



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

VILLAGE COUNCIL MEETING MINUTES

Tuesday, April 13, 2021 – 6:30pm
Village Hall, 10004 New Town Road
Regular Meeting (Virtual Meeting)

A. AGENDA ITEM

1. Call to Order

Mayor Pollino called the meeting to order at 6:30pm and determined a quorum was present.

Present: Mayor Pollino, Mayor Pro Tem Vandenberg, Councilman Lein, Councilman Wortman

Present Virtually: Councilman Marcolese

Absent: None

Staff Present: Christina Amos, Austin W. Yow, Jamie Privuznak, Chaplin Spencer

2. Consider Allowing Councilmembers to Participate Remotely

MOTION: Mayor Pro Tem Vandenberg moved to allow Councilmembers to participate remotely.

VOTE: The motion passed unanimously.

3. Adoption of the Agenda

Mayor Pro Tem Vandenberg requested to make the following changes:

- Table Presentation #1 “Recognition of Service of Mary Sipe”

MOTION: Mayor Pro Tem Vandenberg moved to adopt the agenda as amended.

VOTE: The motion passed unanimously.

4. Pledge of Allegiance

Mayor Pollino led the pledge of allegiance.

5. Public Comment Period

No comments were given.

B. PRESENTATIONS

Recognition of Service of Mary Sipe – TABLED TO MAY 11 REGULAR MEETING

C. REPORTS AND UPDATES

TIME STAMP 2:25

1. Manager’s Report

a. Village Sidewalks Update

Christina Amos, Village Manager, informed Council that the Village is responsible for repairing sidewalks in subdivisions that do not have maintenance agreements with the Village. She added that more repairs have been needed as of late.

b. Accounting Firm RFP

Ms. Amos explained that the Finance Officer will be on maternity leave in a few months and the Village is looking to hire an accounting firm to assist in her absence, as well as to assist staff in future annual audits. She added that staff would be issuing an RFP this week and that proposals would be due in about a month.

c. Solid Waste Update/Joint Meeting with Town of Weddington

Ms. Amos informed Council that the RFP has been issued and that bids are due back on May 7. A joint meeting with the Weddington Council to present the proposals will be held on either May 17 or 24. The Marvin Village Council will consider awarding the contract on June 8.

d. American Rescue Plan Update

Ms. Amos informed Council that she did not yet have an update on this item but noted that she will report back at a future meeting.

e. Legislative Update (Proposed Housing Bill/Defense Local Bill Request)

Ms. Amos informed Council that the local bill regarding defense of political candidates has been submitted to North Carolina General Assembly and that our state representatives are rallying support. She added that a trip has been planned for Tuesday, April 20 for Councilmembers to meet with state legislators at the General Assembly to advocate for this bill.

f. All Inclusive Contract Update

Ms. Amos informed Council that the contract for miscellaneous repairs has been signed by the vendor. She added that a lot of emergency repairs have been required as of late. Council discussed the Village's engineering services in depth.

g. Disc-Golf Update

Ms. Amos did not give an update on this item.

h. Street Signage Replacement Update

Ms. Amos did not give an update on this item, but noted that the replacements should happen soon.

TIME STAMP 18:25

2. Planner's Report

Rohit Ammanamanchi, Planning and Zoning Administrator, being absent from this meeting, entered his report into the record.

a. Street Light Ordinance

The lighting ordinance has been delayed due to the lack of known installation process for what I would be proposing for adoption. I have been waiting for the process of the installation of roundabout lighting to be complete in order to include the steps of that process within that ordinance. I would not want to propose an ordinance for adoption until I have the entire process clarified, because the process seems to evolve every few months. Once we have one successful installation under our belt, this ordinance will include the whole exact process, but until then, I ask the Council to consider putting this task on hold. There is no estimation for how long the process will take at this time.

b. MHD Zoning Details

I would like to clarify that a zoning district must have parameters in order to legally constrain development proposals. For example, if the Zoning District only said, "Commercial is allowed here" and nothing else, then we would be legally required to permit a skyscraper. Even in a Conditional Use, the Zoning District must have parameters, then the applicant can ask to exceed the parameters. However, it has been made clear by the community that density is not the desired parameter, therefore, a Form-Based Code will be drafted for presentation to the MHD Committee in May. A Form-Based Code will only limit the development by the style of architecture, setbacks, buffers, and permitted commercial uses, not by the conventional methods of density and capacity.

c. Code Reorganization Timeline Update

The revisions to our code required by NC G.S. §160D are required to be made by July 1st, 2021. Staff has completed the review of the code reorganization and compliance with 160D and will be presenting to the Planning Board in April and May. Council should then be able to hold a public hearing at the June 8th meeting and adopt either then if no changes are needed, or at the June 24th Work Session. The changes proposed would be required by the State, so not much discussion would be needed, and this Public Hearing would be largely informational. At this time, Staff will also include revisions such as minor typos, updates, and changes that have been discussed such as roadway median planting and strengthening the definition of Dwelling.

TIME STAMP 20:40

3. Roads Report

Ms. Amos explained that the Village has had many road issues that have required emergency repairs.

TIME STAMP 21:40

4. Deputy's Report

Deputy Gallis presented his report on calls received in March 2021. Council asked questions regarding patrols.

TIME STAMP 25:35

5. Planning Board Chair Report

Councilman Marcolese briefed Council about discussions regarding density and Marvin Heritage District that occurred during the March Planning Board meeting.

TIME STAMP 29:00

6. PR&G Chair Report

Chairman John Baresich briefed Council on the planning process for the 2022 Marvin Day Celebration, as well as other items discussed at the previous PR&G Board meeting.

D. CONSENT AGENDA *(Consent agenda items may be considered in one motion and without discussion except for those items removed by a Councilmember)*

TIME STAMP 31:50

MOTION: Mayor Pro Tem Vandenberg moved to approve the consent agenda as presented.

VOTE: The motion passed unanimously.

1. **Consider Adoption of Council Minutes from the 2/19/21 (Retreat), 3/8/21 (Joint with Planning Board), 3/9/21 (Budget Work Session), 3/9/21 (Regular), 3/10/21 (Special), 3/10/21 (Village Hall Design Finishes Subcommittee) Meetings**
2. **Deem Cash in the Amount Less than \$500 Found on or Around December 2020 on Village of Marvin Property Abandoned and Place in the Village's General Fund**
3. **Consider Call for a Public Hearing to Consider the Village of Marvin's Recommended FY22 Annual Operating Budget to be Held on Wednesday, May 12 at 6:30pm at Forest Hill Church, located at 8120 Kensington Drive, Waxhaw, NC**
4. **Consider Acceptance of January 2021 Treasury Report** *(Treasury Reports are available on the Village's website).*

E. PUBLIC HEARING

TIME STAMP 32:00

1. **Open the Public Hearing to Consider an Ordinance Amending the Village Charter to Change the Number of Council Members from Five (5) to Six (6)**

MOTION: Mayor Pro Tem Vandenberg moved to open the public hearing.

VOTE: The motion passed unanimously.

a. Public Comments

No comments were given.

MOTION: Mayor Pro Tem Vandenberg moved to close the public hearing.

VOTE: The motion passed unanimously.

Chaplin Spencer, Village Attorney, briefly explained the next steps in the process of amending the Village Charter. Council also inquired about pending legislation in the General Assembly about postponing the November elections.

TIME STAMP 38:55

2. **Open the Public Hearing for Conditional Use Permit Application #21-12608: 3315 Sandalwood Drive, Pool in a Rear Yard that abuts a Side Yard** *(See attached documents, Item E.2., which are included as references in these minutes).*

a. Public Comments

Christina Amos, serving as Deputy Clerk, swore in Austin W. Yow, Village Clerk and Assistant to the Manager, and the applicant, John Baresich.

b. Discussion and Consideration

MOTION: Mayor Pro Tem Vandenberg moved to approve Conditional Use Permit #21-12608: 3315 Sandalwood Drive, Pool in a Rear Yard that abuts a Side Yard, contingent on comments contrary to the decision within 24 hours after the conclusion of the public hearing; and to find in the affirmative these findings of fact:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.
2. The use meets all required conditions and specifications.
3. The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity.

4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with this chapter and the Village Land Use Plan.

VOTE: The motion passed unanimously.

F. VILLAGE HALL

TIME STAMP 47:20

Ms. Amos explained that the contract has been signed and that the Village is waiting to have the permits approved by the County. She added that the contract for the sewer line extension has yet to be signed and permits are also still pending. Lastly, Ms. Amos stated that an additional meeting of the Village Hall Design Finishes Subcommittee will be needed. Mayor Pollino and Mayor Pro Tem Vandenberg agreed to hold this meeting on April 28 at 11am.

G. UNFINISHED BUSINESS

TIME STAMP 58:30

1. **Discussion and Consideration of Incorporating a Candidate Questionnaire into the Village's Website AND Consider Adoption of Candidate Questionnaire Policy** *(See attached policy, Item G.1., which is included as a reference in these minutes).*

Mr. Yow asked Council for their feedback and any requested revisions on the draft policy. Council discussed questions to include on the questionnaire in depth.

MOTION: Councilman Marcollese moved to adopt the Candidate Questionnaire Policy.

VOTE: The motion passed unanimously.

MOTION: Councilman Lein moved to incorporate a candidate questionnaire into the Village's website.

VOTE: The motion passed unanimously.

TIME STAMP 1:07:05

2. **Discussion of Statement of Economic Interest and Code of Ethics Forms**

Mr. Yow informed Council regarding advisory board members who have yet to complete and return their Statement of Economic Interest and Code of Ethics forms.

