



**TOWN OF DAVIDSON  
LIVABILITY BOARD  
TOWN HALL BOARD ROOM - 216 S. MAIN STREET  
MAIN MEETING - 7:00 P.M. (SUBCOMMITTEE MEETINGS: WALKS AND ROLLS - 6:15 P.M.  
TREES/NATURAL - 6:30 P.M. PARKS AND REC - 6:30 P.M.)  
MARCH 19, 2019**

**I. CALL TO ORDER**

**II. WELCOME AND RECOGNIZE NEW MEMBERS AND GUESTS**

**III. CHANGES TO THE AGENDA**

**IV. ADOPT MINUTES**

- (a) January 19 Meeting Minutes

**V. NEW BUSINESS**

- (a) User Fee Policy

**VI. OLD BUSINESS**

- (a) Mobility Plan Discussion
- (b) Staff/Subcommittee Reports



---

**Agenda Title:** January 19 Meeting Minutes

**Summary:**

---

**ATTACHMENTS:**

Description	Upload Date	Type
□ January 19 Meeting Minutes	3/14/2019	Cover Memo

## **Davidson Livability Board**

*Meeting Minutes, Tuesday, January 15, 2019*

### *Members Present*

Resai Bengur, George Berger, Dave Cable, Patrick Coleman, Chloe deBeus, Jim Dumser, Cheri Foreman, Amy Hartz, Steedman Lyles, Jason Parker

### *Members Absent*

John Cock, Patrick Hawkins, Martin Metzker, Deborah Keenan

### *Parks & Recreation Staff Present*

Charlene Minor, Kathryn Spatz, Leslie Willis

### *No Guests Present*

*Meeting called to order at 7:00 PM with ten members present*

Chair Steedman Lyles called the meeting to order and welcomed guests and members of the Livability Board. Chair Lyles welcomed new Livability Board member Resai Bengur. Patrick Hawkins, a newly appointed member of the Livability Board, submitted his resignation from the Livability Board on Tuesday, January 15, 2019. To fill the vacancy, the open position would be appointed by the Town of Davidson Board of Commissioners at an official meeting.

A motion to approve the November 2018 Meeting Minutes was approved by a vote of 9–0 with one abstention.

A motion to approve the December 2018 Meeting Minutes was approved by a vote of 10–0, with no abstentions, pending approved changes, with the addition of an addendum of official meeting notes from the Town of Davidson's *What's Next Davidson* Comprehensive Plan Committee, if available from the Committee.

A motion to approve a slate of candidates for Officer positions on the Livability Board was approved 10–0. The Livability Board Officers for 2019 are: Steedman Lyles, Chair; George Berger, Vice Chair; Jason Parker, Secretary.

Dave Cable, who also serves on the Town of Davidson Beaty Street Task Force, encouraged the Livability Board to attend the Tuesday, February 19, 2019 public input session at 5:30 p.m. There will be a presentation and a panel discussion about the recommendations from the Task Force.

Director Kathryn Spatz updated the Livability Board on Town of Davidson Parks & Recreation projects.

The next meeting of the Livability Board is a joint meeting with the Town of Huntersville Parks & Recreation Commission, Town of Cornelius Parks, Arts, Recreation & Culture Commission, and Mecklenburg County Park and Recreation Department and will occur on Wednesday, January 30, 6:30 PM at a location that has not yet been determined. There will be no February meeting of the Livability Board in 2019.

No further updates from staff or Subcommittees occurred.

*The meeting adjourned at 7:57 PM with a unanimous vote, 10–0.*



---

**Agenda Title:** User Fee Policy

**Summary:**

---

**ATTACHMENTS:**

Description	Upload Date	Type
❏ Current User Fee Policy	3/14/2019	Cover Memo



## **PARKS AND RECREATION DEPARTMENT USER FEE POLICIES AND PROCEDURES**

---

**Effective October 11, 2011**

The following document explains the User Fees for the Town of Davidson Parks and Recreation Department. The Town of Davidson will be referred to as the “Town”, the Parks and Recreation Department as the “Department” and the Parks and Recreation Manager as the “Manager”, unless otherwise noted. This document addresses the following areas related to the policy and procedures about fees:

