

**TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
AUGUST 3, 2026**

The Town of Valdese Town Council met on Monday, August 3, 2026, 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 Keith Huffman, Mayor Pro Tem Rexanna Lowman, Councilman Gary Ogle, Councilwoman Heather Ward, Councilwoman Melinda Zimmerman, and Councilwoman Shannon Radabaugh. Also present were: Town Manager Todd Herms, Assistant Town Manager/CFO Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various department heads.

Absent: None

A quorum was present.

Mayor Huffman called the meeting to order at 6:00 p.m.

Ronnie LeFevers, Valdese PD Volunteer Chaplain, offered the invocation.

Mayor Huffman led in the Pledge of Allegiance to the Flag.

APPROVED AGENDA

Councilwoman Ward made a motion to approve the agenda as presented. Seconded by Councilwoman Zimmerman. The vote was unanimous and the motion carried.

APPROVED MEETING MINUTES

Councilwoman Zimmerman made a motion to approve the minutes for the May 18, 2026 Special Called Meeting and the May 28, 2026 Regular Meeting. Seconded by Mayor Pro Tem Lowman. The vote was unanimous and the motion carried.

SCHEDULED PUBLIC HEARINGS:

APPROVED TEXT AMENDMENT FOR ELECTRONIC MESSAGE SIGN ORDINANCE

Mayor Huffman called the public hearing to order at 6:07 p.m. Ms. Noelle Johnston, Administrative Intern, stepped forward to the podium. Ms. Johnston presented the following:

**TEXT AMENDMENT –
ELECTRONIC MESSAGE SIGNS**

Town Council – 8 . 3 . 26

Ms. Johnston thanked the Council for the opportunity to both stand before them and work in the Town over the summer.

BACKGROUND

- At the February 2026 Planning Board meeting, Staff introduced a proposed text amendment to Section 5.5.8 of the Unified Development Ordinance (UDO) regarding Electronic Message Signs. The proposed amendment would intend to:
 - Allow Valdese and public-school facilities to display graphic images
 - Increase the minimum allowable display time of messages
 - Increase the allowable electronic messaging sign area
 - Add section to establish standards for the orientation of electronic message signs

NEWSPAPER ADVERTISEMENT

- Advertisement of the Public Hearing occurred on:
 - July 11, 2026
 - July 18, 2026

TOWN OF VALDESE NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE TOWN OF VALDESE UNIFIED DEVELOPMENT ORDINANCE

Notice is hereby given that a public hearing will be held at a meeting of the Valdese Town Council in the Council Chambers of the Valdese Town Hall, at 102 Massel Avenue SW, Valdese, North Carolina, on Monday, August 3, 2026, 6:00 p.m., upon the question of amending the Unified Development Ordinance of the Town of Valdese as follows:

Text Amendment

The Valdese Planning Board recommends Town Council approval of an amendment to the Valdese Unified Development Ordinance to the amendment of the following section: 5.5.8 – Electronic Message Signs.

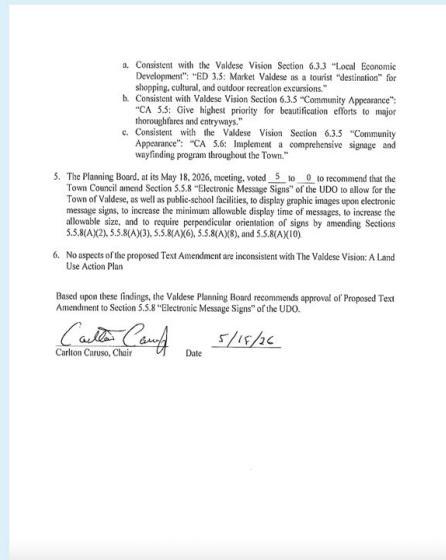
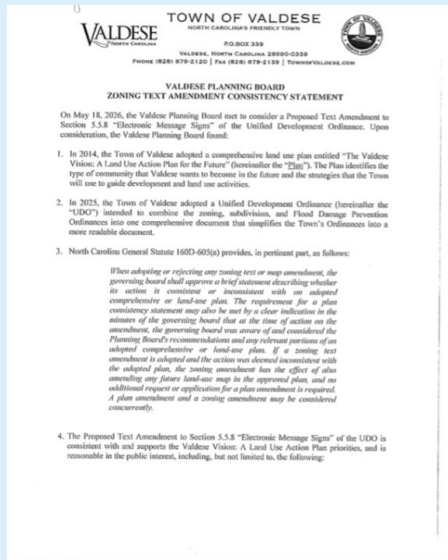
At the hearing, all interested persons may be heard and voice any objections to the proposed amendment to the Unified Development Ordinance of the Town of Valdese. Notice is further given that complete copies of the proposed amendment and of this notice are now and will remain on file in the Office of the Planning Department at Valdese Town Hall for the inspection of all interested citizens, until the time of the public hearing. For information regarding the above listed items, contact the Planning Department at (252) 879-2124 or planning@valdesenc.gov.

Lab. town clerk, at (252) 879-2117 at least 48 hours prior to the scheduled meeting time.
2721-351366
07/11/26, 07/18/26

Interested parties are invited to attend this hearing and present comments. Request for accommodations by persons with disabilities should contact Jessica

REVIEW PROCESS

- The Board found that the changes are reasonable and in the public interest.
- The Board further found that the proposed text amendment was consistent with and supports the Valdese Vision: A Land Use Action Plan priorities including, but not limited to, the following:
 - Consistent with the Valdese Vision Section 6.3.3 "Local Economic Development": "ED 3.5: Market Valdese as a tourist "destination" for shopping, cultural, and outdoor recreation excursions."
 - Consistent with Valdese Vision Section 6.3.5 "Community Appearance": "CA 5.5: Give highest priority for beautification efforts to major thoroughfares and entryways."
 - Consistent with the Valdese Vision Section 6.3.5 "Community Appearance": "CA 5.6: Implement a comprehensive signage and wayfinding program throughout the Town."
- Planning Board Recommendation:**
On May 18, 2026, the Planning Board voted 5 – 0 to recommend approval.



CURRENT REGULATIONS

- Electronic message signs are allowed only for the Town and public schools.
- Graphic images are not permitted.
- Messages must be displayed for at least **8 seconds**.
- Maximum sign size
 - **15 square feet,**
 - **70 inches diagonally.**

PROPOSED AMENDMENT

- The proposed amendment would:
 - Allow graphic images for Town of Valdese and public-school electronic message signs.
 - Increase the minimum message display time from **8 seconds** to **1 hour**.
 - Increase the maximum allowable sign size from:
 - **15 square feet to 25 square feet**
 - **70 inches to 104 inches diagonally**
 - Establish orientation standards for electronic message signs.

Mayor Pro Tem Lowman asked if the amendment would allow Draughn High School to have a larger electronic message sign. Ms. Johnston responded in the affirmative.

Mayor Huffman opened the floor for public comment. No comments were provided.

Mayor Huffman closed the public hearing at 6:10 p.m.

MOTION TO APPROVE

- I move to adopt the proposed Consistency Statement dated August 3, 2026, contained in the agenda materials and to approve the proposed zoning text amendment to the Town of Valdese Unified Development Ordinance amending the specific standards for electronic message signs.

MOTION TO DENY

- I move to adopt the proposed Statement of Inconsistency dated August 3, 2026, contained in the agenda materials and to approve the proposed zoning text amendment to the Town of Valdese Unified Development Ordinance amending the specific standards for electronic message signs.

Councilwoman Radabaugh moved to adopt the proposed consistency statement dated August 3, 2026, contained in the agenda materials and to approve the proposed zoning text amendment to the Town of Valdese Unified Development Ordinance amending the specific standards for electronic message signs. Seconded by Mayor Pro Tem Lowman. The vote was unanimous and the motion carried.

OPEN FORUM/PUBLIC COMMENT

Town Clerk Lail shared that there were no sign ups for public comment.

CONSENT AGENDA: (enacted by one motion)

SCHEDULED PUBLIC HEARING – PROPOSED TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

SCHEDULED PUBLIC HEARING – SECOND HEARING CDBG-DR STREETS AND DRAINAGE IMPROVEMENTS PROJECTS

SCHEDULED PUBLIC HEARING – SECOND HEARING CDBG-DR WASTEWATER TREATMENT PLANT GENERATOR REPLACEMENT PROJECT

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None.

Mayor Huffman asked for a motion to approve the consent agenda. A motion was made by Mayor Pro Tem Lowman to approve the consent agenda. Seconded by Councilman Ogle. The vote was unanimous and the motion carried.

NEW BUSINESS:

STATE OF THE DEPARTMENT – PLANNING

Mr. Rapp presented the following:

TOWN OF VALDESE

STATE OF THE PLANNING DEPARTMENT

TOWN PLANNER, MICHAEL RAPP

2026



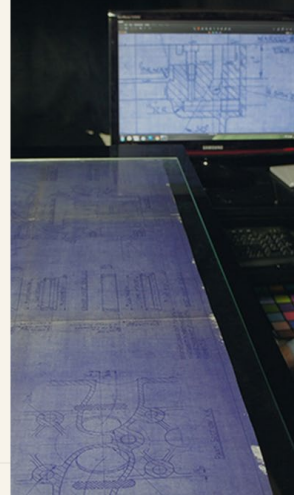
What the Planning Department Does

Core services that guide development and support local decision-making

- 1 **Zoning Ordinance / Permits**
Interprets the UDO, reviews applications, issues zoning permits, and coordinates with building inspections.
- 2 **Subdivision Review**
Reviews plats, recombinations, exempt subdivisions, and related survey questions.
- 3 **Enforcement / Compliance**
Works toward voluntary compliance for zoning, land-use, and permitting issues.
- 4 **Public Boards / Hearings**
Supports the Planning Board, Board of Adjustment, public notices, staff reports, and hearings.
- 5 **General Technical Assistance**
Helps residents, applicants, surveyors, businesses, and other departments understand local requirements.

Town of Valdese Planning Department

Planning is often the first point of contact before a project becomes a permit or public hearing.



Permit Overview

Total permits issued and estimated construction value by ward

66

Total permits issued

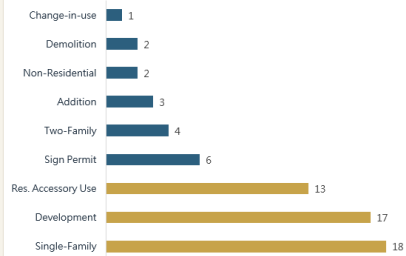
\$5.86M

Total value of permits

Valdese has seen consistent and steady permit activity.

- ❖ Month to month permit activity has ranged anywhere from 8 to 13 permits; with total economic figures ranging from \$411,024 to \$1,536,148.
- ❖ While the number of permits has remained relatively stable, monthly permit value can vary significantly depending on the size and type of projects approved.
- ❖ The permit mix reflects both larger-scale development activity and routine property improvements.

Permit Overview: by Type

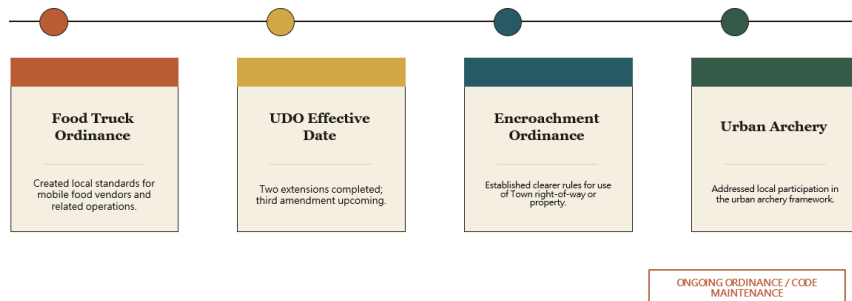


In relation, 2025 saw 89 permits issued with a total value of \$14.5 Million.

Town of Valdese Planning Department

VALDESE PLANNING DEPARTMENT

Ordinance / Code Changes Made to Date



State of the Planning Department

Mr. Rapp shared that the first food truck permit had been issued within the food truck ordinance. He added that as he understood the food truck had been operating without issue and had been doing well.

Mr. Rapp stated that he had the opportunity to work closely with Police Chief Sharpe on the Urban Archery Ordinance update, as well as to collaborate with many other members of Town staff. Mr. Rapp expressed his appreciation for how welcoming every member of Staff had been and stated that the Town's department heads possessed, and shared, a tremendous depth of knowledge. He added that he was grateful for the opportunity to learn from, and collaborate with, his fellow staff members.



Councilwoman Zimmerman noted that Mr. Rapp had spoken very highly of his co-workers and stated that she had likewise received positive feedback regarding Mr. Rapp and the work he had performed since joining the Town. She thanked Mr. Rapp for his contributions and for the work he continued to provide to the Town.

