- (6) Noise resulting from motor vehicles in proper operating condition and properly equipped with the manufacturers' standard mufflers and noise-reducing equipment.
- (7) Noise resulting from any military or law enforcement activities of the federal, state, or any local government, to include military observances.
- (8) Noise resulting from construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and from 8:00 a.m. to 9:00 p.m. on weekends for which building permits have been issued or for which building permits are not required; provided that all equipment is in proper operating condition and properly equipped with the manufacturers' mufflers and noise-reducing equipment.
- (9) Noise from lawn mowers and other landscape maintenance equipment used between the hours of 7:00 a.m. and 9:00 p.m., provided that all equipment is in proper operating condition and properly equipped with the manufacturers' mufflers and noise-reducing equipment.
- (10) Noise resulting from any event held in recognition of a community celebration, or national, state, or county events or public festivals or parades from 8:00 A.M. until 11:00 P.M. If a special event permit has been issued, then such hours that are stated in the special event permit, if any, shall be controlling.
- (11) Noise from lawful fireworks and noise makers on holidays and at religious ceremonies.
- (12) Noise created by any aircraft flight operations which are specifically preempted by the Federal Aviation Administration.
- (13) Noise of any bell or chime from any building clock, school, or church.
- (14) Noise created by any public recreational activity.
- (15) Noise from dogs and firearms while being used in a lawful hunt.

Section 4.

Violation of any provisions of this Ordinance shall subject the offender to one or more of the following enforcement actions. Each day that any violation continues after notification by the Town of Fairview that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.

- (1) Violations shall constitute a Class 3 misdemeanor pursuant to G.S. § 14-4, punishable by a fine of up to \$500.00 and imprisonment in the discretion of the court.
- (2) The Town of Fairview may apply for an appropriate equitable remedy from the General Court of Justice, including but not limited to mandatory and prohibitory injunctions and orders of abatement as allowed pursuant to G.S. § 160A-175. Such civil actions may name as defendants any person or persons creating, allowing the creation of, or assisting in the creation of any unlawful noise, including the owner of the premises from which the noise emanates and the person having actual control of the premises from which it emanates. (Amended 8/10/15)

Section 5. If any provision of this Ordinance is adjudged invalid or if the application thereof to any person or in any circumstance is adjudged invalid; such invalidity shall not affect the validity of this Ordinance as a whole or of any part, subpart, sentence or clause thereof not adjudged invalid.

Section 6. This Ordinance is amended (Section 4-2) 10<sup>th</sup> day of August, 2015, and shall become effective the 10<sup>th</sup> day of August, 2015. This ordinance replaces any previous noise ordinance.

# Possible Amendment

## **-72. Motor vehicles.**

It shall be unlawful to operate or allow the operation of any motor vehicle in the city:

(1) Which has had its muffler-exhausts- and/or other noise-control equipment removed, altered or maintained in such disrepair as to create unreasonably loud and disturbing noises.

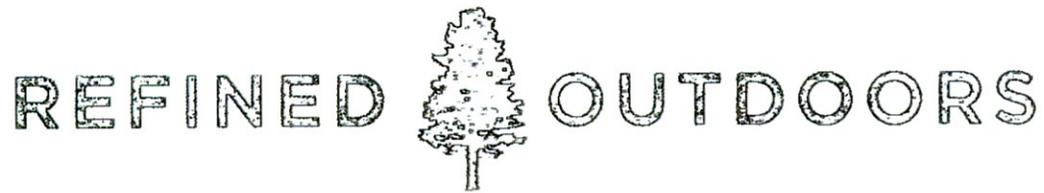
(2) By engaging in jackrabbit starts, spinning tires, racing engines, or other operations which create unreasonably loud and disturbing noises.

(3) Off the boundaries of a public street for racing or other operations which create unreasonably loud and disturbing noises.

(Code 1961, § 13-53.6; Ord. No. 1401, § 1, 8-8-83; Ord. No. 3273, § 5, 12-9-91)

# Festival Report

# Park Report



LANDSCAPE MAINTENANCE CONTRACT

FOR:

**FAIRVIEW PARK**

3/2/17

Prepared by: Jordan Edwards, Owner.

[jedwards@refinedoutdoors.com](mailto:jedwards@refinedoutdoors.com)

704.320.5376

# REFINED OUTDOORS

Refined Outdoors is pleased to provide you with a proposal for **Fairview Park**. The contract will begin on 3/1/2017 to 3/31/2018. There is a 30 day written notice clause that states either party has the authority to cancel.

The scope of the work includes:

1. The turf will be maintained on a weekly basis during the growing season. During times of rainy or dry weather, mowing will resume as soon as weather permits.
2. Debris will be removed before mowing and at each maintenance visit. Mowing height of the turf will vary throughout the year, but no more than 1/3 of leaf blade will be removed at one visit.
3. All of the edges (bed edge and hard edge) will be edged to maintain a crisp and neat appearance.
4. The shrubbery will be pruned twice a year to maintain desired shape. Some shrubs will be pruned more often due to different growth rates of the various shrubs. Flowering shrubs will be maintained as needed per species of plant.
5. Trees will be pruned once a year to ensure proper growth; trees will be maintained from 10 feet or less. Any trimming over 10feet, will be charged separately. (Work will not be preformed before a conversation with owner.)
6. Ground covers will be monitored and maintained as needed.
7. Flower beds will be monitored on a weekly basis and hand weeded as needed.
8. Ornamental beds, parking lots, and sidewalks will be treated with a post emergent herbicide to ensure a clean appearance.
9. Annuals will be deadheaded on a bi-weekly basis.
10. Leaf removal will be performed to provide a clean look. Leaves will be removed by all means necessary including raking, mowing, and mulching.
11. Pine needles will be rolled as needed after weekly maintenance visit.
12. Gates will be unlocked/locked at daylight and dusk each day
13. Trash cans will be emptied on an as needed basis
14. Bathrooms will be checked on a daily basis
15. Bathrooms will be cleaned on a bi weekly basis
16. Trash on the ground will be gathered on a daily basis Park Maintenance Duties