H. NEW BUSINESS

TIME STAMP 1:10:30

1. **Discussion and Consideration of Awarding Bank Bid Not to Exceed \$1.8 Million, for the Installment Purchase Agreement Contract for the Construction of Marvin Village Hall, located at 10006 Marvin School Road AND Authorize Manager to Execute Agreement Contingent Upon Attorney Review** *(See attached documents, Item H.1., which are included as references in these minutes).*

Jamie Privuznak, Finance Officer, presented a revised staff report explaining that staff recommends awarding the bank bid to Sterling National Bank for their proposal of a 20-year term at a 2.75% interest rate for a total par amount of \$1,175,000 and a total debt service of about \$1,509,893. Council discussed the proposals in depth and chose agreed that a 15-year term would be preferable.

MOTION: Mayor Pro Tem Vandenberg moved to award the bank bid to Truist Bank in an amount not to exceed \$1.41 million for financing for Village Hall for a 15-year term at 2.38% AND authorize Manager to execute loan closing documents contingent upon attorney review.

VOTE: The motion passed unanimously.

TIME STAMP 1:35:30

2. **Discussion and Consider Adoption of General Fund Budget Ordinance to Amend Various Operating Expense Lines in the General Government Budget**

OR-2021-XX-XX

AN ORDINANCE AMENDING THE GENERAL FUND BUDGET ORDINANCE

BE IT ORDAINED by the Village Council of the Village of Marvin, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

SECTION 1. To amend the General Fund Budget, the revenues and appropriations are to be changed as shown.

TYPE	BUDGET ACCOUNT	AMENDMENT AMOUNT	FROM	TO
Expense	Office Supplies – General Government (A/C 4810)	(\$2,400)	\$10,435	\$8,035
Expense	Gifts – General Government (A/C 4402)	\$400	\$700	\$1,100
Expense	Codification of Ord. – General Government (A/C 5003)	\$2000	\$5,000	\$7,000

Reason: To reappropriate funds from various operating expense lines in the General Government and the Planning and Zoning budgets to rebalance the expense overages in the Fellowship Hall, Advertising and Public Hearing Notice line-items.

SECTION 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 13th day of April 2021.

MOTION: Mayor Pro Tem Vandenberg moved to approve the General Fund Budget Ordinance to Amend Various Operating Expense Lines in the General Government Budget.

VOTE: The motion passed unanimously.

TIME STAMP 1:36:30

3. Discussion and Consideration of Communication Topics for May 2021

Mr. Yow asked Council for feedback regarding the draft list of communications for May 2021. Council added additional topics to the list.

TIME STAMP 1:46:40

4. Discussion of Spring Town Hall Meeting Agenda

Council discussed topics to be included on the agenda for the Town Hall Meeting scheduled for Wednesday, May 12 at 6:30pm at Forest Hill Church in Waxhaw. Council agreed that a special meeting should be scheduled for Thursday, May 6 at 11am to rehearse for the Spring Town Hall.

TIME STAMP 1:53:35

5. Discussion and Consideration of Special Warranty Deed to Transfer Ownership of Marvin Gardens Park Parcel to Village of Marvin Contingent on Attorney Review *(See attached deed, Item H.5., which is included as a reference in these minutes).*

MOTION: Mayor Pro Tem Vandenberg moved to accept the special warranty deed to transfer ownership of Marvin Gardens Park Parcel to the Village of Marvin, contingent on attorney review.

VOTE: The motion passed unanimously.

TIME STAMP 1:56:00

6. Discussion and Consideration of Resolution Opposing Senate Bill 349 and House Bill 401 to Increase Housing Opportunities

Ms. Amos explained that the proposed legislation being considered in the North Carolina General Assembly would require municipalities to provide “middle housing” (duplex, triplex, quadplex, townhomes) wherever single-family housing is currently allowed. Council discussed this item in depth and directed staff to add this topic to the communications list.

RS-2021-XX-XX

A RESOLUTION OPPOSING SB 349/HB 401 TO INCREASE HOUSING OPPORTUNITIES

WHEREAS, the legislation proposed in SB 349/HB 401 is of great concern to the Village of Marvin and other municipalities within North Carolina; and

WHEREAS, provisions within this legislation would severely diminish or even eliminate the ability of local government to determine what is best for its community or even allow community input or involvement in the decision-making process; and

WHEREAS, development would become uncontrolled and reckless with little to no regard for property-owners rights, existing land use plans and visions, and the added stress and demand on a municipality’s infrastructure which would eventually lead to declining property values; and

WHEREAS, Village officials were elected by their citizens to protect and preserve the quality of life that they have come to enjoy; and

WHEREAS, residents could not enjoy a safe and secure, clean and well-kept environment with plenty of amenities offered, if it weren’t for the efforts put forth by its elected officials and Village staff in utilizing effective and proven zoning processes that include community input; and

WHEREAS, a one-size fits all approach to land use is heavy-handed and overreaching – a blatant attack on local land-use decision-making; and

WHEREAS, grouping all cities and towns under one statewide zoning mandate would eliminate the single-family zoning designation and allow multi-family housing in every neighborhood which will cause the population growth to outpace the available amenities and infrastructure, including parking, HOA amenities, school capacity, water and sewer capacity, roadway capacity and more; and

WHEREAS, increased housing does not guarantee more affordable housing nor does this legislation.

NOW, THEREFORE, BE IT RESOLVED the Marvin Village Council hereby opposes the legislation proposed in SB 349/HB 401 and urges legislators to prevent it from becoming law and to work together to find real ways to advance affordable housing opportunities.

Adopted this 13th day of April 2021.

MOTION: Mayor Pro Tem Vandenberg moved to adopt the Resolution Opposing Senate Bill 349 and House Bill 401 to Increase Housing Opportunities as amended.

VOTE: The motion passed unanimously.

TIME STAMP 2:04:40

7. **Review AND Consider Adoption of Council Minutes from the 3/23/21 (Joint with PR&G Board), 3/24/21 (Village Hall Design Finishes Subcommittee), and 3/25/21 (Work Session) Meetings**
Council reviewed the draft minutes and made no changes.

MOTION: Mayor Pro Tem Vandenberg moved to approve the minutes from the 3/23/21 (Joint with PR&G Board), 3/24/21 (Village Hall Design Finishes Subcommittee), and 3/25/21 (Work Session) meetings as presented.

VOTE: The motion passed unanimously.

I. OPEN TOPICS

TIME STAMP 2:08:25

Unannexed Village-Owned Parcel at Marvin Efirid Park

Mayor Pollino informed Council that he spoke with former Administrator Terri Patton and former Councilman Anthony Burman about why a 1.66-acre, Village-owned parcel that is part of Marvin Efirid Park was never annexed. He clarified that at the time, annexing that parcel would have violated a state law prohibiting satellite (non-contiguous) annexations from exceeding ten percent of a municipality’s corporate limits. However, this constraint no longer applies, as Marvin’s corporate limits have expanded since the time of the Park annexation.

J. AGENDA ITEMS

TIME STAMP 2:10:10

1. **Review of Action Items and Ongoing Action Item List**

- Ms. Amos will organize and order a banner for the Village Hall Groundbreaking Ceremony on Friday, April 30 at noon.
- Ms. Amos will ensure the “Future Site of Village Hall” sign gets put back up at the site for the ceremony.

- Ms. Amos and Mr. Yow will send the resolution opposing the state housing legislation to state representatives, the media, and other relevant organizations.
- Mr. Yow will schedule a special meeting of the Village Hall Design Finishes Subcommittee on Wednesday, April 28 at 11am.
- Mr. Yow will schedule a special meeting of the Village Council on Thursday, May 6 at 11am to rehearse for the Spring Town Hall Meeting.
- Mr. Yow will email Mike Gilboy his Statement of Economic Interest and Code of Ethics forms.
- Mayor Pollino will call Marvin Ridge High School about getting the band to perform at the Village Hall Groundbreaking Ceremony on Friday, April 30 at noon.
- Mr. Ammanamanchi will provide an update on roundabout lighting at a future meeting.
- Mr. Ammanamanchi will research the minimum requirements for STIP grants.

Council chose not to review the ongoing action item list.

TIME STAMP 2:14:35

2. Council Comments

Mayor Pollino: He thanked staff for their hard work, especially with the advancement of Village Hall. He cautioned everyone driving with kids going back to school. He encouraged everyone to get their COVID-19 vaccine.

Councilman Lein: He thanked Deputies Gallis and Montgomery for their hard work with traffic stops. He thanked staff for their hard work.

Councilman Marcolese: He thanked staff for their hard work.

Councilman Wortman: He thanked staff for their hard work. He acknowledged the hard work of Deputies Gallis and Montgomery with traffic stops.

K. CLOSED SESSION

TIME STAMP 2:18:20

1. Recess into Closed Session Pursuant of NCGS §143-318.11(a)(6) to Discuss Personnel

MOTION: Mayor Pro Tem Vandenberg moved to recess into Closed Session pursuant of NCGS §143-318.11(a)(6) to discuss personnel.

VOTE: The motion passed unanimously.

(Recording omits Closed Session)

MOTION: Mayor Pro Tem Vandenberg moved to return to open session.

