

**TOWN OF VALDESE
TOWN COUNCIL PRE - AGENDA MEETING
AUGUST 25, 2025**

The Town of Valdese Town Council met on Monday, August 25, 2025, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilwoman Melinda Zimmerman, and Councilman Glenn Harvey. Also present were: Town Manager Todd Herms, Assistant Town Manager/CFO Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, WPCOG Planner Daniel Odom, and Planning/Clerk Intern Michael Rapp.

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.

REVIEW AND DISCUSSION OF SEPTEMBER 2, 2025, PRELIMINARY AGENDA:

Mayor Watts noted there were many items on the Consent Agenda, asking if any would like to be removed or discussed. No comments were heard.

APPROVAL OF SPECIAL CALLED MEETING MINUTES OF JULY 28, 2025

APPROVAL OF CLOSED SESSION MINUTES OF JULY 28, 2025

APPROVAL OF PRE-AGENDA MEETING MINUTES OF JULY 28, 2025

APPROVAL OF SPECIAL CALLED MEETING MINUTES OF AUGUST 4, 2025

APPROVAL OF REGULAR MEETING MINUTES OF AUGUST 4, 2025

APPROVAL OF CLOSED SESSION MINUTES OF AUGUST 4, 2025

APPROVAL OF LEASE AGREEMENT AT OLD ROCK SCHOOL WITH TRANQUILITY DAY SPA DBA SHIFRAH AESTHETICS & WELLNESS SPA Annual lease agreement renewal with Tranquility Day Spa for space at the Old Rock School. The 12-month lease, running from November 2025 through October 2026, is for \$368.00 per month.

APPROVAL OF LEASE AGREEMENT AT OLD ROCK SCHOOL WITH P&W RAILROAD CLUB Annual lease agreement renewal with P&W Railroad Club for space at the Old Rock School. The 12-month lease, running from October 2025 through September 2026, is for \$230.00 per month.

Mayor Watts proposed the addition of Item I, the new item consisted of a road closure for a Town Special Event. Mayor Watts noted the road closure would be for the Draughn High School Homecoming Parade, which was to be held on October 7, 2025, from 5:30 PM until 7:00 PM. Mayor Watts noted that the road closure would be active on Main Street (US-70), from Hoyle Street Southwest to Eldred Street North East.

Councilwoman Ward made a motion to add the road closure to the consent agenda, seconded by Councilwoman Zimmerman. The vote was unanimous and motion carried.

RESULT: CONSENT ITEMS MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON SEPTEMBER 2, 2025, AT 6:00 P.M.

NEW BUSINESS:

PUBLIC HEARING – TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

Daniel Odom, WPCOG Planning Assistant for the Town of Valdese, stated that this was a housekeeping action in response to the downzoning statues approved by the North Carolina General Assembly in

December of 2024. Mr. Odom continued by stating the current effective date of the UDO was July 1, 2025. Mr. Odom stated that the proposed amendment would extend the effective date of the UDO to January 1, 2026. Mr. Odom stated the reason for the text amendment would be to provide time to the North Carolina General Assembly to address the downzoning statute, reauthorizing municipal downzoning authority before the new effective date of January 1, 2026. Mr. Odom stated that public notice requirements had been met and the Planning Board issued a favorable recommendation to approve the ordinance amendment and the consistency statement as presented. Mayor Watts asked if council had any questions. Councilman Harvey questioned whether the public would have a choice to apply the old Zoning Ordinance or the new UDO to potential projects. Mr. Odom responded in the affirmative, stating that for new development the public would have a choice. Mr. Odom continued by stating applicants would have to provide a notarized document stating which ordinance they would like the new development to follow. Councilman Harvey responded by confirming that the text amendment would not shelf the prior ordinance, that it would still apply. Mr. Odom responded in the affirmative. Mayor Watts asked if there were further comments, none were provided. Mayor Watts stated that Item A would remain on the Agenda.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON SEPTEMBER 2, 2025, AT 6:00 P.M.