APPROVED PUBLIC SAFETY BUILDING GMP

Town Manager Herms reintroduced Mr. Bob Rawson of D.R. Reynolds, who was present to provide an update on the proposed amendment to the design-build contract for the construction of the Town of Valdese Fire and Police Department project and to answer any questions from Council.

Mr. Rawson stated that an amendment to the contract had been submitted approximately two weeks prior. He advised that the Guaranteed Maximum Price (GMP) for construction was \$10,830,000 and noted that the materials provided to Council included a detailed breakdown of project costs, contingencies, and the proposed scope of work.

Mayor Pro Tem Lowman asked Mr. Rawson to explain the contingencies. Mr. Rawson explained that contingencies are intended to address unforeseen circumstances that may arise during construction. He stated that approximately ten (10) soil borings had been completed across the upper and lower portions of the property to identify potential rock or unsuitable soil conditions. While no significant issues were anticipated based on the testing completed, he explained that soil borings evaluate only a limited area and that unforeseen underground conditions, such as buried tanks or other obstructions, could still be encountered.

Mr. Rawson further explained that owner contingencies could be used to address unforeseen site conditions or circumstances arising during grading and construction, including weather-related issues or other unexpected conditions requiring direction from the Town. He emphasized that contingency funds could not be expended without approval and that any such matters would be presented to the Town Manager for review.

Mr. Rawson then discussed construction contingencies, explaining that these funds may be used to address items inadvertently omitted from the project scope or costs exceeding the amounts originally anticipated. He emphasized that all expenditures would require appropriate justification.

Mr. Rawson stated that, although the GMP had been presented to Council, three (3) prices had not yet been obtained for every individual line item. He explained that three (3) prices would be required before subcontractors could be selected for work such as grading, masonry, concrete, landscaping, and other components of the project. Those prices would be presented to the Town Manager and any other individuals designated to participate in the review and contractor selection process. Mr. Rawson concluded by stating that funds could not be expended, nor could payment be requested, for work or expenses that had not been properly billed and documented.

Councilwoman Ward asked how contingency spending would be approved. Town Manager Herms stated that such requests would come before Council for approval. Town Manager Herms clarified that, if an urgent situation arose requiring immediate action, Council could either hold a special called meeting or provide direction for the work to proceed with a formal approval to follow at the next regular Council meeting. He added that, unless the matter was significant or required immediate attention, contingency expenditures would generally be considered either at a special called meeting or at the next regular Council meeting.

Councilwoman Radabaugh asked what happened if the stated allowances were to be proven insufficient. Mr. Rawson explained that the project would be managed through a series of checks and balances and noted that certain costs, such as asphalt, electrical equipment, generators, and HVAC equipment, may fluctuate due to changing market conditions. He stated that the GMP included a market factor buffer that could be used to help offset increases in such costs.

Mr. Rawson added that the goal would be to purchase major equipment and materials as early as possible in order to lock in current pricing, while acknowledging that prices could also decrease after purchases were made. He emphasized that, regardless of market fluctuations, the project could not exceed the GMP.

Mr. Rawson further explained that individual line-item costs could vary throughout the project while remaining within the overall GMP. As an example, he stated that grading, budgeted at approximately \$696,000, could ultimately cost less than anticipated, while utilities, or another line item, could exceed its stated allowance. He explained that savings in one area could offset increased costs in another. Mr. Rawson reiterated that, regardless of variations among individual line items, the total project cost could not exceed the GMP.

Councilwoman Zimmerman asked when construction was anticipated to begin if the project moved forward that evening. Mr. Rawson stated that D.R. Reynolds anticipated beginning site work in September. He explained that the final grading price was still being obtained and that, if approved, the project would be submitted to the North Carolina Local Government Commission (LGC) the following day. He stated that contracts for grading were expected to be executed by August 15, at which time the pre-engineered metal building would also be ordered.

Mr. Rawson stated that the anticipated start date for on-site grading was the Monday following Labor Day. Councilwoman Zimmerman asked about the anticipated completion date. Mr. Rawson stated that the proposal guaranteed completion by July 28, 2028.

Councilwoman Ward asked for clarification regarding the underlying contract documents, noting that Council had previously reviewed proposals and the scope of work but had not seen the full contract, specifications, terms, and conditions as part of the current agenda packet. She stated that members of the public had also raised questions regarding whether those documents should have been included prior to Council approving the amendment and indicated that she wanted the matter clarified for the record. Mr. Rawson responded that the original contracts had been executed earlier in the year and included the general conditions, payment terms, and other contractual provisions. He explained that the item before Council was an amendment to the existing contract for the purpose of establishing the GMP. Mr. Rawson

added that the original agreement consisted of approximately 30 pages of contractual language and utilized the standard AIA form for design-build contracts.

Councilwoman Radabaugh asked whether a separate specification book had been prepared identifying the project specifications. Mr. Rawson explained that, under the design-build approach, the project specifications were incorporated into the drawings and the scope of work attached to the contract amendment. He stated that the drawings identify items such as fixture types and other construction details, while certain selections, including colors, types, and sizes, would be made as the project progressed. Mr. Rawson added that a more traditional, extensive specification book could be prepared, but doing so would significantly increase the design cost. He reiterated that, for this design-build project, the applicable specifications were contained within the scope of work and construction drawings. He further stated that the drawings were complete and ready to be submitted for permitting if Council elected to move forward with the project.

Councilwoman Ward asked whether subcontractors had been responsive in providing bids and whether their pricing had been used in developing the project costs included within the scope of work. Mr. Rawson stated that D.R. Reynolds had received pricing from at least one (1) subcontractor for every line item included in the GMP. He explained that many of those subcontractors had worked with D.R. Reynolds previously and that local contractors had also been solicited.

Mr. Rawson reiterated that, before D.R. Reynolds could enter into a subcontract for a particular portion of the project, such as grading, three (3) quotes would be presented to the Town Manager for review and contractor selection. He added that solicitation efforts had previously been undertaken in connection with applicable minority-owned and women-owned business participation requirements. Mr. Rawson further stated that prospective subcontractors had been vetted and asked to submit their qualifications to ensure that those ultimately selected were qualified and approved to perform the work.

Mr. Rawson acknowledged that the project represented a significant expenditure and stated that he understood and appreciated Council's questions. Councilwoman Ward agreed, emphasizing that the amount involved was substantial regardless of the funding source. She stated that the funds ultimately represented taxpayer dollars and that, as a member of Council, she was accountable to the citizens. Councilwoman Ward explained that this responsibility required her to carefully review the project and ensure that all necessary questions were asked before moving forward.

Mr. Rawson stated that, in working with Town staff to develop the project design, the original concept would likely have cost approximately \$2.5 to \$3 million more than the current proposal. He explained that D.R. Reynolds had worked with staff to value engineer the project in order to reduce costs while still meeting the Town's needs.

Mr. Rawson noted that D.R. Reynolds had recently completed a police and fire facility of a similar size for approximately the same cost, although that project had been contracted roughly three (3) years earlier. He stated that construction costs had increased significantly since that time, with annual increases in some areas ranging from approximately ten (10) to fifteen (15) percent, and cited steel as an example of a material that had experienced a substantial recent price increase. Mr. Rawson explained that the Town had directed D.R. Reynolds to pursue value-engineering opportunities throughout the design process; as examples, he noted that the facility was not designed as an entirely masonry structure and that a pre-engineered building system would be utilized for the truck bays. He further stated that the design took advantage of the existing topography to maximize the usable building footprint.

Mr. Rawson concluded that the project had been designed not only to address the current needs of the Police and Fire Departments, but also to accommodate anticipated needs over the next ten (10) to twenty (20) years.

August 3, 2026, MB#33

AMENDMENT TO THE
CONTRACT FOR DESIGN-BUILD AND THE CONSTRUCTION
OF THE TOWN OF VALDESE FIRE AND POLICE DEPARTMENT PROJECT
BETWEEN THE TOWN OF VALDESE, OWNER AND
D.R. REYNOLDS COMPANY, INC.,
DESIGN-BUILDER

Pursuant to Section 4 of the Contract, the Owner and Design-Builder established a Guaranteed Maximum Price for the work as set forth below:

ARTICLE 1 - GUARANTEED MAXIMUM PRICE

The Design-Builder's Guaranteed Maximum Price for the construction of the Town of Valdese Fire and Police Department Project, including the estimated Cost of Work as defined in the Contract and the Design-Build Fee for Construction Services as therein defined is:

Ten Million Eight Hundred Thirty Thousand Dollars

\$10,830,000.00

Project Breakdown as Follows:

Description			
General Requirements	\$ 213,000.00	Door Hardware & Accessories	\$ 166,700.00
Grading, Erosion Control, SW	\$ 696,757.00	Overhead Doors	\$ 90,800.00
Utilities	\$ 136,400.00	Glass & Glazing	\$ 140,000.00
Asphalt, Curb & Gutter	\$ 310,000.00	Sprinkler	\$ 129,700.00
Fence	\$ 80,000.00	Plumbing and Air Lines	\$ 254,500.00
Landscaping	\$ 27,350.00	HVAC	\$ 607,600.00
Retaining Wall	\$ 467,500.00	Electrical, Fire Alarm & Generator	\$ 1,100,000.00
Exterior Concrete Aprons	\$ 69,000.00	BDA	\$ 45,000.00
Building Concrete	\$1,153,500.00	Access Control, Alert, VOIP, Camara	\$ 180,000.00
Masonry	\$ 299,000.00	Evidence Lockers	\$ 30,000.00
Steel Including Erection	\$ 609,680.00	Final Clean	\$ 25,000.00
PEMB, Insulation Inc. Erection	\$ 490,055.00	Supervision/Project Manager/Safety	\$ 988,620.00
Framing Drywall Accoust Ceiling	\$ 721,530.00	Permits	\$ 40,000.00
Paint	\$ 155,850.00	Builders Insurance	\$ 30,000.00
Cabinetry	\$ 228,200.00	8% Construction Cost	\$ 846,658.00
Canopies	\$ 43,900.00	Construction Cost Estimate	\$ 10,830,000.00
Roofing	\$ 293,700.00	Contingencies	
Signage & Flag Poles	\$ 40,000.00	Owner Contingency	\$ 200,000.00
Floor Coverings	\$ 120,000.00	Builder Contingency	\$ 200,000.00
		Market Factor Buffer	\$ 200,000.00

Clarifications per Contract:

- Owner Contingency, Builder Contingency, and Market Factor Buffer totaling \$600,000 is in addition to the GMP.
- All monies derived from contingency must be approved prior to use.
- Savings shall be split between owner and contractor 50%/50%, does not apply to Owner Contingency or Market Factor Budget.
- See Attached Scope of work Town of Valdese Fire and Police Department dated 7/15/26.

This price is for the performance of construction of the complete Town of Valdese Fire and Police Department Project in accordance with the Contract Documents as defined in the Contract.

Contract Drawings as Follows:

- Progress Drawings A2.0, 2.1, 2.2, 3.0, 3.1, 4.0, 4.1, 5.1, 6.0, 6.1 As prepared by Invision Design Services, PA Dated
- Progress Drawings Civil-C-1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 6.0 Detail, 6.1, 6.2, 6.3, 6.4, 6.5, 6.0 Landscape Detail as prepared by AWCK dated
- Progress Drawings P01-05, M01-04, E01-05, FA01&02, FP01&02 As prepared by GAR Engineering dated
- Scope of Work as prepared by D. R. Reynolds Company, Inc. dated 7/15/26.
- No Addendums or Specification Book

ARTICLE 2 – CONTRACT TIME

The date of substantial completion established by this Amendment is July 28, 2028, if a Notice to Proceed is issued by August 5, 2026.

With signatures below, the Town of Valdese (owner) is giving D. R. Reynolds Company, Inc., (Design-Builder) Notice to Proceed in the construction of the Town of Valdese Fire and Police Department Project:

Town of Valdese

Date: _____

By: _____

Name & Title _____

Date: _____

By: _____

Name & Title _____

D.R. REYNOLDS COMPANY, INC.

Date: _____

By: _____

Danny Reynolds, President

SCOPE OF WORK
Town of Valdese
Massel Ave SW
July 15, 2026

I. The following items of work are INCLUDED in this proposal:

General Conditions:

- Provide full-time on-site supervision for D.R.R. contracted work
- Temporary facilities and utilities
- Safety in accordance with OSHA regulations and D. R. Reynolds safety program
- Final cleaning for owner occupancy
- Allowance(s). An allowance is defined as a dollar amount included to cover the cost of an item which cannot be identified because of lack of information, design, or both. Any shortage or overage in the stated amount will be addressed as a change order to the contract.

Please note, North Carolina requires special inspections for certain categories/components of construction projects. It is the owner's responsibility to obtain these services from a separate entity.

