

AGENDA
www.townofvaldese.com

Town of Valdese Town Council
102 Massel Avenue SW, Valdese, NC

Monday, February 5, 2024
6:00 p.m., Valdese Town Hall, Council Chambers

The Town Council Meeting will be livestreamed on YouTube [@townofvaldese](https://www.youtube.com/@townofvaldese).

1. Call Meeting to Order

2. Invocation

3. Pledge of Allegiance

4. Informational Items

A. Communication Notes

B. Reading Material

5. Open Forum/Public Comment

A. Gretchen Costner – Invitation to 176th Waldensian Edict of Emancipation Event, Saturday, February 17, 2024 at 5:30 p.m., at the Old Rock School.

6. Consent Agenda

All items below are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item 7.

A. Approval of Regular Meeting Minutes of January 8, 2024

B. Approval of Closed Session Minutes of January 8, 2024

C. Approval of Strategic Planning Session Minutes of January 17, 2024

D. Approval of Strategic Planning Session Minutes of January 24, 2024

E. Acceptance of Easement – Jaubert Ave.

F. Approval of Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events

G. Appointment of ABC Board Chairman, Interim Town Manager Bryan Steen

7. New Business

- A. Presentation of Hoyle Creek Restoration (Presented by Beth Heile and David Andersen)
- B. Pool Enclosure Discussion (Presented by David Andersen)
- C. Public Safety Building (Presented by Bo Weichel)
- D. Recruitment of a Town Manager Discussion (Presented by Bryan Steen)
- E. Potential Valdese Town Charter Amendment for Future Consideration by Citizens (Presented by Councilman Glenn Harvey)
- F. Consideration of Approval of Contract for Old Rock School Renovations (Presented by Morrissa Angi)
- G. FY 24-25 Audit Proposals and Approval of FY 24-25 Audit Services (Presented by Bo Weichel)
- H. Consideration of Approving Resolution for the Sale of Town-Owned Property – Fat Ave. (Presented by Bo Weichel)
- I. Consideration of Amendment of the Valdese Town Council Rules 31 and 32(a) of the Rules of Procedure and Amending Section 2-1021 of the Town of Valdese Code of Ordinances. (Presented by Councilman Paul Mears)

8. Interim Manager’s Report

- A. Council’s Strategic Planning Session with WPCOG is scheduled for Thursday, February 15, 2024 at 6:00 p.m., at the Valdese Town Hall, Community Room.
- B. Bluegrass at the Rock presents: Darin & Brooke Aldridge, Saturday, February 10, 2024 at 7:30 p.m., at the Old Rock School
- C. Next Agenda Review Council meeting is scheduled for Monday, February 26, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall
- D. Next Regular Council meeting is scheduled for Monday, March 4, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

9. Mayor and Council Comments

10. Closed Session Pursuant to NC General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

11. Adjournment

The Town of Valdese holds all public meetings in accessible rooms. Special requests for accommodation should be submitted by individuals with disabilities at least 48 hours before the scheduled meeting time. Contact Town Hall at 828-879-2120 or TDD Phone Line (hearing impaired) 1-800-735-2962.

COMMUNICATION NOTES

To: Mayor Watts
Town Council

From: Town Clerk

Date: February 2, 2024

Subject: Monday, February 5, 2024 Council Meeting

6. Consent Agenda:

- A. **Approval of Regular Meeting Minutes of January 8, 2024**
- B. **Approval of Closed Session Minutes of January 8, 2024**
- C. **Approval of Strategic Planning Session Minutes of January 17, 2024**
- D. **Approval of Strategic Planning Session Minutes of January 24, 2024**
- E. **Acceptance of Easement – Jaubert Ave.**

Enclosed in the agenda packet is a memo from Planning Director Larry Johnson requesting acceptance of an easement between the Town of Valdese and Dianne Britain Mobley, whose property is located on Jaubert Ave. Piedmont Natural Gas requested an easement from Mrs. Mobley, and it was discovered that the Town of Valdese did not have one for the sewer line installed on the Mobley property in 1980. A location map and the acceptance of the easement are also enclosed in the agenda packet.

- F. **Approval of Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events**

Enclosed in the agenda packet is a request to close part of US 70/Main Street in Valdese for the Independence Day Celebration, Annual Waldensian Festival Events, Treats in the Streets, and Annual Christmas Parade. Actual dates and times are listed in the agenda packet.

- G. **Appointment of ABC Board Chairman, Interim Town Manager Bryan Steen**

Staff recommends the appointment of Interim Town Manager Bryan Steen to the Valdese ABC Board to fill the unexpired term of Seth Eckard. The unexpired term expires on April 1, 2026.

7. New Business:

A. Presentation of Hoyle Creek Restoration

Enclosed in the agenda packet is a presentation from Parks & Recreation Director David Andersen. Mr. Andersen will update Council on the Hoyle Creek stream restoration and sidepath budget allocation.

B. Pool Enclosure Discussion

Enclosed in the agenda packet is a presentation from Parks & Recreation Director David Andersen. Mr. Andersen will discuss the history of the pool bubble, recent issues, and possible future solutions.

C. Public Safety Building

Enclosed in the agenda packet is a Design-Bid-Build process for fully renovating the existing Public Safety Building. Assistant Town Manager/CFO Bo Weichel will discuss the Request for Qualifications.

Requested Action: Direction from Council

D. Recruitment of a Town Manager Discussion

Interim Town Manager Bryan Steen will discuss different options for the Town Manager recruitment process. A draft job ad and job description are included in the agenda packet.

Requested Action: Direction from Council

E. Consideration of Approval of Contract for Old Rock School Renovations

Enclosed in the agenda packet is a certified bid tabulation from SGA Architect Mark Sealy for the Old Rock School renovations. Community Affairs Director Morrissa Angi will present the bid tabulations and discuss the base and alternate bids.

Requested Action: The requested action is to enter into the contract with Houck Construction, LLC.

F. FY 24-25 Proposals and Approval of FY 24-25 Audit Services

Enclosed in the agenda packet is a memo from Assistant Town Manager/CFO Bo Weichel. Mr. Weichel solicited a Request for Proposals from audit firms across the State that are approved by the Local Government Commission to provide governmental audits. Mr. Weichel will discuss the proposals received and his recommendations for FY 24-25.

Requested Action: The requested action is to accept the proposal for auditing services with Lowdermilk Church & Co. (If approved, a contract will be presented for acceptance at the March 4, 2024, Council meeting.)

G. Consideration of Approving Resolution for the Sale of Town-Owned Property – Fat Ave.

The Town received an offer from Brian Shuping in the amount of \$8,500.00 to purchase the property located at 118 Fat Ave NE, Valdese. The property value is \$17,323.00. Enclosed in the agenda packet is a letter from Mr. Shuping explaining his intent to purchase the property, a map location, and a Resolution for the sale of the town-owned property. If approved, the property will be advertised for an upset bid. Assistant Town Manager/CFO Bo Weichel will be at the meeting to present.

Requested Action: The requested action is to approve the Resolution accepting the offer from Mr. Shuping in the amount of \$8,500.00 and allow staff, pursuant to NC General Statute 160A-269, to advertise for the upset bid process.

H. Consideration of Amendment of the Valdese Town Council Rules 31 and 32(a) of the Rules of Procedure and Amending Section 2-1021 of the Town of Valdese Code of Ordinances.

Enclosed in the agenda packet is a Resolution amending the Valdese Town Council Rules 31 and 32(a) of the Rules of Procedure and Amending Section 2-1021 of the Town of Valdese Code of Ordinance. Revised Provisions:

Section 2-1021 Committees generally.

All committees shall, unless otherwise ordered, be appointed by the mayor. All reports of committees shall be in writing, if required by the Mayor, and committeemen shall receive such compensation for extra and special service as the board may designate.

Rule 31. Appointments

The council may consider and make appointments to other bodies, including its own committees, if any, only in open session. The council may not consider or fill a vacancy among its own membership except in open session. Town staff liaisons to boards and commissions shall make recommendations to council for appointments/reappointments.

Rule 32. Committees and Boards

(a) Establishment and Appointment. The council or the mayor, if the mayor is delegated that power by the council, may establish and appoint members for such temporary and standing city committees and boards as are needed to help carry on the work of city government. Any specific provisions of law relating to particular committees and boards shall be followed.

Requested Action: The requested action is to approve the Resolution amending the Valdese Town Council Rules 31 and 32(a) of the Rules of Procedure and Amending Section 2-1021 of the Town of Valdese Code of Ordinance, as presented.

READING MATERIAL

VALDESE FIRE DEPARTMENT - MONTHLY ACTIVITY REPORT
DECEMBER 1st-31st, 2023

THE BELOW REPORT OUTLINES THE ACTIVITIES PERFORMED BY THE FIRE DEPARTMENT DURING THE MONTH OF DECEMBER, 2023. THE REPORT SHOWS THE AMOUNT OF TIME SPENT ON EACH ACTIVITY AND THE TYPE AND NUMBER OF EMERGENCY FIRE DEPARTMENT RESPONSES.

<u>ACTIVITY / FUNCTION</u>	<u>MONTHLY TOTAL</u>		
STATION DUTY	151 HOURS		
VEHICLE DUTY	82 HOURS		
EQUIPMENT DUTY	63 HOURS		
EMERGENCY RESPONSES (ON DUTY)	96 HOURS		
TRAINING (ON DUTY)	11 HOURS		
FIRE ADMINISTRATION	99 HOURS		
TRAINING ADMINISTRATION	10 HOURS		
MEETINGS	20 HOURS		
FIRE PREVENTION ADMINISTRATION	46 HOURS		
FIRE PREVENTION INSPECTIONS	16 HOURS		
	<u>TYPE</u>	<u>NUMBER OF INSPECTIONS</u>	<u>VIOLATIONS</u>
	ASSEMBLY	2	0
	BUSINESS	3	13
	DAYCARE	0	0
	EDUCATIONAL	0	0
	FACTORY	1	0
	HAZARDOUS	1	3
	INSTITUTIONAL	0	0
	MERCANTILE	3	6
	RESIDENTIAL	0	0
	STORAGE	4	14
	FOSTER HOME	0	0
	REINSPECTIONS	3	1
	TOTAL:	17	37
PUBLIC RELATIONS	14 HOURS		
HYDRANT MAINTENANCE	0 HOURS		
SAFETY ADMINISTRATION	9 HOURS		
SAFE KIDS ADMIN/CRS INSPECTIONS	7 HOURS		
EXTRA DUTY FIRES	30 HOURS		
NON-DEPARTMENTAL DUTIES	0 HOURS		
EXTRA DUTY TRAINING	0 HOURS		
EXTRA DUTY FIRE/MED STANDBY	0 HOURS		
PHYSICAL TRAINING	12 HOURS		
EXTRA DUTY MEDICAL RESPONSES	32 HOURS		
VOLUNTEER FIREFIGHTER TRAINING	12 HOURS		
TOTAL TRAINING MANHOURS:	23 HOURS		

FIRE DEPARTMENT EMERGENCY RESPONSES:

<u>FIRE:</u>	<u>MONTHLY TOTAL</u>
FIRE ALARM	2
MUTUAL AID TO STATION 63	2
MUTUAL AID TO STATION 66	1
MUTUAL AID TO STATION 67	1
GAS LEAK	1
SMOKE INVESTIGATION	1
ELECTRICAL HAZARD	0
FIRE INVESTIGATION	1
VEHICLE FIRE	2
SERVICE CALL	2
STRUCTURE FIRE	2
EXPLOSION	<u>1</u>
	16
<u>MEDICAL:</u>	
ABDOMINAL PAIN	2
ALLERGIC REACTION	0
ANIMAL BITE	0
ASSAULT	0
ASSIST EMS	6
BACK PAIN	0
BURNS	1
CANCELLED ENROUT	1
CARDIAC	0
CHEST PAIN	0
CHOKING	0
CODE BLUE	1
DIABETIC	0
DOA	2
FAINTING	1
FALL	10
GUNSHOT	0
HEADACHE	0
HEMORRHAGE	3
MOTOR VEHICLE ACCIDENT	5
MEDICAL STANDBY	0
OTHER	0
OVERDOSE/INTOXICATED	3
PREGNACY	0
PSYCHIATRIC	1
RESPIRATORY	3
SEIZURE	2
SICK	5
STROKE	1
TRAUMATIC	0
UNCONSCIOUS	3
UNKNOWN	<u>0</u>
	50
<u>TOTAL RESPONSES:</u>	<u>66</u>

TRUMAN WALTON, CHIEF
VALDESE FIRE DEPARTMENT

**VALDESE FIRE DEPARTMENT
ANNUAL ACTIVITY REPORT-2023**

THE BELOW REPORT OUTLINES THE ACTIVITIES PERFORMED BY THE FIRE DEPARTMENT DURING 2023. THE REPORT SHOWS THE AMOUNT OF TIME SPENT ON EACH ACTIVITY AND ALSO THE TYPE AND NUMBER OF EMERGENCY RESPONSES.

<u>ACTIVITY / FUNCTION</u>	<u>TOTAL HOURS</u>
STATION DUTY	1524 HOURS
VEHICLE DUTY	1120 HOURS
EQUIPMENT DUTY	745 HOURS
ON-DUTY EMERGENCY RESPONSES	1030 HOURS
TRAINING	748 HOURS
FIRE ADMINISTRATION	1736 HOURS
TRAINING ADMINISTRATION	94 HOURS
MEETINGS	223 HOURS
FIRE PREVENTION ADMINISTRATION	895 HOURS
FIRE PREVENTION INSPECTIONS	452 HOURS
TOTAL NUMBER OF INSPECTIONS PERFORMED:	258
TOTAL NUMBER OF VIOLATIONS:	774
PUBLIC RELATIONS	143 HOURS
HYDRANT MAINTENANCE	129 HOURS
SAFETY ADMINISTRATION/INSPECTIONS	247 HOURS
SAFE KIDS ADMIN/CRS INSPECTIONS	96 HOURS
OFF-DUTY EMERGENCY RESPONSES	819 HOURS
OFF-DUTY TRAINING	340 HOURS
FIRE/MEDICAL STANDBY	118 HOURS
PHYSICAL TRAINING	288 HOURS
TOTAL TRAINING MANHOURS: (INCLUDES VOLUNTEER FIREFIGHTERS)	2024 HOURS
FIRE RESPONSES:	206
<u>MEDICAL RESPONSES:</u>	<u>585</u>
TOTAL NUMBER OF RESPONSES:	791

VALDESE POLICE DEPARTMENT

James D Buchanan
Assistant Chief of Police
Post Office Box 339
121 Faet Street
Valdese, North Carolina 28690

Telephone 828-879-2107
Fax 828-879-2106

January 31, 2024

To: Mayor & Council
From: Asst. Chief Buchanan
Re: Boots on the Ground

Progress Reports: Boots on the Ground

Location:	Officers Visits:
McGalliard Falls	80 Visual Checks/Walk around
Old Rock Schools	22 Visual Checks/Walk around
Children's Park	64 Visual Checks/Walk around
Community Center	54 Visual checks/Walk around
Lakeside Park	30 Visual checks/Walk around
Main St. Extra Patrol	Nightly Door Checks
Business/Residential Contact	20 Community Policing

Our officers have logged 458 residential/business security checks, 713 extra patrols and 25 community policing in the month January 31, 2024 for 927 events related to the safety, security and public interest. As of this date, our department has logged 1704 events into CAD ranging from vehicle stops, security checks and any incident report from citizens of Valdese.

Community Affairs & Tourism Monthly Stats

January 2024

Tourism Statistics

<i>visitvaldese.com views (Jan 1-31)</i>	9,024
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<i>townofvaldese.com views(Jan 1-31)</i>	14,612
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Top 5 Pages Viewed (townofvaldese):Utilities, Recreation, Schedules & Fees,Strategic Planning Survey, Meetings & Agendas

Facebook

<i># of followers</i>	18,018
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<i>Post Engagement (last 31 days)</i>	5,200
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<i>Post Reach (last 31 days)</i>	73,500
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Facebook Reactions/Feedback (last 28 days)

Reactions: 3,510 Comments: 390 Shares: 383 Photo Views: 3,442 Link Clicks: 1,564

TOP FIVE AUDIENCE LOCATIONS: Morganton, Valdese, Hickory, Lenoir , Drexel

<i>Approximate # of Visitors to the Tourism/CA Office</i>	307
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Community Affairs Stats

Old Rock School Rental Breakdown

AUDITORIUM	14
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TEACHER'S COTTAGE	11
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WALDENSIAN ROOM	14
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CLASSROOMS	1
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MAJOR EVENT (ENTIRE SCHOOL)	2
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Major Events Held at the Old Rock School	Average Number of Attendees
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Studio Newton Princess Ball, HEARTS Group Recital, Awards Day, OCP Little Mermaid	1700
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<i>Monthly Old Rock School Rentals</i>	42
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Old Rock School Total Attendance	5,315
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CA Summary for January 2024

2024 was off to a strong start in the Valdese Community Affairs department with a busy month of event planning, tourism projects, and managing a full facility rental calendar. The Old Rock School hosted two major events in January: the Studio Newton Princess Ball and the Hearts Home School Co-Op Recital. Lonesome River Band was the first concert of the year on Jan. 2, selling 388 tickets. The next performance will be Darin and Brooke Feb. 10th and conclude the 23-24 bluegrass season. The 24-25 season has been finalized and promotions are underway. Planning and promotion has began for spring/summer events. Vendor applications for Spring Craft Market, Independence Day Celebration, and Waldensian Festival are out and have already generated a high return rate. Staff designed and ordered merchandise such as calendars, keychains, magnets, and bookmarks for promotional distribution. The Relocation packet was updated and new copies can be found in the tourism office. Morrissa and Annie registered for the Main Street Conference in March and will be holding a luncheon meeting in February to brainstorm ideas for downtown revitalization.

COUNCIL AGENDA MEMO

To: Town Council
From: Bo Weichel, Assistant Town Manager
Date: February 5th, 2024
Re: Questions

REQUEST

No action requested. Informational item only.

BACKGROUND

Questions received by email from Councilman Harvey to be included with February 5th agenda packet.

QUESTIONS

Facilities oversight: citizens believe that the public works department is responsible for our maintenance of nearly \$3 M of rolling stock; is “public works” also responsible for the maintenance of our \$6 M of facilities?

Public Works oversees maintenance of vehicles and equipment. Minor maintenance items such as oil changes, tire rotations, etc. are completed in-house. Public Works utilizes a work order system to keep maintenance records organized and services up to date. More complex repairs and maintenance for each department’s rolling stock are managed by Public Works and sent to the appropriate facility for service work. Each department is responsible for the cost of such a service if the rolling stock is assigned to their department.

Public Works does not have the staffing level or expertise needed for all facility maintenance. Thus, facility maintenance is overseen by each department head in respect to their department facilities. Each department staff performs their own basic facility maintenance such as changing light bulbs, minor repairs, etc. Some departments have a higher level of skill and expertise than others and they maximize the level of in-house maintenance that is performed. More complex work beyond the department’s expertise is contracted to industry professionals.

Grants: an important source of Town revenue – how does that work?

Grants come in all shapes and sizes. Rather than having one dedicated “grants” staff member, the grants process is done collectively. Grants are obtained by Town Department Heads as well as outside agencies such as Western Piedmont Council of Governments (WPCOG), professional firms, and non-profits.

Grant requirements and compliance is monitored by Department Heads and in some cases, the Town utilizes the services of the WPCOG. This organization (explained in the next question) has several members of staff that are grant experts. They help the Town administer the more complex and larger grants awarded. In return, they are compensated through grant funding in exchange for their services.

The finances, tracking of expenses, and grant drawdown of funds as money is spent are handled by the Town’s CFO.

Western Piedmont COG: involved in almost everything the Town does – what is it and how much does Valdese spend on COG annually?

In short, the Western Piedmont Council of Governments (WPCOG) helps all surrounding counties and municipalities with expertise in local government. This organization often has staff that have specific skill sets that units of government, such as Valdese, would not typically be able to afford or have access to. The costs of these expert staff members are thus spread across all local government units in the region that utilize the WPCOG services.

Think of the WPCOG as a cost-sharing service just like passengers using an airline for transportation. Each passenger pays a cost to use the service since the normal passenger could not cover costs 100% on their own. The cost of the fuel, pilot, attendants, and airplane are shared amongst passengers to make access to the service affordable. This same concept is how WPCOG operates.

Below are costs incurred by the Town of Valdese using the WPCOG services.

FY 2023-24 Annual Recurring Payments to WPCOG		
ITEM	NOTES	AMOUNT
Assesment/Membership Fee	see last page for details	\$ 7,348
Stormwater Management Program	two-year contract	12,752
GIS Mapping Maintenance	two-year contract	4,975
Placer Ai Data License Subscription	new service for this year	1,022
The above costs are recurring annually. Does not include one-time contracts with WPCOG such as Strategic Planning, Grant Administration, etc.		

Prior Year Total Payments to WPCOG				
BUDGET YEAR	GENERAL Fund	UTILITY Fund	GRANTS	TOTAL
FY 2022-23	\$ 10,908	\$ 16,996	-	\$ 27,904
FY 2021-22	6,571	16,422	10,000	32,993
FY 2020-21	66,738	16,072	-	82,810
FY 2020-21 costs are higher compared to subsequent years due to Code Enforcement contract.				

Please follow this link to their website for more information about WPCOG:

<https://www.wpcog.org/>

Below are some Frequently Asked Questions on their website:

What is the WPCOG?

The WPCOG is the Western Piedmont Council of Governments, a regional planning agency in western North Carolina. A "Council of Governments" or COG, more often called a regional council, is a voluntary association of city and county governments who work together to solve mutual problems.

How and when was the WPCOG organized?

The WPCOG was officially created in 1968 when a group of area civic, business and governmental leaders met to discuss problems shared by the entire area. Other movements at the federal and state levels helped facilitate the development of regional councils in North Carolina. The Intergovernmental Cooperation Act of 1968 directed the President to establish rules and guidelines to review projects and programs having areawide significance. In May 1970, then Governor Robert Scott signed an Executive Order which divided the State of North Carolina into 17 multi-county planning regions. In 1971, the NC General Assembly enacted legislation setting

out how a regional council could be organized and specifying charter contents and legal powers. In 1974, then Governor James Holshouser enlarged the scope of services for regional councils by giving them the opportunity to administer several human services programs previously administered by the state.

What local governments make up the WPCOG?

Current membership of the WPCOG is 100 percent of the eligible counties, cities and towns located within the area designated by the State as Multi-County Planning Region E. The area includes Alexander, Burke, Caldwell and Catawba Counties, and the municipalities of Brookford, Cahah's Mountain, Catawba, Cedar Rock, Claremont, Connelly Springs, Conover, Drexel, Gamewell, Glen Alpine, Granite Falls, Hickory, Hildebran, Hudson, Lenoir, Long View, Maiden, Morganton, Newton, Rhodhiss, Rutherford College, Sawmills, Taylorsville and Valdese.

How is the organization structured?

Policies of the organization are set and administered by a Policy Board which includes one voting member and an alternate from each local government, as well as seven non-elected members. Each local government is entitled to one vote which can be cast by a delegate or the designated alternate. Bimonthly meetings are held beginning in January of every year at local government offices. An Executive Committee which is elected by and from members of the Policy Board every November serves as officers of the organization.

How is the WPCOG funded?

The WPCOG receives state and federal funds, as well as dues from member local governments. Major state and federal funding sources include the Appalachian Regional Commission, Economic Development Administration, US Department of Housing and Urban Development, Workforce Innovation and Opportunity Act (WIOA), and Aging. A majority of these funds are pass-through. Annual dues for member local governments are assessed at 50 cents per capita based on the latest NC State Planning office population counts.

How is the staff organized?

The WPCOG's staff of 60 is organized into eight main departments including Administration, Finance, Area Agency on Aging, Community & Economic Development, Community & Regional Planning, IT Services, Section 8 Housing and Workforce Development.

Where is the WPCOG located?

The WPCOG is located in Hickory (Long View), North Carolina, at 1880 Second Avenue, NW.