# REFINED OUTDOORS

## Additional services:

- Pine needles/mulch
- Annual flowers
- Fire ant control
- Turf maintenance
- Replacement of any ground covers
- Replacement of any shrubbery/tree
- Any irrigation repairs
- Excessive cleanup due to any storms or vandalism
- Any trees that need to be trimmed over a height of 10 feet
- Shrub/tree fertilizations
- Fungicide turf application
- Insect control on shrubbery/tree

Any additional work that is listed above, and not in the section THE SCOPE OF THE WORK INCLUDES, will be discussed with owner or owners' representative before work is performed. No extra services will be provided before owner or owners' representative is aware of additional price and has approved for work to be completed.

# REFINED OUTDOORS

**YEARLY CONTRACT PRICE: \$ 24,825.00**

**MONTHLY CONTRACT PRICE: \$ 2,068.75**

If you were to sign a multi year contract we would provide a credit of \$750.00 per year. For the community to use towards enchantments on the property.

Annual price for replacement of pine needles installed and furnished by Refined Outdoors will be **\$6.50** a bale.

Annual price for planting annuals twice a year be installed and furnished by Refined Outdoors will be **\$38.00** a flat

Annual price for spreading double hammered mulch and mulch furnished by Refined Outdoors will be **\$55.00** a yard.

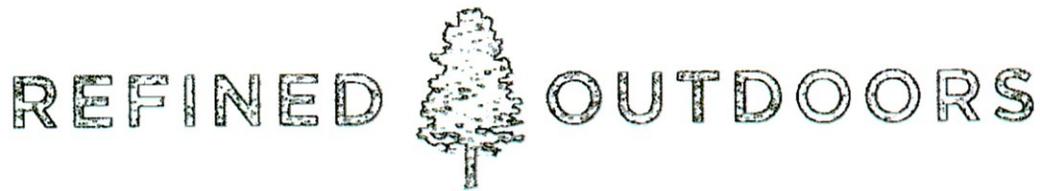
The monthly contracted price of **\$2,068.75** will be billed of the first of every month, and will be due within 60 days of the bill date. If balance is not paid after 60 days, a 1.5% increase will be added to bill. If contract is canceled, any outstanding maintenance treatments will be discussed before work is performed because of pro rating material expenses throughout the year.

Thanks again for your interest in Refined Outdoors, and look forward to doing business with you.

Thanks,

Jordan Edwards, owner

704-320-5376



### **Terms and conditions**

Refined Outdoors will be responsible for everything that falls under THE SCOPE OF THE WORK INCLUDES. That includes all materials, labor, equipment to protect and enhance the landscape. Additional services can be preformed at an additional charge; all additional service prices will be discussed with the property manager before preformed.

Refined Outdoors will not be responsible for damages caused by acts of God, insufficient irrigation, or water regulations. We are not responsible for damages caused by anyone other than our employees.

Either party, with or without cause, may terminate this contract; a 30 day notice is to be provided to other party.

Client will give Refined Outdoors 10 business days to correct any problems or defect in work provided.

Signing this document ensures that Refined Outdoors has been awarded the bid and agrees to all responsibilities above in the proposal. Refined Outdoors is not responsible for anything other than what is stated in **the scope of the work includes** section of the proposal.

# REFINED OUTDOORS

The following is an addendum requested from the Town of Fairview. By signing this Contract either party agrees to all bidding statements.

## DAILY:

- Open Park gate at 7:00 AM
- Unlock/Lock restrooms
- Check/Clean restrooms
- Check picnic shelter/grills (dump ashes as needed)
- Walk trail to collect litter
- Pick up any litter on the grounds
- Empty trash cans (individual's responsibility for disposing of trash)
- Close Park gate at sunset

\*\*\* Call and report any problems to designated person\*\*\*

## Lawn Maintenance

- Finish mow designated areas once a week or as needed to maintain a height of 3½
- Pick up any yard debris/trash before mowing
- Weed eat around pond (to edge of pond) and around bridge
- Blow sidewalks and trail after each mowing
- Bush hog designated areas as needed
- Blow leaves back into the edge of the woods in the Fall

By accepting the following contract and providing the goods/services requested hereunder. Contractor attests that it is in compliance of Article 2 of Chapter 64 of the North Carolina General Statutes (commonly referred to as "E-verify") and shall remain in compliance with said Article while providing goods and services to the town of Fairview. Contractor further attests that it ensures and shall continue to ensure, while providing goods and services to the town of Fairview that any subcontractors utilized by Contractor for the provision of said goods and services are also in compliance with said Article.

# REFINED OUTDOORS

Signature of Owners' Representative:

Jerry Clout

Owners' Representative Email and Phone#:

tgregorius@Fairviewnc.gov      <sup>Jerry</sup> 704- 254 3168

Signature of Refined Outdoors Representative:

Justin Eshler

Date Signed

4-11-17

Date Bid Awarded

4-11-17