Site Work in accordance with the drawings produced by AWCK Consulting Engineers dated 4-24-2026

- Demo and haul-off of existing parking, sidewalks, vegetation, and curb and gutter as detailed on C1.1
- Installation of construction entrance, silt fence, and erosion control measures
- Cut, fill, and haul off to obtain proper subgrade
- Install storm drainage to include roof liters
- Install one 6" fire line, hydrant, and FDC. This will connect to the existing 16" water main
- Install one 2" domestic water line, RPZ backflow preventer, gate valve, and meter. This will connect to the existing 16" water main
- Tap fees and meters are excluded and assumed to be covered by the Town of Valdese.
- Curb and gutter, heavy-duty concrete, light duty asphalt, sidewalks, and striping as detailed in the civil drawings, C-6.1

Structural Concrete

- 3,000 PSI column footers per engineered design with reinforcement and anchor bolt placement where pre-engineered metal building column placement is noted
- Retaining wall as detailed on S-10. Height changes will be determined by grade. Water proofing, insulation, and drainage per A 6.01
- Conventional steel footings and anchor bolt placement per design
- Apparatus bay area to have 8" 4,000 PSI sealed concrete. Concrete to be sloped to accommodate the trench drain
- First floor fire living quarters to be 5" 4,000 PSI concrete reinforced with wwm.
- Mezzanine to have 4" sealed concrete over composite decking
- Records area floor track to be provided by owner and placed by DRR

Masonry

- 12" CMU walls supporting the mezzanine floor system with 8" intermediate walls
- 8" CMU walls in the decon shower area
- The mezzanine wall exposed to the apparatus bay will have a 42" high 8" CMU wall with stairwell and one gated access area
- 2'-8" tall CMU wall in the apparatus bay area where retaining wall does not exist at the overhead door areas
- 4" natural stone veneer with a cap stone at 2'-8" around the perimeter of the building
- Drainage, sealants and flashings as required
- The stairwell from the police admin to fire admin will be constructed with masonry walls

Metals

- Pre-engineered metal building components to be discussed in special construction
- Administrative area to be constructed out of conventional steel columns and bar joist type rafters
- 6" Steel bollards with plastic sleeves at the service doors and generator
- Painted steel steps in the stairwell from police to fire with textured steel step treads
- Painted steel steps leading from the apparatus bay to the mezzanine floor with painted bar grate steps
- One access gate providing access to the mezzanine floor from the apparatus bay floor
- All walls will be constructed with steel studs varying from 16" to 12" on center and different gauge thicknesses depending on location

Woods, Plastics, and Composites

- Custom wood frameless cabinets as detailed on A8.01 and A8.02 with soft close doors and drawers, standards selection of hardware, oak wood grain, and in a variety of stained shades
- Level two quartz tops in kitchens, laundry rooms and restrooms(wet areas).
- Formica tops in offices where cabinets are detailed
- Wood blocking as required
- Cedar wood exposed truss canopies at doors. The fire department and police main entrances will have exposed tongue and groove-stained wood exposed on the bottoms. The other doors with canopies will have exposed painted plywood on the bottoms

Thermal and Moisture Protection

- This project is required to meet the current NC Building Codes energy code requirements.
- The retaining wall will have a liquid applied vapor barrier paired with a R7.5 continuous insulation board except at apparatus bays
- Exterior walls will have R19 batt insulation
- All interior walls will have sound batt insulation
- All restroom ceilings will have sound batt insulation over the ceilings
- All restrooms will have either moisture resistant gypsum board or cement board sheathing
- Exposed fastener R panel siding on the administrative building in standard colors
- Mechanically sealed roof over the administrative area with ice and water shield and R-30 insulation

Doors and Windows based on A3.01 dated 6/19/2026

- Storefront doors and windows, priced as white in color, aluminum frames, thermal broken, low E glass.
- Interior doors are to have painted metal frames, prefinished wood doors, vision kits and hardware as detailed
- Exterior non-storefront doors will have painted hollow metal frames and metal doors, vision kits, and prepped for access control where required
- **Service doors (priced as standard colors, RAL special colors not priced)**
 - a. Two(2) 12'X12' and four(4) 14'X14' Sectional insulated door in the apparatus bay area. 2" thick insulated panels with one full view insulated tempered glass panel per door, 3" heavy duty track, high lift operation, 36" safety reversing curtains, LED red/green indicator lights, three button controls and one central control center.
 - b. One(1) 8'X10' insulated coiling steel, three button motor control, & safety reversing sensor
 - c. Two(2) 10'X10' sectional insulated doors in the sally port. 2" thick insulated panels, 3" heavy duty track, high lift operation, three button motor controls and one central control center

Finishes based on A3.01 finish schedule dated 6/19/2026

- All gypsum walls are to be finished and painted with standard colors, level five finishes at main entrances, and caulking/ sealants where required
- Sealed concrete finished floors in mechanical, IT, and janitorial rooms
- LVP flooring and vinyl cove base as detailed in offices, corridors, kitchens, and dayrooms
- Ceramic tile flooring, walls, and shower ceilings within shower enclosures
- Carpeted bunk rooms
- 24" x 24" acoustical ceilings, Armstrong #1911 and caulked at wall angles. Priced as white tile and white grid
- Puzzle time gym flooring

Specialties

- Restrooms are to have all the required ADA grab bars and mirrors
- Solid plastic/ PVC partitions in a variety of standard colors with continuous aluminum wall mounts and required hardware
- Semi recessed fire extinguisher cabinets. Extinguishers are excluded
- A \$30,000.00 allowance has been figured for assorted evidence lockers

Equipment

- Appliances are for visual aid only and have been excluded and shall be furnished by the owner
- Range hood ducting is included. Range hoods are excluded
- One 175 PSI air compressor, automatic drain, and 4 air drops are included.

Furnishings

- Window Treatments Excluded
- All furniture is excluded. It is drawn as a life safety requirement detail but not included in this proposal

Special Construction & Pre-Engineered Metal Building (PEMB)

- The fire apparatus bay will be pre-engineered metal building. ½" on 12" single slope roof. The roof will be a mechanically seamed 24-gauge panel galvalume in color
- Wall sheathing will be an exposor fastener, 26 gauge, R panel in standard colors
- Class 4 essential building rated structure, 20PSF live load, 15PSF snow load, 120MPH wind rating, and required seismic rating
- 4" wall and 6" roof insulation. VRR vinyl reinforced face white in color. Roof insulation to have poultry wire reinforcement
- Rakes, trims, and sealants as required

Fire Suppression

- The building is to have a full NFPA 13 fire sprinkler system
- Exposed brass head in locations without acoustic ceiling tiles(ACT)
- Recessed concealed heads in locations where a gypsum or ACT ceiling is installed
- Pricing is based on the RPZ being installed in the riser room
- All pricing is based on adequate water volume and pressure. No additional tanks or pumps have been priced
- All exposed sprinkler lines are priced to be painted red

Plumbing based on drawings created by Ferguson Engineering dated 6/19/2026

- Tanks style water closets
- Wall mount lavatories where detailed
- Stainless under mount sinks in quarts tops
- Urinals with manual flush valves
- Delta Stainless steel lavatory faucets
- ADA shower valves and diverters
- Decon shower to be masonry with epoxy paint finish and faucets as detailed
- 1- Stainless steel double bowl sink
- 1- Eye wash/ shower Safety Station
- 1- Floor sink for the extractor- Extractor and lint interceptor excluded
- 2- 2X2 terrazzo floor sink
- 2- Bi-level water cooler with bottle fill
- 3- Natural gas tankless water heaters
- Floor drains in wet rooms
- Washer and icemaker boxes
- Water lines to be PEX. Drains and vents to be PVC
- Hose bibs as required with additional bibs in the apparatus bay and sally port
- 1- 1500-gallon oil water separator with approximately 88 feet of trench drain in the apparatus bay

HVAC based on drawings generated by Ferguson Engineering dated 6/19/2026

- 3- Trane 3-ton multistage heat pumps with gas furnaces
- 2- Trane 4-ton multistage heat pumps with gas furnaces
- 4- Trane 5-ton multistage heat pumps with gas furnaces
- 6- Space-Ray tube heaters and 2- HVLS fans in the apparatus bay
- 4- Electric wall heaters
- Exhaust detection and ventilation in the apparatus bay and sally port
- Required gas piping including connection to gas stove in fire department
- Required HVAC low voltage and thermostats. No building automation included

Electrical based on drawings generated by Ferguson Engineering dated 6/19/2026

- Emergency and exit lights as required per life safety
- Standard receptacles and switches with plates
- Occupancy sensors in storage rooms
- Power to all HVAC, doors, and additional equipment
- 800-amp three phase 120/ 208-volt service with all required gear
- One 200KW diesel generator with 800 amp rated transfer switch and fuel storage tank
- Five floor boxes
- High bay fixtures in the apparatus bay, gym, and sally port
- Outdoor wall pack LED fixtures by egress points
- 7- retractable cord reels
- 36-8' LED strip fixtures
- 46- 6" recessed lights
- 145- 2'X4' LED flat panel lay-in fixtures
- 2- flagpole up lights

Communication and Electronic Safety/ Securities

- An allowance of \$180,000.00 has been figured for IT, VOIP, Access control, cameras, and alerting per The Town of Valdese's required vendor selection. This scope has been priced based on the town's requirements provided to Prodigy voice and Data and Digital Eyes. Alerting system has not been designed at this time.

Exterior Improvements

- Landscaping per civil drawings
- Two (2) 20' flag poles
- Black Vinyl fencing has currently been priced as detailed on the civil drawings. This scope also includes galvanized fencing in the sally port. Fencing includes gate operators and remote access points
- Aluminum two rail fencing on retaining walls where required
- An allowance of \$30,000.00 has been figured for exterior signage on the building for signage above both Police and Fire Entrances only.

II. The following items are EXCLUDED from this proposal:

- Special Inspections-see Division I
- Payment and Performance Bond
- Appliances, window treatments, and furniture
- Testing
- Removal of rock and boulders
- Removal and replacement of unsuitable soil
- Removal of any underground obstructions, structures, tanks
- Any type of soil remediation
- Removal or relocation of any above or below grade utilities
- Any other item not mentioned or implied by this scope of work

III. Insurance:

- Builders Risk - Contractor
- General Liability - Contractor
- Workmen's Compensation - Contractor

MOTION: Mayor Pro Tem Lowman made a motion to approve the contract amendment establishing the \$10,830,000 GMP, the additional \$600,000 in contingency funds, and the authorization to execute the amendment and issue the notice to proceed. Seconded by Councilwoman Zimmerman.

DISCUSSION: Councilwoman Ward asked if this approval assured that there would be no chance the cost would be above \$10,830,000. Town Manager Herms responded in the affirmative, stating that a higher price would require Council approval.

Councilwoman Ward expressed continued concern regarding the overall project cost. She noted that Council had previously discussed a maximum project cost of \$10 million and stated that the proposed GMP, combined with contingency funds, represented a significant increase from that amount. She stated that she remained concerned about the possibility of unforeseen site conditions and emphasized that her concerns were not related to opposition to the Police or Fire Departments, but rather to her responsibility to the Town's taxpayers. Councilwoman Ward stated that she did not feel she could continue supporting increases in the project cost without carefully questioning and evaluating each additional expenditure.

Mr. Rawson responded that, in his nearly 36 years of experience, he had never had to return to a council to request additional project funding. He stated that the contingency funds were intended to provide a reasonable buffer for unforeseen circumstances, but emphasized that his goal was not to use those funds

and instead to complete the project for less than the \$10,830,000 GMP. Mr. Rawson acknowledged that the construction market remained unstable and that future pricing could not be predicted with certainty. He reiterated, however, that D.R. Reynolds could not expend more than the amount authorized for the project.

Councilwoman Ward asked what would occur if the project reached a point where contingency funds were needed but Council chose not to authorize their expenditure. She stated that she wanted the process clearly explained for the benefit of the public and asked how the project would proceed under those circumstances. Mr. Rawson responded that, if contingency funds became necessary, D.R. Reynolds would first determine whether savings elsewhere in the project could offset the additional cost. He explained that contingencies are often most relevant early in a project because not all components are purchased or contracted at the outset, and some items may not be bought out until much later in the construction process.

Mr. Rawson stated that the major trades, including plumbing, mechanical, electrical, fire sprinkler, grading, concrete, and masonry, were expected to be contracted within approximately the next 90 days. Mr. Rawson continued that at that point D.R. Reynolds would have a much clearer understanding of project costs and any savings that may be available. He noted that previous projects had produced savings exceeding the amount of contingency funds, although he could not guarantee that the same result would occur with this project. Mr. Rawson emphasized that, before approaching the Town Manager with a request to use contingency funds, D.R. Reynolds would first thoroughly evaluate whether the additional cost could be avoided or absorbed elsewhere within the project.