APPROVED FISCAL YEAR 2023 - 2024 ASSESSMENTS									
Local Government	2021 State Planning Population *	Assesments X .876 Per Capita	2021 MPO Population **	MPO PL	MPO FTA	2023-2024 Water Resources ***	TOTAL WPCOG ASSESSMENTS	Sister Cities	TOTAL WITH NON-WPCOG OPTIONS
Alexander County	34,002	\$29,785.75	34,002	\$15,009.75	\$694.24	\$5,845.01	\$51,334.75	\$500.00	\$51,834.75
Taylorsville	2,323	\$2,034.95	2,323	\$1,025.46	\$47.43	\$399.33	\$3,507.17	\$500.00	\$4,007.17
Burke County	56,201	\$49,232.08	56,201	\$24,809.22	\$1,147.49	\$9,661.06	\$84,849.85		\$84,849.85
Connelly Springs	1,538	\$1,347.29	1,538	\$678.93	\$31.40	\$264.39	\$2,322.00		\$2,322.00
Drexel	1,756	\$1,538.26	1,756	\$775.16	\$35.85	\$301.86	\$2,651.13		\$2,651.13
Glen Alpine	1,540	\$1,349.04	1,540	\$679.81	\$31.44	\$264.73	\$2,325.02		\$2,325.02
Hildebran	1,686	\$1,476.94	1,686	\$744.26	\$34.42	\$289.83	\$2,545.44		\$2,545.44
Morganton	17,525	\$15,351.90	17,525	\$7,736.19	\$357.82	\$3,012.58	\$26,458.49	\$500.00	\$26,958.49
Rutherford College	1,231	\$1,078.36	1,231	\$543.41	\$25.13	\$211.61	\$1,858.51		\$1,858.51
Valdese	4,867	\$4,263.49	4,867	\$2,148.48	\$99.37	\$836.65	\$7,347.99		\$7,347.99
Caldwell County	41,386	\$36,254.14	41,386	\$18,269.33	\$845.00	\$7,114.33	\$62,482.80		\$62,482.80
Cajah's Mountain	2,721	\$2,383.60	2,721	\$1,201.15	\$55.56	\$467.75	\$4,108.05		\$4,108.05
Cedar Rock	301	\$263.68	301	\$132.87	\$6.15	\$51.74	\$454.44		\$454.44
Gamewell	3,702	\$3,242.95	3,702	\$1,634.20	\$75.59	\$636.38	\$5,589.12		\$5,589.12
Granite Falls	5,000	\$4,380.00	5,000	\$2,207.19	\$102.09	\$859.51	\$7,548.79		\$7,548.79
Hudson	3,801	\$3,329.68	3,801	\$1,677.90	\$77.61	\$653.40	\$5,738.59		\$5,738.59
Lenoir	18,500	\$16,206.00	18,500	\$8,166.59	\$377.73	\$3,180.19	\$27,930.51		\$27,930.51
Rhodhiss	1,001	\$876.88	1,001	\$441.88	\$20.44	\$172.07	\$1,511.27		\$1,511.27
Sawmills	5,019	\$4,396.64	5,019	\$2,215.57	\$102.48	\$862.78	\$7,577.47	\$500.00	\$8,077.47
Catawba County	85,242	\$74,671.99	85,242	\$37,629.01	\$1,740.44	\$14,653.26	\$128,694.71	\$500.00	\$129,194.71
Brookford	446	\$390.70	446	\$196.88	\$9.11	\$76.67	\$673.35		\$673.35
Catawba	707	\$619.33	707	\$312.10	\$14.44	\$121.53	\$1,067.41		\$1,067.41
Claremont	1,705	\$1,493.58	1,705	\$752.65	\$34.81	\$293.09	\$2,574.13		\$2,574.13
Conover	8,428	\$7,382.93	8,428	\$3,720.43	\$172.08	\$1,448.79	\$12,724.23		\$12,724.23
Hickory	44,073	\$38,607.95	44,073	\$19,455.47	\$899.87	\$7,576.23	\$66,539.52	\$500.00	\$67,039.52
Long View	5,100	\$4,467.60	5,100	\$2,251.33	\$104.13	\$876.70	\$7,699.76		\$7,699.76
Maiden	3,717	\$3,256.09	3,717	\$1,640.82	\$75.89	\$638.96	\$5,611.76		\$5,611.76
Newton	13,175	\$11,541.30	13,175	\$5,815.94	\$269.00	\$2,264.81	\$19,891.05		\$19,891.05
TOTALS	366,693	\$321,223.07	366,693	\$161,871.98	\$7,487.01	\$63,035.23	\$553,617.29	\$3,000.00	\$556,617.29

* Dues Per Capita are based on population figures from the NC Office of State Planning for 2021.

** Dues for the MPO are based on population figures from the NC Office of State Planning for 2021.

*** Water Resources Dues are shared between our regional local governments based on population figures from the NC Office of State Planning for 2021.

\$556,617.29

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**TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
January 8, 2024**

The Town of Valdese Town Council met on Monday, January 8, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

Mayor Watts called the meeting to order at 6:00 p.m. He offered the invocation and led in the Pledge of Allegiance to the Flag.

OPEN FORUM/PUBLIC COMMENT:

RECOGNITION OF THE VALDESE TIGER FOOTBALL TEAM CHAMPIONS: Parks & Recreation Director David Andersen introduced the five – seven-year-old Valdese Tiger football team champions and coaches. Coach Trey Kincaid gave a brief rundown of the season. Mr. Andersen introduced the nine – ten-year-old Valdese Tiger football team champions and coaches. Coach Craig Treadway gave a short rundown of the season. Mayor Watts thanked the coaches and the parents for their time they put into the children.

Mayor Watts read the Rules & Procedures for Public Comment:

Rule 5. Public Comment - The council shall provide at least one period for public comment per month during a regular meeting, unless no regular meeting is held that month. Any individual or group who wishes to address the council shall inform the town clerk, any time prior to the start of the meeting, and provide their name, address and subject matter about which they wish to speak. Person(s) must be present if they wish to address the Council. Comments should be limited to five minutes per speaker. Please use the microphone and silence your cell phones.

THOUGHTS – EDDIE PERROU, 1312 LAUREL ST NE, VALDESE: Mr. Perrou thanked the Council members who voted for him to serve as Interim Town Manager, Councilman Harvey, Councilman Ogle, and Councilwoman Ward. Mr. Perrou appreciated the cooperation from Councilman Mears and Councilwoman Lowman. Mr. Perrou shared his experience with the time he spent as Interim Manager working with the department heads and thanked them for spending time with him. Mr. Perrou shared that reducing taxes this year and maintaining the services is possible. Mr. Perrou assured the Town staff that he was not there to cut jobs or services. Mr. Perrou shared a few changes that he made, such as increasing security at the Water Plant, purchasing equipment to live-stream the meetings, approving \$7500 to put warm air back into the pool bubble, signing off on a pay increase for Officer Buchanan to serve as the interim Police Chief. Mr. Buchanan is the longest-serving employee currently with the Town. Mr. Perrou thanked the Council for terminating the CBSA contract and shared his thoughts on some amenities in the proposed new public safety building. Mayor Watts said that Mr. Perrou's time was up.

Councilman Mears made a motion to extend Mr. Perrou's time, seconded by Councilwoman Lowman. The vote was unanimous.

Mr. Perrou said in closing that he suggests that the Council take immediate action to search out and engage an architectural engineer to take action on the current public safety building. Mr. Perrou said that the employees deserve a better facility to work in. Mr. Perrou said to be decisive and take action.

POOL, REC. BUBBLE – NANCY TUCKER, 210 FOREST DR NE, VALDESE: Ms. Tucker shared the

following remarks and provided a copy to the Town Clerk:

Thank you for allowing me to speak to you this evening. I am here to talk about the Valdese recreation department and specifically the swimming pool and the bubble and the need for improvement. In full disclosure, I am an appointed member of the Valdese Recreation Commission, but tonight I am speaking for myself.

I have been a life long swimmer. My family and I moved to Valdese in 1992. The Valdese recreation center has been a part of our lives here. My children participated in Football, basketball, baseball recreation leagues. My daughter swam for the East Burke swim team using the Valdese pool and my son was a lifeguard here during his high school years. When Jeff Morse, our town manager at the time, and Sonny Dyer started the sprint triathlon program here in Valdese, it boosted the adult participation at the center, introduced me to many new friends and it helped me return swimming as a focus.

Currently, I am a member of the Valdese Torpedo Master's Swim Team. I have competed in the Unifour Senior Games that have previously been held in Lenior and is scheduled to be held at the Valdese pool this year. I have competed in Cary, NC in the North Carolina State Senior games and have qualified and competed twice in the National Senior Games Olympics in swimming. The members of the Valdese Town Council in 2017 recognized the importance of these state and national events to our town with a proclamation extending congratulations to me that "helped bring this recognition and honor to the Town of Valdese". The chance to swim year round made all this possible.

The availability of year round swimming is a unique draw for Valdese and there is not something of this quality, size and affordability that is offered in nearby communities. Our year round swimming program is not just a nice offering, it is a life changing opportunity for many. It is just one of the things that shows we actually care about the health and wellbeing of our citizens, our students and area residents. The pool is not just for fun – although it is fun, It offers the possibility for social gatherings with parties, swim meets, water aerobics, jobs as well as saving lives by teaching many children and adults how to swim.

But now the bubble has had it's time. It has lasted many years longer than we thought it would. I am asking you to consider a more permanent structure. One

that doesn't require closing the facility for days, losing availability to swim and the income it provides and costing many man hours to take down in the spring, put up in the fall and move to storage. Please, make a long term commitment by building a permanent structure for year round swimming not just another bubble. This is not an idea that is just popping up in current conversations. It has been in discussions for several ^{years 2010} years. Here is a booklet I received that shows an example of a swimming environment for all seasons. I have given Jessica of a couple of the pictures so you can have some idea of the options. Look at all the possibilities a building like this can provide for the deserving people of Valdese.

VALDESE REC CENTER – J. EDWARD MCFADDEN, 2500 HENRY RIVER TRL, MORGANTON: Mr. McFadden shared the following remarks and provided a copy to the Town Clerk:

My name is Ed McFadden and I am an athlete. Although I no longer live within the town limits, I did live within the limits for more than 25 years, exercising daily in the town facilities and on its sidewalks and roadways. My son and his family currently do live within the town limits, & I continue to frequently use the town's recreational facilities and the roadways for exercise. I wish to address you this evening about a GEM that this town has in its pool and especially because it is a year-round pool. I joined the pool and fitness center in early 2001 to rehabilitate a serious shoulder injury from a bicycle crash in town, and I have maintained my membership since then. ^{for rehab fun & fitness} For almost 25 years Valdese has offered year-round swimming to residents of the town and nearby environs. Because it is a year-round pool, it supports, 5 different swimming teams, 1 youth league team, the Torpedoes, 1 independent youth team, Xcell, 1 Adult team, Torpedoes Masters, and 2 high school teams. Each of those teams represents Valdese in state and regional competitions throughout the year. In addition there are adult fitness classes, swimming lessons year round, fitness swimming year round, and parties galore for many children. For a town of its size, Valdese has a wonderful resource for fun, for health, for fitness; by far the best pool in Burke County. In a time of fiscal retrenchment, one might ask if it is worth the cost to continue year-round use of the pool. I say a resounding YES. This pool offers health and well-being to the citizens of Valdese, to friends of the recreation center like I am, and to many others in the greater Valdese community. You as Council members have a serious responsibility in deciding how the community's money is distributed. Cutting the town budget is not the only part of that responsibility. The responsibility includes offering services to the community that makes for healthy residents of the community. The Recreation Department, the pool, are part of that second responsibility. Please maintain the public resources for the Recreation Department to continue to offer year-round pool use.

Here is one way that I believe can make that to happen. When the Bubble was installed, its life expectancy was estimated at 10 years. With prudent care, and with 1 internal refurbishment, Valdese has been able to extend the Bubble's life for more than 20 years. No facility will last forever, and the Bubble and its equipment is showing its age. The town could purchase another Bubble, or it could purchase a permanently installed building which would last longer and potentially cost less to operate. Please hear my words: continue to maintain a year round pool; direct the Recreation Dept. to develop a plan to a build a permanent structure for the pool.

Thank you for your time.

TRANSPARENCY – MIKE FARRIS, 7721 WOODLAND HILLS RD, HICKORY: Mr. Farris shared that even though he does not live in Valdese, he does live in Burke County and has a vested interest in this Town. Mr. Farris shared his Waldensian family history and how they were involved in Valdese. Mr. Farris wants to be transparent, and what had been marked as transparency by the incoming members of the Valdese Town Council does not seem like transparency to many people. Mr. Farris shared examples, naming Eddie Perrou as Interim Town Manager, which was added to the agenda and not discussed with all parties that had a vote. The Citizens for a Better Valdese Facebook page is nowhere to be found, which had accusations and promises during the campaign that can no longer be audited, and lastly, using personal Google emails to send emails to Council regarding the de-annexation of the UNC Blue Ridge Hospital Valdese. Mr. Farris feels using personal emails is a slippery slope to backroom deals. Mr. Farris stated when you say transparent, you mean it; otherwise, you are no better than the crooks in Washington.

VALDESE POOL – KAREN LINKOUS, 301 ST GERMAIN AVE, VALDESE: Ms. Linkous shared that she was appointed to a pool committee in 2018 to begin the process of reconfiguring the current pool and possibly adding a structure to allow for year-round swimming and a fitness center. Ms. Linkous shared that they had big dreams. Ms. Linkous remembers when the Jimmy C Draughn Aquatics and Fitness Center was created and walking into the pool bubble for the first time that has since then held many events. Ms. Linkous's children participated in swimming; the recreation center has been a huge part of her family's life. Ms. Linkous shared that the pool bubble was supposed to last eight to ten years, and we are now in year 24. Ms. Linkous asked that the Council give the pool some attention and keep it as a public service that promotes good health and recreation for all visitors.

AD HOC COMMITTEES – BRADY LINKOUS, 301 ST GERMAIN AVE, VALDESE: Mr. Linkous has been a Valdese resident for over 40 years and wanted the Council to know that homelessness and addiction to drugs are not new to Valdese. Mr. Linkous shared that homelessness and addiction exist in every town and city at every socioeconomic level. Mr. Linkous shared stories of several encounters he has had with homeless and mentally ill individuals in the Town of Valdese, one of which was a lady sleeping in his newly bought home garage in 1992. Mr. Linkous shared that governments, by nature, are bureaucratic, slow, and cumbersome and always get in the way. Mr. Linkous feels that committees are seldom effective and unnecessary. Mr. Linkous said that homelessness and addiction is a people problem and should be addressed by caring people, and no government or committee has ever been needed to do that. Mr. Linkous noted that the election is over and to please stop the campaigning. Mr. Linkous suggested taking meaningful action and having a positive and independent voice.

VALDESE POOL – DENISE KAPUSCINSKI, 1039 TRANQUIL COVE CT, CONNELLY SPRINGS: Ms. Kapuscinski shared that there is no place in Connelly Springs for fitness or exercise and came to Valdese

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to workout in the Recreation Center. Ms. Kapuscinski discovered the pool, loves to swim, and feels that if it is taken away, she will have problems. Ms. Kapuscinski uses the pool for rehab from her knee replacement and torn rotator cuff. Ms. Kapuscinski would like to see the pool open year-round.

GENERAL – BRENDA SHUPING, 600 CAROLINA ST, VALDESE: Ms. Shuping shared that she had hoped after the campaign ended that, Valdese could move forward and the Town Council could work together for the betterment of Valdese, but she was wrong. Ms. Shuping shared that one of the Council members leaked a confidential email that was published in The Paper on Saturday. Ms. Shuping said some of the wording in the email had been changed and used in a way that was not intended. Ms. Shuping said the article made it appear that one item in the email, exploring the de-annexing of a property within the limits of Valdese, would occur in the near future. However, the actual information would have read, a future Council and legal question is, can and should Valdese de-annex the block on which the hospital and College Pines sit? Ms. Shuping said there were other facts in the email that were not published and made it appear as if this was going to happen in the near future. Ms. Shuping feels the only reason this email was leaked was to continue the ugliness and rumors and was evidence of poor decision-making that we do not want on our Valdese Town Council. Ms. Shuping is also concerned that the article also stated that a person terminated from the Town of Valdese continues to serve the Town of Valdese on a board and gets a free gym membership. Ms. Shuping does not feel that anyone terminated should continue to serve the Town and obtain a free membership. Ms. Shuping thinks the person who leaked this email should resign from the Town Council.

POOL – MARGARET SUNDELL, 3018 BEAR PAW AVE NW, VALDESE: Ms. Sundell shared her experience of taking swim lessons as a child, which led her to competitive swimming in high school. Ms. Sundell said that at age 58, she continued to swim in Valdese with the Master Swimmers, and that was why she decided to move to Valdese, NC. Ms. Sundell hopes we can all work together to find a long-term solution to keep the pool open.

GENERAL – TIM SKIDMORE, 312 BECKER AVE NW, VALDESE: Mr. Skidmore shared that he was distressed when he read The Paper and feels that Valdese Hospital will always be a part of Valdese and should never be separated. Mr. Skidmore cannot think of anyone who is a Valdese native who would think of doing this. Mr. Skidmore does not feel a dollar value can be put on the relationship the Valdese Hospital has with the Town of Valdese and the safety of this Town. Secondly, Mr. Skidmore believes that the ladder truck can be used in many buildings other than the Hospital that require an apparatus of that type.

POOL – JENNY HUDSON, 412 FAET ST NW, VALDESE: Ms. Hudson shared that she has two college kids who live in the Valdese pool and are lifeguards for the Town of Valdese. Ms. Hudson shared that she is an original member of the Valdese ABC board and is a member of the Master Swim Team. Ms. Hudson considers herself a vested member of the Town. Ms. Hudson asked the Council members who used the pool regularly. Ms. Hudson feels that we have the best pool in this County and feels it is time to do something different after 20 years. Ms. Hudson shared that the town is fortunate to have David Andersen, who has extensive experience leading the department. Ms. Hudson asked the Council to consider a permanent structure used year-round in Valdese.

TRASH PICK UP – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole said she received the new trash /recycle pickup schedule and was concerned about the rough trash pickup being scheduled on Sunday. Community Affairs Director Morrissa Angi shared that it indicates the entire week that the rough trash will be picked up. Ms. Cole understood.

CONSENT AGENDA: (enacted by one motion)

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APPROVED REGULAR MEETING MINUTES OF DECEMBER 4, 2023**APPROVED CLOSED SESSION MINUTES OF DECEMBER 4, 2023****APPROVED SPECIAL MEETING MINUTES OF DECEMBER 18, 2023****APPROVED REVISED AGREEMENT BETWEEN THE WESTERN PIEDMONT COUNCIL OF GOVERNMENT AND THE TOWN OF VALDESE FOR THE PROVISION OF STRATEGIC PLANNING ASSISTANCE, JANUARY 1, 2024 – APRIL 30, 2024.**

**AGREEMENT BETWEEN THE
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS AND THE TOWN OF VALDESE
FOR THE PROVISION OF STRATEGIC PLANNING ASSISTANCE:
JANUARY 1, 2024 – APRIL 30, 2024**

This AGREEMENT, entered on this the first day of January 1, 2024, by and between the Western Piedmont Council of Governments (hereinafter referred to as the "Planning Agency") and the Town of Valdese, North Carolina (hereinafter referred to as the "Local Government"); WITNESSETH THAT:

WHEREAS, the Planning Agency is empowered to provide technical assistance by the North Carolina General Statutes and by resolution passed by the Planning Agency on April 17, 1972. Technical assistance shall consist of the provision of services as described in Attachment A, which is herein made a part of this Contract;

WHEREAS, the Local Government has requested the Planning Agency to provide such technical assistance to the Local Government and;

WHEREAS, the Planning Agency desires to cooperate with the Local Government in every way possible to the end that the proposed activities are carried out in an efficient and professional manner.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. Personnel. That during the period of this Contract, the Planning Agency will furnish the necessary trained personnel to the Local Government.
2. Travel/Printing. Normal travel and training for Planning Agency staff is included in this Proposal and no additional travel is expected unless requested by the Local government. If requested and approved in advance by Town Council, the Local Government will pay for expenses related to conferences, conventions, seminars, or other unexpected expenses related to the Local Government's planning program, or if it is beneficial to both parties, the costs will be shared on an agreed-upon ratio.
3. Compensation. That for the purpose of providing the funds for carrying out this Contract, the Local Government will pay the Planning Agency as indicated in Attachment A: Work Plan/Budget.
4. **Termination/Modifications.** The Local Government may terminate the Contract with or without cause by giving the Planning Agency a thirty-day written notice. Furthermore, if there is a need to amend the proposal outlined in Attachment A, either party may do so with the written consent of the other.
5. **Time of Performance.** The Planning Agency shall ensure that all services required herein shall be completed and all required reports, maps, and documents submitted during the period beginning January 1, 2024, and ending April 30, 2024.

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- 6. **Interest of Members, Officers, or Employees of the Planning Agency, Members of the Local Government, or Other Public Officials.** No member, officer, or employee of the Planning Agency or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any financial interest, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The Planning Agency shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.

- 7. **Nondiscrimination Clause.** No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or activity funded in whole or in part with funds available under the Housing and Community Development Act of 1974, Section 109.

- 8. **Age Discrimination Act of 1975, as amended.** No qualified person shall on the basis of age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

- 9. **Section 504, Rehabilitation Act of 1973, as amended.** No qualified handicapped person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

IN WITNESS WHEREOF, the Planning Agency and the Local Government have executed this Agreement as of the date first above written.

LOCAL GOVERNMENT:
TOWN OF VALDESE

PLANNING AGENCY:
WESTERN PIEDMONT COUNCIL
OF GOV'TS.

By: _____
Mayor

By: _____
Executive Director

PLANNING AGENCY:

By: _____
Manager

By: _____ Interim Town
Chair

Pre-audit statement:

This instrument has been preaudited in the manner prescribed by the Local Government Budget and Fiscal Control Act.

By: _____ Local Government Finance Officer

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ATTACHMENT
A TOWN OF VALDESE
STRATEGIC PLANNING ASSISTANCE:
JANUARY 1, 2024 – APRIL 30, 2024
WORK PROGRAM/BUDGET

The following work program and budget are presented as descriptive of the work and dollar amounts called for in the agreement concerning planning activities by the Western Piedmont Council of Governments for the Town of Valdese. The product(s) of the planning activities shall be:

WORK PROGRAM

The Town of Valdese Council requested the following proposal from Western Piedmont Council of Governments (WPCOG) for the creation of a strategic plan. The Council finds the need to address public ideas and concerns as they move forward with a future action plan, fiscal year budget, and capital improvement plan. The Council requested the WPCOG to assist with the creation of a strategic plan including facilitate public forums/meetings, conduct surveys, and collect data to obtain public input. The means of collecting public input will consist of mailings, internet outreach, and group meetings to analyze the public's opinion of Valdese's strengths, weaknesses, opportunities, and threats (SWOT analysis).

WPCOG will provide the Council with the results from the public meetings by using visualization materials, data and quotes produced from the survey, and prioritized results from a public SWOT analysis. The WPCOG will lead the Council through a similar SWOT Analysis during a work session to produce a draft strategic plan. The Council shall control final editing and approval of the strategic plan content.

WPCOG staff will analyze the Council's responses to the SWOT Analysis and compare similarities and differences with the public's responses to the SWOT Analysis. WPCOG will share best practices with public education and dissemination of public information. The Council will determine the fiscal year 2025 budget and any needed updates to the capital improvement plan/budget based on public input and the priorities established during the Council work session. WPCOG will provide personnel to facilitate the following meetings/forums, initiatives, and schedules to accommodate the planning process:

- The beginning date for the project will be the 1st day of the month following Council's approval of the Agreement for the Provision of Strategic Planning Assistance
- WPCOG will construct and release/circulate a public survey to the citizens of Valdese to obtain public feedback concerning public ideas and concerns regarding the Town's future action plan, fiscal year budget, and/or capital improvement plan, with a closing date for the survey to be set prior to the Council work session for WPCOG data analysis.
- WPCOG will attend and participate in two to three public input sessions (SWOT Analysis) for Town businesses and residents to be held in January 2024 at the Old Rock School. WPCOG will work with the Town to schedule ideal dates and times for these events.
- WPCOG will attend and participate in two Town Council meetings as follows:
 - One work session to be held at the end of February 2024 to review the public input feedback and conduct the Council SWOT assessment/Council identification of priorities.
 - Presentation of the final document and findings to the Town Council in early March 2024.
- The time of performance under the Agreement for the Provision of Strategic Planning Assistance will be January 1, 2024 - April 30, 2024, and will allow for any transfer of information, needed clarification, and/or reasonable delays not otherwise foreseeable by the parties
- Travel, supplies, and all other associated costs to facilitate this project will be included in the contract price as set forth below, except the printing and mailings, for which the Town of Valdese will pay for the paper, ink, and staff time to mail letters/postcards.
- As part of the process outlined herein, WPCOG will provide a brief demographic analysis within

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the final document and findings presented to Town Council to provide context to its analysis.