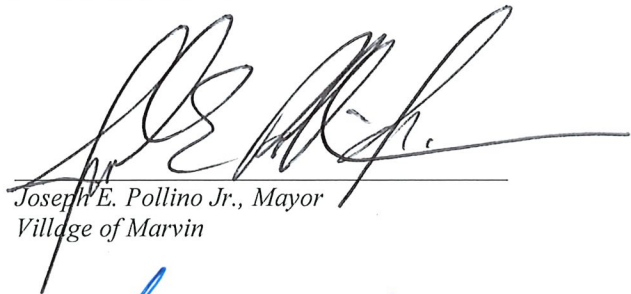
VOTE: The motion passed unanimously.

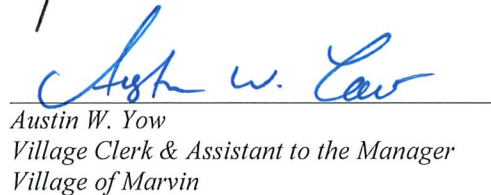
L. ADJOURNMENT

MOTION: Mayor Pro Tem Vandenberg moved to adjourn.

VOTE: The motion passed unanimously.

Adopted: 6-8-21


 Joseph E. Pollino Jr., Mayor
 Village of Marvin


 Austin W. Yow
 Village Clerk & Assistant to the Manager
 Village of Marvin



Village of Marvin North Carolina

DATE: April 5, 2021
TO: Mayor and Village Council
FROM: Rohit Ammanamanchi, Planner/Zoning Administrator

SUBJECT: The Village Council is requested to review Conditional Use Permit #21-12608 to allow an above ground swimming pool to be located in the rear yard of a residential lot that is adjacent to the side yard of three other residential lots. Baresich Residence, 3315 Sandalwood Drive, Marvin.

Actions Requested by Village Council

The applicant's property is located at 3315 Sandalwood Drive in Marvin, NC and is zoned R-Marvin Residential. The residence is located in the Providence Road Estates subdivision. The surrounding properties are zoned R-Marvin Residential.

Elevated pool deck

The applicant is proposing to construct an above ground swimming pool to be located in the rear yard. However, a Conditional Use Permit (CUP) is required when a pool is located in a lot where the rear yard abuts the side yard of an adjacent lot per §151.054(E)(3) of the Marvin Ordinance. This lot is adjacent to three side yards of 3320 Oak Brook Drive, Seale Residence; 3317 Oak Brook Drive, Pina Residence; and 3309 Oak Brook Drive, Sipe Residence.

A Public Hearing is required before Village Council approval.

Overview

A Conditional Use Permit is a process which allows the Planning Board and Village Council to review and approve specific uses that are in keeping with the intent and purpose of the zoning district but may have substantial impacts on the surrounding area. This process allows conditions or restrictions to be placed on an approval that would minimize impacts to the surrounding area.

Swimming pools are an accessory use allowed in the R-Marvin Residential District, provided that the pool is located in the rear yard and the following setback requirements are met:

Swimming pool, measured from water's edge	20 feet rear yard 20 feet side yard or the principal structure on the street side
Pool Equipment	20 feet side and rear yard
Pool Decking	15 feet rear yard 20 feet side yard or the principal structure on the street side
Pool houses, cabanas, and the like	See §151.054 (B)

All swimming pools located on lots where a rear yard abuts a side yard of an adjacent lot shall be subject to a conditional use permit as provided for in § 151.100.

The proposed pool complies with all setback requirements, having a 363' rear yard setback (minimum 20') and 115'/79' left/right side setbacks (minimum 20').

The pool is to be located approximately 363 feet from the rear property line. There is existing heavy screening including evergreens.

Additionally, the applicant has secured written testimony of all three neighbors whose side yard is adjacent to the rear yard of his property (and the two side adjacent neighbors although those properties are not involved with the CUP)

Finding of Facts

In consideration of the request for a Conditional Use Permit, the Village Council will need to make the following findings:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity;
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with this chapter and the Village Land Use Plan; and
5. Additional review criteria, as stated in this chapter shall also be considered and addressed where required. *There are no additional review criteria for the proposed use.*

Recommendation

The Planning Board reviewed and unanimously approved CUP #21-12608 on March 16, 2021, with no conditions.

This request is consistent with the intent of the Village of Marvin's Zoning Ordinance. Staff has identified that the applicant has existing above-average screening of this lot, secured written testimony from all adjacent neighbors, and has significant setbacks; therefore, Staff recommends approval of CUP #21-12608 as presented.



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

CONDITIONAL USE PERMIT APPLICATION

PAGE 1 OF 3

Application Number: _____ Application Date: 3/1/21

Applicant's Name: John Baresich

Property Owner's Name: John Baresich

<u>(704)608-4910</u>	<u>Same</u>	<u>(704)608-4910</u>
Applicant's phone	Owner's phone	Mobile

FAX

Relationship of Applicant to Property Owner: Same

Property Location: 3315 Sandalwood Ln. Waxhaw, NC 28173

Parcel Number: 06213052 Deed Book and page #: 6603 581

Existing Zoning: R - Residential

Proposed Conditional Use: Looking to add a pool in a backyard that abuts a sideyard.

A completed written application for a Conditional Use Permit shall be filed with the Zoning Administrator. The application, at a minimum, shall include the following required information:

1. A scaled boundary surveyed drawn to an appropriate scale prepared by and certified to be correct by a surveyor or engineer registered with the State of North Carolina, showing the total acreage, present zoning classification(s), date and north arrow. On this survey shall be sketched the information required in sections 3, 4, 5, 6, and 7.
2. The owners' names, addresses, and tax parcel numbers (as shown on the current year Union County Tax Records), and the uses and current zoning classifications of all adjacent properties.
3. All existing easements, reservations, rights-of-way and all yard requirements for the zoning district.
4. A site plan showing all existing and/or proposed buildings, storage areas, parking and access areas, proposed size, layout and setbacks of land and proposed structures, and proposed number, type, and location of signs. For residential uses this shall include the number of units and an outline of the area where the structures will be located. For nonresidential uses, this shall include the approximate square

footage of all structures and an outline of the area where the structures will be located.

5. Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets.
6. Landscape plan at the same scale as the site plan showing existing and proposed trees, ground cover and landscape material, proposed screening, including walls, fences or planted areas as well as treatment of any existing natural features.
7. Plans and elevations for all proposed structures.
8. Depending on the nature of the proposed conditional use, the Zoning Administrator (or the Planning Board or Village Council) may require that the following information be submitted in scaled form along with other required information:
 - a) Delineation of the areas within the floodplain as shown on the official flood hazard boundary maps.
 - b) Accurate mapping of all soil classifications found on the site and general depths thereof. The applicant shall use the same classifications used by the U.S. Department of Agriculture.
 - c) Existing and proposed topography at five (5) feet contour intervals.
 - d) Plans for providing potable water and for the treatment of wastewater.
9. Proposed phasing, if any, and approximate completion time of the project.
 - a) All applications shall be signed by the applicant and shall be submitted with any application fee required by the Village.
 - b) 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 in the Article for receipt of a completed conditional use application.
 - c) The Planning Board shall have a maximum of thirty (30) days from the date at which it met or until its next regularly scheduled meeting, whichever is longer, to review the application and to submit its recommendation to the Village Council. If a recommendation is not made during said time period, the application shall be forwarded to the Village Council without a recommendation from the Planning Board.
 - d) When dealing with the Conditional Use Permit process, it may be desirable to request additional information in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the Planning Board and/or Village Council may request needed additional information as they deem necessary.
 - e) Once the application is forwarded to the Village Council from the Planning Board, the Village Council shall consider conducting a public hearing as prescribed in Article 12.1.7 (a public

John Baresich
3315 Sandalwood Ln.
Marvin, NC 28173
Renovation Summary

Accompanying Info for Conditional Use Permit

Project Overview – 3315 Sandalwood Dr.

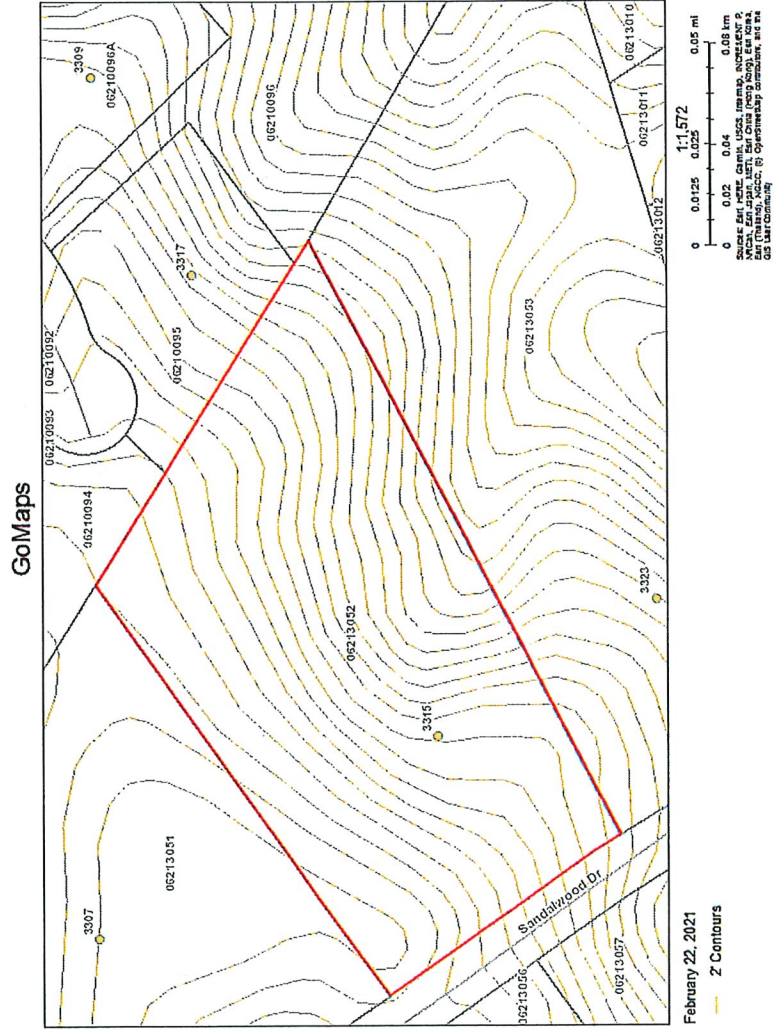
• **Current Issues to be addressed**

- Existing Master Bath is very small and only has shower with no room for a tub.
- Existing Master BR has no walk-in closet.
- Over 40 years the soil around foundation has settled and significant rains allow water into the basement and needs regrading.
- Above ground pool is 19 years old and in need of replacement with only a small level base.