Mr. Rawson stated that, if Council ultimately chose not to authorize the use of contingency funds, that decision rested with Council. He added, however, that as the project progressed, contractual commitments would be made and funds would be obligated, making certain decisions more difficult to reverse once work had proceeded.

Councilwoman Ward stated that the size of the proposed financial commitment was the reason she wanted to ask as many questions as possible before Council took action. She noted that residents had continued to raise questions regarding previous Town borrowing and stated that, given the significantly larger amount involved with the Public Safety Building, she believed Council should fully consider the Town's overall financial capacity before proceeding.

Councilwoman Ward compared the Town's financial position to a household budget, stating that every organization has a limit on the amount of debt and recurring obligations it can reasonably support. She acknowledged that a new tax had been established to help fund the Public Safety Building but stated that she wanted assurance that the project would not prevent the Town from adequately funding other essential services and capital needs.

Councilwoman Ward specifically expressed concern about the potential effect on street paving, infrastructure improvements, parks and recreation, tourism, and other Town services. Councilwoman Ward stated that, in her view, residents should be made aware that committing substantial resources to the Public Safety Building could result in other projects moving forward more slowly or require reductions elsewhere in the budget unless additional revenues were generated.

Councilwoman Ward emphasized that she considered public safety to be one of the Town's highest priorities and recognized the importance of providing adequate facilities for the Police and Fire Departments. She stated, however, that Council also had a responsibility to consider the broader financial consequences of the project and to communicate those consequences clearly to the public. She further noted that residents often judge the Town by services they experience directly, such as the condition of local streets, and expressed concern that the amount available annually for paving would address only a limited amount of the Town's roadway needs. Councilwoman Ward concluded that these broader financial considerations were the reason she continued to ask questions before making a decision on the proposed financing and project cost.

VOTE: The motion to approve the contract amendment establishing the \$10,830,000 GMP, the additional \$600,000 in contingency funds, and the authorization to execute the amendment and issue the notice to

proceed passed by a vote of four (4) to one (1). Mayor Pro Tem Lowman, Councilwoman Zimmerman, Councilman Ogle, and Councilwoman Radabaugh voted in favor of the motion. Councilwoman Ward voted against the motion. The motion carried.

FINANCING PROPOSAL RESULTS AND RECOMMENDATION

Mr. Andy Smith, Managing Director of First Tryon Financial Advisors, introduced himself and Mr. Chazzo Habliston, Vice President of First Tryon Financial Advisors, and stated that they were present to discuss the financing proposals received for the Public Safety Building project.

Mr. Smith explained that First Tryon had assisted the Town with structuring the proposed debt by evaluating current interest rates, potential financing terms, repayment periods, and available options. He continued that based on that analysis, First Tryon developed proposed payment schedules and issued a Request for Proposals (RFP) to a number of local, state, regional, and national financial institutions.

Mr. Smith noted that not all financial institutions participate in governmental financing, particularly tax-exempt transactions of this nature. He stated that First Tryon solicited proposals from a broad range of banks, including institutions with which the firm had previously worked as well as others that had not recently participated in similar solicitations.

Mr. Smith stated that the RFP requested both 15-year and 20-year financing options and that multiple proposals were received for each term. He added that several banks submitted questions during the process and commended Town staff for their preparation and responsiveness in providing the information necessary to address those inquiries.

Mr. Smith reported that First Tryon received a total of seven (7) financing proposals. Of those, five (5) were considered conforming proposals, while two (2) were considered outliers because they included less conventional terms or structures that were not considered as advantageous or appropriate for the Town.

Mr. Habliston stated that the Town had received seven (7) financing proposals and noted that First Tryon evaluates both the quantity and quality of responses. He stated that receiving seven (7) proposals for a financing of this size and term was a strong result and reflected positively on the Town's perceived credit quality and its ability to repay the debt.

Mr. Habliston explained that two (2) proposals rose to the top of the responses received: Webster Bank and JPMorgan Chase. He stated that JPMorgan Chase submitted only 15-year financing options, while Webster Bank submitted both 15-year and 20-year options.

Mr. Habliston stated that First Tryon worked with Town staff to evaluate the advantages and disadvantages of the competing proposals, including both the proposed lender and financing term. He noted that, during the process, First Tryon became aware of a grassroots effort within the community to potentially raise additional funds that could be used to reduce the outstanding debt and allow the Town to retire the financing sooner.

Mr. Habliston explained that First Tryon subsequently contacted both JPMorgan Chase and Webster Bank to determine whether additional funds raised in the future could be applied toward the outstanding principal balance. He shared that JPMorgan Chase did not permit that option, while Webster Bank agreed to allow such payments. Mr. Habliston stated that this additional flexibility made Webster Bank's proposal more favorable and narrowed the remaining decision to whether the Town should pursue a 15-year or 20-year financing term.

Councilman Ogle asked why JPMorgan Chase had not agreed to the additional prepayment flexibility, noting that its proposed interest rate was slightly lower than Webster Bank's. Mr. Habliston explained that JPMorgan Chase generally preferred to limit prepayment flexibility. He stated that its most competitive interest rate included a non-callable provision, meaning the Town would not have the ability to repay or refinance the loan prior to the end of the 15-year term. He continued stating that while JPMorgan Chase did offer other options allowing greater prepayment flexibility, those options carried noticeably higher interest rates. Mr. Habliston added that JPMorgan Chase was not willing to provide the requested extraordinary prepayment option that would allow funds raised through the community effort to be applied

toward the loan. He stated that, even if JPMorgan Chase had agreed to such an option, the associated interest rate would likely have increased enough to make its proposal less competitive than Webster Bank's.

Mr. Habliston stated that, after evaluating Webster Bank's proposal, the remaining decision was between a 15-year and a 20-year financing term. He reported that Webster Bank offered an interest rate of 4.265% for the 15-year term and 4.49% for the 20-year term.

Mr. Habliston explained that First Tryon incorporated the proposed financing terms into the Town's capital planning model and compared the projected annual payments and total interest costs. He stated that the 15-year option would require approximately \$100,000 to \$120,000 more in annual debt service than the 20-year option, but would save the Town approximately \$1.4 million in interest over the life of the loan. Mr. Habliston stated that, based on this analysis, First Tryon recommended the 15-year financing term. He explained that the higher annual payments remained within the financial parameters and recommendations previously presented to the Town during the budget process while providing substantial long-term interest savings.

Mr. Habliston further noted that Webster Bank's proposal would allow the Town to make additional principal payments if funds from the community fundraising effort became available. He explained that such payments could further reduce both the Town's overall interest expense and future annual debt service obligations.

Mr. Habliston stated that, considering the proposed interest rate, the prepayment flexibility, and the Town's overall capital planning model, First Tryon believed Webster Bank's 15-year proposal represented the most favorable financing option for the Public Safety Building. He stated that First Tryon, Town Staff, and bond counsel recommended accepting the proposal.

Mr. Habliston emphasized that the 4.265% interest rate would be fixed for the entire 15-year term and would not change prior to closing or during the life of the loan. He concluded by stating that Council would later be asked to adopt an approving resolution formally selecting Webster Bank's 15-year proposal as the financing method for the project.

Mr. Smith added that the extraordinary prepayment flexibility offered by Webster Bank was an important advantage based on discussions with Town staff. He also noted that Webster Bank's proposal provided the Town with greater flexibility to refinance the debt in the future should interest rates decline.

Mr. Smith stated that the interest rates received from both Webster Bank and JPMorgan Chase were favorable and came in below the rates First Tryon had projected during its earlier financial modeling. He stated that the competitive proposals reflected positively on the Town's creditworthiness and confirmed that the proposed financing fit within the Town's financial plan. Mr. Smith continued that, if market conditions became more favorable in the future, refinancing could provide an opportunity for additional savings. He added that First Tryon could continue to monitor interest rates and advise the Town if a beneficial refinancing opportunity arose.

Mayor Pro Tem Lowman asked for confirmation that, under Webster Bank's proposal, the Town could make a one-time additional principal payment within the first twenty-four (24) months if funds being raised by local industries and other community partners became available. She stated her understanding was that such a payment could be applied directly to the loan to reduce the Town's outstanding debt. Mr. Habliston responded in the affirmative.

Councilwoman Ward stated that, based on information she had reviewed, approximately \$710,000 had been pledged toward the project. She asked whether those pledges had been documented in writing or whether they remained informal commitments, stating that she wanted to ensure the Town had clear documentation confirming the anticipated contributions.

Town Manager Herms responded that two (2) major local business owners had taken the initiative to help raise funds for the project. He stated, however, that even without any outside contributions, he believed

Webster Bank's proposal was the better financing option because it provided the Town with greater flexibility.

Town Manager Herms explained that, if the project ultimately came in under budget, any remaining funds could be applied toward the loan principal at the conclusion of the project, an option that would not have been available under JPMorgan Chase's proposal. He added that, once the final project cost and remaining contingency amounts were known, Council could also choose to use available Town funds to further reduce the outstanding principal. Town Manager Herms emphasized that, even if no additional outside funds were raised and no additional principal payment was made, the 15-year Webster Bank proposal was projected to save the Town approximately \$1.4 million compared to the alternative financing structure. He stated that the structure and flexibility of the loan were the primary reasons the Webster Bank 15-year proposal was considered particularly attractive.

Mr. Habliston added that, once the Town received the \$10,830,000 in loan proceeds, those funds would be invested until needed for project expenses. He explained that, as construction invoices were received and paid over time, the remaining balance would continue earning interest. Mr. Habliston stated that the interest earned on the project funds could help offset unforeseen project costs, reduce the need to use contingency funds, or assist with principal and interest payments on the financing. He emphasized that the borrowed funds would therefore continue to generate earnings while being held prior to disbursement for project expenses.

APPROVED – RESOLUTION FOR FINANCING CONTRACT

Mr. Bob Jessup, an attorney with Sanford Holshouser, introduced himself and stated that the firm was serving as bond counsel for the Town in connection with the financing of the Public Safety Building project. He explained that, as bond counsel, Sanford Holshouser serves as special outside counsel for matters related to the Town's borrowing and financing process.

Mr. Jessup stated that Sanford Holshouser had worked with First Tryon Financial Advisors and Town Staff throughout the financing process, including the initial structuring of the debt, review of the RFPs, evaluation of the financing proposals received, and preparation of the documentation necessary to close the loan with the selected lender.

Mr. Jessup explained that Council had previously conducted the required public hearing and adopted a preliminary resolution in support of the financing. He stated that the action before Council that evening represented the final formal action required of Council prior to closing.

Mr. Jessup stated that the proposed final financing resolution would accomplish three (3) primary purposes: formally approve Webster Bank's financing proposal, approve the substantially final forms of the financing documents, and authorize Town staff to proceed with closing the loan. Mr. Jessup stated that, if Council approved the resolution that evening, the Town anticipated receiving the required approval from the LGC at its meeting the following day and closing the loan on August 11, 2026. He noted that certain financing documents had already been signed in preparation for closing, but that those documents would have no effect if either Council or the LGC elected not to proceed.

Mr. Jessup concluded by stating that the appropriate action before Council was a motion to approve the final financing resolution in the form presented. He explained that adoption of the resolution would approve the financing proposal and related documents and authorize staff to complete the loan closing process.

Resolution Providing Final Council Approval for Financing up to \$10,800,000 for a Public Safety Building

Introduction --

The Town of Valdese has previously determined to carry out a plan (the "Project") to acquire, construct, equip and finance a public safety building for the police and fire departments (the "Public Safety Building").

The Town has also determined to finance Project costs through an installment financing, as authorized under Section 160A-20 of the General Statutes. In an installment financing, the Town's repayment obligation is secured by a mortgage-type interest in all or part of the property being financed, but not by any pledge of the Town's taxing power or any specific revenue stream. In this case, the Public Safety Building will serve as the collateral.

The Town has solicited competitive proposals from banks and other financial institutions to provide the desired financing, and staff recommends the Town accept the proposal from Webster Public Finance Corporation (the "Lender").

The Town's Chief Financial Officer has made available to this Council the draft agreements listed on Exhibit A (the "Agreements"), which relate to the Town's carrying out the financing plan.

In this resolution, the Council formally approves the Lender's proposal and other financing terms, approves substantially final documents, and authorizes Town representatives to complete the financing.

The Town Council of the Town of Valdese, North Carolina, RESOLVES as follows:

1. Determination To Proceed with Financing – The Town confirms its plans to undertake the Project. The Town will carry out the Project with financing from the Lender substantially in accordance with a financing proposal dated July 1, 2026.

Under the financing plan, the Lender will make funds available to the Town for use on Project costs. The Town will repay the amount advanced, with interest, over time. The Town will grant to the Lender a mortgage-type interest in the Public Safety Building (and its associated real property) to secure the Town's repayment obligation.