- The Town will communicate and provide guidance to WPCOG staff regarding significant issues that arise during the planning process.
- The Town will assist in promoting the survey and public input sessions.
- WPCOG will coordinate with Town staff and officials in drafting the plan.

BUDGET

Please indicate below with a check mark which option the Town of Valdese chooses:

 Total proposal cost without WPCOG providing mailings.

The contract budget, including all salaries, fringe benefits, travel expenses, and indirect costs, totals \$3,770.00 (Three thousand seven hundred seventy dollars) during the period beginning January 1, 2024, and ending April 30, 2024. This fee will be billed lump sum in April 2024.

 X Total proposal cost with WPCOG providing mailings.

The contract budget, including all salaries, fringe benefits, travel expenses, and indirect costs, totals \$8,030.00 (Eight thousand thirty dollars) during the period beginning January 1, 2024, and ending April 30, 2024. This fee will be billed lump sum in April 2024.

APPROVED RESOLUTIONS ESTABLISHING NEW TOWN OF VALDESE AD HOC COMMITTEES

A RESOLUTION BY THE TOWN OF VALDESE TOWN COUNCIL TO ESTABLISH AN AD HOC EFFICIENCY TASK FORCE COMMITTEE

WHEREAS, the Town Council is responsible for adopting an annual budget and desires to form an Ad Hoc Efficiency Task Force Committee to assist the Town Manager in conducting an in-depth analysis of each Town operation as the Town Manager develops the 2024-25 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that there is hereby established the Ad Hoc Efficiency Task Force Committee, the membership of which shall be appointed by Town Council and shall include five (5) members who shall have in-depth experience in enterprises or complex business operations.

BE IT FURTHER RESOLVED that the Ad Hoc Efficiency Task Force Committee shall have authority to elect its own chairman, promulgate its own rules of order, and develop its own schedule of meetings, which meetings shall be conducted in accordance with North Carolina Open Meeting Laws, N.C. Gen. Stat. Ch. 143, Art. 33C, §§ 143-318.9 through -318.18. Each member on the Ad Hoc Efficiency Task Force Committee shall serve until approval of the 2024-25 Annual Budget by Town Council unless otherwise removed by Town Council, which may be done at any time, with or without cause.

BE IT FURTHER RESOLVED that the Ad Hoc Efficiency Task Force Committee shall evaluate, consider, review, and make recommendations to Town Council and the Town Manager regarding the Town's operations. The Ad Hoc Efficiency Task Force Committee may solicit input from the public that may assist with its duties. The Ad Hoc Efficiency Task Force Committee shall issue a final written report of its findings and recommendations to Town Council no later than the last day of April each year, or as otherwise requested by council.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

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/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

A RESOLUTION BY THE TOWN OF VALDESE TOWN COUNCIL TO ESTABLISH AN AD HOC DRUG AND HOMELESS ADVISORY TASK FORCE COMMITTEE

WHEREAS, the Town Council is committed to making the Town of Valdese a desirable and inviting community for all citizens and desires to establish an Ad Hoc Drug and Homeless Advisory Task Force Committee to explore ways to address substance abuse and homelessness in the Town of Valdese.

NOW, THEREFORE, BE IT RESOLVED that there is hereby established the Ad Hoc Drug and Homeless Advisory Task Force Committee, the membership of which shall be appointed by Town Council and shall include five (5) members who shall have special interest, experience and/or expertise in addressing homelessness and/or the issues surrounding drug use and related criminal activity.

BE IT FURTHER RESOLVED that the Ad Hoc Drug and Homeless Advisory Task Force Committee shall have authority to elect its own chairman, promulgate its own rules of order and develop its own schedule of meetings, which meetings shall be conducted in accordance with North Carolina Open Meeting Laws, N.C. Gen. Stat. Ch. 143, Art. 33C, §§ 143-318.9 through -318.18. Each member of the Ad Hoc Drug and Homeless Advisory Task Force Committee shall serve for a period of one (1) years unless otherwise removed by Town Council, which may be done at any time, with or without cause.

BE IT FURTHER RESOLVED that the Ad Hoc Drug and Homeless Advisory Task Force Committee shall evaluate, consider, review, and make recommendations to Town Council regarding ways to address substance abuse and homelessness in the Town of Valdese and develop and/or improve programs to assist in this mission. The Ad Hoc Homeless and Advisory Task Force Committee may solicit input from the public that may assist with its duties. The Ad Hoc Homeless and Advisory Task Force Committee shall issue a written report of its findings and recommendations to Town Council annually on or before December 31 of each year, or as otherwise requested by council.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

A RESOLUTION BY THE TOWN OF VALDESE TOWN COUNCIL TO ESTABLISH AN AD HOC FACILITIES REVIEW COMMITTEE

WHEREAS, the Town Council is responsible for the care and maintenance of properties owned and managed by the Town of Valdese and desires to establish an Ad Hoc Facilities Review Committee to advise and make recommendations to Town Council regarding the management, maintenance, improvement, and/or construction of Town owned properties and facilities.

NOW, THEREFORE, BE IT RESOLVED that there is hereby established the Ad Hoc Facilities Review Committee, the membership of which shall be appointed by Town Council and shall include five (5) members who shall have in-depth experience in construction and/or construction management.

BE IT FURTHER RESOLVED that the Ad Hoc Facilities Review Committee shall have authority to elect its own chairman, promulgate its own rules of order and develop its own schedule of meetings, which meetings shall be conducted in accordance with North Carolina Open Meeting Laws, N.C. Gen. Stat. Ch. 143, Art. 33C, §§ 143-318.9 through -318.18. Each member of the Ad Hoc Facilities Review Committee shall serve

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a staggered three year term unless otherwise removed by Town Council, which may be done at any time, with or without cause. Members will be divided into three classes with the appointment of one class of members taking place every December at the regular meeting of Town Council. The initial committee shall have one member appointed for a one year term, two members appointed for a two year term, and two members for a three year term. No member shall serve consecutive terms. A member shall be eligible for re-appointment after an absence from the Ad Hoc Facilities Review Committee after one year.

BE IT FURTHER RESOLVED that the Ad Hoc Facilities Review Committee shall evaluate, consider, review, and make recommendations to Town Council regarding ways to care for, maintain and/or improve Town owned and managed properties and facilities. The Ad Hoc Facilities Review Committee may solicit input from the public that may assist with its duties. The Ad Hoc Facilities Review Committee shall issue a written report of its findings and recommendations to Town Council annually on or before December 31 of each year, or as otherwise requested by council.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilwoman Ward made a motion to approve the Consent Agenda, seconded by Councilman Ogle. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

INTRODUCTION OF NEW EMPLOYEES: Interim Police Chief Jamie Buchanan introduced new Police Officer Roger Rutherford, Jr.

PRESENTATION OF FINANCIAL UPDATE FOR FISCAL YEAR ENDING JUNE 30, 2023: Phil Church with Lowdermilk Church & Co. shared that the audit went very well and that they appreciate the staff. Mr. Church shared that they gave a clean, unmodified opinion on our compliance and A133 audit. Mr. Church said that the Local Government Commission has reviewed and approved the report. Mr. Church introduced Rick Hammer with Lowdermilk Church & Co., who reviewed the following highlight sheet:

January 8, 2024, MB#32

TOWN OF VALDESE			
Financial Highlights			
Years Ended June 30, 2023 and 2022			
General Fund (Includes Powell Bill Funds)	2023 Summarized Budget	2023	2022
Cash, cash equivalents and investments		\$ 7,258,921	\$ 6,143,028
Total assets		\$ 8,371,905	\$ 7,282,651
Fund balance		\$ 8,136,499	\$ 7,089,573
Fund balance - Reserved for Streets - Powell Bill (included in total fund balance)		\$ 68,154	\$ 67,700
Total revenue	\$ 5,255,556	\$ 6,358,347	\$ 5,567,307
Total expenditures	\$ 5,795,936	\$ 5,355,041	\$ 4,757,145
Revenues over (under) expenditures before other financing sources (uses)		\$ 1,003,306	\$ 810,162
Other income (expense)	\$ 540,380	\$ 43,621	\$ 992,933
Increase (decrease) in fund balance		\$ 1,046,927	\$ 1,803,095
Ad valorem taxes collected		\$ 2,430,847	\$ 2,387,436
Percent of taxes collected - current year levy		97.80%	97.97%
Investment income		\$ 418,578	\$ 12,137
Fund Balance Available			
Unassigned Fund Balance		<u>6,587,565</u>	<u>5,569,974</u>
Expenditures and other financing sources and uses		6,236,741	4,907,145
Unassigned Fund Balance Percentage		105.62%	113.50%

Mr. Church noted that the State average for a Town the size of Valdese of unassigned fund balance is around 85%.

Water and Sewer Fund	2023	2022
Cash, cash equivalents and investments	\$ 3,879,495	\$ 2,432,618
Total assets	\$29,578,325	\$28,989,827
Net position	\$23,104,329	\$22,596,413
Operating revenue	\$ 5,739,522	\$ 5,398,063
Operating expenses	\$ 5,867,425	\$ 5,387,234
Operating income (loss)	\$ (127,903)	\$ 10,829
Nonoperating revenue (expenses)	\$ 226,189	\$ (49,918)
Transfers (to) from	\$ 372,548	\$ 39,088
Capital Contributions	\$ 37,082	\$ 117,881
Change in net position, includes \$1,371,371 of depreciation expense 2023	\$ 507,916	\$ 117,793
Accounts receivable - customers	\$ 691,385	\$ 649,200
Investment income	\$ 31,284	\$ 1,336
Days sales in accounts receivable	43.96	43.89
Fund Balance Available		
Unrestricted Fund Balance	<u>\$ 4,249,010</u>	<u>\$ 2,845,266</u>
Expenditures and other financing sources and uses	6,136,571	5,656,834
Unrestricted Fund Balance Percentage	69.24%	50.29%

Mr. Hammer shared that every year, they complete a worksheet for the LGC with financial indicators, and if something they do not like pops up, the Council has to respond to them. Mr. Hammer said this year

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was the water system life expectance, which for the TOV falls under .05. Mr. Hammer noted that this is new this year and has been common with other clients. (The Council members signed the letter, but it did not require a vote.)



TOWN OF VALDESE
NORTH CAROLINA'S FRIENDLY TOWN



P.O. BOX 339
VALDESE, NORTH CAROLINA 28690-0339
PHONE (828) 879-2120 | FAX (888) 798-1022 | TOWNOFVALDESE.COM

January 8, 2024

NC Department of State Treasurer – Local Government Division
3200 Atlantic Avenue
Raleigh, NC 27604

Re: Response to the Auditor’s Findings, Recommendations, and Fiscal Matters for the Fiscal Year Ended June 30, 2023

Per 20 NCAC 20 03 .0508 which requires the governing body to develop a “Response to the Auditor’s Findings, Recommendations, and Fiscal Matters” signed by a majority of the members of the governing body and submitted to the Local Government Commission (LGC) within 60 days of the auditor’s presentation, Valdese is responding to the ratio of 0.48 on Capital Assets Condition in the Water/Sewer Fund per the “Performance Indicators of Concern” worksheet.

The Capital Assets Condition Ratio calculates the remaining useful life of all depreciable assets in the fund. A remaining useful asset value of less than 0.50 may signal the need to replace the assets in the near future.

The Town recently completed a sewer inventory assessment and is in the process of a water system inventory assessment. McGill Associates has been contracted to evaluate the full system and its needs and works with Town staff in developing a 10-year CIP. The data is reviewed annually by management along with options for funding identified. This process develops a path for the future to be approved by the Board to best address assets needing replacement and prioritize those needs. Valdese will use the data to also evaluate the potential rates charged for both Water and Sewer customers for the coming fiscal years to allow for funding our long-term capital plan.

Sincerely,
Town of Valdese Council

Bryan Steen (Interim Manager)	Gary Ogle (Councilman)
Bo Weichel (Assistant Manager/CFO)	Rexanna Lowman (Councilwoman)
Heather Ward (Councilwoman)	Glenn Harvey (Councilman)
Paul Mears (Councilman)	Charles Watts (Mayor)

Mr. Church shared that nothing came up with the audit that caused disagreements between the auditor and staff. Councilman Harvey asked if we needed to reassign the new Public Safety Building funds. Mr. Hammer answered that at the end of June, there was \$1,079,000 in that fund, and if the Council is not going to use it, they would just need to reallocate it. Councilman Harvey asked if we could reallocate it to the existing Public Safety Building. Mr. Hammer and Mr. Church said that the fund's title is Public Safety Building, so you should be able to use it. Councilman Harvey asked if the funds could be used for the Old Rock School renovations or a bubble for the pool, and Mr. Church said he would think it would have to go through an Ordinance change. Councilman Harvey thought it was interesting that all the vehicles we have sitting in Town are almost 3 million, and the facilities that the Town owns are around 7 million. Councilman Harvey said that we have three vehicles in the inventory that are being used for personal commuting by Town staff and said the latest practice is we charge the employee \$1.50 each trip and wonders if that is ok. Mr. Church shared that they looked at it a few years ago, and we follow the IRS regulations of charging \$3.00 daily.

PRESENTATION OF 2024 STRATEGIC PLANNING PROGRAM SCOPE OF WORK BY WPCOG:

Anthony Starr, Executive Director of WPCOG gave the Council an update of the upcoming Strategic Planning process:

Strategic Planning
Town of Valdese
 January 8, 2024
Alison Adams
 WPCOG Planning Director

Strategic Planning Process

Purpose:

To obtain public input as Council creates a strategic plan to facilitate the upcoming budget and update the capital improvement plan.

Public Input:

- Two interactive public meetings - January 17th and 24th at the Old Rock School from 6:00pm to 7:30pm. Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis will be conducted.
- Surveys will be sent through the mail to all in-town utility customers. The same survey will be available online. Survey will remain open until the end of January.

Promotion:

- Will occur through the Town's Face Book Page and website

Survey Questions

Overall Quality of Life

Share your opinion of the current quality of life in Valdese. If you don't have an opinion, please select the "Don't know or Not applicable" option.

1. How would you rate Valdese on the following?

	Excellent	Good	Neutral	Fair	Poor	Don't Know
As a place to live						
As a place to raise a family						
As a place to work						
As a place to retire						
As a place to own a business						
As a place to enjoy leisure activities						

Survey Questions

2. How would you rate Valdese on the following quality of life characteristics?

	Excellent	Good	Neutral	Fair	Poor	Don't Know
Feeling of safety						
Cost of living						
Housing affordability						
Employment opportunities						
Diversity of business and services						
Arts & culture activities and festivals						
Parks and open space						
Education (Early childhood – Adult)						
Health and wellness						

Survey Questions

3. From the list below, what are the top three quality of life characteristics that you would like to see improved upon and why?

- Feeling of safety
- Cost of living
- Housing affordability
- Employment opportunities
- Diversity of business and services
- Arts & culture activities and festivals
- Parks and open space
- Education (Early childhood – Adult)
- Health and wellness
- Other (Mandatory Response)

Briefly explain why you selected your three responses above in the space below.

Survey Questions

Town Governance and Services

Share your level of satisfaction with how well the Town of Valdese meets your needs and expectations. If you don't have an opinion or have not used a service, please select the "Don't know or Not applicable" option.

4. How would you rate your satisfaction on the following governance and engagement indicators?

	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
Overall value of services for taxes you pay						
Overall quality of town services						
Overall customer service						
Effectiveness of town communication with public						
Opportunities for public input						
Confidence that the government is acting in the best interest of Valdese						

Survey Questions

5. How would you rate your satisfaction with the following services or amenities provided?

	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
Police						
Fire						
Street maintenance and cleaning						
Sidewalk maintenance						
Stormwater drainage						
Zoning and permitting						
Economic development						
Main Street program and downtown development						
Small business assistance						
Housing service (Section 8 & Public Housing)						
Parks, open space and recreation						
Special events						
Electronic distribution service						
Water distribution and sewer collection						
Residential trash and recycling collection						
Town website and online services						

Survey Questions

6. From the list below, what are the top three services that the Town should improve upon and why?

- Police
- Fire
- Street maintenance and cleaning
- Sidewalk maintenance
- Stormwater drainage
- Zoning and permitting
- Economic development
- Main Street program and downtown development
- Small business assistance
- Housing service (Section 8 & Public Housing)
- Parks, open space and recreation
- Special events
- Electronic distribution service
- Water distribution and sewer collection
- Residential trash and recycling collection
- Town website and online services
- Remediation of public safety building structural issues

Briefly explain why you selected your three responses above in the space below.

Survey Questions

Opportunities for Valdese

Share your opinion about the town's progress and opportunities for continued improvement.

7. Of the Town's focus areas listed below, select the four (4) areas where you've seen the most positive change since 2020.

- Downtown Vitality** - examples: Brewery, Social District, Residences/Apartments, Signage & Lighting
- Housing Options** - examples: New Neighborhoods, Town Homes, Downtown Living, In-Fill Development
- Arts and Culture** - examples: Theater, Fridays at Five, Festivals, Christmas Events
- Recreation** - examples: New features such as splash pad, trails, and programs
- Economic Development** - examples: New businesses and industry and Downtown revitalization
- Safety and Security** - examples: new equipment, additional safety personnel, code enforcement
- Infrastructure** - examples: road improvements, water and sewer system improvements
- Communications** - examples: online forms, educational social media content, social media marketing, tourism development

Survey Questions

8. Partnerships are essential for continuing to move Valdese forward. Of the groups listed below, which is the most important for the Town to partner with in the future? (*Select one.*)

- | | |
|--|---|
| <input type="checkbox"/> Schools (K-12) | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Colleges & Universities | <input type="checkbox"/> Federal Government |
| <input type="checkbox"/> Non-profits | <input type="checkbox"/> Private Business |
| <input type="checkbox"/> County Government | <input type="checkbox"/> Faith-based Groups |

Survey Questions

9. Please use the space below to share any feedback on anything related to town services, quality of life and the future of Valdese that we did not ask you in this survey.

Demographic Questions

The following demographic questions give context to the collected survey data and aids in analysis. If you prefer not to answer the questions, please select "Prefer not to say."

10. Which of the following best describes you? Check all that apply.

- Resident of Valdese
- Business owner in Valdese
- Employee of a business located in Valdese
- Student in Valdese
- Work from home/Remote
- Other/Prefer not to say

Strategic Planning Process

Council Involvement:

- Council will participate in a SWOT Analysis at the February 2024 Council work session
- WPCOG staff will analyze the Council's responses and public input to address areas of alignment and non-alignment in the final document and findings presented in early March 2024.
- The Council will determine the fiscal year 2025 budget and any needed updates to the capital improvement plan/budget based on public input and the priorities set forth during the Council work session.

Mr. Starr said that Merchants and Business Owners would be able to participate in the survey and input sessions.

STATUS REPORT OF OLD ROCK SCHOOL RENOVATION Community Affairs Director Morrissa Angi introduced Mark Sealy, SGA Architect, and Ben Willis from WPCOG, who helped with the grant portion. Mr. Sealy gave the Council an overview of the project, the scope of the project, and where we currently are on the project.

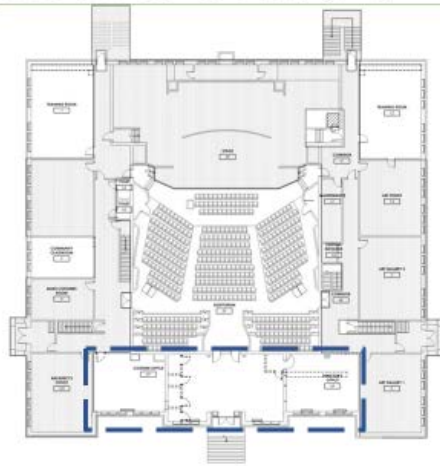


Old Rock School Renovations

January 08, 2024



Scope of Work: *first floor*



LOBBY / RESTROOMS / ACCESSIBILITY ACCESS

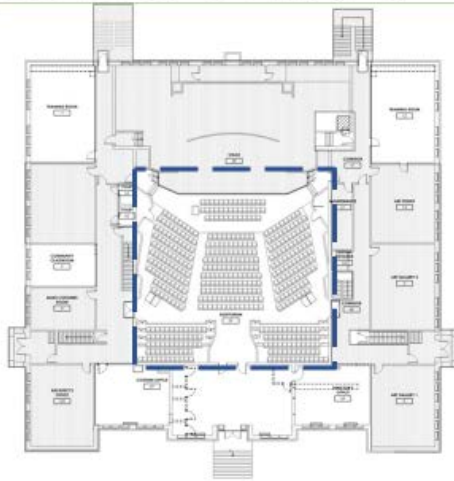
existing lobby



existing accessible path to lobby / exit door deficiency



Scope of Work: *first floor*

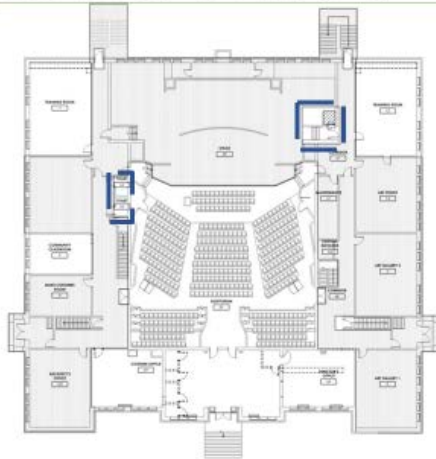


AUDITORIUM FINISHES, LIGHTING, SEATING

existing auditorium



Scope of Work: *first floor*



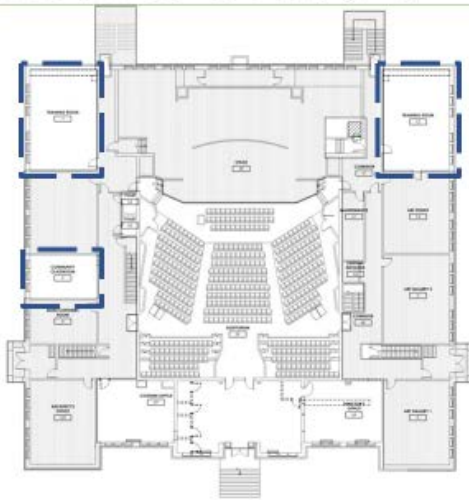
ACCESSIBLE ACCESS TO STAGE

RESTROOM FINISHES

existing stage access and toilet



Scope of Work: *first floor*

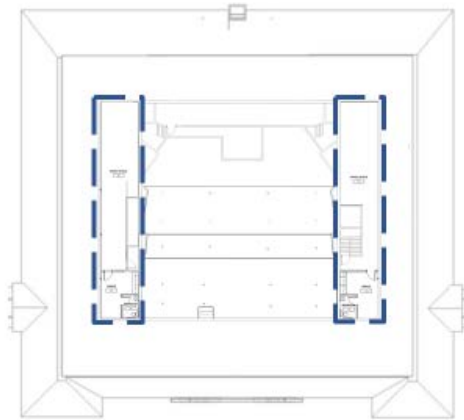


**NEW COMMUNITY ROOM /
TRAINING ROOM IMPROVEMENTS**

existing training room areas



Scope of Work: *second floor*

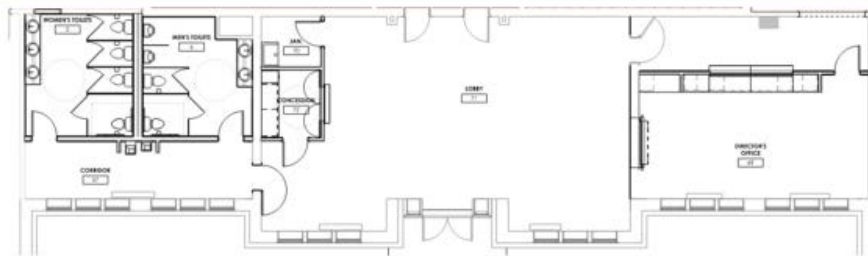


NEW OFFICE SPACE – LIGHTING & HVAC
/ RESTROOMS

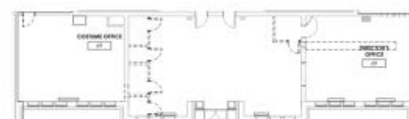
existing upper floor areas



Scope of Work: *lobby area*



Proposed



Existing / demo

Schedule



Currently Out for Bids

Bid Opening	January 23, 2024
Bid Review/Recommendation to Owner	January 25, 2024
City Council Meeting	February 5, 2024
Notice to Proceed	March 1, 2024
Construction Completion	July 29, 2024

Cost



Total Construction Costs Estimate: \$1,233,251.00

Base Bid-

Lobby, Janitors Closet, Concession, Directors Office, New Gang Restrooms
Doors-1 & 9, Upper Floor Office Areas inc. HVAC

Alternate 1-

Auditorium, Stage, Toilets, Training & Community Rooms, Doors 2,3,4

Alternate 1A-

Auditorium Seating

Alternate 2 -

Upper Floor Restrooms

Financial Update - SGA Contract OLD ROCK SCHOOL RENOVATIONS

BASIC SERVICES	Contract	Contract Amount	Billed	Amount Paid
Schematic Design	15%	\$ 15,045	100%	\$ 15,045
Design Development	20%	\$ 20,060	100%	\$ 20,060
Construction Documents	30%	\$ 30,090	35%	\$ 30,090
Procurement	5%	\$ 5,015	20%	\$ 1,003
Construction Administration	30%	\$ 30,090	0%	\$ -
BASIC service totals	100%	\$ 100,300		\$ 66,198

REIMBURSABLE EXPENSES	
Not to exceed \$4,000 per section 11.8.2 of contract	\$ 1,005

Total of green subtotals above	\$ 67,203
---------------------------------------	------------------

January 8, 2024, MB#32

Councilman Harvey expressed his concerns with the original approval of this program on December 5, 2022, which was scoped at \$707,200 for the construction, and the RFQ that SGA responded to stated it was \$850,000 total; wondered how has it now gone up to 1 million, which is a \$500,000, overrun. Mr. Sealy said the budget and the scope were not perfectly in line because estimates for the scope had not been completed yet. Mr. Sealy shared that he is providing alternates to the project since the total was higher than the original budget.