1. Resident vs. Non Resident Status	page 2
2. Programs	page 2
a. Establishment of Fees	page 2
b. Fee Reduction Policy	page 3
c. Prorating Program Fees	page 4
d. Program Registration	page 4
e. Cancellation and Refunds	page 5
3. Rental Equipment and Facilities	page 6
a. Overview of Renters	page 6
b. Applications for Rentals	page 7
c. Fees and Charges	page 7
d. Facility Cancellations	page 7
e. Reservation Restrictions	page 8
f. Guidelines for Using the Facilities	page 9
g. Damages and Liabilities	page 9

Please see the User Fee Schedule for the exact cost of a program, pass or rental. Please contact our office at 704-892-3349 if you need clarification.

## **RESIDENT VS NON-RESIDENT STATUS**

---

1. Residents: Residents are defined as persons living in or owning property within the Town of Davidson limits.
2. Priority for Residents: Residents of the Town of Davidson will be given first priority for registration over non-Town residents. For select programs, the Department reserves the right to provide priority registration to residents of Mecklenburg County over non-residents of Mecklenburg County.
3. Exemptions to Status: The Manager may grant exemptions to resident status in extraordinary situations to ensure minimum program enrollment.

## **PROGRAMS AND PASSES**

---

### **Establishment of Fees for Programs and Passes**

1. Program Costs and Fee: The costs of programs will be determined by totaling direct costs, such as the costs of specialized employees and equipment, and consumable materials and supplies, and dividing the total cost by the minimum number of participants in the program.
  - a. Residents will pay a fee that will cover at least 100% of those costs. Youth program fees (for those 18 and under) will be set to only cover 100% of the direct costs. Adult program fees (for those over 18) will pay 100% of the direct costs plus an assessed 10% administrative charge.
  - b. Non-residents will pay the fee of a resident, based on the program, *in addition to* a 20% surcharge.
2. Program Improvement Cost Recovery Fee: If for a specific program, costs of special equipment or facility improvement can be identified, surcharges may be added to the program's user fee to recover these costs over the life of the equipment or improvement.
3. Experimental Program Fee: For an experimental youth workshop or class, the Department may charge fees that will recover at least 50% of the direct program costs. The intent is to initiate new programs and allow the program to gain momentum.
4. Returned Check Fee: A \$25 per check service charge, accepted in cash or money order, will be issued for returned checks. Patrons with outstanding balances because of returned checks will be prohibited from registering for and participating in programs. Patrons with three returned checks cannot pay by check for three years from the date of the last returned check.
5. Other Aspects of Fees
  - a. *Nearest Dollar*: All user fees will be rounded up to the nearest dollar.
  - b. *Annual Review*: The Recreation Advisory Board will annually review all services and recommend a User Fee Policy and Procedures to Town Board of Commissioners.

- c. *User Fee Schedule:* The user fee schedule will be published annually.
- d. *Suspension of Fees:* The Manager may suspend fees for special promotional and marketing events.

## **Fee Reduction Policy**

It is the intent of the Town and the Department that no person be prevented from participating in Parks and Recreation programs because of the inability to pay a full fee. A fee reduction policy has been established to meet the needs of individuals or families with limited financial resources. The Department will also make accommodations for participants who cannot complete the Fee Reduction Application without assistance.

### **1. Criteria For Fee Reduction**

- a. *Residence Criteria:* Persons receiving fee reductions must reside in the Town of Davidson.
  - b. *Household and Income Criteria:* Individuals who qualify for a fee reduction will be required to pay a portion of the total program fee based on their household size and income (income is defined as the sum, on an annual basis, of all pay, allowances, maintenance/child support, grants, student loans and other income for the household). This fee will be relative to the Financial Assistance Eligibility (FAE) Scale, which is annually updated and published by the U.S. Department of Housing and Urban Development. Patrons will normally pay 10%, 50%, or 75 % of program fees.
2. **Proper Forms:** Requests for fee reductions must be submitted on a Fee Reduction Application.
3. **Verification:** Household income, eligible household members and eligible dependents must be verified through one of the following:
- a. *The Mecklenburg County Department of Social Services.* The Parks and Recreation Department will contact the Mecklenburg County Department of Social Services to verify the Fee Reduction Application.
  - b. *The School's Family Specialists.* The Department requires a letter from the school's Family Specialist verifying the appropriate information.
  - c. *The patron's previous year's federal tax return (adjusted gross income will be used) and their current pay stub(s)* within two weeks of registration. If registering between January 1 and April 15, patrons will receive a Provisional Fee Reduction to allow for filing the previous year's taxes; all tax documents must be received in the Parks and Recreation Administrative office no later than April 18<sup>th</sup>.
4. **Provisional Fee Reduction:** The Department reserves the right to grant a Provisional Fee