2. Approval of Agreements; Direction To Execute Agreements – (a) The Council approves the forms of the Agreements submitted to this meeting. The Council authorizes the Mayor and the Town Manager, or either of them, to execute and deliver the Agreements in their final forms. The Agreements in their respective final forms must be in substantially the forms presented, with such changes as the Mayor or the Town Manager may approve. The execution and delivery of any Agreement by an authorized Town officer will be conclusive evidence of that officer's approval of any changes.

(b) The Agreements in final form, however, must be consistent with the financing plan described in this resolution and must provide (a) for the amount financed by the Town not to exceed \$10,800,000, (b) for an annual interest rate not to exceed 4.265% (in the absence of default, or a change in tax status, as described in the draft Agreements), and (c) for a financing term not to extend beyond December 31, 2041.

3. Officers To Complete Closing – The Council authorizes the Town Manager, the Chief Financial Officer and all other Town officers and employees to take all proper steps to complete the financing in cooperation with the Lender and in accordance with this resolution.

The Council authorizes the Town Manager to hold executed copies of all financing documents authorized or permitted by this resolution in escrow on the Town's behalf until the conditions for their delivery have been completed to that officer's satisfaction, and then to release the executed copies of the documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Council authorizes the Town Manager to approve changes to any documents previously signed by Town officers or employees, provided that the changes do not conflict with this resolution

or substantially alter the intent from that expressed in the form originally signed. The Town Manager's authorization of the release of any document for delivery will constitute conclusive evidence of that officer's approval of any changes.

In addition, the Council authorizes the Town Manager and the Chief Financial Officer to take all appropriate steps for the efficient and convenient carrying out of the Town's on-going responsibilities with respect to the Project. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under this resolution or otherwise with respect to the financing, and making appropriate payments prior to the loan closing for costs related to the financing and the Project.

4. *Resolutions as to Tax Matters* -- The Town will not take or omit to take any action the taking or omission of which will cause its obligations to pay principal and interest (the "Obligations") under the Agreements to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest components of the installment payments to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the Town will comply with any Code provision that may require the Town at any time to pay to the United States any part of the earnings derived from the investment of the financing proceeds. In this resolution, "Code" means the United States Internal Revenue Code of 1986, as amended, and includes applicable Treasury regulations.

5. *Additional Provisions* -- The Council authorizes all Town officers and employees to take all further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. The Council ratifies all prior actions of Town officers and employees to this end. Upon the absence, unavailability or refusal to act of the Mayor, Town Manager, or the Chief Financial Officer, any other of those officers may assume any responsibility or carry out any function assigned in this resolution. The Council authorizes the Clerk to apply the Town's seal, and to attest to the seal, on any document related to the purposes of this resolution. The Mayor Pro Tem or any Deputy or Assistant Town Clerk may in any event assume any responsibility or carry out any function assigned to the Mayor or the Clerk, respectively, in this resolution. All other Council proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2026.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

[SEAL]

ATTEST:

By: _____
Keith Huffman, Mayor

Jessica Lail, Town Clerk

Exhibit A -- draft Agreements

(a) A draft dated July 21, 2026, of an Installment Financing Contract to be dated on or about August 11, 2026 (the "Financing Contract"), between the Town and the Lender. The Financing Contract provides for the advance of funds to the Town for the Town's use on the project, sets out the Town's repayment obligation, and sets out the Town's obligations regarding care for the collateral and other matters.

(b) A draft dated July 21, 2026, of a Deed of Trust and Security Agreement to be dated on or about August 11, 2026, from the Town to a deed of trust trustee for the Lender's benefit. The Deed of Trust provides for a security interest in the proposed Public Safety Building and its associated real property to the Lender to secure the Town's repayment obligation.

A comprehensive overview of the Financing Contract can be obtained from the Town Clerk's Office. Please contact the Town Clerk at (828) 879-2117.

Councilwoman Zimmerman made a motion to adopt the final financing resolution in the form provided. Seconded by Councilman Ogle. The motion passed by a vote of four (4) to one (1). Mayor Pro Tem

Lowman, Councilwoman Zimmerman, Councilman Ogle, and Councilwoman Radabaugh voted in favor of the motion. Councilwoman Ward voted against the motion. The motion carried.

APPROVED – CAPITAL PROJECT ORDINANCE AMENDMENT – PUBLIC SAFETY BUILDING

Mr. Weichel presented the Capital Project Ordinance Amendment for the Public Safety Building and explained that the amendment incorporated the financing and project costs previously discussed into the Town's budget. He stated that adoption of the Amendment was necessary for the Town to legally proceed with the financing portion of the project.

Mr. Weichel explained that the project budget included the \$10,830,000 in proposed borrowing as well as contingency funding. He noted that the existing project fund currently had a cash balance of approximately \$790,000, which would be used to cover the contingency amount included in the project budget.

Mr. Weichel stated that the existing cash already accounted for within the project fund caused the figures shown in the Amendment to differ from some of the amounts discussed earlier. He concluded that the Amendment would properly align the project budget and provide the necessary authorization for the Town to move forward.

Valdese Town Council Meeting

Monday, August 3, 2026

Capital Project Ordinance Amendment # 15-35

Subject: Public Safety Building

Proposed Action:

BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the capital project ordinance for various capital projects funded from a variety of sources is hereby amended as follows.

Section I:

Revenues available to the Town to complete the projects are hereby amended as follows:

Account	Description	Decrease/ Debit	Increase/ Credit
35.3480.004	Sale of Properties		\$38,815.00
35.3480.000	Transfer from General Fund		\$91,185.00
35.3480.003	Loan Proceeds		\$10,800,000.00
Total		\$0.00	\$10,930,000.00

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
35.5300.900	Construction	\$10,330,000.00	
35.5300.950	Owner Contingency	\$200,000.00	
35.5300.951	Builder Contingency	\$200,000.00	
35.5300.952	Market Factor Buffer	\$200,000.00	
Total		\$10,930,000.00	\$0.00

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.

Councilman Ogle made a motion to adopt Capital Project Ordinance Amendment 15-35. Seconded by Councilwoman Zimmerman. The vote was unanimous and the motion carried.

APPROVED – SALE OF TOWN-OWNED PROPERTY – 215 MAIN ST

Mr. Weichel presented the proposed sale of the Town-owned property located at 215 Main Street East. He stated that the process began in April after the Town received an initial offer of \$360,000 for the property. Mr. Weichel provided that Council subsequently authorized the upset bid process, through which a higher bid of \$378,060 was received.

Mr. Weichel stated that the required bid deposit had been received and that the next step was for Council to consider a resolution authorizing the sale of the property to the successful bidder. Mr. Weichel explained that the proceeds from the sale would be deposited into the Public Safety Building project fund.

He noted that the fund currently had a cash balance of approximately \$790,000 and that the sale proceeds would increase that balance to more than \$1.1 million.

Mr. Weichel further stated that any cash remaining in the project fund at the conclusion of the project could be applied toward the one-time extraordinary principal payment permitted under the proposed financing agreement. He noted that increasing the project fund balance and achieving savings throughout the project could therefore help reduce the Town's outstanding debt.

Mayor Pro Tem Lowman asked how much money would be in the Public Safety Building Project Fund if the sale were to go through. Mr. Weichel responded that the amount would be just shy of \$1,200,000, adding that the Town had some outstanding obligations to pay out of that Fund. He noted that it would land at approximately \$1,100,000 if the sale were to go through.

Councilwoman Ward asked if the property was being sold as-is. Mr. Weichel responded in the affirmative.

TOWN OF VALDESE
OFFER TO PURCHASE AND CONTRACT
(OFFER SUBJECT TO UPSET BID PROCEDURE)

Chris Pons as "Buyer," hereby offers to purchase, and the Town of Valdese, a municipal corporation, as "Seller," upon the execution hereof as authorized by action of the Valdese Town Council, agrees to sell and convey, all of that plot, piece or parcel of land described below, together with improvements, if any, located thereon (the "Property"), upon the following terms and conditions:

1. **REAL PROPERTY:** Located in the Town of Valdese, County of Burke, State of North Carolina, being known as and more particularly described as:
Street Address: 215 Main St. E
Legal Description: _____

2. **OFFER/PURCHASE PRICE:** The purchase price offered is \$378,000 and shall be paid as follows:
(a) \$18,903, representing a 5% deposit paid by Chris Pons (bank certified check or money order) with the delivery of this contract, to be held in escrow by the Town of Valdese, until the sale is closed, as which time it will be credited to Buyer, or until this contract is otherwise terminated and it is disbursed to Buyer.
(b) \$359,157, the balance of the purchase price in cash at closing. At closing Buyer agrees to pay for all advertising costs incurred by the Town of Valdese during the upset bid process in addition to the purchase price offered in section 2 above.

3. **CONDITIONS:** The attached Standard Provisions are incorporated herein by reference shall apply to this Offer and Contract, unless expressly modified by addendum to this instrument.

4. **DURATION OF OFFER:** This offer to purchase shall be effective for sixty (60) days from the date hereof. Following acceptance of this offer, the parties shall remain bound hereby for an additional forty-five (45) days and closing shall occur before the expiration of such period.

5. **CLOSING:** All parties agree to execute any and all documents and papers necessary in connection with closing and transfer of title at a place designated by the Seller. The conveyance is to be made to the Buyer by NON-WARRANTY deed.

6. **POSSESSION:** Possession shall be delivered immediately upon closing.

This offer shall become a binding contract when signed by both Buyer and Seller.

Date of Offer: <u>5/26/2026</u>	Date of Acceptance: _____
Buyer: <u>Chris Pons</u> (Seal)	Seller: <u>Town of Valdese</u>
Address: <u>PO Box 1170, Valdese, NC 28690</u>	By: _____
Phone: _____	Town Manager
Email: _____	Council Resolution Date: _____

Town Receipt of Bid Deposit:

I hereby acknowledge receipt of the earnest money herein set forth and agree to hold and disburse the same in accordance with the terms hereof.

Date: 5/26/26 Town of Valdese By: Bochuf

To Submit in Person: Jessica Lail, Town Clerk, Town Hall, 102 Massel Avenue SW, Valdese, NC 28690
To Submit by Mail: Mailing address: Town of Valdese, Attn: Jessica Lail, Town Clerk, PO Box 339, Valdese, NC 28690

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CJP
5/26/26

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY
215 MAIN ST. E., VALDESE, NC

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Burke County, Valdese, North Carolina commonly known as 215 Main St. E., Valdese, North Carolina, PIN: 2743041998, REID: 30953;

WHEREAS, pursuant to N.C. Gen. Stat. §160A-269 a city or town may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bid. When the offer is made and council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within ten (10) days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall re-advertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers;

WHEREAS, on May 26, 2026, Chris Pons offered to purchase the Property from the Town for three hundred seventy-eight thousand sixty and 00/100 dollars (\$378,060.00) and deposited eighteen thousand nine hundred three and 00/100 Dollars (\$18,903.00), or five percent (5%) of the bid, with the Town Clerk;

WHEREAS, no upset bids were received within the ten (10) day upset bid period and the offer of Chris Pons for \$378,060.00 is the last and highest bid for the Property; and

WHEREAS, the Offer to Purchase and Contract stipulates the buyer agrees to pay for all advertising costs incurred by the Town during the upset bid process in addition to the purchase price. The total advertising costs associated with this sale are one hundred sixty-six and 00/100 Dollars (\$166.00)

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer and sell the Property to Chris Pons upon the terms and conditions hereafter set forth.

NOW, THEREFORE, BE IT RESOLVED THAT pursuant to N.C.G.S. § 160A-269, the sale of the Property to Chris Pons for the purchase price of \$378,060.00 plus advertising fees of \$166.00 is approved and the Town Manager is hereby authorized and directed to deliver to Chris Pons a special warranty deed for the Property upon receipt of the purchase price, subject to the following terms and conditions: that the Property shall be sold "as is" and subject to all existing easements; that the Town shall reserve easements for all Town utility lines located on or under the property, if any; that Chris Pons pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership of the Property from the Town to Chris Pons.

THIS RESOLUTION IS ADOPTED this _____ day of _____, 2026.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

[SEAL]

ATTEST:

By: _____
Keith Huffman, Mayor

Jessica Lail, Town Clerk

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Mayor Pro Tem Lowman made a motion to sell the property known as 215 Main Street East, noting that the money from the sale would support the public safety building project. Seconded by Councilwoman Ward. The vote was unanimous and the motion carried.

APPROVED – RESOLUTION AMENDING CHAPTER 7 – CODE OF ORDINANCES

Chief Sharpe stated that the Town had experienced three (3) accidents involving electric bicycles over the previous year and a half in which individuals were injured. He noted that the Police Department had also worked with the school system to produce a safety video addressing the use of electric bicycles.

Chief Sharpe explained that the Town's existing ordinances had become outdated and did not adequately address many of the electric and recreational vehicles now commonly in use. He stated that the proposed amendment would establish regulations for electric bicycles, including the three (3) recognized classes of e-bikes, electric scooters, and similar devices, and would provide the Town with the ability to enforce those regulations through civil citations.