Councilman Mears asked if Mr. Sealy had an opinion on what can be accomplished at \$850,000. Mr. Sealy shared that he broke out alternate options beyond the base bid. Community Affairs Director Morrissa Angi said there were opportunities for fundraisers, but we have to see what the bids come in before we can see how much we would need to fundraise. Ms. Angi shared that the Town found out after the fact that the grant funds cannot be used for auditorium seating, so that is \$200,000 of the project that we have to figure out if we do it or not. Ms. Angi shared that to be awarded the grant funding, the top priorities for the project would be to renovate unutilized spaces to turn into revenue and improve ADA accessibility for the building. Councilman Harvey asked how handicapped people would get to the top floor, and Ms. Angi said they do not; that was for office space, not public use. The user for the office spaces will not have foot traffic to them and Ms. Angi has a list of interested users. Councilman Harvey would like to pause this project, have it looked at again, and bring it back within our available funds. Councilwoman Lowman asked if we had time limits on the grant. Ms. Angi said we have three years and explained the problem with delaying it. Councilman Mears feels it would be irresponsible for the Council to cancel or table this project.

STATUS REPORT ON ENGINEERING SERVICES CONTRACT FOR WATER PLANT UPGRADES

Water Resources Director Greg Padgett introduced RJ Mozeley, Senior Project Manager with McGill Associate, PA. Mr. Mozeley presented an overview and status report on the Water Treatment Plan Upgrade project.



PROJECT OVERVIEW

mcgill

Application for North Carolina
Department of Environmental Quality
Division of Water Infrastructure

Town of Valdese, NC
S.L. 2023-134 Water/Sewer Districted Project

Submitted by:
Town of Valdese, North Carolina
November 2023

North Carolina Department of Environmental Quality
Division of Water Infrastructure
Request for Funding
for S.L. 2023-134 Water/Sewer Districted Projects
(2023 - 2024 or 2025)

Project Name: S.L. 2023-134
Funding Request: \$1,000,000

Project Description: S.L. 2023-134 Water/Sewer Districted Project

Water Treatment/Plant Upgrade	Estimated Funding Amount

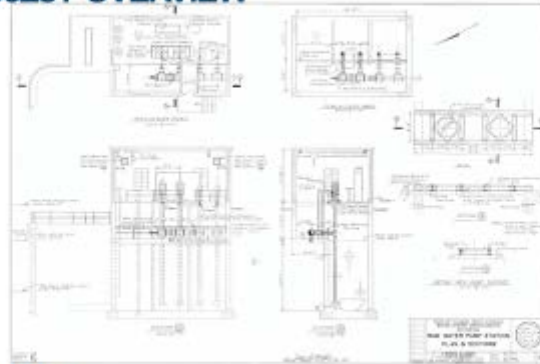
Note: Funding request is subject to project approval. Please see item 10 of the Request for Funding form. Funding request is subject to project approval. Please see item 10 of the Request for Funding form.

PROJECT OVERVIEW

- Raw Water Intake Pumps, Piping & Valves
- Flash Mix Basins & Mixer Equipment Replacements
- Flocculation Basins & Flocculator Equipment Replacements
- Sedimentation Basin Improvements
- Filter Improvements & Air Scour Backwash Addition
- Chemical Feed System Improvements
- Associated Electrical Improvements & Sitework

PROJECT OVERVIEW

 PROJECT OVERVIEW



RAW WATER INTAKE
PUMP STATION

 PROJECT OVERVIEW

RAW WATER INTAKE
PUMPS

200 HP - 600 HP
2.0 MGD - 12.0 MGD



 PROJECT OVERVIEW

FLOW
DIRECTION



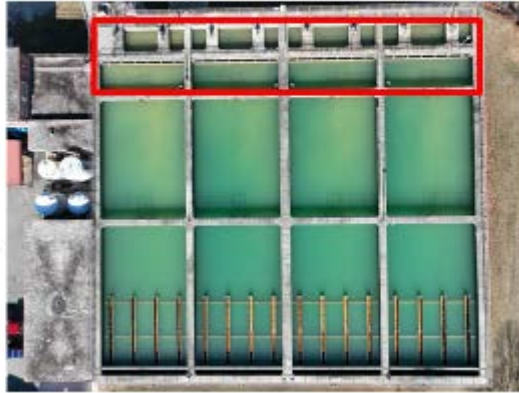
FLASH MIXING
BASINS & EQUIPMENT



 PROJECT OVERVIEW

FLOCCULATION
BASINS & EQUIPMENT

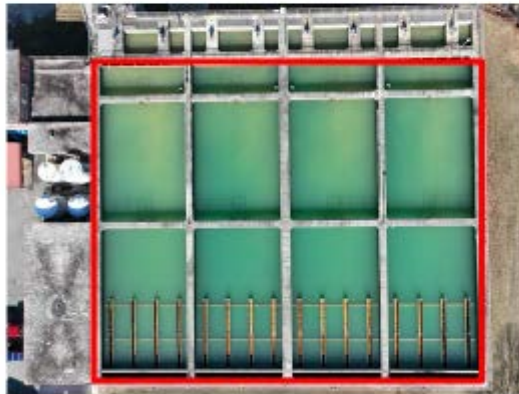
FLOW
DIRECTIO
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 PROJECT OVERVIEW

SEDIMENTATION
BASINS

OVERFLO
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FILTERS ↓



 PROJECT OVERVIEW

DUAL-MEDIA
FILTER BASIN



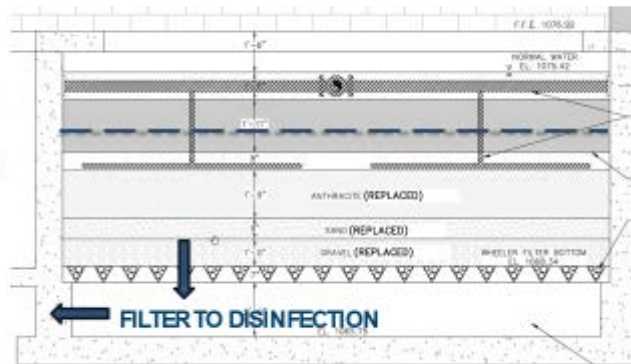
 PROJECT OVERVIEW

DUAL-MEDIA FILTER CONTROL CONSOLE



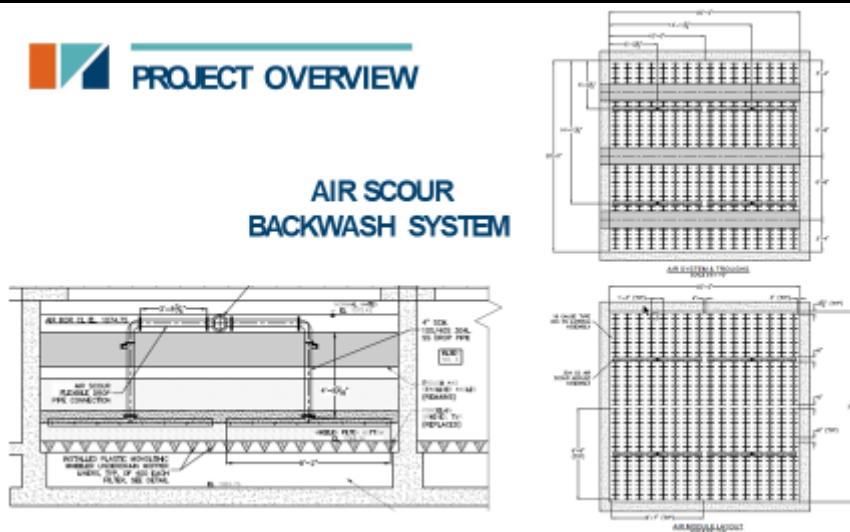
 PROJECT OVERVIEW

DUAL-MEDIA FILTER SECTION VIEW (EXAMPLE)



 PROJECT OVERVIEW

AIR SCOUR BACKWASH SYSTEM



 PROJECT OVERVIEW

AIR SCOUR
BACKWASH SYSTEM

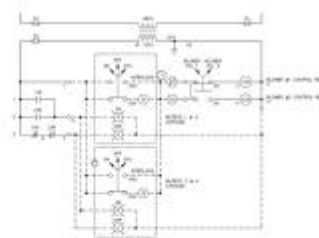


 PROJECT OVERVIEW

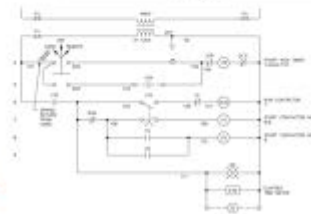
CHEMICAL FEED ROOM



 PROJECT OVERVIEW



AIR BLOWER CONTROL DIAGRAMS - MODIFICATIONS



MODIFIED ELECTRICAL
CONTROLS

January 8, 2024, MB#32



PROCESS & PROJECT SCHEDULE

- Funds will Pass Through NCDEQ – DWI
- “Funding Request” Documentation Submitted to DWI on 11/17
- DWI will Concur with Project Scope as “Eligible”
- DWI will Issue Letter Of Intent to Fund (Anticipated in Q12024)



PROCESS & PROJECT SCHEDULE

- ✓ Funding Request / Project Scoping
- ✓ SITE VISIT / Records Review (Historic Plans & Calculations)
- **Await LOIF from DWI / Prepare Base Drawings**
- Follow-up Site Visits & Staff Interviews
- Equipment Selections & Budgets Requested from Manufacturers
- Technical Specifications / Design Drawings / Design Calculations
- Permitting / Bidding / Award
- Construction / Commissioning / Project Closeout

Councilman Harvey asked Mr. Mozeley how many billable hours has he put in the project. Mr. Mozeley said on this contract, nothing, and it would start once we receive the LOIF approval from DWI then McGill would start full steam.

NOT APPROVED CONSIDERATION OF AMENDMENT OF TOWN ORDINANCE SECTION 2-1021, AND RULE 32(A) OF THE VALDESE TOWN COUNCIL – RULES OF PROCEDURE. Mayor Watts shared that the Resolution was in the agenda packet.

A RESOLUTION OF THE TOWN OF VALDESE TOWN COUNCIL AMENDING THE VALDESE TOWN COUNCIL RULE 32(a) OF THE RULES OF PROCEDURE AND AMENDING SECTION 2-1021 OF THE TOWN OF VALDESE CODE OF ORDINANCES

WHEREAS, the Town Council for the Town of Valdese operates pursuant to a Code of Ordinances (the “Ordinance”) and Rules of Procedure (the “Rules of Procedure”); and

WHEREAS, Rule 33 of the Rules of Procedure provides that the Rules of Procedure may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, so long as the amendment is consistent with the city charter, general law, and generally accepted principles of parliamentary procedure. Adoption of an amendment shall require

January 8, 2024, MB#32

an affirmative vote equal to or greater than two-thirds of all the actual membership of the council, excluding vacant seats, and not including the mayor; and

WHEREAS, pursuant to North Carolina General Statute 160A-75, no ordinance nor any action having the effect of any ordinance, except an ordinance on which a public hearing must be held pursuant to G.S. 160D-601 before the ordinance may be adopted, may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council; and

WHEREAS, Town Council has determined that Rule 32(a) is unclear and is also potentially inconsistent and/or in conflict with Section 2-1021 of the Ordinance; and

WHEREAS, Town Council desires to amend Rule 32(a) of the Rules of Procedure and further desires to adopt/amend Section 2-1021 of the Ordinance.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by at least two-thirds of all the actual membership of Town Council, that:

1. Rule 32(a) of the Rules of Procedure is hereby amended to read as follows:

Rule 32. Committee, Board and Other Appointments.

(a) Establishment and Appointment. The council may establish and appoint members for such temporary and standing town committees, boards or other bodies as are needed to help carry on the work of town government. Any specific provisions of law relating to a particular committee, board or other body shall be followed.

2. Section 2-1021 of the Ordinance is hereby amended to read as follows:

Section 2-1021 Committees generally.

All reports of committees shall be in writing and committee members shall receive such compensation for extra and special service as the board may designate.

3. If any portion of this Section is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed severable, and such holding shall not affect the validity of the remaining portions hereof.
4. All Rules of Procedure and provisions of the Ordinance which are not in conformance with the provisions of this Resolution occurring herein are repealed as of the effective date of this Resolution.
5. The provisions of this Resolution shall become effective immediately upon adoption.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

Mayor Watts asked for a motion to approve the Resolution of the Town of Valdese amending the Valdese Town Council Rule 32(a) of the Rules of Procedure and Amending Section 2-1021 of the Town of Valdese Code of Ordinances. Councilman Harvey made a motion, seconded by Councilwoman Ward.

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Councilman Mears asked if the Council could give a background on what has changed. Town Attorney Tim Swanson noted that the Resolution is removing the Mayor from the appointments and placing it in the Council's hands as a body.

VOTE: Councilwoman Lowman – No, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilman Mears – No. The motion failed.

APPROVED CONSIDERATION OF AMENDMENT OF RULE 4 OF THE VALDESE TOWN COUNCIL – RULES OF PROCEDURE.

A RESOLUTION OF THE TOWN OF VALDESE TOWN COUNCIL AMENDING THE VALDESE TOWN COUNCIL RULE 4(a) OF THE RULES OF PROCEDURE

WHEREAS, the Town Council for the Town of Valdese operates pursuant to a Code of Ordinances (the "Ordinance") and Rules of Procedure (the "Rules of Procedure"); and
 WHEREAS, Rule 33 of the Rules of Procedure provides that the Rules of Procedure may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, so long as the amendment is consistent with the city charter, general law, and generally accepted principles of parliamentary procedure. Adoption of an amendment shall require an affirmative vote equal to or greater than two-thirds of all the actual membership of the council, excluding vacant seats, and not including the mayor; and

WHEREAS, Town Council desires to amend Rule 4(a) of the Rules of Procedure.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by at least two-thirds of all the actual membership of Town Council, that:

6. Rule 4(a) of the Rules of Procedure is hereby amended to read as follows:

Rule 4. Agenda.

(b) Proposed Agenda. The town clerk shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least ten days before the meeting. Any council member may, by a timely request, have an item placed on the proposed agenda. A copy of all proposed ordinances shall be attached to the proposed agenda. An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each council member shall receive the proposed agenda and agenda package by Friday afternoon prior to the Monday meeting and proposed agenda shall be available for public inspection and distribution or copying when it is distributed to the council members. Further, each preliminary proposed agenda, alone, without attachments, shall be provided to each council member and published on the Town's website and Facebook page by 4:00 PM, the Monday before each regularly scheduled council meeting.

7. If any portion of this Section is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed severable, and such holding shall not affect the validity of the remaining portions hereof.

8. All Rules of Procedure which are not in conformance with the provisions of this Resolution occurring herein are repealed as of the effective date of this Resolution.

9. The provisions of this Resolution shall become effective immediately upon adoption.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

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THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:

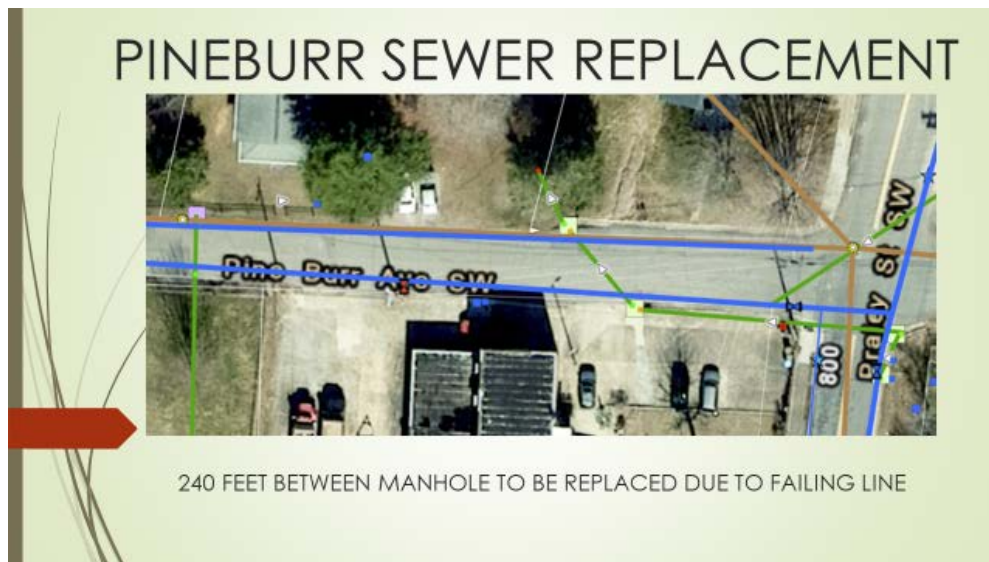
/s/ Town Clerk

Mayor Watts asked for a motion to approve the Resolution of the Town of Valdese amending the Valdese Town Council Rule 4 of the Rules of Procedure. Councilman Harvey made a motion, seconded by Councilwoman Ward.

Councilman Mears asked if the rule change intends to allow the public to get a view of the agenda at least seven days prior. Councilman Harvey shared that this rule says the preliminary proposed agenda would be available one week before the Council meeting, but not the whole package. Councilwoman Lowman asked if the Council could change the agenda with this rule. Mr. Swanson said there would be a chance for the Council to modify the agenda as we discuss it. Interim Town Manager Bryan Steen wants to ensure we have some flexibility in case of an emergency. Councilman Harvey shared that the objection is transparency in Government.

VOTE: Councilman Mears – Yes, Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – Yes The motion was approved unanimously.

APPROVED BUDGET AMENDMENTS: Public Works Director Allen Hudson presented the following presentation for a sewer replacement on Pineburr. Mr. Hudson explained there are approximately 240 feet to be replaced. Mr. Hudson sent out four companies to quote the repair, and two responded. Mr. Hudson recommends going with the lowest bidder, Iron Mountain Construction, in the amount of \$46,985.00.



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Iron Mountain Construction Co, Inc.



To: Allen Hudson, Public Works Director
 Town of Valders
 From: Sam Isenhour, President
 Quote: Sewer Repair at Prasley Street & Pineburr Avenue

QUANTITY	UOM	DESCRIPTION	UNIT PRICE	AMOUNT
1	LS	Mobilization	\$6,350.00	\$6,350.00
230	LF	Asphalt removal	\$7.50	\$1,725.00
60	LF	8" Ductile Iron Pipe Sewer	\$110.00	\$6,600.00
170	LF	8" SDR35 Sewer	\$78.00	\$13,260.00
1	EA	Connect to existing manhole	\$2,000.00	\$2,000.00
1	EA	Connect to existing 8" pipe	\$2,000.00	\$2,000.00
2	EA	Reconnect Sewer Services	\$1,570.00	\$3,140.00
40	TN	ABC Stone	\$44.00	\$1,760.00
40	TN	Washed stone bedding	\$50.00	\$2,000.00
39	TN	Asphalt Repair 4" Thick	\$275.00	\$8,225.00
Total:				\$46,985.00

Thank you for your consideration.

Prestwood Water and Sewer, Inc.

Max Prestwood Water and Sewer, Inc.
 P.O. Box 583
 Lenoir, NC 28645
 Phone (828) 754-9315 Fax (828) 754-3768

12-11-23

Town of Valders
 Attn: Allen Hudson

Re: Sewer line replacement

Cut and remove 240' of asphalt @\$10.00/LF	\$2,400.00
180' of 8" SDR 35 PVC with stone bedding @\$125.00/LF	\$22,500.00
60' of 8" DIP @\$135.00/LF	\$8,100.00
Reconnect 2-4" sewer taps @\$3,000.00/TA	\$6,000.00
2-8" man couplings @\$200.00/TA	\$400.00
Total:	\$39,400.00
Estimated 75 TN of ABC stone for roadway @\$40.00/TN	\$3,000.00
Estimated 30 TN of Pavement patch @\$260.00/TN	\$7,800.00
Total:	\$50,200.00

Recommendation: Award Iron Mountain Construction Co, Inc., bid in the amount of **\$46,985.00**.

Councilman Harvey asked how old the sewer line was and if this replacement was in the Capital Improvement Plan. Mr. Hudson said 1960, and no, it was not in the Capital Improvement Plan; this was

not something we could plan for. Mr. Hudson shared that it started to have stoppages, so they completed a camera study and discovered the line had cracks, pieces of clay pipe missing, etc.

Valdese Town Council Meeting

Monday, January 8, 2024

Budget Amendment #

8-10

Subject:

Pineburr Sewer Replacement

Description:

This amendment covers the expense for replacement to the existing 240 feet of sewer line that is failing under Pineburr Ave SW Proposed contract price by Iron Mountain Construction Co.

Proposed Action:

BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section I:

The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
30.3990.000	Utility Fund Balance Appr.		46,985
Total		\$0	\$46,985

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
30.8120.740	Capital Outlay	46,985	
Total		\$46,985	\$0

Section II:

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

Mayor Watts asked for a motion to approve the budget amendment to transfer \$46,985.00 from the Utility Fund to cover the expense to replace the sewer line on Pineburr Ave. Councilman Harvey made a motion, seconded by Councilwoman Lowman. The vote was unanimous.

Assistant Town Manager/CFO Bo Weichel presented the following Budget Amendment:

Valdese Town Council Meeting	Monday, December 18, 2023
Budget Amendment #	6-10
Subject:	Board of Elections fees
Description:	This amendment covers the unexpected fees charged by the County Board of Elections. In years past the average cost for an election year was \$1,500-2,000. This is what is included in the budget. Due to a change in election cycles, Valdese now bears more of costs from the Board of Elections which was unknown to Valdese until billed.