• **Proposed Solutions**

- Extend an addition of 22'x23' off Master Bedroom which will include a new Master Bath and Walk in Closet. Addition to be built on slab.
- Address front soil settling /water issues by regrading swale in front to make sure water runs away from foundation. Utilize dirt that needs to be removed for addition to build up dirt around foundation in the back to resolve rear water issues and create level deck area utilizing an engineered retaining wall and compacted dirt.
- Replace existing above ground pool with inground pool utilizing new level area in the immediate rear of the home. This will require a Conditional Use permit as my rear yard abuts a side yard. I will submit for a separate Conditional Use permit for this.

Property Contour Map

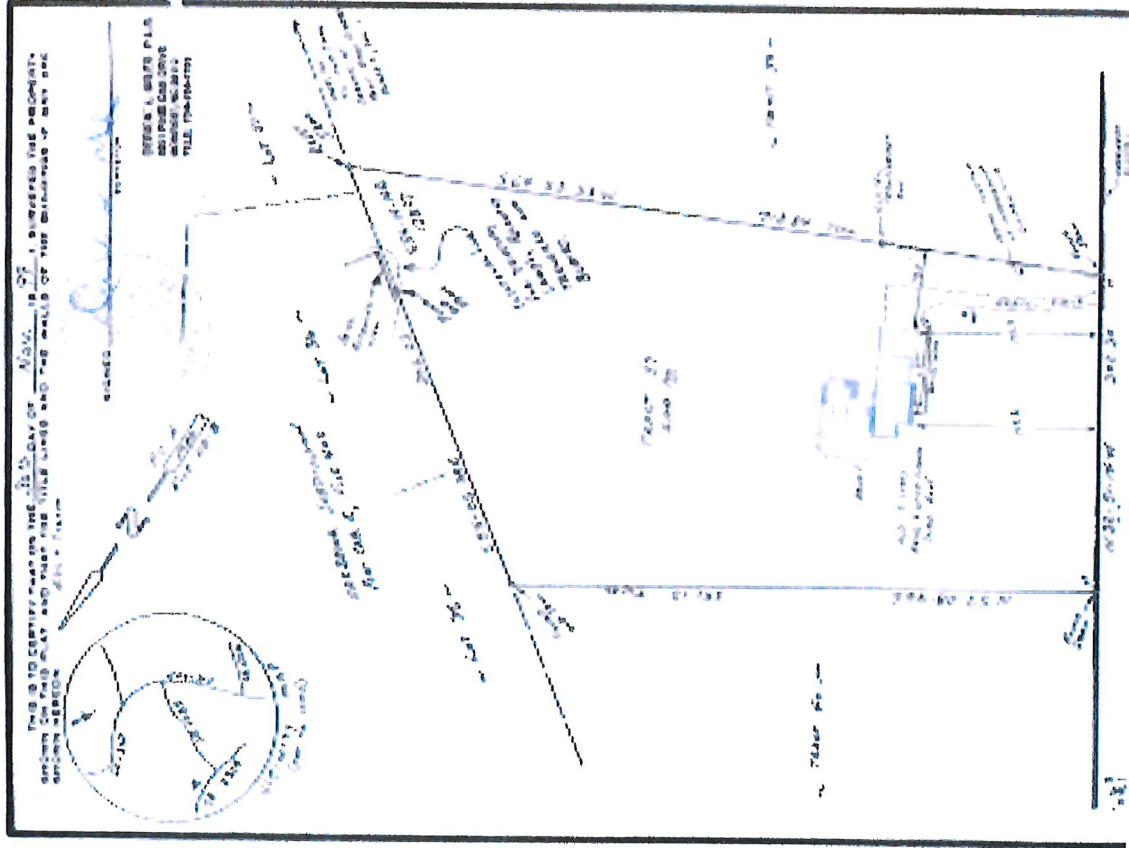


Proposed

Setbacks

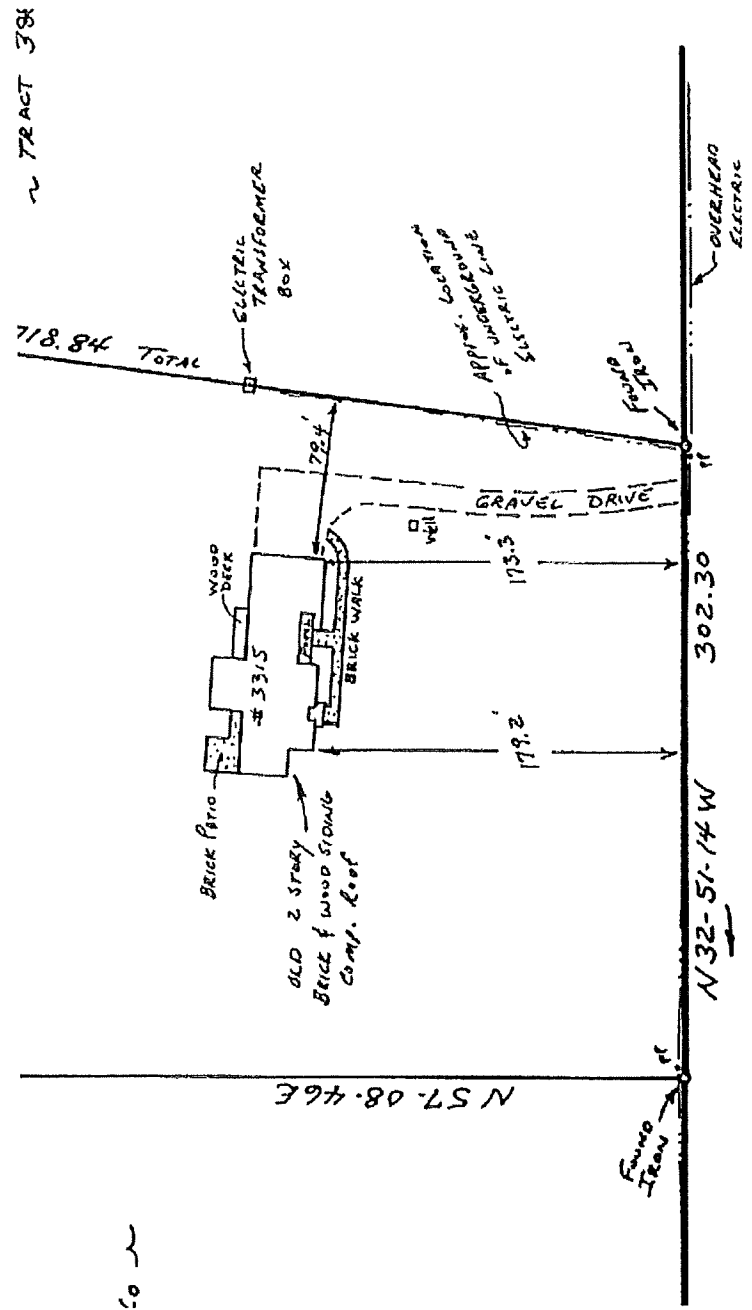
Front Yard Setback 173 Rear Yard Setback 363