Chief Sharpe stated that the Amendment was intended to address unsafe operation, including the use of high-speed electric bicycles on sidewalks. He added that, when a violation involved an individual under the age of 16, the citation would be issued to the individual's parent or guardian. Chief Sharpe further noted that the Town had experienced increasing use of mini bikes, go-karts, scooters, electric scooters, and similar vehicles throughout Town, resulting in safety concerns and accidents. He emphasized the importance of having updated regulations in place to reduce the potential for serious injuries.

Chief Sharpe stated that the Police Department worked with the Planning Department, Code Enforcement Officer Link, and Town Attorney Swanson in preparing the Amendment. He added that the proposed regulations were generally consistent with approaches taken by other municipalities that had addressed similar issues.

Mayor Huffman stated that he and his wife had personally witnessed an electric bicycle traveling along the sidewalk in front of Mill Town Social House at a high rate of speed. He noted that the situation demonstrated the potential danger to pedestrians and stated that it was fortunate no one was struck or injured.

Chief Sharpe stated that some electric bicycles being operated by younger riders are capable of traveling approximately 35 to 45 miles per hour and that the Town had not previously been equipped to address the safety concerns associated with those speeds. He noted that several of the accidents investigated by the Police Department involved violations such as failing to stop at stop signs and carrying multiple riders.

Chief Sharpe stated that the Amended Ordinance addressed these types of unsafe behaviors and provided an enforceable framework for responding to violations. He added that the Police Department intended to focus on education and awareness during the first 30 to 45 days following adoption, primarily issuing verbal warnings before beginning formal citation enforcement.

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VALDESE
AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES TO REGULATE THE
OPERATION OF BICYCLES, ELECTRIC BICYCLES, SCOOTERS, AND
RECREATIONAL VEHICLES ON PUBLIC PROPERTY**

WHEREAS, Division II, Part 7 of the Code of Ordinances of the Town of Valdese regulates the operation of vehicles and related conveyances upon public streets, sidewalks, greenways, parks, and other public rights-of-way within the Town of Valdese; and

WHEREAS, pursuant to the authority granted to municipalities under Chapters 160A of the North Carolina General Statutes, including N.C.G.S. §§ 160A-296 and 160A-300, the Town Council is authorized to adopt ordinances promoting the public health, safety, and welfare and regulating the use of public streets, sidewalks, and other public property; and

WHEREAS, electric bicycles, electric standup scooters, and other motorized or self-propelled recreational conveyances have become increasingly common forms of transportation and recreation within the Town; and

WHEREAS, the Town Council finds that the operation of such vehicles upon streets, sidewalks, greenways, parks, and other public property may create risks to pedestrian safety, vehicular traffic, and public welfare if not reasonably regulated; and

WHEREAS, the Town Council further finds that it is in the best interest of the public health, safety, and welfare to establish reasonable regulations governing the operation of bicycles, electric bicycles, electric standup scooters, recreational vehicles, and similar conveyances within the Town limits.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VALDESE that Division II, Part 7 of the Valdese Code of Ordinances is hereby amended as follows:

SECTION 1. AMENDMENTS

1. The title of Division II, Part 7, Chapter 1, Article K shall be amended from "Regulation for Bicycles" to "Regulations for Bicycles and Off-road and Recreational Vehicles."
2. Section 7-1001 of the Valdese Code of Ordinances is hereby amended to add the following definitions:

Sec. 7-1001. Definitions

All-terrain vehicle (ATV) means a motorized off-highway vehicle designed to travel on three or more low-pressure tires and intended primarily for recreational off-road use.

Class 1 electric bicycle means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour.

Class 2 electric bicycle means an electric bicycle equipped with a motor capable of propelling the bicycle without pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour.

Class 3 electric bicycle means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour.

Dirt bike means a lightweight off-road motorcycle designed primarily for recreational use on unpaved surfaces and not intended for general highway use.

Electric bicycle or E-bike means a bicycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than seven hundred fifty (750) watts, which is designed to provide assistance to the rider and which meets the classifications and requirements established by the laws of the State of North Carolina. An electric bicycle shall be considered a bicycle for purposes of this chapter unless otherwise specifically provided herein.

Electric standup scooter means a self-propelled device equipped with handlebars and designed to be stood upon while riding, powered by an electric motor, and intended primarily for personal transportation.

Go-kart means a small four-wheeled motorized recreational vehicle designed primarily for off-road or track use.

Mini-bike means a small motorized two-wheeled vehicle designed primarily for recreational or off-road use and not manufactured for lawful highway operation.

Mobility assistance device means a wheelchair, power chair, mobility scooter, or similar device designed and used primarily to assist a person with mobility impairment.

Moped means a vehicle having two or three wheels and operable pedals and equipped with a motor which does not exceed 50 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface.

Motorized recreational vehicle means any self-propelled or electrically powered device designed primarily for recreational or personal transportation use, whether standing, seated, or ridden, including but not limited to electric standup scooters, skateboards, hoverboards, one-wheel devices, mini-bikes, dirt bikes, go-karts,

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ATVs, UTVs, and similar conveyances not specifically defined herein, but excluding vehicles lawfully registered for highway use under North Carolina law.

Motorized skateboard means a self-propelled device which has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground. Self-balancing electric device means any electrically powered self-balancing device designed to transport one person, including hoverboards, one-wheel devices, electric personal assistive mobility devices, and similar conveyances.

Utility terrain vehicle (UTV) means a motorized off-highway vehicle designed for recreational or utility use having side-by-side seating and four or more wheels.

3. Section 7-1121 of the Valdese Code of Ordinances is hereby added as follows:

Sec. 7-1121. Purpose

The purpose of this article is to promote the public health, safety, and welfare by regulating the operation of bicycles, electric bicycles, electric standup scooters, skateboards, all-terrain vehicles, and other recreational or self-propelled conveyances upon public streets, sidewalks, greenways, parks, and other public property within the Town limits.

4. Section 7-1130 of the Valdese Code of Ordinances is hereby amended to read as follows:

Section 7-1130. Prohibited Operation on Sidewalks

- (a) No person shall operate, ride, propel, or otherwise use any bicycle, electric bicycle, electric standup scooter, moped, all-terrain vehicle (ATV), utility terrain vehicle (UTV), motorized recreational vehicle, self-balancing electric device, unregistered off-road vehicle, or other self-propelled recreational conveyance upon any sidewalk located within a designated Central Business District (B-1), General Business District (B-2), Office-Institutional District (O-1), or Manufacturing District (M-1) of the Town. For purposes of this section, "operation" shall include riding, coasting, standing upon, or otherwise using such conveyance for transportation upon a sidewalk.
- (b) Non-motorized bicycles and Class 1 electric bicycles may be operated upon sidewalks outside designated Central Business District (B-1), General Business District (B-2), Office-Institutional District (O-1), or Manufacturing District (M-1) unless prohibited by official traffic-control devices or posted signs. Class 2 and Class 3 electric bicycles shall not be operated upon sidewalks except for the limited purpose of crossing a sidewalk as part of a lawful roadway crossing, entering or leaving adjacent property, or where expressly permitted upon designated shared-use paths or by posted signage. Any person operating a bicycle or electric bicycle upon a sidewalk shall do so at a speed that is reasonable and prudent under existing conditions and shall exercise due care

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with regard to pedestrians, vehicular traffic, visibility, weather conditions, surface conditions, and other actual or potential hazards.

- (c) Any person operating a bicycle or permitted electric bicycle upon a sidewalk shall yield the right-of-way to pedestrians at all times and shall exercise due care to avoid colliding with any pedestrian, animal, or object. Operators shall reduce speed when approaching, overtaking, or passing pedestrians, shall provide an audible warning before passing when reasonably necessary for pedestrian safety, and shall maintain a safe and reasonable distance from pedestrians at all times. No person operating a bicycle or electric bicycle shall operate such vehicle in a manner that startles, crowds, obstructs, interferes with, or forces a pedestrian from the sidewalk or otherwise endangers pedestrian safety.
- (d) No person shall operate any bicycle or permitted electric bicycle upon a sidewalk in a careless, reckless, or unsafe manner so as to endanger the safety of any person or property. Prohibited operation shall include, but not be limited to, operating at a speed greater than is reasonable and prudent under existing conditions, weaving through pedestrian traffic, failing to maintain reasonable control of the vehicle, performing wheelies, jumps, tricks, stunts, or acrobatic maneuvers, operating while distracted by the use of a handheld electronic device, operating in a manner that prevents the operator from hearing surrounding traffic or emergency signals, or operating in any manner that interferes with pedestrian travel or creates an unreasonable risk of injury or property damage.
- (e) The Chief of Police or the Chief's designee may temporarily prohibit, restrict, or regulate the operation of bicycles, electric bicycles, or other permitted conveyances upon sidewalks, greenways, shared-use paths, or other designated public areas during festivals, parades, demonstrations, emergencies, construction activities, special events, periods of unusual congestion, or other circumstances where such restrictions are reasonably necessary to protect public health, safety, or welfare. Notice of such temporary restrictions may be provided through posted signs, barricades, temporary traffic-control devices, verbal direction from law enforcement officers or authorized Town personnel, electronic notice, or any other reasonable means calculated to inform the public.
- (f) This section shall not apply to wheelchairs, mobility assistance devices, or other mobility devices used by persons with disabilities; to law enforcement officers, emergency responders, or other governmental personnel acting within the scope of their official duties; or to Town employees, contractors, or authorized agents operating equipment or vehicles in connection with maintenance, construction, utility work, emergency response, public safety operations, or other authorized governmental purposes.

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5. Section 7-1132 of the Valdese Code of Ordinances is hereby added to read as follows:

Sec. 7-1132. Operation of Off-Road and Recreational Vehicles on Public Streets and Rights-of-Way

- (a) No person shall operate any all-terrain vehicle (ATV), utility terrain vehicle (UTV), dirt bike, mini-bike, go-kart, motorized recreational vehicle, or other unregistered off-road vehicle upon any public street, highway, alley, sidewalk, greenway, public right-of-way, or roadway within the Town limits except: (i) for the lawful crossing of a roadway where permitted by state law; (ii) for official governmental, emergency response, agricultural, construction, or utility purposes; or (iii) as otherwise specifically authorized by state law or Town ordinance.
- (b) Any vehicle required to be registered, titled, insured, or otherwise authorized for highway operation under North Carolina law shall comply with all applicable state requirements before being operated upon a public street or highway within the Town.
- (c) Nothing herein shall be construed to authorize the operation of any vehicle otherwise prohibited by North Carolina law.

6. Section 7-1133 of the Valdese Code of Ordinances is hereby added to read as follows:

Sec. 7-1133. Reckless or Unsafe Operation

- (a) No person shall operate any bicycle, electric bicycle, electric standup scooter, skateboard, self-balancing electric device, moped, or other recreational or self-propelled vehicle upon any public street, sidewalk, greenway, park, parking area, public right-of-way, or other public property within the Town in a careless, reckless, or unsafe manner so as to endanger the safety of any person or property. Reckless or unsafe operation shall include, but shall not be limited to, operating at a speed greater than is reasonable and prudent under existing conditions; failing to maintain proper control of the vehicle; failing to yield the right-of-way to pedestrians or lawful vehicular traffic; weaving through vehicular traffic, pedestrians, or congested areas; disregarding traffic-control devices or signals; operating against the lawful direction of traffic; operating without lighting or reflectors required by law; or operating in any manner that creates an unreasonable risk of injury, alarm, or property damage.
- (b) It shall further be unlawful for any person to perform or attempt to perform wheelies, jumps, stunts, tricks, acrobatic maneuvers, racing, or exhibition riding upon any public property or public right-of-way where such conduct creates a hazard to pedestrians, motorists, adjoining property, or the operator. No operator shall ride upon curbs, benches, railings, stairways, planters, monuments, handrails, or other public fixtures or structures not intended for vehicular travel.

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- (c) No operator shall carry another person upon a vehicle unless such vehicle is specifically designed and equipped for passengers.
- (d) The operation of any bicycle, electric bicycle, electric standup scooter, or recreational vehicle in a manner that interferes with pedestrian travel, obstructs sidewalks or public ways, damages public or private property, or creates an unreasonable risk of injury to persons or property shall constitute a violation of this section. Evidence that an operator lost control of a vehicle, caused a collision, forced a pedestrian or vehicle to take evasive action, or operated in disregard of surrounding conditions may be considered evidence of reckless or unsafe operation.
- (e) The provisions of this section shall apply whether the vehicle is powered by human propulsion, electric assistance, motorized propulsion, gravity, or momentum.