Proposed Action:
 BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section I:
 The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appr.		4,930
Total		\$0	\$4,930

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.570	Miscellaneous Services	4,930	
Total		\$4,930	\$0

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

Mayor Watts asked for a motion to approve the budget amendment to transfer \$4,930.00 from the General Fund balance to cover an increase fees charged by the Board of Elections. Councilwoman Lowman made a motion, seconded by Councilman Mears. The vote was unanimous.

Assistant Town Manager/CFO Bo Weichel presented the following Budget Amendment:

Valdese Town Council Meeting	Monday, January 8, 2024
Budget Amendment #	9-10
Subject:	Contract with Interim Manager
Description:	This amendment covers the salary and taxes for the Interim Manager

Proposed Action:

BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section I:

The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appr.		90,700
Total		\$0	\$90,700

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.020	Salaries	83,200	
10.4200.050	Taxes	6,500	
10.4200.140	Travel	1,000	
Total		\$90,700	\$0

Section II:

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

Mayor Watts asked for a motion to approve the budget amendment to transfer \$90,700.00 from the General Fund Balance to cover the salary and taxes for the Interim Town Manager. Councilman Mears made a motion, seconded by Councilwoman Ward. The vote was unanimous.

Assistant Town Manager/CFO Bo Weichel presented the following Budget Amendment:

Valdese Town Council Meeting		Monday, January 8, 2024
Budget Amendment #	10-10	
Subject:	Cameras with streaming equipment	
Description:	This amendment covers the materials and labor to install cameras in the Council Chambers for streaming meetings in real-time to YouTube	

Proposed Action:
 BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section I:
 The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appr.		3,907
Total		\$0	\$3,907

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.740	Capital Outlay	3,907	
Total		\$3,907	\$0

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

Mayor Watts asked for a motion to approve the budget amendment to transfer \$3,907.00 from the General Fund Balance to cover labor and materials to install cameras in the Council Chambers. Councilwoman Lowman made a motion, seconded by Councilman Mears. The vote was unanimous.

Mayor Watts introduced Interim Town Manager Bryan Steen.

MANAGER’S REPORT: Interim Town Manager Bryan Steen made the following announcements:

Town Offices Closed Monday, January 15, 2024 in Observance of Martin Luther King Day

Bluegrass at the Rock presents: Lonesome River Band, Saturday, January 20, 2024 at 7:30 p.m.

OCP Production: Disney’s The Little Mermaid Jr, Show Dates January 26-27 & February 1-3, 2024, 7:30 p.m., and January 28 & February 4, 2024, 3:00 p.m.; visit www.oldcolonyplayers.com for more information and to purchase tickets.

Public Forum/Review Council meeting scheduled Monday, January 29, 2024, 6:00 p.m.

MAYOR AND COUNCIL COMMENTS: Councilman Harvey addressed the swimmers left in the audience. Councilman Harvey stated that Heather Ward, Gary Ogle, and Glenn Harvey never said to close the pool, or bubble, or anything about cutting a service. Councilman Harvey agrees that the Town needs a permanent indoor swimming pool, and if a permanent structure costs 1-2 million instead of half a million, he would want to figure out a way to make it permanent. Councilman Harvey said this should have been in the Capital Improvement Plan years ago. Councilman Harvey shared the following handout:

VALDESE PATH TO TRANSPARENCY IN GOVERNANCE – LET THE CITIZENS DECIDE

JANUARY – JUNE 2024: CITIZENS TO HELP SET PRIORITIES FOR FISCAL YEAR 2024-25 BUDGET

The Strategic Plan: The Valdese Town Council entered into a contract with the Western Piedmont Council of Governments to ask citizens to decide the services, needs, and concerns they care most about. Citizens will have several opportunities to weigh in – surveys in the mail, online surveys, and public meetings. Every resident can be heard from and the more citizens who participate, the more influence you will have on how our town allocates its limited resources.

JULY 2024 AND FORWARD – THINGS TO THINK ABOUT NOW – FOR FUTURE CONSIDERATION

Amendment of the Town Charter: As all citizens know, Valdese elects its mayor and council members for four-year terms.

- Has it always been that way in Valdese? No – for eighty years following the formal establishment of Valdese, the mayor was elected to two-year terms. For reasons that may not be clear, in the year 2000, the NC legislature amended the Valdese Town Charter to make the mayor's term 4 years.
- Do all other NC towns have four-year terms? No – for example, the town of Rolesville has all terms-mayor and council as two-year terms.

Considerations: Let's think about the pros and cons of making the mayor's term or all council terms two-year terms. Why raise this question in 2024?

In 2023 Valdese experienced a historically divisive election. Campaigning on one side were six council members, the former mayor, former council members, and influential town employees. On the prevailing side were three citizens elected by citizens who wanted transparency in governance and other changes. The unfair outcome was six members of the 2023 council campaigned vigorously on the record of all six; however, three lost and three still are on the council.

Would it be fairer and more democratic if the mayor and five council members all ran on their record at the end of every two-year term and let the citizens decide whether to stay with that record? That is the way we elect US Representatives and NC State representatives and senators.

Potential Zoning Considerations: The Valdese ward map looks like a gerrymander of sorts but with some stray bits and pieces. The two most obvious exceptions to a more logical map are:

(1) Several millions of dollars of homes that appear to be in Valdese, but are islands in the county that do not pay Valdese property taxes, even though those homeowners pay the same water and sewer rates as residents and, of course, use our streets and sidewalks. Can they be annexed into Valdese? Only if they request it. Can they be charged special rates for water and sewer? Or charged street usage fees? Many things to consider, so let's just think about it until another round of surveys of citizens' opinions.

(2) There is a block, like an island, of xxx acres, right in the middle of Rutherford College that is within Valdese town limits. There are four owners on the property, three of whom pay no property taxes, yet Valdese services those properties with police and fire protection and other services as if that acreage were right amid downtown Valdese. The present owners on that block:

- 2.81 acres: Mr. and Mrs. Berner. Assessed value \$317,000; Valdese taxes \$1600.
- 5.1 acres: Valdese Nursing Home, Inc., Dallas TX. Value \$5.9 million; property taxes \$0.
- 0.2 acres: Burke County EMS. \$76,000 value; property taxes \$0
- 38 acres: Valdese General Hospital. Value \$53.5 million; property taxes \$0.

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Councilwoman Ward shared she has always been told to ask questions and refuses to be silenced. Councilwoman Ward shared that we are not on some personal vendetta to ruin Valdese. Councilwoman Ward loves this Town and feeds the homeless and drug addicts, providing clothes and food. Councilwoman Ward said that when they question things in an email, it is just to learn. Councilwoman Ward wants to put the past behind them and move forward.

Councilman Mears would like the Council to look at the economic benefit the Town receives from the Valdese General Hospital, which he thinks is profound. Councilman Mears would like a study completed to compare the economic benefit to the little bit of tax revenue we receive. Councilman Harvey said nobody suggested we de-annex the hospital but to put it off for the citizens to talk about next fall. Councilman Harvey said the hospital was wonderful. Councilwoman Ward shared that she would like emails that are labeled confidential not to be sent out and that it was not wise to leak emails.

Mayor Watts thanked the Charters of Freedom for a great event and the educational benefits they provide. Mayor Watts thanked Councilwoman Ward for her presentation at the event. Mayor Watts thanked the staff for all their work during the Christmas holiday.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session under NC General Statute 143-318.11(a)(3) to consult with an attorney retained by the Town in order to preserve the attorney-client privilege between the Town attorney and the Town Council, which privilege is hereby acknowledged, regarding the following: A. Discussion of Potential Litigation, B. Discussion of Pending Litigation – Aqueous Film-Forming Foams (AFFF) Products Liability Litigation MDL No. 2873 pending in the United States District Court, District of South Carolina. At 9:28 p.m., Councilman Ogle made a motion, seconded by Councilwoman Ward. The vote was unanimous.

At 9:40 p.m., Councilman Mears made a motion to return to Open Session, seconded by Councilman Ogle. The vote was unanimous.

Mayor Watts asked for a motion to add for Consideration of Council the Resolution and retainer agreement between the Town of Valdese and Cranfill Summer LLP et al as Special Counsel to the agenda. Councilman Harvey made a motion, seconded by Councilman Mears. The vote was unanimous.

CONSIDERATION OF RESOLUTION AND RETAINER AGREEMENT BETWEEN THE TOWN OF VALDESE AND CRANFILL SUMMER LLP, ET AL AS SPECIAL COUNSEL.

RESOLUTION OF THE TOWN OF VALDESE TOWN COUNCIL TO RETAIN CRANFILL SUMNER LLP; MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, LLC ; AND NAPOLI SHKOLNK, PLLC AS SPECIAL COUNSEL

WHEREAS, the Town desires to appoint and employ the attorneys at the law firms of Cranfill Sumner LLP; Milberg Coleman Bryson Phillips Grossman, LLC; and Napoli Shkolk, PLLC as special counsel for the Town for the purpose of investigating and litigating the Town's potential claims for injuries and/or property damages arising out of emerging hazardous contaminants including, but not limited to, per- and polyfluoroalkyl and related substances (PFAS/PFOA), 1,4 Dioxane, and micro-plastics (the "Claims"), including representation in connection with the Aqueous Film-Forming Foams (AFFF) Products Liability Litigation MDL No. 2873 pending in the United States District Court, District of South Carolina.

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby appoint and employ the law firms of Cranfill Sumner LLP; Milberg Coleman Bryson Phillips Grossman, LLC And Napoli Shkolk, PLLC as special counsel to investigate and litigate the Claims on the terms and conditions of the Retainer Agreement attached hereto as "Exhibit A," and that the Town Manager is fully authorized to execute the Retainer Agreement on behalf of the Town

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

THE TOWN OF VALDESE,

January 8, 2024, MB#32

a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

January 8, 2024

VIA ELECTRONIC DELIVERY

Town of Valdese, North Carolina
P.O. Box 339
Valdese, NC 28601

ATTORNEY-CLIENT
RETAINER AGREEMENT ("Agreement")

COMMUNICATION

The Town of Valdese ("Client" or "You") hereby agrees to separately retain Cranfill Sumner LLP ("CS") with an address of 5420 Wade Park Boulevard, #300, Raleigh, North Carolina 27607, Milberg Coleman Bryson Phillips Grossman, LLC ("Milberg") with an address of 900 W. Morgan Street, Raleigh, North Carolina 27603, and Napoli Shkolnik, PLLC ("NS") with an address of 360 Lexington Avenue, 11th Floor, New York, New York, 10017, to provide legal services to Client on the terms and conditions set forth below. CS, Milberg, and NS are collectively referred to as "Co-Counsel" or "We". This Agreement shall be made effective upon the date of execution.

Condition

This Agreement will not take effect, and We will have no obligation to provide legal services, until You return a signed copy of this Agreement to Co-Counsel.

Key Deliverables

Co-Counsel will provide legal representation in identifying and pursuing Your potential claims for injuries and/or property damages arising out of the contamination of water supplies, wastewater treatment facilities, and/or solid waste facilities by emerging hazardous contaminants including, but not limited to, per- and polyfluoroalkyl and related substances (PFAS/PFOA), 1,4 Dioxane, and micro-plastics, including representation in connection with any claim made in the Aqueous Film-Forming Foams (AFFF) Products Liability Litigation MDL No. 2873 pending in the United States District Court, District of South Carolina ("Cases").

We have identified the key deliverables that we will provide to you in connection with the Cases:

- a) Represent Your interests in pursuing a claim in the Cases and recovering the maximum amount of compensation You may be entitled to under the controlling law.
- b) Represent Your interests in the litigation and pursuit of claim recovery, with Co-Counsel's respective responsibilities defined in the following subsections.

In consideration for these services, Client agrees to pay the contingency fee set forth in Section 5.A.

Additional Services

Your matter is complicated and it is difficult to predict how your claim eligibility and potential recovery may unfold. The Key Deliverables above do not include assisting You, by way of example, in any administrative or regulatory agency proceedings outside of the defined Cases. We are not agreeing to represent You in any other matter other than as set out in this agreement; any additional representation must be agreed to in writing.

Client Duties

You agree to be completely truthful and candid with us, to cooperate, to keep us informed of all developments, and to keep us advised of your address and telephone number. You agree to be available upon reasonable notice to discuss matters, to attend meetings, testify, assist with depositions, and participate in court conferences and hearings. You agree to help review documents and to provide factual

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or technical expertise. You will maintain and not delete, discard or destroy any documents (including text messages, instant messages, messages sent by way of messaging apps, and emails) relating to the Cases, and will put procedures in place to make sure all such documents remain preserved. You authorize Co-Counsel to advertise their respective roles in the Cases subject to all applicable professional rules of conduct.

Co-Counsel Fees

Contingency Fee

Co-Counsel shall be entitled to a contingency fee of 33% (thirty three percent) of the claim recovery ("Contingency Fee"). In the event of a claim recovery, We shall further be entitled to our costs and expenses advanced in the representation (as set forth in paragraph 6 below), in addition to the 33% (thirty three percent) Contingency Fee. You shall not be obligated to pay these costs unless there is a claim recovery.

Co-Counsel shall divide any Contingency Fee in the following manner. For a Contingency Fee below \$10,000,000.00 (ten million dollars), CS shall receive 40% (forty percent), Milberg shall receive 40% (forty percent), and NS shall receive 20% (twenty percent). In the event of a Contingency Fee exceeding \$10,000,000.00 (ten million dollars), CS shall receive 50% (fifty percent), Milberg shall receive 30% (thirty percent), and NS shall receive 20% (twenty percent). In either scenario, and in addition to the Contingency Fee, CS, Milberg, and NS and Milberg shall be entitled to recover any costs and expenses advanced by Co-Counsel from any award or payment made to You arising from the representation as permitted by law.

Any amendment to this Contingency Fee arrangement shall be required to be made in writing with consent of the undersigned parties. CS, Milberg, and NS are assuming joint responsibility for Your representation.

It is anticipated, contemplated and understood by the Client and Co-counsel that the division of responsibility and labor between Co-Counsel shall be as follows:

1. Milberg/NS Responsibilities. Milberg shall be responsible as lead litigation counsel, including entering any and all appearances in, and leading the prosecution of, any court proceedings as may be required to recover any claim for the Client. Milberg shall be responsible for communicating to CS all pertinent procedural, litigation and settlement updates concerning the Client's claim so that CS may be appropriately informed and globally advise the Client in its settlement considerations. The parties agree that all tactical decisions regarding litigation shall be determined by Milberg who will be lead counsel on all filings. NS shall assist Milberg in all aspects of the litigation.
2. CS Responsibilities. CS shall be responsible for advising the Client on legal strategy concerning its claim(s) in the Cases, claim valuation, and settlement valuation. This includes communicating with the Client's attorney and council / board about the Cases. CS shall further be responsible for liaising with Milberg and NS regarding litigation in order to give the foregoing advice to Client and advising the Client on all litigation developments pertinent to prosecuting or settling the Client's claim for the maximum recoverable value permitted under controlling law.

You acknowledge the 33% Contingency Fee plus costs arrangement accounts for the amount of time and expertise required in this representation, the risk, costs and expenses incurred by Co-Counsel in the event there is no claim recovery, as well as the likely duration of time before any claim recovery will occur, if ever. You acknowledge Co-Counsel is accepting a very high degree of risk that no claim recovery will be made, but Co-Counsel will nonetheless invest significant time and costs in the matter. You further acknowledge the fee share arrangement between CS, Milberg, and NS, and that CS, Milberg, and NS are entitled to recover their costs and expenses advanced in the representation as permitted by law.

Costs

In addition to fees for legal services, there are certain costs and expenses that you may be obligated to pay in connection with the Key Deliverables. These include, but may not be limited to, costs for court filing fees, sheriff fees, court reporter fees, deposition costs, expert fees for expert depositions and court appearances, trial and deposition exhibits, photocopying, postage and express mail charges, travel, airfare, mileage charges, any other reasonable fees or costs which CS or Milberg may be required to advance in the course

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of providing the Key Deliverables. Expenses incurred in connection with the Key Deliverables shall not be required to be repaid if there is no recovery. Expenses and costs related to Additional Services shall be paid as incurred, but no expenses or costs shall be incurred without prior client approval. Co-Counsel agree that they shall confer with each other in writing before proceeding to incur any costs exceeding \$1,000.00 (one thousand dollars).

Statute of Limitations

You understand that any lawsuit must be commenced within a certain limited time period, (that may vary, depending upon the defendant) starting from the "discovery of the injury" or of "the date when through the exercise of reasonable diligence such injury should have been discovered... whichever is earlier". You further understand that the Statute of Limitations period for any case must be investigated, and that this Agreement is made subject to that investigation as well as an investigation of the entire case.

Discharge and Withdrawal

You can terminate Co-Counsel's representation of You at any time, either individually or collectively. For the avoidance of doubt, in the event You terminate Co-Counsel's representation of You and do not pursue the Cases with other counsel or on your own, terminated Co-Counsel shall be entitled to recover its costs. Co-Counsel may respectively withdraw at any time with your consent or for good cause. Good cause includes your breach of this Agreement, your failure to cooperate with or follow Co-Counsel's advice on a material matter, any fact or circumstance that would render Co-Counsel's continuing representation unlawful or unethical, or any developments which render the pursuit of this case economically unfeasible. Co-Counsel individually reserves the right, and You consent, to each firm's respective withdrawal at any time if the anticipated evidence does not materialize, or if the allegations in the complaint turn out to be incorrect or not supported by the evidence. After Co-Counsel's services conclude, We will deliver your file to You, along with any funds or property of yours in Co-Counsel's respective possession.

Disclaimer of Guarantee and Negotiability

Nothing in this Agreement and nothing in Co-Counsel's past, present or future respective statements to You are a promise or guarantee about the outcome of your matter. We make no such promises or guarantees and no statement of Co-Counsel can be construed as offering the same. Our comments about the outcome of your matter are expressions of opinion only. You acknowledge that You have been advised that the attorneys' fee provided in this Agreement is negotiable between Co-Counsel and You.

Effective Date, Severability and Subsequent Written Modifications

This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties. If any provision of this Agreement is held wholly or partly unenforceable for any reason, the remainder of that provision and the entire agreement will be severable and remain in effect. This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by each of them. The person signing below for You has full authority and consent to do so and can fully bind You to the terms of this Agreement without further approval by any other person, board, or entity.

Document Retention Policy; Privacy of Information

Our document filing system is primarily digital and so Co-Counsel may not keep copies of paper documents that have been scanned. After the conclusion of the Matter all documents retained by Co-Counsel will be transferred to the person responsible for administering our records retention program. For various reasons, including the minimization of unnecessary storage expenses, We reserve the right to destroy or otherwise dispose of any such documents or other materials retained by us within a reasonable time after the termination of the engagement. At the conclusion of the Matter, you must notify us within 30 days if you want copies of any documents. Respective Co-Counsel legal files relating to the Cases and any documents not returned to the client will be retained in accordance with the applicable rules of professional conduct or other regulation or requirements. At the end of the retention period, files will be destroyed in a manner protecting client confidentiality, barring further written instruction from You.

Attorneys, like other professionals who advise clients on personal financial and tax matters, are now required by federal law to inform their clients of their policies regarding privacy of client information. In addition to these federal laws, attorneys have been and continue to be bound by professional standards of confidentiality under state law and our ethics standards. In the course of providing our clients with advice and representation in diverse areas of practice, we receive significant personal information from our clients and their other advisors. Information we receive about You is held in confidence, and is not released to people outside the firm, except as agreed to by You, or as appropriate under applicable laws, rules, and regulations.

January 8, 2024, MB#32

Governing Law

The laws of the State of North Carolina shall govern this Agreement, without regard to North Carolina's choice of conflict of law provisions.

Co-Counsel Status

You acknowledge that Co-Counsel are neither partners nor joint venturers nor otherwise affiliated with one another, and that neither Co-Counsel firm guarantees any obligation of the other the firm and that Co-Counsel does not assume joint or several liability for the actions or omissions of the other firm.

* * * *

[SIGNATURE PAGE FOLLOWS]

January 8, 2024, MB#32

YOU HAVE READ AND AGREE TO THE FOREGOING FIVE PAGES, FULLY UNDERSTAND ITS TERMS AND CONDITIONS, AND AGREE TO BE BOUND BY THESE TERMS AND CONDITIONS.

Date: _____, 2023

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

By: _____
Charles Watts, Mayor

ATTEST: (SEAL)

Jessica Lail, Town Clerk

Date: _____, 2023

CRANFILL SUMNER LLP

By: F. Marshall Wall
Its: Managing Partner

Date: _____, 2023

**MILBERG COLEMAN BRYSON PHILLIPS
GROSSMAN, LLC**

By: Marc D. Grossman _____
Its: Senior Partner

Date: _____, 2023

Napoli Shkolnik, PLLC

By: _____
Its: _____

Mayor Watts asked for a motion to approve the Resolution and Retainer Agreement between the Town of Valdese and Cranfill Summer LLP et al as Special Counsel. Councilman Mears made a motion, seconded by Councilman Ogle. The vote was unanimous.

ADJOURNMENT: At 9:43 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Harvey. The vote was unanimous.

The next regular Council meeting is scheduled for Monday, February 5, 2024 at Valdese Town Hall.

Town Clerk

Mayor

jl

**TOWN OF VALDESE
TOWN COUNCIL STRATEGIC PLAN PUBLIC INPUT MEETING
WEDNESDAY, JANUARY 17, 2024, 6:00 P.M.**

The Town of Valdese Town Council met on Wednesday, January 17, 2024, at 6:00 p.m. for a strategic plan public input session, led by the WPCOG. Members of the Council met at the Old Rock School, Waldensian Room, 400 Main St. W, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were Interim Town Manager Bryan Steen, Town Clerk Jessica Lail, WPCOG Executive Director Anthony W. Starr, WPCOG Director of Community & Regional Planning Alison Adams, and various Department Heads.

Absent: None

A quorum was present, but no action was planned.

At 6:00 p.m., WPCOG Director of Community & Regional Planning Alison Adams welcomed everyone and introduced six staff members from the WPCOG who were present to help with the session. Ms. Adams explained the process of the public input session. Ms. Adams split the room into three groups, and participants completed a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis in each group. After the exercise, participants picked their top four priorities by placing a sticker beside each priority. Ms. Adams said we would do the same process at the following public input meeting on Wednesday, January 24, 2024. The WPCOG team will compile the information from the SWOT analysis, and the surveys sent out in the mail and online and present the outcomes to the Council at a later meeting.

There were approximately 67 people in attendance.

SWOT ANALYSIS TOP PRIORITIES FROM STICKER PLACEMENT:

STRENGTHS – Police & Fire, Recreation Department, Lakeside Park, Hospitals, Location, Parks/Rec/Trails/Pool, Safe Environment, I-40 access, Safety, Outdoor Recreation, Town Services

WEAKNESSES – Jobs(lack of variety), Low Inventory Housing, Competitive Businesses, Taxes, Aging Infrastructure with Public Safety Building, Streets/Paving, Job Availability for Youth, Lack of Industry/Manufacturing Jobs, Lack of Variety of Restaurants/Hours, Aging Infrastructure, Diversity of Industry, Economic Development, Emergency Services

THREATS – Low Housing Stock, Politics, Dysfunctional Local Government/Uninformed Decision Making, Lack of Young People/Aging Population, Property Neglect, Drugs, No Change/Innovation, Political Division, Aging Infrastructure, Business/Job Loss, Aging Population

OPPORTUNITIES – Expanding Rec Center(and other facilities), Old Rock, Partnership with Other Small Towns, More Utilization of Lakeside Park, Market/Create Bus Opps/Cottage Industries, Lake, Market to Restaurant Variety, RV Park, Hotels/BnB, Downtown Development, Sunday Dining, Old Rock School Improvements, McGalliard Falls

At 7:30 pm the public input session was adjourned.

The next Strategic Planning Public Input Meeting is scheduled for Wednesday, January 24, 2024, at the Old Rock School, Waldensian Room.