(L) Side Yard Setback 115 (R) Side Yard Setback 79 Building Height 38

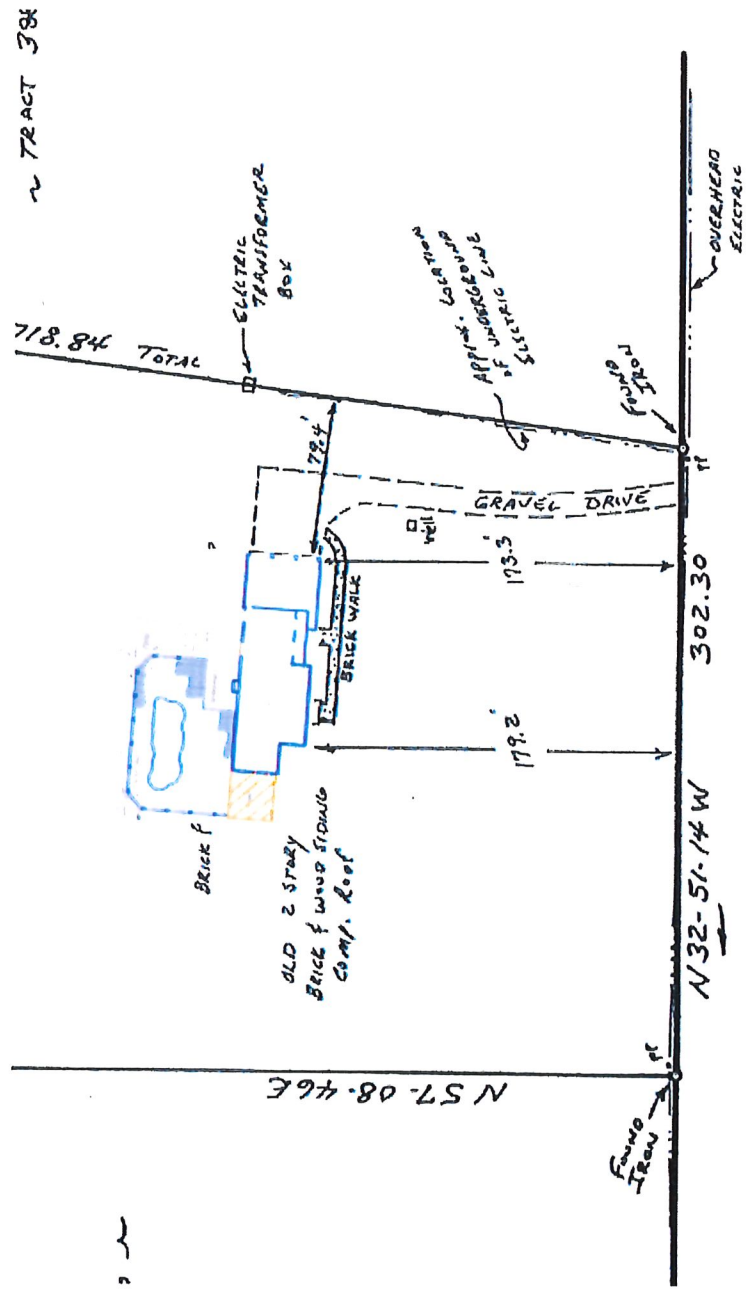




Current Site Close Up

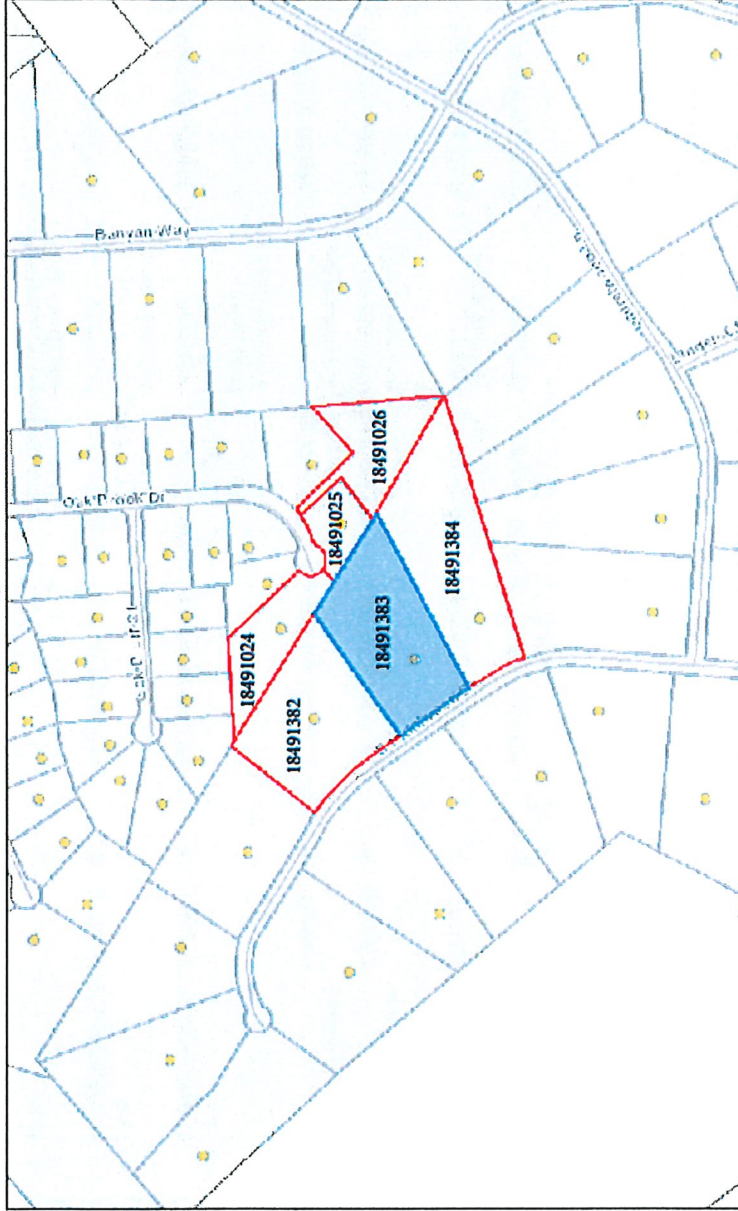


Proposed Site Close Up

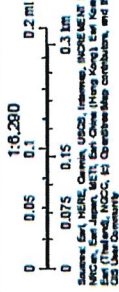


Adjoining Properties

GoMaps



February 24, 2021



Source: Esri, HERE, DeLorme, USGS, Imagery, Mapbox, Swatchmeat, P. Geoportals, Mapbox, OpenStreetMap contributors, and the GIS User Community

Adjoining Property Detail

Parcel Number	Owner	Mailing Address	City	Mailing State	Mailing Zip	Book & Page	Acreage	Situs Address	Description	Sale Amount	Sale Date	Building Value	Land Value	Total Value	Year Build
6210094	SEALE SHEILA K WAYNE K	3320 OAKBROOK DR	MARVIN	NC	28173 1240 872		1.94	3320 OAK BROOK DR	#35 OAK BROOK MAP 2	300500	4/30/1999	360700	99700	460400	1998
6210095	PINA CISALTINA R	3317 OAK BROOK DRIVE	WAXHAW	NC	281737591 6888 235		1.05	3317 OAK BROOK DR	#36 OAK BROOK MP2 OPCE405	540000	3/6/2017	451400	95300	546700	1999
6210096	SIPE MARK CONRAD CECILIA	3309 OAK BROOK DR	MARVIN	NC	28173 3505 459		2.34	3309 OAK BROOK DR	#37 OAK BROOK MP2	499000	7/20/2004	0	101700	101700	0
6213051	BIGGERSTA FF-BURY TERRI JO L	3307 SANDALWOOD DR	WAXHAW	NC	281738809 3559 778		5.003	3307 SANDALWOOD DR	#40 PROVIDENCE RD ESTATES SANDALWO PH2/SEC2 OPCA118B	394000	9/17/2004	402700	81000	483700	1987
6213052	BARESICH JOHN EDWARD	3315 SANDALWOOD LN	WAXHAW	NC	281738809 6603 581		5.003	3315 SANDALWOOD DR	#39 PROVIDENCE SANDALWO ROAD ESTATES OPCA118B	0	1/21/2016	399000	81000	480000	1984
6213053	MURRAY OCTAVIA T	3323 SANDALWOOD DR	WAXHAW	NC	281738809 6652 598		5.78	3323 SANDALWOOD DR	#38 PROVIDENCE SANDALWO ROAD ESTATES PH 2/SCT 2 OPCA118B	0	4/13/2016	318800	84900	403700	1984


Letters of support from all 5 Adjoining Properties

February 18, 2021

Village of Marvin Planning Board and Town Council,

Our adjoining property neighbor, John Baresich, of 3315 Sandalwood Dr. Waxhaw, NC 28173 has shared with us his plan for a pool and that he is applying for a Conditional Use Permit as part of his application for a pool permit in his rear yard that abuts a side yard. We are comfortable that the positioning of this pool directly off the back of his house is well clear of the property lines and given the significant distance from our property line to his proposed pool, and the large natural tree line he has as a buffer around the perimeter of his property, we feel that his project should not require any additional screening.

Sincerely,



Richard Esquer
February 19, 2021

Cisaltina Pina

Richard Esquer

3317 Oak Brook Dr. Waxhaw, NC

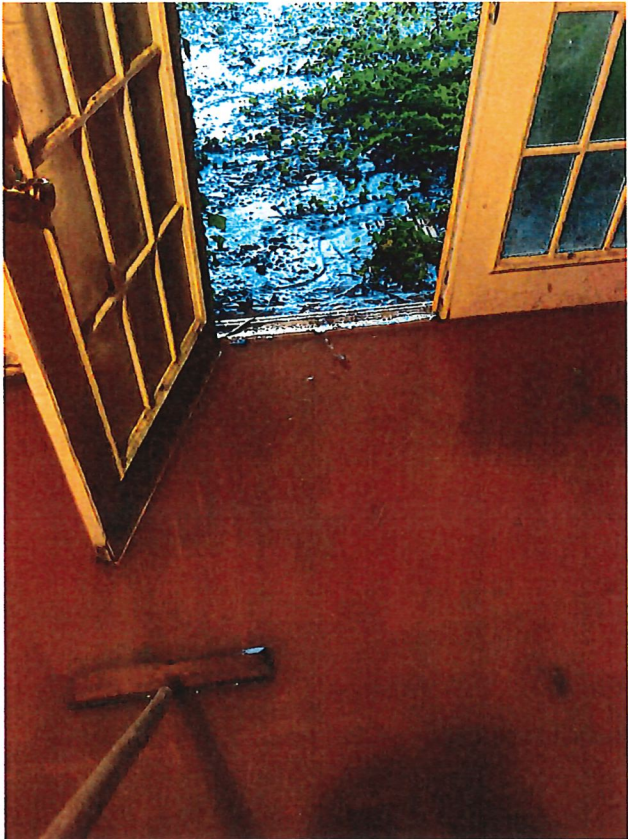
Proposed Height of Retaining Wall for Pool Deck