Reduction while an application is being verified. Any provisional reductions in fees are conditional on an approved Fee Reduction Application. If verification indicates that a fee reduction is not applicable, any prior programs or passes for which a reduced fee was charged will be recalculated to the full fee and will require full payment.

5. Fee Discounts and Reductions

- a. *Discount on Program Fees:* Patrons are required to pay a portion of the program fee based on the FAE Scale. Once eligibility is verified and a level of payment is determined, patrons normally pay 10%, 50%, or 75% of program fees.
- b. *Minimum \$5.00 Charge Per Program:* Patrons will pay the percentage of the program for which they qualify, unless the cost is less than \$5.00. In those instances, the participant must pay \$5.00 per program.
- c. *Reductions for Extreme Financial Circumstances:* Patrons who have extreme circumstances that affect their ability to pay the percentage of program fees for which they qualify can discuss their situation with a Program Specialist. A Program Specialist has the authority to further reduce fees, but additional documentation may be required.
- d. *Fee Reductions for Co-Sponsored Programs:* Instructional co-sponsors and contract instructors determine their program's eligibility for Fee Reduction. If offered, patrons must first apply and be approved for a fee reduction through the Department. Discounts, if granted, will follow the Department's established percentages of 10%, 50%, or 75%.

6. Specific Exclusions

- a. *Programs Excluded:* The Manager may exclude certain programs with high program costs, such as trips and private classes, from fee reduction eligibility.
7. Approval by Manager: The Manager, or a designee, will review each fee reduction request and will have final authority to approve or deny the request.
8. Confidentiality: All fee reduction applications are public documents that must be made available to any person upon request. However, in the absence of a request to provide this information, Department staff will keep all information confidential.

**Prorating Program Fees**

Program fees are generally not prorated. However, Program Supervisors have the discretion, in extreme circumstances, to prorate fees and determine the cut-off whereby participants can no longer join programs. Prorated fees will be calculated on a per-week or per-meeting basis.

**Program Registration**

1. Priority Registration for Residents: During the first week of all program registrations, Davidson residents will be given priority.



2. Non-Residents Registration: Non-residents may register for programs after the resident-only registration period ends.
3. First-Come, First-Serve Basis: Registration is on a first-come, first-serve basis.

### **Cancellations and Refunds**

1. Cancelled or Adjusted Programs: The Department will make a full refund for all programs cancelled or adjusted as to time, date or place.
2. Full Programs: If a person registers by mail and his/her preferred first and second choices are full, the Department will issue a credit for future use. Patrons may request a full refund by contacting the administrative office.
3. Customer Cancellation: Participants in classes and ongoing programs will be given a refund or credit of their registration fees, less a \$10.00 processing fee (**\$10 per class that is cancelled**), if the participant is not completely satisfied with the program **AND** has requested a refund, in writing, according to the guidelines below:
  - a. For *normally scheduled programs*, the request occurs before the second meeting.
  - b. For *Youth Athletic Leagues*:
    - i. That include a skill evaluation, the refund request occurs before the first skill evaluation.
    - ii. That do not include skill evaluation, the refund request is submitted prior to the coaches' meeting.
  - c. For *camps, and one-time workshops or programs*, the refund request is submitted at least 7 days prior to the first day of the program.
  - d. For *overnight bus trips*, the refund request occurs at least 30 days prior to the trip.

**No credit or refund will be given if the participant fails to notify the Department, in writing, within the time constraints designated above.**

4. Processing Refunds:
  - *Credit Card Refunds*: Fees that were originally paid with a credit card will be refunded to that credit card.
  - *Check Refunds*: Fees that were originally paid with a check will be issued by a Town check. Refund checks will not be issued until the original check has cleared; please allow at least 3 weeks from the original check date.