CALL FOR A PUBLIC HEARING ON OCTOBER 6, 2025 - CDBG GRANT FOR BERRYTOWN PROJECT

Assistant Town Manager/CFO Bo Weichel stated that the item was to schedule the public hearing for October 6, 2025 for the Berrytown waterline project, to replace water lines and service lines in the Berrytown area. Mr. Weichel stated there were several roads involved in the project. Mr. Weichel stated that the funding, which originated through the North Carolina Commerce Grant, applied for was \$800,000. Mr. Weichel stated that as project costs had increased, the town was awarded an extra \$200,000. Mr. Weichel stated that the town had gone through a public hearing for the original \$800,000 and then stated that the same process had to be repeated for the new funding. Mayor Watts opened the floor to council for questions. Councilman Harvey asked for the total cost of the Berrytown project. Mr. Weichel responded the cost was approximately \$2,400,000, stating total cost would likely be \$3,000,000. Councilman Harvey then asked for the total footage of waterline which would be replaced. Mr. Weichel responded that approximately 8,200 feet of waterline would be replaced. Councilman Harvey then questioned what the total mileage of waterline within the Triple Community waterline system was. Mr. Weichel responded that he did not know that information off hand. Councilman Harvey requested that information for the next council meeting. Councilman Harvey stated the purpose of the project was to allow residents of the Berrytown area to have increased water pressure in their homes, as well as increased fire hydrant water pressure in case of a fire. Mr. Weichel responded in the affirmative, that current lines were undersized. Councilman Harvey asked if grant funding were not present would the project still have to be completed. Mr. Weichel responded in the affirmative. Councilman Harvey acknowledged the liability taken on by the town in providing the Triple Community with water, and that eventually more lines would have to be replaced. Councilman Harvey stated that the Triple Community waterline was not just a source of revenue for the Town, that additionally it was a huge liability. Mayor Watts asked for further comment, none was provided. Mayor Watts stated that Item B would remain on the Agenda.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON SEPTEMBER 2, 2025, AT 6:00 P.M.

CAPITAL PROJECT ORDINANCE AMENDMENT - VALDESE BLUFFS SEWER PROJECT

Mr. Weichel stated that the amendment was a response to the Bluffs Contract approved at the previous meeting. Mr. Weichel stated the Ordinance Amendment was to adjust the project fund to match project costs. Mayor Watts opened the floor to council for questions. None were provided. Mayor Watts later discussed the movement of Item C to the Consent Agenda. Council Agreed and Item C was placed on the Consent Agenda for the September 2, 2025 meeting.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON SEPTEMBER 2, 2025, AT 6:00 P.M.

CAPITAL PROJECT ORDINANCE AMENDMENT - PUBLIC SAFETY BUILDING PROJECT

Mr. Weichel stated that the amendment was in response to an updated contract with DR Reynolds. Mr. Weichel stated the Amendment was to ensure appropriate funding was present in the project budget. Mr. Weichel stated that the Amendment recognized appropriate revenues and expenses in relation to the fund. Councilman Ogle asked for clarification on the total amount of money being moved. Mr. Weichel provided

AUGUST 25, 2025, MB#33

the total cost along with the project fund balance. Councilman Harvey then asked for the total phase one cost. Mr. Weichel provided that the total cost would be \$38,000. Councilman Harvey clarified the cost of possible options of the project. Mr. Weichel suggested Item C and Item D be moved to the Consent Agenda. Mayor Watts then asked council if they would consent to the movements of items. Councilman Harvey stated that Item C could be moved, but it would be preferred to keep Item D in New Business. Mayor Watts stated Item C would be moved to the Consent Agenda and Item D would be kept in New Business.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON SEPTEMBER 2, 2025, AT 6:00 P.M.

RESIDENCY QUALIFICATION FOR COMMITTEE MEMBERS

Town Attorney Tim Swanson stated the item was placed on the Agenda in response to councils request to add residency qualification requirements to town created committees and boards. Attorney Swanson stated the qualification could be done through resolution but that it was discussed to be done through a motion. Attorney Swanson stated a proposed motion was prepared to accomplish the residency qualification and opened the floor to questions. Mayor Watts questioned whether the motion would outline the specific committees the qualification would apply to. Attorney Swanson responded by stating it could apply to all committees formed by the Town Council with the exception of those formed under ordinance. Attorney Swanson stated the qualification would exclude individuals who are a resident of the Town or own a business in the Town. Attorney Swanson stated the qualification would also exclude Town Employees who serve in an ex officio capacity. Attorney Swanson stated that there may be other exceptions that council may desire, and that those could added as the need arises. Mayor Watts stated the additional exceptions that he had recommended were the grandfathered status and the pastors of local churches. Mayor Watts asked for further comments. None were provided. Mayor Watts stated that Item E would remain on the Agenda

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON SEPTEMBER 2, 2025, AT 6:00 P.M.