Town Clerk
jl

Mayor

**TOWN OF VALDESE
TOWN COUNCIL STRATEGIC PLAN PUBLIC INPUT MEETING
WEDNESDAY, JANUARY 24, 2024, 6:00 P.M.**

The Town of Valdese Town Council met on Wednesday, January 24, 2024, at 6:00 p.m. for a strategic plan public input session, led by the WPCOG. Members of the Council met at the Old Rock School, Waldensian Room, 400 Main St. W, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were Interim Town Manager Bryan Steen, Town Clerk Jessica Lail, WPCOG Executive Director Anthony W. Starr, WPCOG Director of Community & Regional Planning Alison Adams, and various Department Heads and WPCOG Staff.

Absent: None

A quorum was present, but no action was planned.

At 6:00 p.m., WPCOG Director of Community & Regional Planning Alison Adams welcomed everyone and introduced staff members from the WPCOG who were present to help with the session. Ms. Adams explained the process of the public input session, ground rules, and next steps. Ms. Adams split the room into two groups, and participants completed a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis in each group. After the exercise, participants picked their top four priorities by placing a sticker beside each priority. The WPCOG team will compile the information from the SWOT analysis, and the surveys sent out in the mail and online and present the outcomes to the Council at a later meeting.

There were approximately 47 people in attendance.

SWOT ANALYSIS TOP PRIORITIES FROM STICKER PLACEMENT:

STRENGTHS – Rec Center(Pool), Low Crime Rate, Old Rock School, Public Safety, Community Events, Natural Resources, Valdese Lakeside Park, Recreation Activities, Heritage, Location – Proximity to Cities, Community, Public Services, Unique Story, Events/Festivals, Retirement, Activities/Library/Old Rock School

WEAKNESSES – Sidewalk Safety, Lack of Industry, Lack of Small Businesses, Streets Re-paved, High Tax Rate, Old Infrastructure, Lose/Closing of Businesses, Laurel Road Traffic/Condition, Main Street Parking, Lack of Code Enforcement(Residential), Lack of Speed Controls

THREATS – Town Instability, Not Taking Advantage of Grants, Public Safety, Outsourcing Services, Becoming a Paper Town, Lack of Paid Volunteer Firefighters, High Property Tax Rate, Aging Roadways/Equity, Aging Buildings, Drugs, Lack of Planning, Political Division

OPPORTUNITIES – Rec Center, Rec Facilities, State Funding/Grants, Old Rock School, Passenger Rail, Filling Vacant Buildings, State & Regional Trails, Trade/Vocational Training/Jobs, Recruiting More New Businesses, Use Empty Industrial Buildings for Re-Developing, ALBA Waldensian Building for Possible New Fire/Police/Daily Activities for Seniors, Support School Sports

At 7:00 pm the public input session ended.

The next Public Forum/Agenda Review Council meeting scheduled Monday, January 29, 2024, 6:00 p.m.

Town Clerk

Mayor

jl

Planning Department

To: Valdese Town Council
From: Larry Johnson, Planning Director
Date: January 9, 2024
Subject: Easement Acceptance– Jaubert Avenue SE

Several months ago, a local utility company (Piedmont Natural Gas) requested an easement from property owner Dianne Brittain Mobley for a vacant parcel at 100 Jaubert Avenue SE off Eldred Street SE. Mrs. Brittain brought to the Town's attention a sewer line on her property and requested a copy of the easement.

The Public Works Department and the Planning Department research reveal that the Town of Valdese did not have an easement for the sewer line installed on the Mobley property in 1980. Ms. Mobley was notified of what our research revealed.

With the approval of Ms. Mobley, the Town contracted for a survey of the sewer line and the drafting of an easement by attorney Tim Swanson. The easement was presented for her signature and returned to the Planning Department for the Town's signature and recording.

Staff requests acceptance of the easement between the Town of Valdese and Dianne Brittain Mobley. The easement is attached for your review.

Meanwhile, if you have questions, please get in touch with me. A Location Map is attached for your review.

LOCATION MAP



(the above space is left blank for recording purposes)

Excise Tax: \$0.00

PREPARED BY/RETURN TO:

Timothy D. Swanson, Attorney
Young, Morphis, Bach & Taylor, LLP
Post Office Drawer 2428
Hickory, North Carolina 28603

STATE OF NORTH CAROLINA

BURKE COUNTY

**DEED OF EASEMENT
(Sewer/Water)**

This Deed of Easement is made this _____ day of _____, 2024, by and between **DIANNE BRITTAIN MOBLEY, DONALD M. BRITTAIN, and WILLIAM MICOL BRITTAIN**, residents of North Carolina having an address of 7395 Mobley Lane, Connelly Springs, North Carolina 28690 (collectively “Grantors”), and **TOWN OF VALDESE**, a municipal corporation duly organized and existing under the laws of the State of North Carolina located at 102 Massell Avenue SW, Valdese, North Carolina 28690, (“Grantee”).

WHEREAS, Grantors are the owners of that certain tract or parcel of real property (the “Grantor Property”) situated in Lovelady Township, Burke County, North Carolina, commonly known as 1000 Jaubert Avenue SE, Valdese, North Carolina 28690, Parcel ID No. 2743249363, which Grantor Property is more particularly described in Deed Book 715, Page 488, Burke County Registry; and

WHEREAS, Town Council for the Town of Valdese, Grantee, has determined that it is in the public interest to install, construct and maintain a perpetual, non-exclusive 25-foot wide sanitary sewer easement and a perpetual, non-exclusive 20-foot wide waterline easement over,

**TOWN OF VALDESE/MOBLEY
PERMANENT SEWER EASEMENT AND PERMANENT WATERLINE EASEMENT**

across, under and through a portion of the Grantor Property for establishing, extending, enlarging, or improving water and sewer lines and systems in the Town of Valdese and to enter into certain covenants and agreement with Grantors in connection with said easements, all as more fully set forth in this Deed of Easement.

NOW, THEREFORE, Grantors, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other valuable consideration paid to Grantors by Grantee, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns, a perpetual right and easement to construct, install, operate, maintain, repair and replace a perpetual, non-exclusive 25-foot wide sanitary sewer easement and a perpetual, non-exclusive 20-foot wide waterline easement, together with the attendant customary uses, including drainage and utilities, over, under, through, across, along and upon all that certain lot, tract, or parcel of the Grantor Property situated in Lovelady Township, Burke County, North Carolina, and more particularly described as follows, to-wit:

PERMANENT SEWER EASEMENT

Being all of that 25-foot wide sewer easement as shown on that certain Plat recorded in Plat Book _____, Page _____, Burke County Registry, entitled “TOWN OF VALDESE (WATER/SEWER EASEMENT-MOBLEY/BRITTAIN PROPERTY),” said plat being prepared by Dolphus E. Harmon, PLS L-3333, and being dated October 11, 2023, to which reference is hereby made for greater certainty in description.

Said Permanent Sewer Easement Area running perpendicular 12.5 feet on each side of the centerline described as follows:

Beginning at a point located North 64-07-22 West 115.50 feet from the southeast corner of the property of Dianne Brittain Mobley, Donald M. Brittain, and William Micol Brittain as described in Deed Book 715, Page 488 (Tract II); thence North 73-48-57 West 8.17 feet; thence from said point of beginning North 15-18-00 East 214.11 feet; thence North 15-27-26 East 154.16 feet to a point in the northern line of the property of Dianne Brittain Mobley, Donald M. Brittain, and William Micol Brittain as described in Deed Book 715, Page 488 (Tract II).

PERMANENT WATERLINE EASEMENT

Being all of that 25-foot wide waterline easement as shown on that certain Plat recorded in Plat Book _____, Page _____, Burke County Registry, entitled “TOWN OF VALDESE (WATER/SEWER EASEMENT-MOBLEY/BRITTAIN PROPERTY),” said plat being prepared by Dolphus E. Harmon, PLS L-3333, and being dated October 11, 2023, to which reference is hereby made for greater certainty in description.

Said Permanent Waterline Easement Area running perpendicular 12.5 feet on each side of the centerline described as follows:

Beginning at a point located South 83-22-50 West 10.14 feet from the northeast corner of the property of Dianne Brittain Mobley, Donald M. Brittain, and William Micol Brittain as described in Deed Book 715, Page 488 (Tract II); thence from said beginning South 03-00-53 East 71.08 feet; thence North 67-55-45 West 21.52 feet; thence North 69-33-19 West 56.91 feet; thence North 75-43-09 West 48.70 feet; thence North 78-26-19 West 34.79 feet; thence North 75-25-54 West 36.89 feet; thence North 71-49-15 West 37.07 feet to a point in the northwestern line of the property of Dianne Brittain Mobley, Donald M. Brittain, and William Micol Brittain as described in Deed Book 715, Page 488 (Tract II).

TO HAVE AND TO HOLD the said grant of right and easement unto them, Grantors, their successors and assigns forever.

Grantors acknowledge that the Grantee is acquiring the easements described herein for the purpose of constructing, installing, operating, maintaining, repairing and replacing water and sewer lines and systems within the described easements, and specifically grant unto Grantee the right to construct and maintain such structures or make the improvements on that grade according to such plans and specifications, as will, in Grantee's opinion, best serve the public purpose. Grantors further grant unto Grantee or its agents the right to exceed the easements to cut and fill slopes, construct drainage structures and erosion control structures beyond the described easements. The payment of the purchase price for the easements conveyed shall be considered full compensation for the easements, and for any diminution in value that may result to the remaining Grantor Property by virtue of proximity to the project, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

The said grants shall include the right of ingress and egress over the easements on the Grantor Property for the purpose of constructing, maintaining, repairing and enlarging said water and sewer lines and systems or removing any obstruction interfering with the enjoyment of these lines and, in general, any rights and privileges which may be necessary for the permanent maintenance of said water and sewer lines and systems; provided, however, that nothing herein contained shall directly or indirectly be construed as authorizing Grantee or its successors or assigns to injure, damage or remove any structure upon said land, and Grantors herein expressly retain for themselves, their heirs and assigns, the right to construct and maintain any and all buildings they may desire upon the said premises, provided the water and sewer lines and systems are protected in the manner required by Grantee.

Grantee shall use its best efforts to minimize the removal of grass, shrubbery, plants, or other vegetation occasioned by Grantee in constructing, maintaining, or altering said water and sewer lines and systems.

Should one or more of Grantors be natural persons not joined by their respective spouses, it is conclusively presumed that the land conveyed is not the residence or business homestead of such Grantors. Should one or more of Grantors be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of that party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

TO HAVE AND TO HOLD the same, together with all the rights and appurtenances belonging thereto, unto Grantee, its successors and assigns forever, and Grantors are hereby bound, together with all heirs, executors, administrators, or successors, to warrant and forever defend the easements granted herein unto Grantee, its successors and assigns, against every person lawfully claiming the easement or any part thereof.

**THIS SPACE IS INTENTIONALLY LEFT BLANK.
SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON THE FOLLOWING
PAGES.**

IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hand and seal the day and year first above written.

By: Dianne Brittain Mobley (Seal)
DIANNE BRITTAIN MOBLEY

STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, Laurie Powell, a Notary Public of BURKE County, State of North Carolina, do hereby certify that DIANNE BRITTAIN MOBLEY personally came before me this day and signed the foregoing instrument as his or her act and deed.

Witness my hand and notarial stamp or seal, this 11th day of August, 2023.



Laurie Powell
Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: 11/11/2024.

IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hand and seal the day and year first above written.

By: Donald M. Brittain (seal)
DONALD M. BRITTAIN

STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, Laurie Powell, a Notary Public of BURKE County, State of North Carolina, do hereby certify that DONALD M. BRITTAIN personally came before me this day and signed the foregoing instrument as his or her act and deed.

Witness my hand and notarial stamp or seal, this 11th day of August, 2023.

Laurie Powell
Notary Public



My Commission Expires: 11/11/2024.

IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hand and seal the day and year first above written.

By: William Micol Brittain (Seal)
WILLIAM MICOL BRITTAIN

STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, Laurie Powell, a Notary Public of BURKE County, State of North Carolina, do hereby certify that WILLIAM MICOL BRITTAIN personally came before me this day and signed the foregoing instrument as his or her act and deed.

Witness my hand and notarial stamp or seal, this 11th day of August, 2023.



Laurie Powell
Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: 11/11/2024.

ACCEPTANCE

Accepted by the Town Council for and on behalf of the Town of Valdese, North Carolina, this _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina municipal corporation

By: _____ (Seal)
CHARLES WATTS, Mayor

Attest: _____
JESSICA LAIL, Town Clerk

Approved as to form on behalf of the Town of Valdese this _____ day of _____, 2024.

Attorney for the Town of Valdese

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public of _____ County, State of North Carolina, do hereby certify that JESSICA LAIL personally came before me this day and acknowledged that she is the Town Clerk of the TOWN OF VALDESE, a North Carolina municipal corporation, and that by authority duly given and as the act of the Town Council of the TOWN OF VALDESE, the foregoing instrument was signed in its name and by its Mayor, CHARLES WATTS, sealed with its corporate seal, and attested by her as its Town Clerk.

Witness my hand and notarial stamp or seal, this _____ day of _____, 2024.

Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: _____.



TOWN OF VALDESE
NORTH CAROLINA'S FRIENDLY TOWN

P.O. BOX 339

VALDESE, NORTH CAROLINA 28690-0339

PHONE (828) 879-2120 | FAX (828) 879-2139 | TOWNOFVALDESE.COM

**AN ORDINANCE DECLARING ROAD CLOSURE
FOR TOWN OF VALDESE SPECIAL EVENTS**

WHEREAS, the Town of Valdese desires to schedule an Independence Day Celebration, Annual Waldensian Festival; Treats in the Streets; and the Annual Valdese Christmas Parade; and

WHEREAS, part of US 70/Main Street in Valdese will need to be closed for each of these special events; and

WHEREAS, G.S. 20-169 provides that local authorities shall have power to provide by ordinance for the regulation of the use of highways by processions or assemblages;

NOW, THEREFORE, be it ordained by the Town Council of the Town of Valdese pursuant to G.S. 20-169 that the following portion of the State Highway System be closed during the times set forth below:

2024 Independence Day Celebration (*Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St*) on June 28, 2024 from 5:00 PM until 12:00 AM.

2024 Waldensian Festival Kickoff Celebration (*Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St*) on August 9, 2024 from 5:00 PM until 12:00 AM.

2024 Waldensian Festival Celebration (*Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St*) on August 10, 2024 from 5:00 AM until 8:00 PM.

2024 Valdese Treats in the Streets (*Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St*) on October 31, 2024 from 3:30 PM until 6:30 PM.

2024 Valdese Christmas Parade (*Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St*) on December 7, 2024 from 9:30 AM until 12 Noon.

Signs shall be erected giving notice of the limits and times of these street closures as required by G.S. 20-169.

THIS, the 5th day of February, 2024.

Charles Watts, Mayor

ATTEST:

Town Clerk

Parade Detour Signage and Road Closure Notice

Main St. (US 70) will be closed from Hoyle St to Eldred St. The Detour route will use Hoyle St, Pineburr Av, and Eldred St. Detour signage will be placed as follows.

Eastbound Detour

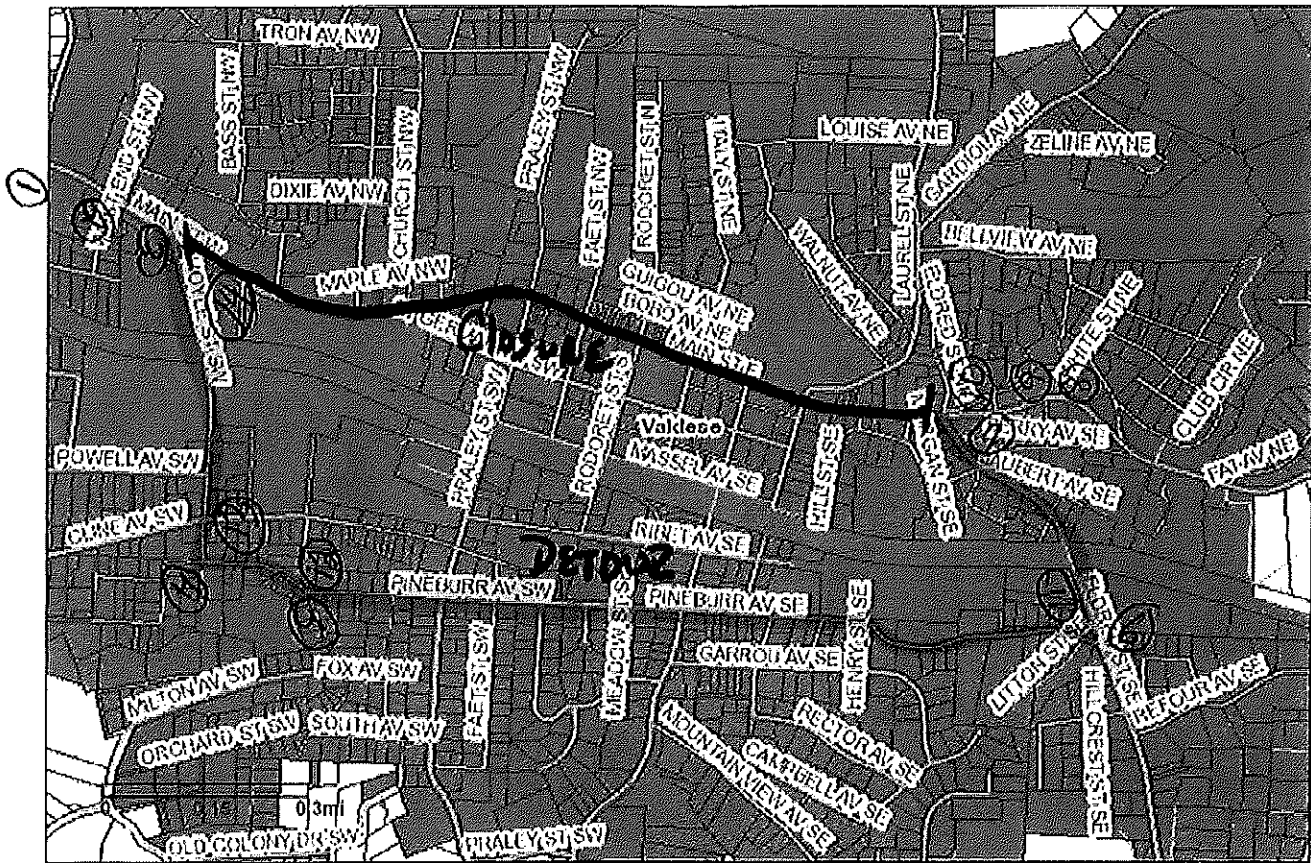
1. Main St and Sterling St (eastbound) – Road Closed Ahead
2. Main St and West End St (eastbound) – Detour Ahead
3. Main St and Hoyle St (eastbound) – Detour Right
4. Hoyle St and Pineburr Ave – Detour Left
5. Pineburr Ave and Orchard St – Detour Left
6. Eldred St and Pineburr – Detour Left
7. Main St and Eldred – Detour Right

Westbound Detour

8. Main St 1000 feet prior to Eldred St (Westbound)-Road Closed Ahead
9. Main St. 500 feet prior to Eldred St (Westbound)-Detour Ahead
10. Main St and Eldred St (Westbound) – Detour Right
11. Eldred St and Pineburr – Detour Right
12. Pineburr Ave and Orchard St – Detour Right
13. Hoyle St and Pineburr Ave-Detour Right
14. Main St and Hoyle St – Detour Left

***** During closure period intersections will be manned with either REACT personnel or Valdese Police Officer*****

Note: Sign locations are indicated by number on the map.



Burke County, NC

Disclaimer: The information contained on this page is taken from aerial mapping, tax mapping, and public records and is NOT to be construed or used as a survey or 'legal description'. Only a licensed professional land surveyor can legally determine precise locations, elevations, length and direction of a line, and areas.

<http://www.webgis.net> Anderson & Associates, Inc. <http://www.endassoc.com>

init: start
init: done



TOWN OF VALDEESE

NORTH CAROLINA'S FRIENDLY TOWN

P.O. BOX 339

VALDEESE, NORTH CAROLINA 28690-0339

PHONE (828) 879-2120 | FAX (828) 879-2139 | TOWNOFVALDEESE.COM

MEMORANDUM

TO: Mayor and Town Council

FROM: Bryan Steen, Interim Town Manager

DATE: February 2, 2024

SUBJECT: Valdese ABC Board Chairman Appointment

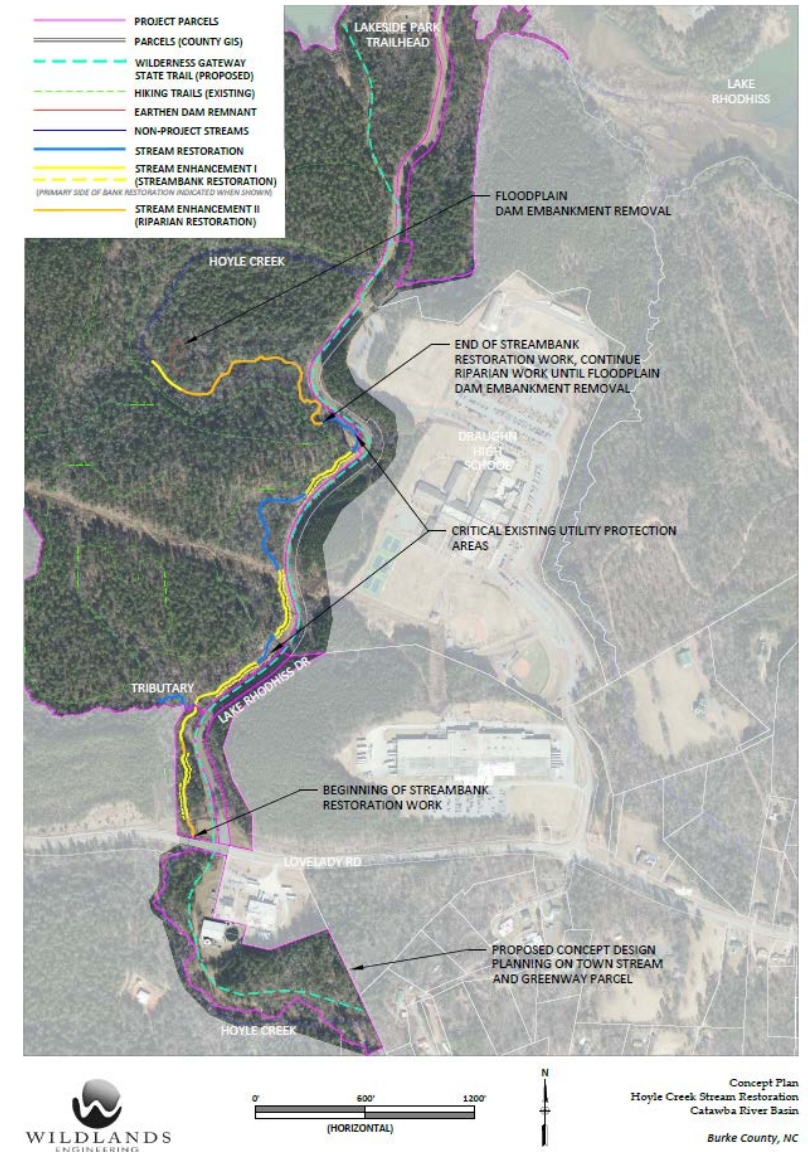
Recommended appointment of Interim Town Manager Bryan Steen as Chairman, to fill the unexpired term of Seth Eckard to the Valdese ABC Board. The term will expire April 1, 2026.

Hoyle Creek Stream Restoration and Sidepath Budget Allocation

David Andersen, Director Parks and Recreation

What are we talking about?

- State awarded Town of Valdese \$2.2 Million in current state budget for Hoyle Creek Stream Restoration and Sidepath
 - Direct Allocation supported by Rep. Blackwell
 - Funds from North Carolina Water Resiliency Fund administered by NC Department of Public Safety
 - Catawba Riverkeeper/ Foothills Conservancy Support Project
 - The allocation from the state helps enhance other current and future funding requests
 - No Town of Valdese funds required



Why is this needed?