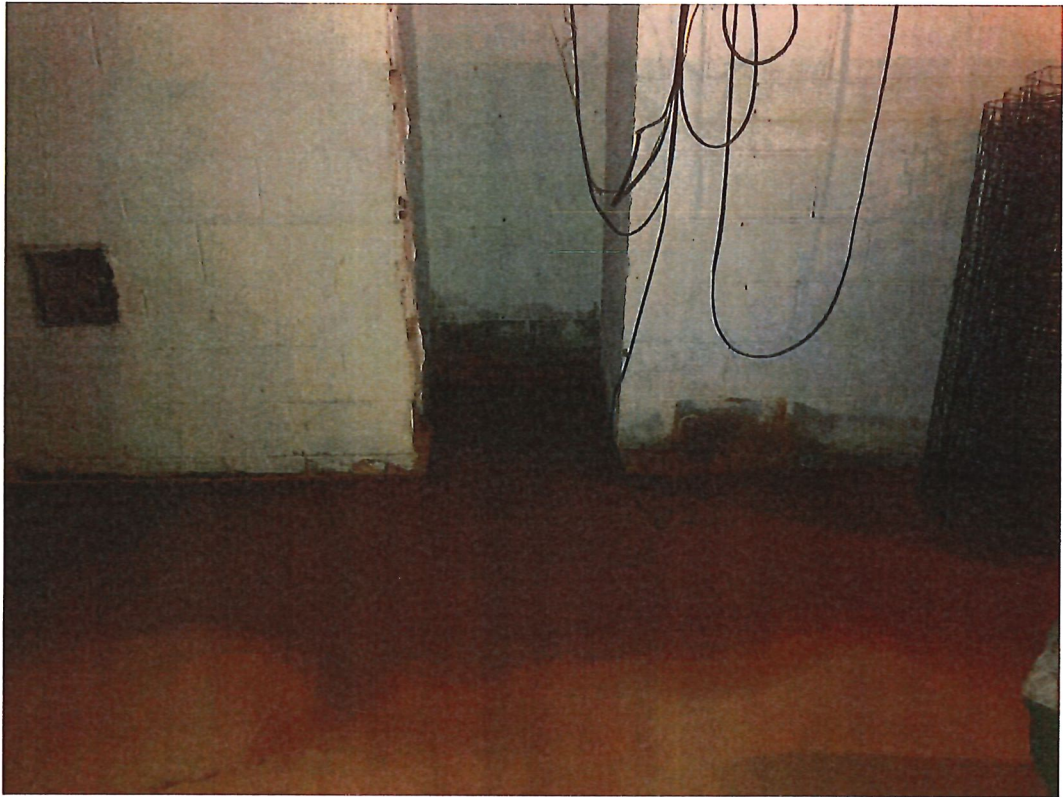


Additional View of Elevation Change



Water Issues In Basement





View From Back Deck Showing Existing Natural Screening



Policy Number P-2021-04-01	Title Candidate Questionnaire Policy	Subject Administration
Adopted April 13, 2021	Adopted by Village Council	Number of Pages 1

PURPOSE

The purpose of the Candidate Questionnaire Policy is to regulate the usage and scope of a candidate questionnaire that may be incorporated into the Village's website during an election.

SCOPE

The Candidate Questionnaire Policy applies to all candidates for the Village Council that seek to use the questionnaire.

POLICY

The Marvin Village Council may incorporate, by majority vote, a questionnaire into the Village's website during an election year for Mayoral or Council candidates. If a questionnaire is implemented, it must be advertised through the Village's communication channels and made available to any Mayoral or Council candidate wishing to use it.

In addition to basic information about each candidate (name, address, subdivision, contact information, education, occupation), the questionnaire shall consist of the following questions:

1. Briefly describe yourself and your background.
2. Describe your experience and accomplishments.
3. What would be your top priorities for your term in office?
4. How do you plan to address those priorities?
5. What is your long-term vision for the Village and how do you plan to make it a reality?

Candidates may, but are not required to, include a photograph with their submission.

Those wishing to use the questionnaire to share information shall:

- Complete their submission online before two weeks elapse from the candidate filing deadline, as set by NCGS §163-294.2(c).
- Answer each question with a maximum of 150 words per question.

Those wishing to use the questionnaire shall not:

- Use the platform to attack other candidates or to use vulgar or inappropriate language.
- Include external links or references to other websites.
- Make more than one submission.
- Make submissions that are unrelated to the questions.
- Ask staff to revise or update their submission.
- Ask staff to answer questions regarding the content of other candidates' submissions.

Any candidate that violates this policy will have their submission rejected after review by the Village Attorney. Candidates that wish to have their submission removed may make such request in writing via email to the Village Clerk.

Completed submissions shall be listed on the Village's website in alphabetical order by the candidates' last names.

At the close of the election season, the candidate questionnaire shall be removed from the Village's website.



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

Memorandum

TO: Mayor and Village Council
FROM: Jamie Privuznak, Finance Officer
SUBJECT: Village Hall Bank Request for Proposals
DATE: Tuesday, April 13, 2021

Background:

On March 10, you approved a resolution (RS-2021-03-01), which authorizes the Village Manager and the Finance Officer to negotiate a contract to finance the construction and related costs associated with building Village Hall. In this resolution, you also directed Village staff to file an application with the Local Government Commission (LGC) to seek permission to borrow funds not to exceed \$1.8 million from a lender, using an installment purchase agreement contract as the "lending" tool.

The Village of Marvin is in the process of completing its application to the Local Government Commission (LGC) to request permission to borrow these funds in May 2021. First Tryon is serving as the Village's financial advisor and is guiding Village staff through the components of the LGC application. Parker Poe is serving as Special Counsel to draft key documents such as the Deed of Trust, which is part of the closing on the bank loan.

Current:

On March 15, First Tryon distributed a Request for Proposals to various banking institutions for a commercial loan not to exceed \$1.8 million for the construction of Village Hall.

On April 5, First Tryon received three proposals from the following institutions:

- 1) Truist (formerly BBT),
- 2) Sterling National Bank and
- 3) Bci Capital Management Group.

After review of the proposals, Village staff suggests your consideration of Sterling National Bank's proposal of a 20-year term at a 2.75% interest rate for a total par amount (i.e., What you will borrow) at \$1,175,000 and a total debt service about of \$1,509,893 as the potential bid award.

The proposals are attached for your review, consideration and discussion.



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

Suggested Action: Award Bank Bid, not to exceed \$1.8 million, for the installment purchase agreement contract for the construction of Village Hall, located at 10006 Marvin School Road AND Authorize Manager to Execute Agreement Contingent Upon Attorney.

Village of Marvin, NC
 2021 Installment Financing
 Summary of Bids Received
 April 5, 2021

Bank	Term	Rate	Total D/S ¹	Max. Ann. D/S ¹	Prepayment	Up Front Fees	Additional Terms
Trust	15 Years	2.3800%	\$1,394,981	\$105,109	In whole at any time at 101%; OR in whole after the first half of the term at 100%	\$5,900	Proceeds will be deposited into an account held by Trust at closing pending disbursement Annual audited financial statements within 270 days of fiscal year end Requires no material adverse change in the City's financial condition prior to closing Subject to taxable and/or non-bank qualified gross up provisions No survey or title insurance required. Trust shall require flood insurance, if applicable
Sterling National Bank	15 Years 20 Years	2.5500% 2.7500%	\$1,410,694 \$1,509,893	\$106,974 \$89,718	In whole or in part on any payment date at 101% in years 6-9 and @ 100% thereafter.	\$0	Must be accepted by April 9th Loan proceeds may be funded into a Sterling National Bank escrow account pending disbursement Requires insurance satisfactory to Sterling National Bank Subject to final credit approval
BoiCapital	15 Years 20 Years	2.5000% 2.7500%	\$1,406,073 \$1,506,893	\$106,423 \$89,718	Not Specified (Early prepayment amounts shall be mutually agreed upon)	\$0	Must be accepted by April 9th Rate may be adjusted if not closed before May 5th Subject to final credit approval

¹ Assumes a flat \$1.175 million per amount.

Village of Marvin, NC

2021 Installment Financing

Debt Service Schedules - \$1.175mm Par Amount

Fiscal Year	Truist 15 Year (2.38%)			Sterling National 20 Year (2.75%)		
	Principal	Interest	Debt Service	Principal	Interest	Debt Service
2022	78,000	24,702	102,702	58,000	28,543	86,543
2023	79,000	26,109	105,109	59,000	30,718	89,718
2024	79,000	24,228	103,228	59,000	29,095	88,095
2025	79,000	22,348	101,348	59,000	27,473	86,473
2026	79,000	20,468	99,468	59,000	25,850	84,850
2027	79,000	18,588	97,588	59,000	24,228	83,228
2028	78,000	16,708	94,708	59,000	22,605	81,605
2029	78,000	14,851	92,851	59,000	20,983	79,983
2030	78,000	12,995	90,995	59,000	19,360	78,360
2031	78,000	11,138	89,138	59,000	17,738	76,738
2032	78,000	9,282	87,282	59,000	16,115	75,115
2033	78,000	7,426	85,426	59,000	14,493	73,493
2034	78,000	5,569	83,569	59,000	12,870	71,870
2035	78,000	3,713	81,713	59,000	11,248	70,248
2036	78,000	1,856	79,856	59,000	9,625	68,625
2037	-	-	-	59,000	8,003	67,003
2038	-	-	-	58,000	6,380	64,380
2039	-	-	-	58,000	4,785	62,785
2040	-	-	-	58,000	3,190	61,190
2041	-	-	-	58,000	1,595	59,595
Total	1,175,000	219,981	1,394,981	1,175,000	334,893	1,509,893

SOURCES AND USES OF FUNDS

Village of Marvin, North Carolina
2021 Installment Financing
Sterling National Bank - 20 Year Option (2.75%)
Final Numbers - April 6, 2021

Dated Date 05/13/2021
Delivery Date 05/13/2021

Sources:

Bond Proceeds:	
Par Amount	1,175,000.00
	1,175,000.00

Uses:

Project Fund Deposits:	
Project Fund	1,133,000.00
Delivery Date Expenses:	
Cost of Issuance	42,000.00
	1,175,000.00

BOND SUMMARY STATISTICS

Village of Marvin, North Carolina
2021 Installment Financing
Sterling National Bank - 20 Year Option (2.75%)
Final Numbers - April 6, 2021.