## **RENTAL EQUIPMENT AND FACILITIES**

### **Overview of Renters**

1. Priority of Use: Department sponsored and co-sponsored activities and programs will have priority for the use of all Department facilities.
2. Equal Opportunity and Access: Town facilities are available on a non-discriminatory basis. All renters must ensure that activities appropriately accommodate all individuals regardless of age, sex, race, color, religion, national origin, physical or mental disabilities, affectional preference or marital status.
3. Resident vs. Non-resident: All rental fees will be determined by resident status, unless otherwise noted in this policy.
4. User Types and Specific Exceptions: The entities below may rent some of the Department's areas and facilities, when not in use for Department sponsored and co-sponsored activities.
  - a. *Individuals* – Individuals are defined as citizens, families and other unaffiliated groups.
    - A.) *Exception*: The Manager may grant exemptions from fees for individuals who desire to reserve a meeting room for a meeting that is non-commercial in nature, open to the public and beneficial to the general community.
  - b. *Non-Profit Organization* – Non-profit organizations are defined as a 501 (c) 3.
    - A.) *Exception #1*: Non-profits that use facilities to directly benefit the citizens of Davidson may charged up to 50% of the usual fee for one-time events and programs.
    - B.) *Exception #2*: Non-profits are exempt from fees for a meeting room when holding a meeting that is non-commercial, open to the public and beneficial to the general community.
  - c. *Government Boards and Agencies* - Official government boards and agencies may rent facilities at no charge for events held in the public interest, when not otherwise in conflict with this policy. When holding a meeting, government entities are required by law to make meetings open to the public.
  - d. *For-Profit Organizations* – For-profit organizations are defined as businesses and other commercial organizations that are organized primarily for profit. Unless granted an exception by the Manager, Department facilities are not available for rent by for-profit organizations.
5. Events that Benefit the General Community: The Manager, or a designee, has the discretion to determine if an event, meeting or activity benefits the general community.
6. Age Restrictions of Users: Reservation agreements must be signed by persons 21 years or

older who are duly authorized to act as the applicant. When the activity is primarily for persons under 21, the person signing the agreement is responsible for having one adult chaperon for each group of 10 individuals who are in attendance and under 21.

## Applications for Rentals

Rental applications will be accepted beginning October 1 for the next calendar year. The only exception is with athletic and playing fields; applications for these facilities will be accepted according to the following schedule:

- a. Beginning March 1, for rentals occurring from April 1 to July 30.
- b. Beginning July 1, for rentals occurring from August 1 to November 30.

Facility rental applications must be submitted ***at least four weeks*** prior to the requested date(s) of use and include time for set-up and tear-down. Staff can accept rental reservations within four weeks of the rental date; however, all fees (deposit and hourly fee) for rentals with less than four weeks notice must be paid in cash or by credit card.

## Fees and Charges

1. Rental Fees: Area and facility rental rates will be computed by adding the personnel and hourly operating costs for that facility. Fees for residents will be set to cover 100% of direct costs. Non-residents will pay 100% of the direct costs ***in addition to*** a surcharge. All fees must be paid in full within two weeks of rental approval, unless otherwise stated or other arrangements were made with the Manager. If a meeting room is rented during a time when the facility is normally closed, a \$15.00 per hour per staff member will be charged, in addition to the rental fee.
3. Returned Check Fee: A \$25 per check service charge, accepted in cash or money order, will be issued for returned checks. Patrons with outstanding balances because of returned checks will be prohibited from renting facilities. Patrons with three returned checks cannot pay by check for three years from the date of the last returned check.

## Facility Cancellations

1. General Cancellations: All requests to cancel a facility reservation must be made ***in writing at least seven days before the reservation date***. All facility reservation cancellations that follow the policy will be refunded, less a \$10 processing fee. Cancellations with less than seven days notice in advance of the reservation date will **NOT** be refunded.
2. Rain Date Credits: To receive a credit for a rain date, the renter will provide the facility supervisor with a ***written request within seven days*** of the rain date. Requests made after the seven-day period will not be granted. Picnic shelter rentals are rented 'rain or shine' and are excluded from rain date credits.