RESOLUTION ON THE VALDESE TOWN COUNCIL'S EXPECTATIONS FOR RESPONSIBLE TOWN STAFF REGARDING ENFORCEMENT OF ZONING ORDINANCES

Mayor Watts stated that council had received the recommended resolution and opened the floor for questions. Councilman Harvey stated that the draft created by Town Manager Herms was excellent. Councilman Harvey stated the resolution needed an additional section on monitoring. Councilman Harvey stated that citizens are afraid to speak up and worry about retaliation on reporting violations and that an additional provision on monitoring would be favored as a result. Town Manager Herms stated that if it pleased the council he would work on language to include such a provision. Mayor Watts asked for further comments. None were provided. Mayor Watts stated that item F would remain on the Agenda.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON SEPTEMBER 2, 2025, AT 6:00 P.M.

RESOLUTION ON THE VALDESE TOWN COUNCIL'S EXPECTATIONS FOR THE RESPECTIVE TOWN AND COUNTY DEPARTMENTS, TO ENSURE COMPLIANCE WITH THE NC BUILDING CODE IN ALL VALDESE CONSTRUCTION ACTIVITIES

Councilman Harvey stated he had concern with the resolution as it did not state anything of substance. Councilman Harvey referenced a building code violation on Bobo Avenue, stating there was broken glass at street level and expressed his concern with this issue and similar issues relating to accountability. Mayor Watts asked for further comment. Mayor Watts then discussed the difficulty of enforcement. Councilman Harvey responded by stating the Town has little recourse with the system as it stands. Attorney Swanson stated that it may be possible to modify the ordinance so that the Code Enforcement Officer can rectify certain issues. Attorney Swanson stated that it would be difficult to draft something that would force the County to act on enforcement of building code. Councilman Harvey questioned if it would be possible to draft a joint resolution with the County to handle building code enforcement. Attorney Swanson stated it would be possible to have a sit down with the County as a group to have a conversation. Town Manager Herms stated the Town's Code Enforcement Officer and Police Department were in the works of revamping the Town's code enforcement process to streamline the process. Town Manager Herms stated that the Town depends on the County for building inspections and that the Town could not afford to do it themselves and spoke to the importance of coexisting. Attorney Swanson stated it could be advisable to pull the item

off of the agenda and bring something else back to council. Council agreed with the recommendation and Item G was pulled off the Agenda.

RESULT: ITEM WAS REMOVED FROM THE AGENDA AND WILL BE REVISITED AT A LATER DATE

UPDATE ON THE UPSET BID OFFER FOR 800 PINEBURR AVE SE

Mayor Watts opened the floor to council discussion. No discussion was offered.

Councilman Harvey stated he was expecting a financial update on the budget year-to-date, asking if it could be included as an Agenda item in every regular Council Meeting. Mr. Weichel stated that the update would be present in the future, but was not present at the September meeting as it was the start of the fiscal year. Mr. Weichel stated the data would be misleading as July's data includes a lot of the Town's annual expense. Mr. Weichel stated the data would be present in future meetings, beginning in October.

Mayor Watts revisited Item H – Update on the Upset Bid Offer for 800 Pineburr Ave SE, and asked Council if it could be removed from the Agenda. Councilman Harvey stated that he believed that there may be discussion or an update at the following meeting and requested it stay on the New Business Agenda. Attorney Swanson stated that these were ongoing contract discussions and that for the purpose of maintaining confidentiality in those discussions at the present, these discussions were to happen in closed session. Attorney Swanson stated when the Town had an update on the contract that was subject to open session, that would be the appropriate time to have those discussions. Councilman Harvey requested that Item H be left on the Agenda in case there were to be an update.

Following closed session at the end of the meeting, Item H was returned to. A motion was made to remove Item H from the September 2, 2025 meeting by Councilman Ogle, seconded by Councilwoman Lowman. The vote was unanimous and the motion carried.

RESULT: ITEM WAS REMOVED FROM THE AGENDA AND WILL BE REVISITED AT A LATER DATE

TOWN MANAGER'S REPORT Town Manager Todd Herms will report at the September 2, 2025 meeting.

At 6:29 pm, Councilwoman Ward made a motion to go 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. Seconded by Councilman Ogle. The vote was unanimous and the motion carried.

At 6:55 pm, Councilman Harvey made a motion to go out of Closed Session, seconded by Councilwoman Ward. The vote was unanimous and the motion carried.

Following closed session, a motion was made to add a closed session to the September 2, 2025 meeting by Councilman Harvey, seconded by Councilwoman Zimmerman. The vote was unanimous and the motion carried.

ADJOURNMENT: At 6:58 p.m., there being no further business to come before Council, Councilman Harvey made a motion to adjourn, seconded by Councilwoman Zimmerman. The vote was unanimous.

Town Clerk
jl/mr

Mayor