Dated Date	05/13/2021
Delivery Date	05/13/2021
First Coupon	10/01/2021
Last Maturity	04/01/2041
Arbitrage Yield	2.750193%
True Interest Cost (TIC)	2.750193%
Net Interest Cost (NIC)	2.750000%
All-In TIC	3.175881%
Average Coupon	2.750000%
Average Life (years)	10.364
Weighted Average Maturity (years)	10.364
Duration of Issue (years)	8.743
Par Amount	1,175,000.00
Bond Proceeds	1,175,000.00
Total Interest	334,892.71
Net Interest	334,892.71
Total Debt Service	1,509,892.71
Maximum Annual Debt Service	89,717.50
Average Annual Debt Service	75,937.60
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Bond Component	1,175,000.00	100.000	2.750%	10.364	1,015.46
	1,175,000.00			10.364	1,015.46

	TIC	All-In TIC	Arbitrage Yield
Par Value	1,175,000.00	1,175,000.00	1,175,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-42,000.00	
- Other Amounts			
Target Value	1,175,000.00	1,133,000.00	1,175,000.00
Target Date	05/13/2021	05/13/2021	05/13/2021
Yield	2.750193%	3.175881%	2.750193%

BOND PRICING

Village of Marvin, North Carolina
2021 Installment Financing
Sterling National Bank - 20 Year Option (2.75%)
Final Numbers - April 6, 2021

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Bond Component:					
	04/01/2022	58,000	2.750%	2.750%	100.000
	04/01/2023	59,000	2.750%	2.750%	100.000
	04/01/2024	59,000	2.750%	2.750%	100.000
	04/01/2025	59,000	2.750%	2.750%	100.000
	04/01/2026	59,000	2.750%	2.750%	100.000
	04/01/2027	59,000	2.750%	2.750%	100.000
	04/01/2028	59,000	2.750%	2.750%	100.000
	04/01/2029	59,000	2.750%	2.750%	100.000
	04/01/2030	59,000	2.750%	2.750%	100.000
	04/01/2031	59,000	2.750%	2.750%	100.000
	04/01/2032	59,000	2.750%	2.750%	100.000
	04/01/2033	59,000	2.750%	2.750%	100.000
	04/01/2034	59,000	2.750%	2.750%	100.000
	04/01/2035	59,000	2.750%	2.750%	100.000
	04/01/2036	59,000	2.750%	2.750%	100.000
	04/01/2037	59,000	2.750%	2.750%	100.000
	04/01/2038	58,000	2.750%	2.750%	100.000
	04/01/2039	58,000	2.750%	2.750%	100.000
	04/01/2040	58,000	2.750%	2.750%	100.000
	04/01/2041	58,000	2.750%	2.750%	100.000
		1,175,000			

Dated Date	05/13/2021	
Delivery Date	05/13/2021	
First Coupon	10/01/2021	
Par Amount	1,175,000.00	
Original Issue Discount		
Production	1,175,000.00	100.000000%
Underwriter's Discount		
Purchase Price	1,175,000.00	100.000000%
Accrued Interest		
Net Proceeds	1,175,000.00	

BOND DEBT SERVICE

Village of Marvin, North Carolina
2021 Installment Financing
Sterling National Bank - 20 Year Option (2.75%)
Final Numbers - April 6, 2021

Period Ending	Principal	Interest	Debt Service
06/30/2022	58,000	28,542.71	86,542.71
06/30/2023	59,000	30,717.50	89,717.50
06/30/2024	59,000	29,095.00	88,095.00
06/30/2025	59,000	27,472.50	86,472.50
06/30/2026	59,000	25,850.00	84,850.00
06/30/2027	59,000	24,227.50	83,227.50
06/30/2028	59,000	22,605.00	81,605.00
06/30/2029	59,000	20,982.50	79,982.50
06/30/2030	59,000	19,360.00	78,360.00
06/30/2031	59,000	17,737.50	76,737.50
06/30/2032	59,000	16,115.00	75,115.00
06/30/2033	59,000	14,492.50	73,492.50
06/30/2034	59,000	12,870.00	71,870.00
06/30/2035	59,000	11,247.50	70,247.50
06/30/2036	59,000	9,625.00	68,625.00
06/30/2037	59,000	8,002.50	67,002.50
06/30/2038	58,000	6,380.00	64,380.00
06/30/2039	58,000	4,785.00	62,785.00
06/30/2040	58,000	3,190.00	61,190.00
06/30/2041	58,000	1,595.00	59,595.00
	1,175,000	334,892.71	1,509,892.71

BOND DEBT SERVICE

Village of Marvin, North Carolina
2021 Installment Financing
Sterling National Bank - 20 Year Option (2.75%)
Final Numbers - April 6, 2021

Period Ending	Principal	Interest	Debt Service	Annual Debt Service
10/01/2021		12,386.46	12,386.46	
04/01/2022	58,000	16,156.25	74,156.25	
06/30/2022				86,542.71
10/01/2022		15,358.75	15,358.75	
04/01/2023	59,000	15,358.75	74,358.75	
06/30/2023				89,717.50
10/01/2023		14,547.50	14,547.50	
04/01/2024	59,000	14,547.50	73,547.50	
06/30/2024				88,095.00
10/01/2024		13,736.25	13,736.25	
04/01/2025	59,000	13,736.25	72,736.25	
06/30/2025				86,472.50
10/01/2025		12,925.00	12,925.00	
04/01/2026	59,000	12,925.00	71,925.00	
06/30/2026				84,850.00
10/01/2026		12,113.75	12,113.75	
04/01/2027	59,000	12,113.75	71,113.75	
06/30/2027				83,227.50
10/01/2027		11,302.50	11,302.50	
04/01/2028	59,000	11,302.50	70,302.50	
06/30/2028				81,605.00
10/01/2028		10,491.25	10,491.25	
04/01/2029	59,000	10,491.25	69,491.25	
06/30/2029				79,982.50
10/01/2029		9,680.00	9,680.00	
04/01/2030	59,000	9,680.00	68,680.00	
06/30/2030				78,360.00
10/01/2030		8,868.75	8,868.75	
04/01/2031	59,000	8,868.75	67,868.75	
06/30/2031				76,737.50
10/01/2031		8,057.50	8,057.50	
04/01/2032	59,000	8,057.50	67,057.50	
06/30/2032				75,115.00
10/01/2032		7,246.25	7,246.25	
04/01/2033	59,000	7,246.25	66,246.25	
06/30/2033				73,492.50
10/01/2033		6,435.00	6,435.00	
04/01/2034	59,000	6,435.00	65,435.00	
06/30/2034				71,870.00
10/01/2034		5,623.75	5,623.75	
04/01/2035	59,000	5,623.75	64,623.75	
06/30/2035				70,247.50
10/01/2035		4,812.50	4,812.50	
04/01/2036	59,000	4,812.50	63,812.50	
06/30/2036				68,625.00
10/01/2036		4,001.25	4,001.25	
04/01/2037	59,000	4,001.25	63,001.25	
06/30/2037				67,002.50
10/01/2037		3,190.00	3,190.00	
04/01/2038	58,000	3,190.00	61,190.00	
06/30/2038				64,380.00
10/01/2038		2,392.50	2,392.50	
04/01/2039	58,000	2,392.50	60,392.50	
06/30/2039				62,785.00
10/01/2039		1,595.00	1,595.00	
04/01/2040	58,000	1,595.00	59,595.00	
06/30/2040				61,190.00
10/01/2040		797.50	797.50	
04/01/2041	58,000	797.50	58,797.50	
06/30/2041				59,595.00
	1,175,000	334,892.71	1,509,892.71	1,509,892.71

FORM 8038 STATISTICS

Village of Marvin, North Carolina
2021 Installment Financing
Sterling National Bank - 20 Year Option (2.75%)
Final Numbers - April 6, 2021

Dated Date 05/13/2021
Delivery Date 05/13/2021

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Bond Component:						
	04/01/2022	58,000.00	2.750%	100.000	58,000.00	58,000.00
	04/01/2023	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2024	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2025	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2026	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2027	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2028	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2029	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2030	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2031	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2032	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2033	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2034	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2035	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2036	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2037	59,000.00	2.750%	100.000	59,000.00	59,000.00
	04/01/2038	58,000.00	2.750%	100.000	58,000.00	58,000.00
	04/01/2039	58,000.00	2.750%	100.000	58,000.00	58,000.00
	04/01/2040	58,000.00	2.750%	100.000	58,000.00	58,000.00
	04/01/2041	58,000.00	2.750%	100.000	58,000.00	58,000.00
		1,175,000.00			1,175,000.00	1,175,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	04/01/2041	2.750%	58,000.00	58,000.00		
Entire issue			1,175,000.00	1,175,000.00	10.3642	2.7502%