7. Section 7-1134 of the Valdese Code of Ordinances is hereby added to read as follows:

Sec. 7-1134. Safety Requirements

- (a) Any person under sixteen (16) years of age operating or riding as a passenger upon a bicycle or electric bicycle on any public street, roadway, sidewalk, greenway, park, trail, or other public property within the Town shall wear a properly fitted and fastened protective helmet designed for bicycle use and meeting or exceeding the safety standards established by the United States Consumer Product Safety Commission (CPSC) or any successor federal safety standard applicable to bicycle helmets. The helmet chin strap shall be securely fastened at all times while the bicycle or electric bicycle is in motion.
- (b) No parent, guardian, or other person having legal custody or supervision of a minor shall knowingly permit or authorize any person under sixteen (16) years of age to operate or ride upon a bicycle or electric bicycle in violation of the helmet requirements set forth herein.
- (c) No person shall operate a bicycle, electric bicycle, electric standup scooter, skateboard, self-balancing electric device, moped, or other recreational or self-propelled vehicle except as permitted by North Carolina law.
- (d) Every bicycle and electric bicycle operated within the Town shall be maintained in safe operating condition, including properly functioning brakes and any lighting or reflector equipment required by state law. Any bicycle or electric bicycle operated between sunset and sunrise, or during periods of insufficient visibility, shall be equipped with lighting and reflector equipment as required by North Carolina law.

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- (e) No person shall operate a bicycle or electric bicycle while carrying any package, bundle, passenger, or object that prevents the operator from maintaining reasonable control of the vehicle. No bicycle or electric bicycle shall be used to carry more persons than the number for which it is designed and equipped.
- (f) A violation of this section shall be enforceable in accordance with the penalty and enforcement provisions of this chapter. No criminal penalty shall be imposed solely for a violation of the helmet requirements contained in this section.

8. Section 7-1135 of the Valdese Code of Ordinances is hereby added to read as follows:

Sec. 7-1135. Penalties and Enforcement

- (a) Any person violating any provision of this article shall be subject to the civil penalties and enforcement measures set forth herein. Unless otherwise specifically provided by law, violations of this article shall be enforceable through the issuance of civil citations by the Town Police Department or any other enforcement officer authorized by the Town. Civil penalties shall be assessed as follows: fifty dollars (\$50.00) for a first offense; one hundred dollars (\$100.00) for a second offense occurring within twelve (12) months of the first offense; two hundred fifty dollars (\$250.00) for a third offense occurring within twelve (12) months of the first offense; and up to five hundred dollars (\$500.00) for a fourth or subsequent offense occurring within twelve (12) months of the first offense.

Each violation of this article and each day upon which a violation occurs or continues shall constitute a separate offense.

- (b) In addition to any civil penalty, the Town may impound any prohibited vehicle, conveyance, or device involved in repeated, continuing, or egregious violations where reasonably necessary to protect public safety or prevent continued unlawful operation.

Any bicycle, electric bicycle, electric standup scooter, ATV, dirt bike, recreational vehicle, or other conveyance impounded pursuant to this article shall be stored at a location designated by the Town or law enforcement agency. The owner of the impounded property shall be responsible for all towing charges, storage fees, administrative fees, and unpaid civil penalties associated with the impoundment. No impounded vehicle or conveyance shall be released until satisfactory proof of ownership has been presented and all applicable charges and penalties have been paid in full. The Town may adopt administrative procedures governing the notice, storage, redemption, and disposal of impounded property consistent with applicable law.

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- (c) No parent, guardian, or other person having custody or supervision of a minor shall knowingly permit, encourage, or fail to make reasonable efforts to prevent such minor from violating the provisions of this article. Violations committed by a minor may result in civil enforcement action against the responsible adult where prior notice of the violation has been provided and reasonable corrective action has not been taken.
- (d) This article may be enforced through the issuance of civil citations, seizure or impoundment of prohibited vehicles, issuance of warnings, referral to juvenile authorities where appropriate, or any other lawful enforcement mechanism available to the Town. Enforcement officers may order the immediate cessation of any activity constituting a violation of this article whenever reasonably necessary to protect public safety or prevent damage to public or private property.
- (e) The remedies and penalties provided in this section are cumulative and in addition to any other remedies authorized by state law, local ordinance, or equitable relief. Nothing herein shall prevent the Town from seeking injunctive relief or any other lawful remedy to enforce the provisions of this article.

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or provision of this ordinance, or its application to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions or applications of this ordinance, which shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

This ordinance shall become effective upon adoption by the Town Council.

Adopted this ____ day of _____, 2026.

[AFFIX SEAL]
ATTEST:

Jessica Lail, Town Clerk

TOWN OF VALDESE,
a North Carolina Municipal Corporation

By: _____
Keith Huffman, Mayor

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MOTION: Mayor Pro Tem Lowman made a motion to approve the presented resolution authorizing and amending Chapter 7 of the Town's Code of Ordinances to regulate the operation of bicycles, electric bicycles, scooters, and recreational vehicles on public property. Seconded by Councilwoman Radabaugh.

DISCUSSION: Councilwoman Radabaugh asked if signs would be posted as to alert the public of the changes. Chief Sharpe responded that some signs had been posted, but that there was not a plan to post more signs. He stated that the department would begin spreading the word through the verbal warning period. Town Manager Herms added that there would also be a social media campaign to help spread the news.

VOTE: The vote was unanimous and the motion carried.

APPROVED – CAPITAL PROJECT ORDINANCE – RAW WATER INTAKE PUMP STATION RESILIENCY

Mr. Weichel explained that the project originated from damage sustained during Hurricane Helene nearly two (2) years earlier. He stated that the raw water intake facility located near the lake had flooded during the storm, damaging pumps, electrical equipment, and other components and resulting in approximately \$500,000 in damage. He noted that Town staff were able to implement temporary solutions to restore operations and that the damaged equipment had subsequently been repaired using FEMA funding.

Mr. Weichel stated that, following the hurricane, the State established grant programs intended to improve the resiliency of critical water infrastructure. The Town applied for funding through those programs and was awarded approximately \$14 million for improvements to the raw water intake facility. He explained that the proposed work was intended to make the facility more resilient and reduce the likelihood of a similar disruption occurring during future flooding events.

Mr. Weichel stated that the majority of the project funding would be provided through principal forgiveness under the State Revolving Fund program. He added that the financing package also included two (2) smaller State loans at 0% interest.

Mr. Weichel stated that the total project cost was approximately \$14 million and would be funded through a combination of principal forgiveness and 0% interest loans. He concluded that adoption of the Capital Project Ordinance would formally establish the project and provide the necessary budget structure for the Town to account for the revenues and expenditures associated with the improvements.

TOWN OF VALDESE
RAW WATER INTAKE RESILIENCY
CAPITAL PROJECT BUDGET 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 Raw Water Intake Resiliency. The project will modify the Town of Valdese's existing raw water intake pump station to be fortified and improve flood resiliency. General improvements include modifying the existing pump station building and equipment to elevate all components by approximately 3-5 feet. Project components for the raw water intake include the following: pump building, raw water pumps, piping, relocated and/or replaced electrical systems and all related appurtenances for a functional raw water intake.

This project has a total estimated cost of 14 million dollars. Funding will take place through the State Revolving Fund Supplemental Appropriations for Hurricane Helene (referred to as "SRF Helene" funds). The funds must be used to build infrastructure resilience to reduce flood risk and vulnerability and/or to enhance resiliency to rapid hydrologic change or natural disasters. Grant/Principal Forgiveness will provide \$11,750,000 while the remaining \$2,250,000 will be a zero percent interest 20-year loan through DWI.

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:

Source	Amount	Assigned Account Number
SRF Helene Principal Forgiveness (1 st Round)	8,750,000	63.3000.000
SRF Helene 0% Loan (1 st Round)	1,250,000	63.3000.100
SRF Helene Principal Forgiveness (2 nd Round)	3,000,000	63.3000.200
SRF Helene 0% Loan (2 nd Round)	1,000,000	63.3000.300

	\$ 14,000,000	

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

Source	Amount	Assigned Account Number
Design Phase	1,098,000	63.8100.000
Bidding Phase	20,000	63.8100.100
Construction Administration Phase	712,000	63.8100.200
Funding Administration Phase	38,000	63.8100.300
NCDEQ Fee	280,000	63.8100.400
Construction	11,852,000	63.8100.500

	\$ 14,000,000	

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 3rd day of August, 2026.

Keith Huffman, Mayor

Jessica Lail, Town Clerk

TASK ORDER NO. 8

This **TASK ORDER NO. 8** dated the _____, day of _____, 2026, is a supplement to the **MASTER SERVICES AGREEMENT** between the Town of Valdese, North Carolina, dated June 3, 2024, hereinafter referred to as **OWNER** and McGill Associates, P.A., hereinafter referred to as **ENGINEER**. The purpose of this Task Order is to authorize the **ENGINEER** to provide services for the "PROJECT" entitled: Raw Water Intake Pump Station Resiliency.

SECTION 1 - PROJECT DESCRIPTION:

The project can generally be described as: the upgrade of the existing raw water intake pump station and pumping equipment housed within to address Hurricane Helene impacts and fortify infrastructure against future emergency weather events. The existing intake building would be modified to elevate existing mechanical and electrical equipment against future flood events. Project components to be constructed that are directly related to and will improve flood resiliency of components damaged or rendered inoperable by Helene include the following: building modifications to increase building height by approximately 4-feet, raising the entry door height by 4-feet, repairs and replacements to existing pump support structures, replacing and raising the raw water pumps, piping and valve modifications, electrical systems modifications to raise all equipment by 4-feet, and all related appurtenances. The project has been developed through the Town's annual Capital Improvements Plan (CIP) with a total project budget for all the areas described above of \$16,000,000 in the 2028-2029 fiscal year and has been awarded a combination of low-interest loans and principal forgiveness loans from the Division of Water Infrastructure.

SECTION 2 - SCOPE OF SERVICES:

The Engineer shall provide all professional services (the "Services") for the Project including performance of the following:

Design Phase

1. Perform "Design Phase" services in accordance with Article 2.2 of the Master Services Agreement.
2. Prepare a Preliminary Engineering Report and Environmental Information Document in the standard NCDEQ-DWI format, submit that report and respond to comments as necessary to assist the OWNER in receiving approval of the Engineering Report.
3. Provide a topographical survey of the portions of the project site necessary to develop construction documents.
4. Secure the services of a licensed structural engineering sub-consultant to provide a limited visual structural condition assessment of the existing building and pump support structures.

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5. Prepare preliminary design and design calculations.
6. Review preliminary layout with OWNER for concurrence and acceptance.
7. Prepare bid documents, contract documents, technical specifications and construction drawings to detail the character and scope of the work including all design functions and coordination for all construction sequencing of the Project.
8. Review design documents described above with the OWNER for comments and approval prior to submission to review agencies.
9. Prepare final design calculations for submission to review agencies.
10. Prepare and submit permit application and supporting documents to NCDEQ Division of Water Resources (Public Water Supply Section) to obtain the Authorization to Construct for the raw water intake improvements. Also prepare and submit documentation for the project to receive concurrence or approval from other stakeholders like Duke Energy.
11. If required, prepare and submit permit application and supporting documents to the appropriate agencies governing work within the 100-year flood plain.
12. Perform an internal quality control and constructability review of the project.
13. Prepare an updated opinion of probable cost upon completion of the final design plans, and advise the OWNER of any adjustment of the Project cost caused by changes in scope, design requirements or construction costs.
14. Furnish one (1) hard copy and an electronic PDF copy of the final design documents to the OWNER.

Bidding and Award Phase

1. Perform "Bidding and Awarding Phase" services in accordance with Article 2.3 of the Master Services Agreement.
2. Assist the OWNER in advertising, issuing addenda with clarifications, receiving, opening and evaluating bids.
3. Schedule a Pre-Bid Conference with all prospective bidders and the OWNER to address any bidding questions.
4. Consult with and advise the OWNER as to the acceptability of contractors and subcontractors and make recommendations as to the lowest, responsive, responsible bidder.
5. Assist the OWNER in the final preparation and execution of construction contracts and in checking Performance and Payment Bonds and Insurance Certificates for compliance.

Construction Phase

1. Schedule a Pre-Construction Conference with the OWNER, Contractor, ENGINEER and all other applicable parties to discuss all matters related to the Project. Prepare and distribute minutes of the Pre-Construction Conference to all parties.
2. Perform "Construction Phase" services in accordance with Article 2.4 of the Master Services Agreement.
3. Provide on-site observation and construction administration.
4. The total construction contract time is planned to be eighteen (18) months. As part of this contract, field observation will be provided by a Construction Field Representative (CFR) on a part-time basis (averaging 20 hours per week) during active work. Additional CFR time or construction phase services provided beyond this timeframe will involve an increase in the payments to the ENGINEER as Additional Services under Section 3 of the Master Services Agreement.