## **Reservation Restrictions**

### **1. General Restrictions of Use:**

- a. Admission may not be charged for entrance into Town-owned or controlled areas and facilities by private individuals and/or for-profit organizations, for personal profit. If the Department and other entity enter into a cooperative agreement, a special exemption is made in which the Department will most likely require the co-sponsoring agency to pay the Town a percentage of gross receipts. The agency normally pays 20% of gross receipts, but the Manager may alter this amount.
  - b. If approved by the Department, facilities and equipment may be used for fundraising activities. The organization may be required to prove that they are a non-profit, show that all proceeds benefit the non-profit and provide a signed financial account of actual expenses and revenues within 7 days of the event. Food may be sold with the appropriate Mecklenburg County Health Department Permit.
  - c. Department facilities cannot be used for private lessons.
  - d. Only the designated, approved rental in the reservation receipt may be used. Other parts of the facility not included in that receipt cannot be used.
  - e. Facility rentals are only available during normal operating hours. Exceptions to this restriction may be made by the Manager, or a designee.
  - f. The Village Green may not be reserved/rented for private use.
  - g. The Village Green may not be reserved/rented by non-resident profit or non-profit organizations. The Manager has the authority to waive this restriction in specific cases.
2. Date and Time Restrictions: The Department shall restrict rentals of some facilities during certain periods of the year as described below.

- Athletic playing fields cannot be rented from December 1-February 1.

Facilities that are suitable for evening use may not be rented from 10:00 pm to 6:00 am.

Additionally, the Department reserves the right not to rent recreation fields if fields are in poor condition because of overuse. The Manager may also grant other exceptions to these rental restrictions under extraordinary circumstances.

### **3. Seasonal Restrictions**

- a. High-Demand, Seasonal Facilities: For seasonal, high-demand facilities, the Department staff may consider all rental requests and allocate rental time based on the number of requests and the overall time requested. Department programs will have priority.

## Guidelines for Using the Facilities

In addition to leaving the area, facility and/or equipment in a clean and orderly condition, the renter must obey the following guidelines:

1. Publicity: All publicity (flyers, mailings, advertising, etc.) related to events held at rented Parks and Recreation facilities must be pre-approved by the Manager. Failure to comply will result in a cancellation of the rental.
2. Decorations: All decorations must be approved by Department staff prior to placement. Decorations must not be taped, nailed, tacked or otherwise attached to any tables, walls, ceilings or other portions of buildings or equipment.
3. Supplies: The Department does not provide tables and chairs for outdoor use. The user may bring additional chairs, screens, blackboards, etc. but must remove them immediately after the meeting or activity.
4. Prohibited Activities and Items:
  - a. *Beer, wine, alcoholic beverages, firearms, smoking or illegal drugs* are not allowed within Town parks and facilities. The Board of Commissioners may authorize beer and wine on a case by case basis.
  - b. *Inflatable Amusements* are not allowed in parks, except with permission from the Manager.
  - c. *Amplification* is not allowed in parks except with permission from the Manager.
6. Inclement Weather: In the event of inclement weather, the Department may cancel a reservation because of potential harm to the user or facility. Cancellations will be noted on the Athletic and Program Hotline. Failure to abide by this policy can result in the cancellation of your rental reservation.

## Damages and Liability

1. Damage to Facilities: Any and all damages to the areas, facilities or equipment while being used by the renter will be the responsibility of the renter or organizational representative and payable in full to the Town of Davidson. Payment will include the costs of all labor, materials and supplies to repair and/or replace the damaged items. The Department can use the renter's security deposit to make the repairs or replacements.
2. Liability: The Town assumes no liability for the renter's use of the equipment or facility. The applicant shall hold the Town harmless from any claim or liability arising out of any activity or conduct while using the equipment or facility in question.



---

**Agenda Title:** Mobility Plan Discussion

**Summary:**

---

**ATTACHMENTS:**

Description	Upload Date	Type
No Attachments Available		



---

**Agenda Title:** Staff/Subcommittee Reports

**Summary:**

---

**ATTACHMENTS:**

Description	Upload Date	Type
No Attachments Available		