- Improve resiliency during flood events
 - Flood mitigation
 - Shift water away from roadway
 - Decrease sediment deposits in stream and at Lake Rhodhiss
 - Protect sewer infrastructure
- Provide pedestrian and cyclist safe path
 - Move pedestrians and cyclists off of the road where school buses, trucks to wastewater plant, and park visitors drive
 - More natural path for visitors without having to venture deep in to the park
- Routine maintenance provided by town staff with funding from state funds specifically for state trail maintenance for any larger repairs.



Piece of the Pedestrian Puzzle

- Complete restoration and sidepath at one time to take advantage of economies of scale
- Sidepath identified in the 2016 WalkRCV pedestrian plan (page 51)
- Fits within 2023 CORE plan under Goal 1.3
 - *Advocate for and facilitate progress of state and regional trail projects.*
 - Part of larger Wilderness Gateway State Trail
 - Part of the Burke River Trail
- Funds can also be leveraged as matches for additional grant funding for trailhead
 - Parks and Recreation Trust Fund Grant
 - Recreational Trails Grant



Valdese Pool Enclosure “The Bubble”

David Andersen, Director, Valdese Parks and Recreation

Updated:
1/23/2024

Facility History

- Purchased from Yeadon Domes for \$126,230 in October 1999, first installed 2000.
 - Town Staff, BRIDGE crew, and volunteers install and take down every year (May, September).
 - Has allowed year-around operations for majority of its lifetime (some extended closures due to other projects)
- Charter Matrix Group, Inc. re-lined interior membrane in 2016.
 - Work was sup-par and was re-lined again in 2017 by WASA, Inc.
 - Total cost to the town for repairs was \$141,730.
 - Town had set aside funds annually that were utilized for re-lining.
 - No additional funds set aside after those 2016-2017 expenditures.
- Anchor system changed in 2016
- Several smaller repairs to doors and parts in inflation unit over the years
- Facility Hosts Following Programs:
 - Swim teams: Xcell Aquatics team, Draughn and East Burke High School teams (practices and meets), Special Olympics practices, Masters swim team
 - Swim lessons
 - Public and private parties
 - Aquacise classes
 - Special events: Senior Games swimming, water safety class for Valdese Elementary School 2nd graders, lifeguard trainings, kayak rolling
 - Year-around wellness and recreation opportunities and amenity

Facility History: Set Up/Take Down Process



- Staff prep for several days ahead of install/removal to stage and check systems/anchors
- Recommend 35 people (Staff, BRIDGE crew, volunteers) to pull Bubble
- 10-12 people to anchor and remove items from pool and remove second cover
- Annual material/tool costs: forklift rental, rope, replacement hardware
- Usually week-long closure to prep area for indoor/outdoor operations

Recent History

- March 2023-September 2023: Burner/Air heater in the inflation unit had been inconsistent with operation. Contractor checked prior to install this September, and staff undertook requested fixes to assist with consistent heating operation. Contractor urged replacement of inflation unit due to rust, holes, and air loss.
- November 7: Dry-rotted area of the Bubble membrane broke free from anchor. After consulting with manufacturer and specialists, staff members were able to repair and re-open facility on November 10.
- November 21: After experiencing further inconsistent burner operation, staff observed significant failure to exhaust blower from burner.
- January 20, 2024: Membrane material ripped at repair site causing need to drop Bubble again. Closure of one week expected.



Consulted with reputable local HVAC company about possible re-weld or replacing unit.

Concerns regarding repair/replace:

1. Metal integrity questionable due to rust
2. Fans would not be properly balanced if metal warped during welding
3. Wall plate where unit mounted is significantly rusted and contractor could not guarantee unit would stay in place if replacement ordered

Further, questions about possible carbon monoxide buildup or leaks were discussed due to insufficient exhaust and compromised cabinet integrity.



Temporary Solutions Being Attempted:

Anchors through Bubble Membrane at Inside Corner Tear

- Installed new anchors to provide additional support
- Cut holes in edge of membrane for anchors to pass through
- UPDATE: Tear in repair on 1/20 resulting in dropping Bubble until further, more extensive repair can happen

Rent Indirect Heating Unit and Duct in to Bubble

- Air-supported structure specialists ducted heat in to the Bubble for supply
- 500 gallon propane tank installed on pool deck to fuel heater

Repair Exhaust Blower

- Install supports for fan housing
- Install additional CO monitoring; run only with staff present to monitor
- High-heat caulk for crack on blower unit

Summary of Points for Discussion

- Mechanical maintenance and repairs have led to shut downs or less than ideal conditions on deck (hot, cold, excessive humidity, fog, condensation), which has led to cancellation of programs.
- Bubble itself is showing rot and wear in various places.
- At 23 years old, it is well-beyond the expected life span of 10 years.
- How do we continue to operate year-around in a post-Bubble situation?

Possible Solutions – Replace Mechanical Cabinet

- Budget Cost: \$170,000- \$190,000
- What's Included: New Mechanical Closet, Updated Generator
- CIP item for upcoming year, but requires 20-24 weeks lead time
- Pros:
 - Least Expense
 - Simplest Solution with regards to any design
- Cons:
 - Commits us to continued Bubble
 - Still have to undergo annual install and removal
 - Must take down after 180 days to satisfy “temporary structure” designation
 - Doesn't address Bubble material degradation which will likely cause more failures in the future

Possible Solutions – Direct Replacement

- Budget Cost: ~\$421,000
- What's included: New Bubble membrane, new Mechanical, new doors
- Pros:
 - Most economical for immediate time
 - Familiar setup
 - Minimal work to retrofit
- Cons:
 - Still have to undergo annual install and removal
 - Must take down after 180 days to satisfy “temporary structure” designation
 - Still have to deal with possible collapse events that add to wear and tear
 - Replacement in another 10-15 years.

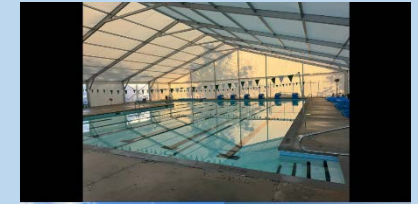
Possible Solutions – Retractable Permanent Structure

- Budget Cost: \$1.8 Million (before addressing needed site preparation)
- What's Included: Retractable transparent structure
- Pros:
 - Allows greater indoor/outdoor flexibility with quick transitions
 - Still gives “outdoor” feel when closed
 - No closures for install and removal twice a year
- Cons:
 - Upfront Expense
 - Specialized parts and maintenance
 - Potential loss of covered deck space
 - Down time to retrofit (roughly 2-3 months)



Possible Solutions – Fixed Permanent Structure

- Budget Cost: \$37/sq.ft. - \$60/sq. ft.
 - (For 12,300 sq.ft. before site prep: ~\$455,000-\$750,000)
- What's Included: Rigid Frame Structure with Heat and Fans for Summer, Doors/Side panels to open outside for ventilation and natural light
- Pros:
 - Lower annual operating costs
 - Ease maintaining systems with non-specialized equipment
 - No closures for install and removal twice a year
 - Reduction in pool chemical usage
 - Longevity (fabrics 12-15 years, some structures getting 18-20 years); frame made of aluminum so will stay up decades
- Cons:
 - Up front expense
 - Down time for retrofit



Funding Options- Ideally Utilize Three Streams

- Fund Balance
- Grant Funding from State
 - Parks And Recreation Trust Fund/Accessibility for Parks
 - PARTF 1:1 Match up to \$500,000 (provide up to \$500,000 to get up to \$500,000)
 - AP 1:5 Match up to \$500,000 (provide \$100,000 to get \$500,000)
 - Three Amenities, Comprehensive Plan helps score higher
 - Complete ramps to gymnasium and tennis court along with structure
- Private Sources/Donations



The Town of Valdeese

Request for Qualifications

Renovation Study for Existing
Public Safety Facility

Request Number 24-001

Project Title:

Request Number:

Renovation Study - Public Safety Building

24-001

SECTIONS WITHIN THIS REQUEST:

- a. Notice and Contact Information
- b. Request for Qualifications
- c. Statement of Qualifications Content Requirements
- d. Sample SOQ Evaluation Form
- e. Special Terms and Conditions

NOTICE OF REQUEST FOR QUALIFICATIONS (RFQ)

Notice is hereby given that the Town of Valdese is conducting a qualification based selection process to retain a proponent for professional services in a study to determine the extent and costs of renovations and repairs to the Town's existing Public Safety facility to bring it up to safe working conditions, current building codes, and agency requirements.

The Town of Valdese invites interested firms/teams to submit a written Statement of Qualifications (SOQ) relating to this solicitation. Proponents are invited to review the information and to submit their SOQ in accordance with the criteria established within this RFQ. A Project Screening Committee will evaluate firms'/teams' qualifications and experience with similar projects. The Town will rank the submittals and create a short list of firms/teams to interview before selecting the best qualified firm/team. The firms/teams determined to be best qualified through review of the submitted SOQs will be invited to interview with a project committee and the firm/team being most qualified will be selected for negotiations to complete the project. Should negotiations become unsuccessful, the second ranked firm/team will be invited to enter negotiations.

Written questions regarding this RFQ must be received by February 29, 2024, no later than 12:00 PM. Email questions are acceptable but must contain the wording "**Public Safety Building RFQ Question**" in the subject line. Questions may then be responded to as an amendment to this document and posted to the solicitation within an anticipated five (5) working days after questions deadline. Oral statements or instructions shall not constitute an amendment to this RFQ.

All submittals must be received by the deadline specified herein. Any submittals received after the due date and time specified will not be considered. The Town of Valdese reserves the right to reject any or all submittals, or to withhold awarding a contract for any reason it may determine, and to waive or not to waive any informalities in any submittal. **Contact with Town Council or other influential individuals to the selection process regarding this RFQ is expressly forbidden and shall be grounds for immediate rejection from the process.** All information regarding the content of the specific submittals will remain confidential until sealed proposals are opened.

POINT OF CONTACT:

Mr. Bryan Steen, Interim Town Manager
Town of Valdese
102 Massel Ave SW
Valdese, NC 28690
Mail:
PO Box 339
Valdese, NC 28690
bsteen@valdesenc.gov;
828-879-2117

Project Title:

Request Number:

Renovation Study - Public Safety Building

24-001

<p>Submittals must be received before the deadline and they may be mailed to:</p> <p>Town of Valdese – Administration Post Office Box 339 Valdese, NC 28690 Attention: Mr. Bryan Steen</p> <p>Or delivered to:</p> <p>Town of Valdese – Administration 102 Massel Ave SW Valdese, NC 28690 Attention: Mr. Bryan Steen</p>	<p>Submittal Deadline:</p> <p>12:00 PM</p> <p>March 15, 2024</p>
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NOTICE OF REQUEST FOR QUALIFICATIONS (RFQ)

I. DEFINITIONS

- A. “The Owner” means officers or employees of the Town of Valdese.
- B. “Proponent” means the person or firm/team responding.
- C. “Statement of Qualifications” or “SOQ” means the submission received from a Proponent in response to this RFQ.
- D. “Request for Qualifications” or “RFQ” means the entire document, including all of the documents and any addenda thereto issued before the RFQ closing time.

II. BACKGROUND

The Town of Valdese currently operates a combination Police & Fire public safety building. This property has served the Town for many years. The facility needs repair and the Town seeks a firm that can provide solutions and cost estimates to bring the facility back to safe operating conditions while meeting all agency and building requirements.

III. SCOPE OF SERVICES

The Town desires to have a design professional determine the best and most economical long term solution for the facility. The Town anticipates a contract to perform a study for solutions to needed repairs including temporary relocation of current services during construction as well as the renovations to meet agency State requirements and County building requirements.

IV. SUBMISSION INSTRUCTIONS

- A. No contact shall be made with Valdese Town Council as this shall be grounds for dismissal of RFQ submittal.
- B. All questions should be submitted in writing to the Point of Contact listed above.
- C. SOQs will be received prior to deadline by email, in person at Town Hall, or by mail (information at beginning of RFQ).

Project Title:

Request Number:

Renovation Study - Public Safety Building

24-001

- D. SOQs submitted via fax are not acceptable and will not be considered.
 - E. Proponents will be evaluated on experience and qualifications. Project fee related information is not requested (excepting Section II, subsection D, paragraph 1) and will not be used in the evaluation process. Receiving project fee related information will be grounds for dismissal of the RFQ submittal. Firms/Teams shall submit their standard rates for positions involved in the Project.
 - F. Clearly indicate on the envelope the name of the Proponent and the name of the Project for which the SOQ is being submitted.
 - G. Refer to the section SOQ Content Requirements for detailed instructions.
 - H. There will not be a pre-proposal conference for this project.
 - I. There will not be a public opening of the SOQs with Proponents present.
- V. COST OF SUBMISSION AND OWNERSHIP OF SOQ**
- A. The Town of Valdese is not responsible for any costs incurred by Proponents in preparing, submitting, or presenting their SOQs.
 - B. Except as otherwise provided in this RFQ, all SOQs become the property of the Town upon submission and will not be returned.

STATEMENT OF QUALIFICATIONS CONTENT REQUIREMENTS

This section specifies in detail the form and minimum content requirements for information required to be submitted in each SOQ. Proponents may, at their discretion, include additional information which they consider relevant to ensure a full and proper evaluation, provided that the specified maximum allowable number of pages is not exceeded.

I. SUBMITTAL FORMAT

- A. Original (loose), five (5) bound copies and a PDF provided by email is required of each submittal. The material should be in sequence and related to the solicitation. The sections of the submittal shall be tabbed to match SOQ and be clearly identifiable. Failure to include all requested information will result in the proponent being non-responsive and may result in the rejection of the proponent's submittal.
- B. Cover letter expressing interest in the available project. It shall also identify a principal and secondary individual as point of contact for any future correspondence and be a maximum of two pages.
- C. Page size of the SOQ shall be 8 ½" x 11" with a minimum font size of 10. A maximum of two (2) 11" x 17" pages will be allowed (one (1) page if double sided). Note: this will count towards the page limit.
- D. No more than 20 pages single sided or 10 pages double sided. Note: divider tabs (if used), Cover Letter and Table of Contents do not count towards the page limit and shall not include pertinent information to be evaluated.

II. SOQ CONTENT

Please provide the following in this order:

- A. Cover Letter/Letter of Interest (does not count toward page limit; two (2) page maximum)
 - 1. Principal and secondary contact for the project including mailing address, email, phone numbers, and appropriate license numbers. At least one of these individuals shall have the ability to negotiate Contract conditions for the Proponent.

Project Title:

Request Number:

Renovation Study - Public Safety Building

24-001

2. Provide a statement of interest, including a narrative describing the firm’s unique qualifications and answering the specific question “why should the Town select your firm/team for this project?”
- B. Table of Contents Page (does not count toward page limit)
- C. Firm Profile
 1. Provide general information about the Proponent, which needs not be specific to this RFQ. Include history of the firm, years in business, office locations, number of staff, types of services provided and specialist areas of expertise. Indicate office location from which services will be provided. This includes any sub-consultants.
 2. Statement that the Proponent is licensed to provide required professional services in the State of North Carolina.
 3. Statement (confirmation) of current general liability insurance as required to provide services.
- D. Experience and Qualifications of the Proposed Team
 1. Provide a minimum of three similar projects or general municipal projects (completed within the last five years) for which your team was responsible and which you consider to be a demonstration of your team’s design ability, including project title, reference (name, phone, email) location, design fees, engineers cost estimate, bid amount, approximate construction cost, year completed, and members of proposed team included with project and their role on it. Include information on how actual project construction cost compared to engineers cost estimate. Provide a narrative explaining any differences.
 2. Please provide a minimum of three (3) unique municipality references (should references in item D (1) above be duplicated, may provide a reference without a project).
 3. Submit qualifications on the team and explain why your team is especially well qualified to perform the required services.
 - a. Provide the experience of the proposed team on similar projects. Identify type and location of similar work to illustrate work quality and the role of each proposed team member. Show how the experience relates to the categories outlined.

NOTE: Projects used as examples of similar work shall be clearly noted if the work was done by individuals while employed by other firms.
 The only projects which you may claim without attribution are those projects actually produced by your firm/team. Improper or misleading credit for projects, in our view, is an adverse reflection on a firm’s integrity and may be grounds for rejection of those projects from your experience or record or dismissal of the entire RFQ submittal.
- E. Experience and Qualifications of Proposed Team Members (this information will count toward page limit).
 1. Provide an organizational chart demonstrating your team’s leadership, key team members and any proposed sub-consultants along with project roles. Identify projects, if any, where team in SOQ worked together on projects.
 2. Provide experience and qualifications of key team members via resumes, who will be responsible for this project (with any critical sub-consultant). Include work experience, education, licenses, registrations, or certifications applicable to the proposed work.
 3. Identify team experience on similar projects and the extent of team involvement including time commitment.
 4. Indicate office location of each team member.
- F. Project Approach

Project Title:

Request Number:

Renovation Study - Public Safety Building

24-001

1. Proponents shall provide a description of their approach, including any information that may differentiate your team. Your approach should include (not necessarily in this order), at a minimum, the following:
 - a. Technical approach
 - b. Project management approach, including assigning personnel (man-loading) to a project of this size, duration, and how such relates to the proposed scope of services (including sub-consultants)
 - c. Project cost estimating
 - d. Budget and schedule control
 - e. Quality management
 - f. Your expectations of Town during design process
- G. Interview
If selected for an interview, firm/team shall present project vision and preliminary thoughts as part of the interview presentation.

Project Title:

Request Number:

Renovation Study - Public Safety Building

24-001

SAMPLE OF EVALUATION FORM

The Town of Valdese will rate submitted SOQs based on, but not limited to, the criteria below:

Overall reputation of firm/team
Key team members – experience and qualifications
Project references specific to this type of service
Experience with applicable regulatory agencies and permitting
Experience in providing these services to local governments
General project understanding and approach
Innovation and/or alternative engineering methods, quality of designs including plans and specifications, accuracy of cost estimates
Proposed schedule
Unique qualities that would make firm/team best suited for project

SPECIAL TERMS AND CONDITIONS

I. SOFTWARE COMPATIBILITY: For the purposes of aiding the Proponent in the performance of their obligation under this Contract, the Town shall furnish upon request all relevant data in the Town's possession and shall direct Town officers, agents, and employees to render all reasonable assistance to Proponent in connection with Proponent's performance under this Contract. The provision of such aid, assistance, information or services as received from the Town shall in no way relieve the Proponent from obligations under this Contract. The Town does not warrant the compatibility of Town furnished data, either electronic or in any form, with the Proponent's software. All costs associated with data conversion or software upgrades and conversions shall be borne by the Proponent.

II. INSURANCE PROVISIONS

COVERAGE AFFORDED	LIMITS OF LIABILITY
Workers Compensation	Statute
Employer's Liability	\$100,000
Commercial General Liability	\$1,000,000 – Bodily Injury
Insurance	Combined Single Limit
Including: A. Products & Completed Operations B. Blanket Contractual C. Premises-Operations-Personal Injury	\$100,000 Property Damage
Professional Liability	\$1,000,000 (minimum)
Insurance (Errors and Omissions) (See Special Conditions)	Combined Single Limit

Project Title:

Request Number:

Renovation Study - Public Safety Building

24-001

The following automobile liability insurance coverage will also be required for all professional service contracts which include surveying and/or construction surveillance.

Comprehensive Automobile Liability	\$1,000,000 – Bodily Injury
Insurance Including: non-owned, and hired vehicles	Combined Single Limit \$100,000 Property Damage

III. KEY PERSONNEL: It is essential that the Proponent provide adequate experienced personnel, capable of and devoted to the successful accomplishment of work to be performed under this Contract. The Proponent agrees to assign specific individuals to the key positions.

The Proponent agrees that once assigned to work under this Contract, key personnel shall not be removed or replaced without written notice to the Town.

If key personnel are not available for work under this Contract for a continuous period exceeding ten (10) calendar days, or are expected to devote substantially less effort to the work than initially anticipated, the Proponent shall immediately notify the Town, and shall, subject to the concurrence of the Town, replace such personnel with personnel of substantially equal ability and qualifications.

Selected Proponent must be able to appropriately staff the project within ten (10) days of Town Council award.

IV. OTHER CONTRACTS: The Town may enter into Contracts for additional work related to this project. The Proponent shall fully cooperate with other contractors, design firms, and with Town employees to accommodate such other work. The Proponent shall not commit or permit any act that interferes with the performance of such work by other contractors.

V. COMPENSATION AND METHOD OF PAYMENT: In consideration of the performance of the services described in the Scope of Services, the Town shall pay the Proponent in accordance with the negotiated contract rates, and the Proponent shall charge the Town only in accordance with those same rates. The Town will pay the Proponent following the submission of deliverables, as per contract, and of itemized invoice(s). Each itemized invoice must bear a written certification by an authorized Town representative confirming the services for which payment is requested.

August 2, 2018, MB#31

**TOWN OF VALDESE
TOWN COUNCIL SPECIAL MEETING
AUGUST 2, 2018**

The Town of Valdese Town Council met on Thursday, August 2, 2018, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. “Chip” Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, and Councilman Roy F. Sweezy. Also present were: Town Manager Seth Eckard, Deputy Town Clerk Courtney Kennedy, and various department heads.

Absent: None.

A quorum was present.

Mayor Black called the meeting to order at 7:00 p.m. Mr. Black stated that this was a Special Called Council Meeting to meet with representatives from SCN-Architects to discuss the results of the police and fire department feasibility study and to discuss the structural engineer’s findings. Mr. Black informed the audience that no public comments would be taken at this meeting.

STRUCTURAL ENGINEER REPORT: Structural Engineer Michael Alberto presented the findings of the forensic inspection of the public safety building. Mr. Alberto shared that he focused his study on the location that is currently occupied, this is the area with the most severe issues and where operations take place. Mr. Alberto shared that the damage to the existing building compromises both gravity load and lateral load capacity, which is causing the structural issues. Mr. Alberto presented Council with three options: temporary shoring, Option A, and Option B. The estimated cost of temporary shoring is \$150,000 and will provide support for at least ten years, the estimated cost of Option A is \$700,000 and will provide support for at least thirty years, the estimated cost of Option B is \$1,268,000 and will provide support for at least fifty years.

Councilwoman Hildebran asked what the timeline for each option would be. Mr. Alberto shared that there is not a clear timeline for this project yet as many decisions need to be made before beginning a project of this extent.

PRESENTATION OF FEASIBILITY STUDY: Ken Newell of SCN- Architects informed Council that everything that Mr. Alberto presented is critical for whatever Council decides to do with the building, if they do not tear it down. Mr. Newell continued to state that everything that has been discussed up until this point has just addressed structural needs, departmental needs have not been factored in. Mr. Newell shared that the purpose of the feasibility study was to determine what the departmental needs are today, and what the needs are for the future; sharing the specific needs for each department. Based on these needs, Mr. Newell presented various options and cost estimates for the departments.

Representatives from SCN-Architects shared that the timeline to start a new construction is almost two years and encouraged Council to approve the temporary shoring repairs to ensure the safety of staff if they wished to proceed with a construction option.

COUNCIL DISCUSSION AND QUESTIONS: Councilwoman Stevenson asked Police Chief Jack Moss and Fire Chief Charlie Watts if they felt it was important for the departments to remain at the same location; they responded that it is not important. Chief Watts shared that it is important for the fire department to remain in a location close to the center of town for response times and insurance rates.

Mayor Black asked the representatives from SCN-Architects if they would be available to answer questions at a later date, should Council request additional information. The representatives indicated that they are available at any time. Mayor Black mentioned that the Town of Maiden just built a new fire station and expressed his interest in knowing how much they paid for it.

Councilwoman Hildebran expressed her appreciation for having all of the options available for Council to consider to assist with making the best and most informed decision.

ADJOURNMENT: At 8:28 p.m., there being no further business to come before Council, Mayor Black declared the meeting adjourned.

Town Clerk
ck

Mayor

August 6, 2018, MB#31

Fire Chief Charlie Watts requested permission to proceed with short-term repairs to the public safety building. Mr. Watts informed Council that the structural engineer and architect are prepared to answer any questions they may have. The cost for temporary repairs is \$149,500. Mr. Watts shared that this cost could increase if additional issues arise during the repairs.