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5. Review and determine the acceptability of any schedules that Contractor is required to submit to ENGINEER, including Progress Schedule, Schedule of Submittals and Schedule of Values.
6. Schedule monthly construction progress meetings during active work periods with the OWNER, Contractor, ENGINEER and all other applicable parties discuss matters related to the Project. Prepare and distribute meeting notes to all parties.
7. Prepare and review Field Orders, Work Change Directives, and Change Orders.
8. Review shop drawings, diagrams, illustrations, brochures, catalog data, schedules and samples, the results of tests and inspections and other data which the Contractor is required to submit.
9. Review Contractor's applications for payments during construction.
10. Review Contractor's final application for payment and make recommendation as to approval once all issues with the project final observation site visit have been completed and resolved.
11. Prepare a set of record drawings showing changes made during the construction process, based on marked-up prints and other furnished data. One (1) hard copy and one (1) electronic PDF copy of the record drawings will be furnished to the OWNER.

Funding Administration Phase

1. Review Contractor and OWNER documentation of DBE Solicitations and Good Faiths Efforts for completeness and submit to the funding agency for approval.
2. Prepare Project Bid documentation and coordinate with funding agency to secure approval of the funding contract.
3. Review all documentation submitted by the Contractor for reporting of compliance with funding requirements.
4. Review pay applications for approval and release of funds by the funding agency.
5. Assist the Owner in developing and submitting disbursement requests to DWI through their established systems, perform administrative funding functions and assist the Owner through effective project closeout with DWI.

Post-Construction Phase

1. Perform "Post-Construction Phase Services" in accordance with Article 2.5 of the Master Services Agreement.
2. Provide or make available Project files and information to effect project closeout.

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SECTION 3 – COMPENSATION

The Owner shall pay the Engineer for services outlined in Task Order No. 8 the following fees, inclusive of all reimbursable expenses:

Design Phase	\$1,098,000 Lump Sum
Bidding Phase	\$20,000 Lump Sum
Construction Administration Phase	\$712,000 Lump Sum
Funding Administration Phase	\$38,000 Lump Sum
Post Construction Phase	Hourly

SECTION 4 - MISCELLANEOUS

Except as otherwise provided herein, this Task Order supersedes all prior written or oral understanding of the parties and may only be changed by a written amendment executed by both parties.

Owner's Responsibilities

1. The OWNER shall provide full information regarding requirements for the Project.
2. The OWNER shall designate a representative (authorized to act on OWNER's behalf) with respect to the Project. The OWNER shall examine documents submitted by ENGINEER and shall render decisions pertaining thereto promptly, avoiding unreasonable delay in the progress of ENGINEER's work.
3. The OWNER will be responsible for the arrangement of notices and any other costs associated with facility costs, advertisement costs, etc.

SECTION 5 – AUTHORIZATION TO PROCEED

IN WITNESS WHEREOF, and as AUTHORIZATION TO PROCEED the parties execute below this Task Order No. 8:

EXECUTED this _____ day of _____, 2026.

Town of Valdese

McGill Associates, P.A.

Bo Weichel
Assistant Town Manager

Douglas Chapman, PE
Vice President / Regional Manager

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

Bo Weichel
Finance Director

MOTION: Councilwoman Zimmerman made a motion to adopt the Capital Project Ordinance regarding the Raw Water Intake Pump Station. Seconded by Councilwoman Ward.

DISCUSSION: Councilwoman Zimmerman asked whether the project included additional funding the Town had pursued through a second round of applications after receiving an initial award. Mr. Weichel confirmed that the State had opened a second funding round for applicants that had previously received funding and wished to seek additional assistance. He stated that the Town applied through that second round and was able to secure additional funding, allowing the scope of the project to be expanded and further improve the resiliency of the raw water intake facility.

Councilwoman Zimmerman asked what portion of the project funding consisted of grant funding and what portion would be financed through a loan. Mr. Weichel responded that \$11,750,000 of the project funding would be provided through principal forgiveness, which functions similarly to a grant. He stated that the remaining \$2.25 million would be financed through a 20-year, 0% interest loan from the North Carolina Division of Water Infrastructure.

Councilman Ogle asked if the monies would be taken out of the Utility Fund. Mr. Weichel responded in the affirmative and clarified that, aside from repayment of the 0% interest loans over the 20-year term, the project would require essentially no additional expenditure from the Utility Fund.

VOTE: The vote was unanimous and the motion carried.

APPROVED – BUDGED AMENDMENT – LIVE STREAMING EQUIPMENT

Mr. Weichel explained that the Town had experienced difficulties displaying PowerPoint presentations and other materials during live-streamed meetings because the existing controls were located away from the presentation area and were not always accessible while Staff were speaking. Mr. Weichel stated that the Town had been testing equipment that would allow the live stream and presentation controls to be operated remotely. He noted that the current meeting was serving as a test of the equipment, but that some technical issues were still being encountered.

Mr. Weichel explained that the Budget Amendment would provide funding to purchase the equipment if Council wished to proceed. He stated that Council could approve the Budget Amendment and make a final decision on purchasing the equipment at a later date, or defer consideration of the amendment until the following month after additional testing had been completed.

Mayor Pro Tem Lowman asked what types of problems had been encountered and whether they were significant. Mr. Weichel stated that the issues were not major and primarily involved the remote connection issues. He added that he did not believe the equipment itself was the source of the problem and instead suspected the Town's Wi-Fi connection. Mr. Weichel reported that the equipment would cost approximately \$1,843.

Mayor Pro Tem Lowman asked whether the equipment could still be used at the September meeting if Council deferred action. Mr. Weichel explained that the Town was currently using the equipment on a trial basis and would be required to return it if the Town did not intend to purchase it. He added that Council could approve the Budget Amendment and allow staff additional time to resolve the technical issues without delaying implementation for another month.

Town Manager Herms recommended that Council approve the Budget Amendment and allow Staff to continue working to resolve the internet connectivity issues. He stated that, if staff were unable to make the equipment function properly, the authorized funds would not be spent. However, if the technical issues could be resolved, approval of the Amendment would allow the Town to proceed without an additional month of delay.

Mr. Weichel stated that the concept and capabilities of the equipment were beneficial, but that the Town needed to resolve the technical issues to ensure reliable operation. He explained that, without the remote equipment, he would have to continue moving between the presentation area and the existing controls during meetings, which could result in portions of presentations being missed while he attended to other meeting responsibilities.

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Councilwoman Ward clarified that if the Town could not get it working, it would not have to pay for anything. Town Manager Herms responded in the affirmative.

Valdese Town Council Meeting

Monday, August 3, 2026

Budget Amendment #

1-10

Subject: Live Streaming Equipment

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, 2027:

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.		1,843
Total		\$0	\$1,843

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.490	Technology & Equipment	1,843	
Total		\$1,843	\$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.

Councilwoman Ward made a motion to approve the Budget Amendment, totaling \$1,843, regarding Live Streaming Equipment. Seconded by Councilwoman Zimmerman. The vote was unanimous and the motion carried.

MANAGER'S REPORT

Town Manager Todd Herms reported:

Numerous events are scheduled throughout the end of the year. An Event Calendar is included in the reading materials for your review and provides details on upcoming activities.

Town Manager Herms announced that the upcoming weekend would mark the 51st Waldensian Festival in Valdese. He stated that festivities would begin Friday evening with a car show and live music on Main Street. Saturday's events would include a foot race, bocce tournament, live entertainment throughout the day, approximately 160 vendors, and a final concert beginning at 7:00 p.m.

Town Manager Herms thanked the event sponsors, staff, volunteers, businesses, and organizations that contribute to the success of the festival each year. He noted that additional information regarding the event was available through the Town's tourism website and social media platforms.

Town Manager Herms also expressed appreciation to Town Staff for the significant amount of work involved in preparing for and supporting the festival. He specifically recognized Morrissa Angi, Annie South and Noel Johnston, and the many employees who work behind the scenes. He noted the involvement of Public Works, Police, Fire, EMS, Planning, and other departments and stated that the scale of the event requires considerable coordination and effort. He concluded by thanking all employees who had contributed to the festival and expressing his appreciation for their work.

Town Offices will be closed on Monday, September 7, 2026 in Observance of Labor Day

Next Regular Council meeting scheduled for Monday, September 14, 2026, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS:

Councilwoman Radabaugh thanked the Town's police officers and everyone who participated in the bicycle safety video prepared for local youth and teenagers. She stated that she believed the video had a significant impact, particularly among middle school students who may not have been familiar with the applicable ordinances and safety rules. Councilwoman Radabaugh expressed her appreciation for the effort and thanked the officers for the work they perform each day.

Councilwoman Zimmerman noted that, in conjunction with the upcoming events in Town, the Waldensian Heritage Museum would hold a ribbon cutting on Friday for newly completed displays and improvements. She stated that the museum had undergone remodeling and noted that the historic fire truck was among the exhibits located there. Councilwoman Zimmerman added that members of Council had been invited to attend the ribbon cutting and encouraged the public to visit the museum and participate in the event.

Mayor Pro Tem Lowman recognized Ms. Noelle Johnson, who had been serving as an intern with the Town, and noted her family ties to Valdese as the granddaughter of the late Jim Draughn and Emma Draughn. She stated that the Town had been pleased to have Ms. Johnson working with staff and thanked her for her contributions. Mayor Pro Tem Lowman also expressed her excitement for the upcoming Waldensian Festival and thanked Town Staff for the significant amount of work required to prepare for and carry out the event. She emphasized that employees from across the organization contribute to the festival and expressed her appreciation for their efforts.

Mayor Pro Tem Lowman additionally encouraged the public to attend From This Day Forward, the Town's outdoor drama. She noted her service on the Old Colony Players Board and stated that the production provides an important portrayal of the community's history. She encouraged continued public support of the outdoor drama and described the production as outstanding.

Councilman Ogle stated that the Public Safety Building represented the largest construction project the Town of Valdese had undertaken and expressed his appreciation that Council had recognized the need to move the project forward. He noted that construction was anticipated to begin in September and stated that he was pleased the project would no longer be delayed.

Councilman Ogle stated that he believed the Town had secured a favorable interest rate and a reasonable construction price. He expressed hope that the project would ultimately come in under budget, while acknowledging that the approved amount provided the Town with the ability to complete the project as planned. He concluded by thanking his fellow Council members for their support of the project.

Councilwoman Ward spoke regarding homelessness and housing availability in the region. She stated that, through her work with local community outreach efforts, she had learned more about the difficulty's individuals experiencing homelessness face when attempting to obtain housing. She noted that many individuals are currently on lengthy waiting lists and stated that she had recently been informed by the regional housing authority that the waiting list had closed with approximately 3,000 individuals awaiting housing assistance.

Councilwoman Ward encouraged the public to approach individuals experiencing homelessness with compassion and to avoid making assumptions about the circumstances that led to their situation. She stated that hearing the personal experiences of unsheltered individuals had changed her perspective and emphasized that many face significant barriers to obtaining stable housing.

Councilwoman Ward expressed appreciation for the Town's Planning Board and its efforts to consider opportunities for additional housing within the community, stating that housing availability was a greater regional need than she had previously realized. She further encouraged members of the community to assist individuals in need when possible, including by providing food, water, clothing, or other necessities. Councilwoman Ward concluded by asking residents to show compassion and understanding toward those in the community who may be experiencing difficult circumstances.

Mayor Huffman recognized several new and upcoming downtown dining establishments, including Saloon on Bobo, Sunset Slush of the Blue Ridge, and Café Sabai by Pho Lao, which he stated was expected to

open in the former Mountain Burrito location. He encouraged residents to support the Town's downtown restaurants and merchants.

Councilman Ogle added that The Allard was also expected to open in Valdese, potentially in September. He stated that he had previously dined at the restaurant's Hudson location and spoke highly of the food. Councilman Ogle encouraged residents to support the business once it opened in Town.

Town Manager Herms introduced Brandon Ruppe, the recently appointed President of Burke Development Incorporated. He noted that Brandon had joined the organization several months earlier and had quickly become actively engaged in his new role. Town Manager Herms commended Mr. Ruppe for his dedication and work ethic, noting that he had been highly responsive and frequently communicated with the Town. He expressed his appreciation for Mr. Ruppe's efforts and stated that Mr. Ruppe was expected to make a formal presentation to Council in October.

CLOSED SESSION

At 7:20 pm, Mayor Pro Tem Lowman 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, and NC General Statute 143-318.00(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives. Seconded by Councilwoman Zimmerman. The vote was unanimous and the motion carried.

At 8:10 pm, Councilwoman Ward made a motion to go out of Closed Session, seconded by Mayor Pro Tem Lowman. The vote was unanimous and the motion carried.

ADJOURNMENT: At 8:12 p.m., there being no further business to come before Council, Councilwoman Zimmerman made a motion to adjourn, seconded by Councilwoman Ward. The vote was unanimous.

Town Clerk

Mayor

mr