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	42,000.00
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00

PROOF OF ARBITRAGE YIELD

Village of Marvin, North Carolina
2021 Installment Financing
Sterling National Bank - 20 Year Option (2.75%)
Final Numbers - April 6, 2021

Date	Debt Service	PV Factor	Present Value to 05/13/2021 @ 2.7501929537%
10/01/2021	12,386.46	0.989584046	12,257.44
04/01/2022	74,156.25	0.976160892	72,388.43
10/01/2022	15,358.75	0.962919815	14,789.24
04/01/2023	74,358.75	0.949858347	70,630.28
10/01/2023	14,547.50	0.936974050	13,630.63
04/01/2024	73,547.50	0.924264521	67,977.34
10/01/2024	13,736.25	0.911727389	12,523.72
04/01/2025	72,736.25	0.899360317	65,416.10
10/01/2025	12,925.00	0.887160998	11,466.56
04/01/2026	71,925.00	0.875127155	62,943.52
10/01/2026	12,113.75	0.863256545	10,457.27
04/01/2027	71,113.75	0.851546953	60,556.70
10/01/2027	11,302.50	0.839996195	9,494.06
04/01/2028	70,302.50	0.828602116	58,252.80
10/01/2028	10,491.25	0.817362592	8,575.16
04/01/2029	69,491.25	0.806275525	56,029.09
10/01/2029	9,680.00	0.795338849	7,698.88
04/01/2030	68,680.00	0.784550522	53,882.93
10/01/2030	8,868.75	0.773908533	6,863.60
04/01/2031	67,868.75	0.763410897	51,811.74
10/01/2031	8,057.50	0.753055655	6,067.75
04/01/2032	67,057.50	0.742840877	49,813.05
10/01/2032	7,246.25	0.732764656	5,309.80
04/01/2033	66,246.25	0.722825113	47,884.45
10/01/2033	6,435.00	0.713020395	4,588.29
04/01/2034	65,435.00	0.703348672	46,023.62
10/01/2034	5,623.75	0.693808141	3,901.80
04/01/2035	64,623.75	0.684397021	44,228.30
10/01/2035	4,812.50	0.675113558	3,248.98
04/01/2036	63,812.50	0.665956021	42,496.32
10/01/2036	4,001.25	0.656922700	2,628.51
04/01/2037	63,001.25	0.648011911	40,825.56
10/01/2037	3,190.00	0.639221992	2,039.12
04/01/2038	61,190.00	0.630551303	38,583.43
10/01/2038	2,392.50	0.621998227	1,488.13
04/01/2039	60,392.50	0.613561169	37,054.49
10/01/2039	1,595.00	0.605238555	965.36
04/01/2040	59,595.00	0.597028833	35,579.93
10/01/2040	797.50	0.588930471	469.67
04/01/2041	58,797.50	0.580941958	34,157.93
	1,509,892.71		1,175,000.00

Proceeds Summary

Delivery date	05/13/2021
Par Value	1,175,000.00
Target for yield calculation	1,175,000.00



Branch Banking & Trust Company

Governmental Finance

5130 Parkway Plaza Boulevard
Charlotte, North Carolina 28217
Phone (704) 954-1700
Fax (704) 954-1799

April 5, 2021

Ms. Jamie Privuznak
Village of Marvin, NC
10004 New Town Road
Marvin, NC 28173
USA

Dear Ms. Privuznak:

Truist Bank ("Lender") is pleased to offer this proposal for the financing requested by the Village of Marvin, NC ("Borrower").

PROJECT: 2021 Installment Financing Agreement

AMOUNT: \$1,800,000.00

MATURITY DATE: April 1, 2036

INTEREST RATE: 2.38%

TAX STATUS: Tax Exempt – Bank Qualified

PAYMENTS: Interest: Semi-Annual
Principal: Annual

INTEREST RATE CALCULATION: 30/360

SECURITY: First lien security interest on the real property purchased, financed, constructed, or renovated with financing proceeds

PREPAYMENT TERMS: Prepayable in whole at any time with a one percent prepayment penalty. As an alternate redemption provision, the Borrower may elect for the transaction to be non-callable for the first half of the term and callable at par thereafter.

RATE EXPIRATION: June 4, 2021

DOCUMENTATION/ LEGAL REVIEW FEE: \$5,900

FUNDING: Proceeds will be deposited into an account held at Lender at closing pending disbursement for project costs.

DOCUMENTATION: It will be the responsibility of the Borrower to retain and compensate bond counsel to appropriately structure and document the transaction in accordance with state and federal statutes. The financing documents shall include provisions that will outline appropriate changes to be implemented in the event that this transaction is determined to be taxable or non-bank qualified in accordance with state statutes or the Internal Revenue Service Code. All documentation must be deemed appropriate by Lender before closing. Lender will not require a survey or title insurance. Evidence of LGC approval is required when applicable. At a minimum, Lender shall require flood insurance, if applicable.

REPORTING REQUIREMENTS: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

We appreciate the opportunity to offer this financing proposal. Please call me at (803) 413-4991 with your questions and comments. We look forward to hearing from you.

Sincerely,

Truist Bank



Andrew G. Smith
Senior Vice President

Item H.5.

Excise Tax \$0.00

Recording Time, Book and Page

Parcel Identifier No. 06-183011C

Verified By _____ County on the ___ day of _____, 20____

By _____

Mail after recording to Village of Marvin, Attn: Village Clerk, 10004 New Town Road, Marvin, NC 28173

This instrument was prepared by Spencer & Spencer, P.A., 226 East Main Street, Suite 200, P.O. Box 790, Rock Hill, SC 29731 *No title work completed by Preparer*

Brief Description For The Index: 1623 S. Providence Road, Waxhaw, NC

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this ____ day of _____, 2021, (the "Effective Date") by and between:

GRANTOR

GRANTEE

PUBLIX NORTH CAROLINA, LP,
a Florida limited partnership
a Florida limited partnership
3300 Publix Corporate Parkway
Lakeland, Florida 33811

THE VILLAGE OF MARVIN,
a North Carolina Municipal Corporation
10004 New Town Road
Marvin, NC 28173

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a gift and for the benefit of the public and by these presents does grant, bargain, and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Sandy Ridge Township, Union County, North Carolina, and more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference (the "**Property**"). It is the intent of the Grantor that Grantee develop and use the Property for the sole purposes of a public park and green space and for no other purpose whatsoever.

The Property hereinabove described is a portion of the property acquired by Grantor by instrument recorded in Book 6851 at Page 616, Union County Public Registry.

The Property herein conveyed does not include the primary residence of Grantor.

TO HAVE AND TO HOLD the aforesaid Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple provided that if the Property is not developed and used as a public park within five (5) years of the Effective Date of this Special Warranty Deed, then Grantor shall have the right to reenter and repossess the Property and upon such reentry and repossession, all right, title and interest in and to the Property will revert to the Grantor.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor but not otherwise, subject to those matters listed on **Exhibit B** attached hereto (the "**Permitted Exceptions**").

[Remainder of page intentionally blank]

IN WITNESS WHEREOF, the Grantor has executed this deed as of the day and year first above written.

PUBLIX NORTH CAROLINA LP,
a Florida limited partnership

By: Publix Super Markets, Inc., its General Partner

By: _____ [SEAL]

Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

I, _____, Notary Public for the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of **Publix North Carolina LP**, a North Carolina limited partnership, and that he, being authorized to do so, executed the foregoing on behalf of the limited partnership.

Witness my hand and official seal, this the _____ day of _____, 20____.

Notary Public

[NOTARIAL SEAL]

Printed Name of Notary
My commission expires _____

Exhibit A

Legal Description

That certain tract or parcel of land situated, lying and being in Sandy Ridge Township,
Village of Marvin, Union County, State of North Carolina, and

BEING all of Lot 1 on the plat titled "Lot Line Revision Plat of Property of Publix North
Carolina, LP" recorded December 9, 2019 in Plat Cabinet P, File 322 of the Union County
Public Registry.

Exhibit B

Permitted Exceptions

- (a) Applicable zoning and building ordinances and land use regulations;
- (b) all recorded encumbrances, covenants, conditions, restrictions, easements and other matters;
- (c) such state of facts as would be disclosed by a customary land survey;
- (d) All restrictions, covenants, conditions and easements contained in that certain Declaration of Restrictions, Covenants, Conditions and Grant of Easements entered into by Publix North Carolina LP, dated December 15, 2020 and recorded in Book 7949, Page 412 of the Union County Register of Deeds Office (the “**Declaration**”); ~~including, but not limited to, a reservation in favor of Grantor of a perpetual, non-exclusive easement in, over and across the Property for the purposes of constructing, installing, maintaining, repairing, replacing or restoring the Primary Monument Sign, as such term is defined in the Declaration, and signage which may be located thereon for the benefit of the Shopping Center Tract, as such term is defined in the Declaration, all in accordance with the terms and conditions contained in the Declaration;~~
- (e) all terms, covenants, conditions, easements and restrictions shown on that certain Plat recorded in Plat Cabinet O, File 954 of the Union County Register of Deeds Office; and
- (f) all terms, covenants, conditions, easements and restrictions shown on that certain Plat recorded in Plat Cabinet P, File 322 and 323 of the Union County Register of Deeds Office.