Councilwoman Stevenson expressed her concern with spending this amount of money for a temporary fix and felt that the funds would be better utilized if applied to something that could remain if Council decided to stay in the current facility. Ms. Stevenson stated, "if we are going to do something major, I would not want to put that much money into something that is temporary. If we decide to repair and renovate the current structure, we could already have that much money towards that project and not have to start all over."

Councilman Sweezy stated, "if we go with something like Option A we would have a building that should stand up for another 30 years and that would allow enough time to develop a better solution perhaps build a new structure at a time that we can come up with the funds to do so. Option A would not waste this temporary shoring money, it would give us an opportunity to perhaps investigate alternatives to Option A down the road."

Mr. Alberto shared that Option A would be a long-term fix, that with proper maintenance, could be effective for at least 30, and up to 50, years.

Town Manager Seth Eckard shared that if Council were to decide to select Option A, in future budget years, Council could consider other remodeling costs for the interior of the building and also later on look at the cost of possibly demolishing the unused portion of old town hall and utilizing that better for parking or other needs.

Mayor Black acknowledged that Council had reached a consensus, wishing to pursue Option A and requested to continue this discussion at the next meeting when staff has more definite numbers and details for this option.

RESOLUTION ACCEPTING FUNDS FOR CENTRIFUGE PROJECT Water Resources Director Greg Padgett informed Council that the Town has been approved for a loan from the Water Infrastructure Fund in the amount of \$317,265. Funds will be used to replace two centrifuge backdrive controls at the Wastewater Treatment Plant.

**RESOLUTION
(Accepting State Funds for Centrifuge Project)**

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Loan in the amount of \$317,265 for the replacement of (2) centrifuge backdrive controls, and feed pump drives with VFD and replacement of associated electrical components, and

WHEREAS, the Town of Valdese intends to construct said project in accordance with the approved plans and specifications,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VALDESE:

That Town of Valdese does hereby accept the State Reserve Loan offer of \$317,265

That the Town of Valdese does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, Section II - Assurances will be adhered to.

That Mr. Seth Eckard, Valdese Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.



DRAFT

NOW HIRING TOWN MANAGER: *Position Open Until Filled*

The Town of Valdese (population 4,867) is currently seeking energetic, results-oriented, forward-thinking candidates for the position of Town Manager. Valdese is a progressive Town dedicated to small town values and a great quality of life. A wonderful Waldensian history, the beautiful foothills and view of the Blue Ridge Mountains, and ample opportunities for recreation, shopping and dining in the town and region make Valdese an ideal place to work and call home.

The Town Manager is responsible for the day-to-day operations of the Town with 70 full-time employees covering, Police, Fire, Public Works, Community Planning, Parks & Recreation, Finance, and Water & Wastewater Utilities. The FY24 General Fund budget is \$7.69 million and the Utility Fund is \$5.68 million with 5,300 customers.

The Town Manager must be actively engaged with the community and its businesses. Candidates must have the ability to relate well to the community and have the ability to partner with an engaged council to carry out the strategic priorities of the community. The position requires any combination of education and experience equivalent to graduation with a Bachelor's degree or Masters' degree (preferred) in public administration or a related field and 5-7 years' experience within local government preferred. The Town Manager is required to live within the town.



Please submit a cover letter, resume, and application to:

Attention: Town Manager Search at PO Box 339, Valdese, NC 28690

Applications can be found on the Town of Valdese website under career opportunities.

Electronic submission of applications via email at jlail@valdesenc.gov is welcomed. Candidates will be subject to an interview process with the Council. The Town of Valdese is an Equal Opportunity Employer.

VALDESE

NORTH CAROLINA

Town of Valdese
TOWN MANAGER

DRAFT**I. General Statement of Duties**

The town manager serves as the chief executive officer and performs highly responsible functions in supervision, planning, organizing, and direction all town operations. The town manager is appointed and works under a five-member town council and mayor.

II. Powers and duties of manager - § 160A-148

(a) The manager shall be the chief administrator of the city. The manager shall be responsible to the council for administering all municipal affairs placed in the manager's charge by the council, and shall have the following powers and duties:

(1) He shall appoint and suspend or remove all city officers and employees not elected by the people, and whose appointment or removal is not otherwise provided for by law, except the city attorney, in accordance with such general personnel rules, regulations, policies, or ordinances as the council may adopt.

(2) He shall direct and supervise the administration of all departments, offices, and agencies of the city, subject to the general direction and control of the council, except as otherwise provided by law.

(3) He shall attend all meetings of the council and recommend any measures that he deems expedient.

(4) He shall see that all laws of the State, the city charter, and the ordinances, resolutions, and regulations of the council are faithfully executed within the city.

(5) He shall prepare and submit the annual budget and capital program to the council.

(6) He shall annually submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of the fiscal year.

(7) He shall make any other reports that the council may require concerning the operations of city departments, offices, and agencies subject to his direction and control.

(8) He shall perform any other duties that may be required or authorized by the council.

(9) The manager shall receive a minimum of six clock hours of education upon the occurrence, or within six months of the occurrence, of any of the following:

a. The Local Government Commission is exercising its authority under Article 10 of Chapter 159 of the General Statutes with respect to the city.

b. The city has received a unit letter from the Local Government Commission due to a deficiency in complying with Chapter 159 of the General Statutes.

c. The city has an internal control material weakness or significant deficiency in the most recently completed financial audit.

d. The city is included on the most recently published Unit Assistance List issued by the Department of State Treasurer.

(b) The education shall incorporate fiscal management and the requirements of Chapter 159 of the General Statutes. The education may be provided by the Local Government Commission, the School of Government at the University of North Carolina, the North Carolina Community College System, the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, or other qualified sources at the choice of the governing board and upon the prior approval of the Local Government Commission. The clerk to the governing board shall maintain a record verifying receipt of the education by the manager and shall provide this information, upon request, to the Secretary of the Local Government Commission. (1969, c. 629, s. 2; 1971, c. 698, s. 1; 1973, c. 426, s. 22; 2021-124, s. 5.)

III. Desired Attributes and Characteristics

- Public administration background with the ability to develop and manage a budget with multiple capital projects and collaborate with strategic partners.
- Honest and empathetic communicator who is able to effectively interact and work with elected officials, town staff, and citizens with varying needs and expectations.
- Proven personality and capability to build relationships with the Town of Valdese Town Council and other key local and state officials.
- Willingness and ability to be visible and active in community affairs; accessible, respectful, and responsive to citizens and elected officials to carry on our citizen service culture, with a reasonable balance between work and personal life.
- A modern "leader-as-a-coach" who is able to recognize staff achievements while cultivating a professional and positive work environment for the highest level of employee morale.
- Innovation and critical thinker with the foresight to adapt to growth and changing environments while displaying creativity.
- Open-minded thinker who listens to and empowers department heads.
- Understanding and sensitive to issues within government and amongst community residents and visitors.
- Ability to communicate effectively with managers, other governmental officials, and the general public; ability to speak in public.

Additional Job Duties

- Performs related duties as required.

Physical Requirements

- Must be able to physically perform the life support functions of fingering, feeling, talking, hearing, reaching, stooping and repetitive motions.
- Must be able to perform sedentary work exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull, or otherwise move objects.
- Must possess the visual acuity to prepare and analyze data and statistics, operate a computer terminal, and do extensive reading.

Desirable Education and Experience

- Combination of education and experience equivalent to graduation from an accredited college or university with major course work in public administration.
- Preferred Master's degree in Public Administration or a related field.
- 5-7 years of progressively responsible municipal government management experience.
- Experience with the principles and practices of local government management including economic development, planning, human resources management, grant administration, emergency services, preparation of budgets, and financial management.

Other requirements

- Primary residence to be established in the Town of Valdese limits within a reasonable timeframe.
- Ability to operate a motor vehicle and possession of a valid North Carolina driver's license.

IV. Disclaimer

This classification specification has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities, and qualifications required of employees to perform the job. The Town of Valdese reserves the right to assign or otherwise modify the duties assigned to this classification.

V. FLSA Status

This position is exempt.

30 January 2024

Morrissa Angi
Town of Valdese Director of Community Affairs & Tourism
Old Rock School - Promotions - Main Street Program - Events
PO Box 339
Valdese, NC 28690

Re: Old Rock School Renovations
SGA|NW : 20225468.0

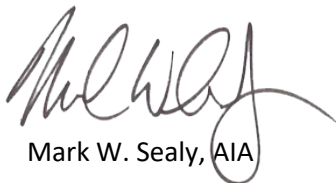
Dear Morrissa,
Enclosed please find the Certified Bid Tabulation from Bids received on January 30, 2024, for the above referenced project. After review of all bids taken, we offer the following recommendation and comments. SGA|NW recommends a single prime construction contract be entered into with Houck Construction LLC, the low bidder after consideration of base bid and potential acceptance of alternates.

Base Bid:	\$743,545.00
Alternate 1:	\$266,100.00
Alternate 1A:	\$151,225.00
Alternate 2:	\$64,975.00
Total:	\$1,226,660.00

We understand the Town will need to consider the alternates and funding to determine the final award scope and amount. Bid amounts may be held for 30 days. Once a determination is made, please let me know and we will submit a Notice of Intent to Award to Houck Construction and can start preparing a construction contract.

If you have any questions, please do not hesitate to call.

Sincerely,
SGA|NW a GF design company



Mark W. Sealy, AIA

cc: Bo Weichel


enc. Certified Bid Tab
Bid Opening Attendance Sheet

BID TABULATION Old Rock School Renovations SGA NW 20225468.0 Januaruy 30, 2024 - Re-Bid	Beam	Gibson Custom Construction	Houck Contracting LLC	Moss Marlow
Bid Signed (Y/N)	No Bid Submitted	Y	Y	No Bid Submitted
Bid Bond (Y/N)		Y	Y	
Addendum #1 (Y/N)		Y	Y	
Addendum #2 (Y/N)		Y	Y	
Addendum #3 (Y/N)		Y	Y	
Base Bid		\$885,100.00	\$743,545.00	
Alt 1		\$320,000.00	\$266,915.00	
contract time		add 30 days	add 0 days	
Alt 1A		\$205,000.00	\$151,225.00	
contract time		add 7 days	add 0 days	
Alt 2		\$62,500.00	\$64,975.00	
contract time		add 0 days	add 0 days	
Total:		\$1,472,600.00	\$1,226,660.00	

This is to certify that the bids tabulated herein were publicly opened and read on the 30th day of January, 2024 in Room 119 at Old Rock School and that all said bids were accompanied by bidder's bond unless otherwise noted.

ARCHITECT:

SGA|NW, a GF design company
2459 Wilkinson Blvd, Suite 120
Charlotte, NC 28208


Mark Sealy, AIA



2459 Wilkinson Blvd.
Suite 120
Charlotte, NC 28208

704.332.5668
sganwdesign.com

Bid Opening Sign in Sheet

Old Rock School renovations
20225468.0
01.30.24

Name	Firm	Email
Chad Houck	Houck Contracting LLC	houckcontractingllc@gmail.com
BRYAN STEEN	TOWN OF VALDESE	
Bo Welch	Valdese	
Jeremy Gibson	GIBSON Custom Const.	ESTIMATING@GibsonCustomConstruction.com
PAUL REARS	TOWN OF VALDESE	pr@rearsinc.com
GLENN HARVEY		
MARISSA AYO		
MARK SEALY	SGA NW	MSEALY@SGANWDESIGN.COM

December 5, 2022, MB#32

Councilman Mears asked how much we had budgeted for this project. Ms. Angi explained that the Rural Transformation Fund Grant was for \$850,000, and this contract is based on that amount. Ms. Angi shared that there is a pending application with ARC for \$120,000, with \$60,000 of that being matched by the Rostan Family Foundation, but the application has not yet been approved. Ms. Angi shared that the grant applications focus is bringing the Old Rock School up to ADA needs and expanding the restrooms. Town Manager Seth Eckard asked what the timeline for this project is. Ms. Angi said the tentative timeline is three years, which is required by the grant.

CAPITAL PROJECT ORDINANCE: Assistant Town Manager/CFO Bo Weichel presented the following Capital Project Ordinance for the Old Rock School renovations:

TOWN OF VALDESE
OLD ROCK SCHOOL RENOVATIONS
CAPITAL PROJECT ORDINANCE

Be it ordained by the Town Council of the Town of Valdese that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted.

Section 1. The project authorized is the Old Rock School Renovations. Project proposes repairs and upgrades to select areas. The project is to be financed by grant funds.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the program ordinance and the budget contained herein.

Section 3. The following revenues are anticipated to be available to contribute to this project:

<u>Source</u>	<u>Amount</u>	<u>Assigned Account Number</u>
Rural Transformation Grant	\$ 850,000	38.3970.000

	\$ 850,000	
	=====	

Section 4. The following amounts are appropriated for the project:

<u>Source</u>	<u>Amount</u>	<u>Assigned Account Number</u>
Renovations	\$ 707,200	38.6250.150
Professional Services	100,300	38.6250.040
Contingency	42,500	38.6200.900

	\$ 850,000	
	=====	

Section 5. The finance officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to provide the accounting to town council required by the program procedures, loan agreement(s), grant agreement(s) and state regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. The finance officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 8. The budget officer is directed to include a detailed analysis of the past and future cost and revenues on this project in every budget submission made to this board.

Section 9: Copies of this project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 5th day of December 2022.

/s/ Charles Watts, Mayor

Councilman Mears made a motion to approve the aforementioned Capital Project Ordinance, seconded by Councilwoman Lowman. The vote was unanimous

COUNCIL AGENDA MEMO

To: Town Council
From: Bo Weichel / Assistant Town Manager
Agenda: 2/5/2024

REQUEST

Accept and approve staff auditor recommendation based on proposals received for the next three years of audit cycles beginning with June 30, 2024.

BACKGROUND

The North Carolina Local Government Commission (LGC) does not enforce formal bid requirements for auditing services due to the professional relationship formed between auditors and clients over an extended work history. The Secretary of the Local Government Commission approves all local government contracts for audit or audit-related work.

The Town has utilized the services of Lowdermilk Church & Co. for the past several years with excellent results. To test the market cost of these services, the Town solicited a Request for Proposals from audit firms across the State that are approved by the Local Government Commission to provide governmental audits.

No responses were received from the advertisement. Thus, staff contacted 10 firms that provide services in our part of the State and asked for a proposal from them.

ANALYSIS

Of the 10 firms asked to provide a proposal, four did not provide a response or call back. Three declined due to client workload or other factors. The remaining three firms that did provide a proposal are listed below:

	2024	2025	2026	TOTAL
RH Accounting	\$50,850	\$55,423	\$60,454	\$166,727 *
Lowdermilk Church & Co.	17,900	18,795	19,735	56,430 **
Misty Watson, CPA	16,100	16,500	17,000	49,600 ***

* Does not include cost of compliance testing Federal and/or State awards (\$4,500 each)

** Includes cost of compliance testing for UNLIMITED Federal and/or State awards.

*** Includes cost of compliance testing up to TWO Federal and/or State awards.

Based on current and past client lists along with staffing levels, both RH Accounting and Lowdermilk Church have the most extensive experience providing audit services to municipalities from the above list.

Lowdermilk Church & Co. offers a competitive rate for their services and is widely known for their professional staff and service throughout the local government community. Their proposed fees for the Town includes compliance testing for an unlimited number of Federal/State program awards, which can vary from year to year.

RECOMMENDATION

Based on a combination of cost and municipal audit experience, staff recommends approval to accept the proposal for auditing services with Lowdermilk Church & Co.

At the March meeting a contract for the first year would be presented for acceptance.

Structure of Audit Services

1. Audit examination of financial transactions and processes.
2. Reports to the Local Government Commission
 - Annual Financial Information Report (AFIR)
 - Data Input Worksheet
3. Financial Statements and Note Disclosures (per GASB 34).
4. Federal and/or State award compliance testing.
5. Submit all the above to the Local Government Commission for their review and approval.

AUDITOR	LOCATION	2024	2025	2026	TOTAL
RH Accounting, PLLC	Lexington	45,750 (audit fee) 5,100 (travel)	50,323 (audit fee) 5,100 (travel)	55,354 (audit fee) 5,100 (travel)	\$166,727
Martin Starnes Associates	Hickory	DECLINED			
Lowdermilk Church & Co.	Morganton	17,900	18,795	19,735	\$56,340
Burleson & Earley, P.A.	Asheville	DECLINED			
Misty Watson, P.A.	Boone	16,000 (16,100*)	16,500	17,000	\$49,600
Gould Killian CPA Group	Asheville	NO RESPONSE			
Sharpe Patel, PLLC	Raleigh	NO REPSONSE			
Bernard Robinson & Co.	Greensboro	NO RESPONSE			
Butler & Stowe	Gastonia	NO RESPONSE			
Thompson, Price, Scott, Adams & Co.	Whiteville	DECLINED			

Date: 12/22/2023

Larry Johnson
Town of Valdese- Planning and Community Development Director

Dear Mr. Johnson:

I'm sending this letter to inform you of my interest to purchase a property owned by the town. The property I'm interested in is 118 Fat Ave NE Valdese. I own a few other properties in close proximity to this lot and would be purchasing the property with the intent of stick building a single family home or possibly a multi family home. This property would require a pump system to get the septic up to the main line and would require a basement since the previous structure on the lot had one. Considering both of these factors I would like to formally offer a cash offer of \$8,500. If this offer is accepted I can close immediately. Thank you for considering my offer and everything you do to make Valdese a great place to live.

Sincerely,

A handwritten signature in black ink that reads "Brian Shuping". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brian Shuping
828.443.0797

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 0.41 Acre Tract at 118 Fat Ave NE, Valdese, NC (REID: 693)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 118 Fat Ave, Valdese, North Carolina, PIN: 2743541703, REID: 693, which Property is more particularly described in Deed Book 2284, Page 883-885 as follows:

BEGINNING on a point at the west edge of US Highway 70, the same being the southeast corner of the C.L. Parris Tract III property (Book 823, page 61, Burke County Registry) and runs with the west edge of US Highway 70, South 32° 31" West 103 .07 feet to a ½-inch iron pin set at the west edge of US Highway 70; thence with the north line of the Denise G. Cannon property the following two (2) courses and distances: (1) North 63° 57' 30" West 61.75 feet to a ¾-inch iron pipe set, (2) North 36° 38' 20" West total distance 144.44 feet to a point in the centerline of Fat Road (SR 1589); thence with the centerline of Fat Road the following two (2) courses and distances: (1) North 47° 38' 30" East 63.97 feet, (2) North 59° 6' 10" East 46.57 feet; thence with the south line of the C.L. Parris property South 41 ° 44' 30" East total distance 165.00 feet to the point of BEGINNING and containing 0.49 acres, more or less. The above description is taken from a survey entitled "Property of Roland Gonzalez and wife, Janice Gonzalez" prepared by Associates Surveyors dated October 16, 1996, revised October 28, 1996.

BACK REFERENCE: Tax Foreclosure File No. 15 CvD 426, in the office of the Clerk of Superior Court of Burke County. See Estate File Nos. 99 E 471 and 99 E 472 in the office of the Clerk of Superior Court of Burke County and Book 871, page 508, Burke County Registry

WHEREAS, North Carolina General Statute §160A-269 permits the Town to sell property by upset bid, after receipt of an offer for the property;

WHEREAS, on or about December 22, 2023, the Town received an offer to purchase the Property from Brian Shuping for \$8,500.00; and

WHEREAS, Brian Shuping has paid the required five percent (5%) deposit of his offer.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF VALDESE RESOLVES THAT:

1. The Town Council authorizes sale of the Property through the upset bid procedure of North Carolina General Statute §160A-269.

2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that:
 - (a) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
 - (b) the buyer must pay the purchase price in certified funds at the time of closing;
 - (c) the Property shall be sold "as is" and subject to all existing easements;
 - (d) the Town will reserve easements for all town utility lines located on or under the Property; and
 - (e) the Property shall be conveyed by special warranty deed.
8. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

This Space was Intentionally Left Blank. Signature Appears on Following Page.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

ATTEST:

By: _____
Charles Watts, Mayor

Jessica Lail, Town Clerk

Location Map

Town of Valdese Property – Fat Ave.



Proposed Amendment of the Valdese Town Council Rules 31 and 32(a) of the Rules of Procedure and Amending Section 2-1021 of the Town of Valdese Code of Ordinances.

Revised Provisions:

Section 2-1021 Committees generally.

All committees shall, unless otherwise ordered, be appointed by the mayor. All reports of committees shall be in writing, if required by the Mayor, and committeemen shall receive such compensation for extra and special service as the board may designate.

Rule 31. Appointments

The council may consider and make appointments to other bodies, including its own committees, if any, only in open session. The council may not consider or fill a vacancy among its own membership except in open session. Town staff liaisons to boards and commissions shall make recommendations to council for appointments/reappointments.

Rule 32. Committees and Boards

(a) Establishment and Appointment. The council or the mayor, if the mayor is delegated that power by the council, may establish and appoint members for such temporary and standing city committees and boards as are needed to help carry on the work of city government. Any specific provisions of law relating to particular committees and boards shall be followed.

A RESOLUTION OF THE TOWN OF VALDESE TOWN COUNCIL AMENDING THE VALDESE TOWN COUNCIL RULES 31 and 32(a) OF THE RULES OF PROCEDURE AND AMENDING SECTION 2-1021 OF THE TOWN OF VALDESE CODE OF ORDINANCES

WHEREAS, the Town Council for the Town of Valdese operates pursuant to a Code of Ordinances (the “Ordinance”) and Rules of Procedure (the “Rules of Procedure”); and

WHEREAS, Rule 33 of the Rules of Procedure provides that the Rules of Procedure may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, so long as the amendment is consistent with the city charter, general law, and generally accepted principles of parliamentary procedure. Adoption of an amendment shall require an affirmative vote equal to or greater than two-thirds of all the actual membership of the council, excluding vacant seats, and not including the mayor; and

WHEREAS, pursuant to North Carolina General Statute 160A-75, no ordinance nor any action having the effect of any ordinance, except an ordinance on which a public hearing must be held pursuant to G.S. 160D-601 before the ordinance may be adopted, may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council; and

WHEREAS, Town Council has determined that Rules 31 and 32(a) are unclear and are also potentially inconsistent and/or in conflict with Section 2-1021 of the Ordinance; and

WHEREAS, Town Council desires to amend Rules 31 and 32(a) of the Rules of Procedure and further desires to adopt/amend Section 2-1021 of the Ordinance.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by at least two-thirds of all the actual membership of Town Council, that:

1. Rule 31 of the Rules of Procedure is hereby amended and replaced in its entirety to read as follows:

Rule 31. Appointments.

The council may consider, make appointments, and fill vacancies to other bodies, including its own committees, if any, only in open session. The council may consider and fill vacancies among its own membership only in open session.

Town staff liaisons to boards and commissions shall make recommendations to council and the mayor for appointments/reappointments to such temporary and standing committees, boards or other bodies created by council.

- 2. Rule 32(a) of the Rules of Procedure is hereby amended and replaced in its entirety to read as follows:

Rule 32. Committees and Boards.

(a) Establishment and Appointment. Council may establish such temporary and standing committees, boards or other bodies as are needed to help carry on the work of town government. Members of such committees, boards or other bodies may be nominated by council or the mayor and shall be appointed by council. Any specific provisions of law relating to particular committees and boards shall be followed.

- 3. Section 2-1021 of the Ordinance is hereby amended and replaced in its entirety to read as follows:

Section 2-1021 Committees generally.

Committees of town council shall be appointed by council. All reports of committees shall be in writing. Committee members shall receive such compensation for extra and special service as council may designate. Any committee member may be removed at any time by council, with or without cause. Any committee member who fails to attend the requisite number of meetings as set out in the attendance policy adopted by council and/or the committee shall be automatically removed from the committee. All vacancies shall be filled by council.

- 4. If any portion of this Section is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed severable, and such holding shall not affect the validity of the remaining portions hereof.
- 5. All Rules of Procedure and provisions of the Ordinance which are not in conformance with the provisions of this Resolution occurring herein are repealed as of the effective date of this Resolution.
- 6. The provisions of this Resolution shall become effective immediately upon adoption.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

ATTEST:

By: _____
Charles Watts, Mayor

Jessica Lail, Town Clerk